

MEMBERSHIP ASSISTANCE PROGRAM REGULATIONS
Regulation # R700-04:MA-02

Chapter 2. Community Wellbeing & Support Program

Section 1. Authority; Purpose

1-1. *Authority.* In accordance with Section 7 of Membership Assistance Program Ordinance, Ordinance # 03-700-04, the Tribal Ogema hereby promulgates these regulations for implementation of the Community Wellbeing & Support Program .

1-2. *Purpose.* This regulation is intended to provide a framework for the implementation and administration of the Community Wellbeing & Support Program to assist in the development of surveys intended to garner information for the review of existing programs and development of future programs to provide assistance to members.

Section 2. Definitions

2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word “shall” is always mandatory and not merely advisory

Section 3. Eligibility

3-1. *Eligibility.* An applicant is eligible to receive the Community Wellbeing and Support payment if he or she is/has:

- a. an enrolled member as of January 1st of the program year
- b. the legal guardian of a member who has been determined by a court of competent jurisdiction to require a legal guardian over the person and/or affairs, provided that the legal guardian is not the State of Michigan or other state government.
- c. a current mailing address on file with the Enrollment Department

Section 4. General Policies

4-1. *Program Scope.* Community Wellbeing and Support Program is designed to provide a mechanism for the development of information about members in order to assist the government in reviewing existing programs and developing additional programs. As a part of this purpose, the Community Wellbeing and Support Program develops surveys to gather information to be utilized by all programs of the Tribe.

4-2. *Program Amount.* To encourage responses to surveys, the member shall receive a payment for a completed survey. The program amount for each program year shall be set by resolution of the Tribal Council each fiscal year and shall be included in this section *as reference*.

a. *Program Year Assistance* shall be set at \$1500.00 for each adult member who will be age 18 or over as of December 31st of the program year and \$500.00 for each minor member not having reached age 18 by December 31st of the program year.

b. *Subsequent Program Years* for each subsequent program year, the Tribal Council shall set the amount of assistance payments by resolution.

4-3. *Survey Development.* The Membership Assistance Department shall request input from all Tribal programs providing services to members in order to develop the survey. The department, in requesting input from Tribal programs, shall identify appropriate time lines for responses from programs, the dates and times of meetings for survey drafting and review, and other necessary steps to development of the survey. The survey development may take any process necessary, but

final surveys must contain the following statements in a prominent location on the survey and must receive written approval by the Ogema prior to publication and mailing.

- a. A parent or guardian of a member may sign a completed survey on behalf of the minor child or ward. By signing the survey on behalf of the minor child or ward the parent/legal guardian is certifying that the minor child or ward is a permanent member of their household and the payment received will be utilized to benefit the minor child or ward. The parent or guardian should fill out the survey based on his/her estimate of the needs of the minor child or ward.
- b. Failure to return a completed and signed survey to the Membership Assistance Department prior to November 1 shall result in the member not being qualified to receive the Community Wellbeing and Support payment.

4-4. *Survey Mailing ;List of Eligible Members.* The Members Assistance Department shall request a mailing list from the Enrollment Department listing all eligible members enrolled as of January 1st of the program year. The Community Wellbeing and Support Survey and a return self address stamped envelop will be mailed out on or around February 1st of the program year. Surveys will be mailed to the address on file with the Enrollment Department. For the purpose of this program the list of eligible members shall be forwarded to the Accounting Department for availability of current mailing address for use in check processing.

4-5 *Change of Address.* Members who do not have a current and valid mailing address must complete and file a Change of Address Form with the Enrollment Department. The Enrollment Department shall notify the Members Assistance Department when the address has been recorded, at which time a survey will be mailed to the member. The Members Assistance Department shall forward a copy of the Change of Address Form to the Accounting Department for check processing purposes.

4-6 *Responsibility; Liability.* The member assumes all responsibility for the timely submission of the Community Wellbeing and Support Survey. The Members Assistance Department will not be held responsible for undeliverable/returned surveys or checks. Undeliverable/returned mail will be forwarded to the Enrollment Department. The Members Assistance Department shall make every effort to contact the member in the event a check is returned undeliverable.

4-7 *Survey Processing.* Completed surveys will be processed in the order in which they are date received and must be received on or before November 1st of the program year. For the purpose of this requirement surveys shall be post marked received on or before November 1st of the program year.

4-8. *Program Amount Distribution.* The Membership Assistance Department shall forward to the Accounting Department a weekly list of eligible members. The list shall identify the tribal member identification number, full name, age and birth date. The Accounting Department shall print and mail all program amounts to eligible members. Processing payment for a completed and signed survey may take up to two weeks from the date of receipt.

4-9 *Restrictions on Program.* The Members Assistance Department shall not mail a survey to a member who does not have an address on file with the Enrollment Department. It is the responsibility of the member to maintain a current and valid mailing address with the Enrollment Department. Surveys shall be post marked on or before November 1st of the program year to receive payment amount. A Faxed, drop off or interoffice delivery of a survey is unacceptable and will not be processed for payment. Surveys received in this manner will be mailed back to the member for proper post marking requirement. Payment amounts shall not be available for pick up and are to be mailed to the member.

4-10. *Maintenance of File; Use of Information.* The Membership Assistance Department shall maintain a confidential filing system/data base and shall not release any information collected from members except as provided in this section.

a. *Statistical.* Information may be compiled and reported to internal or external agencies which does not identify specific tribal member.

b. *Program Building.* Information shall be compiled and shared to the extent necessary to identify a need to expand or create a program. Such information shall be in a format that does not identify specific tribal member.

4-11. *Process Time Line.* The Membership Assistance Department must receive the Community Wellbeing and Support Survey on or before November 1st of the program year to be qualified to receive the program amount. There shall be no carry over of eligibility from program to program year. Processing of a completed and signed survey may take up to two weeks from the date it is received.

4-12. *Incomplete Documentation/Ineligibility Determination.* The Membership Assistance Department must have received a completed program survey on for before November 1 of the program year. No member shall be eligible to appeal a determination of an incomplete program survey, or proper receipt of a program survey. No member shall be eligible to appeal a determination of ineligibility based on mailing of the survey to the improper mailing address of the member. Members shall be responsible for maintaining the correct mailing address on file with the Enrollment Department.

Section 5. Adoption; Amendment; Repeal

5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on , and approved by the Tribal Council on by adoption of resolution 03-1001-311.

5-2. *Amendment.* This regulation may be amended by the Members Assistance Department in accordance with the Constitution and any rules set forth governing amendment of regulation of the Little River Band of Ottawa Indians. Provided that, any amendments must be approved or adopted in the same manner as set forth in section 5-1.

5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.

5-4. *Compliance.* Compliance with all submission survey submission deadlines within this Chapter is mandatory. The Ogema may review and approve or deny requests for reasonable extensions for mailing and receipt of surveys and mailing and receipt of program amounts due to extenuating circumstances.

5-5. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents.

5-6. *Effective Date.* This Regulation shall take effect on upon approval by the Tribal Council.