

# Oneida Tribe of Indians of Wisconsin

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Oneida, WI 54155



UGWA DEMOLUM YATEHE  
Because of the help of  
this Oneida Chief in  
cementing a friendship  
between the six nations  
and the colony of  
Pennsylvania, a new  
nation, the United States  
was made possible.

Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

## BC Resolution # 5-15-96-A

*Regarding Adoption of Community Support Services Fund Policy*

WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of the Wisconsin, and

WHEREAS, the General Tribal Council has been delegated the authority of the Constitution of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and

WHEREAS, the Oneida Tribe of Indians has determined that there are needs within the Oneida community which require emergency funding to avoid physical, emotional or mental injury to Oneida members, and

WHEREAS, the Oneida Tribe has developed the Oneida Community Support Services Fund and allocated money for a budget to deliver these types of services, and

WHEREAS, there has been developed a policy to implement this fund in the broadest manner possible, while setting standards and uniform application of services to assist the greatest number of applicants, and

WHEREAS, there have been Public Hearings held as required under the Administrative Procedures Act, of which comments made have been reviewed and addressed in the appropriate manner,

NOW THEREFORE BE IT RESOLVED, that the attached Community Support Fund Services Policy shall be implemented immediately upon adoption, provided that those applicants receiving services prior to adoption to this policy shall be integrated into the policy requirements if possible, and

NOW THEREFORE BE IT FINALLY RESOLVED, that the Community Support Program shall be responsible for creating and maintaining forms as designated within this policy and other forms necessary for implementing this policy.

## CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 7 Members were present at a meeting duly called, noticed and held on the 15th Day of May, 1996; that the foregoing resolution was duly adopted at such meeting by a vote of 6 Members for; 0 Members against, and 0 Members not voting; and that said resolution has not been rescinded or amended in any way.

A handwritten signature in cursive script that reads "Julie Boston". The signature is written in dark ink and is positioned below the certification text.

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## STATEMENT OF EFFECT Resolution Regarding Adoption of Community Support Services Fund Policy

### Summary

This resolution adopts the Community Support Services Fund Policy.

### Analysis

The Community Support Services Fund Policy sets out procedures for implementation of this program. The program has three levels of services with maximum dollar amounts within each level and an aggregate maximum amount. There are specific criteria for eligibility and listed items or subjects excluded from the fund benefits.

This fund was originally two separate funds - the Catastrophic Fund and the Community Support Fund - managed by separate entities. These funds were moved to a program created within the Income Maintenance Department as part of the reorganization of the Oneida Tribe. The program has continued providing services under the original plans while in the process of creating written procedures for a combined benefit and fund approach.

The policy has been presented for Public Hearing and comments received at that hearing have been identified and addressed. Further, the policy has been forwarded for comment by the Division Directors of the Oneida Tribe, specifically Governmental Services. These comments have been identified and addressed.

The resolution indicates that the policy will be adopted with immediate implementation. This is outside of the normal adoption procedures, however, since the program has been involved with the development of these procedures, the program employees are aware of the requirements and have been following the basic requirements. There are no prohibitions within the Administrative Procedures Act against immediate implementation, and no applicants or potential applicants are injured or denied services as a result of this immediate implementation.

The policy has received the appropriate Public Hearings as required by the Administrative Procedures Act. There are no legal issues which would prohibit adoption of the resolution or implementation of the policy.

### Conclusion

There are no legal issues which would prohibit adoption of the resolution or implementation of the policy.

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## COMMUNITY SUPPORT POLICY

### Article I. Purpose and Policy

1-1. The purpose of this policy is for the Oneida Tribe to continue providing services to its membership by implementing the Community Support Services Fund under the Income Maintenance Program of the Oneida Tribe of Indians of Wisconsin.

1-2. These policies and procedures apply to all enrolled members of the Oneida tribe of Indians of Wisconsin who seek assistance from the Community Support Services Fund. This fund will be utilized to provide financial assistance to Oneida Tribal Members in times of catastrophic event or illness where no other resources exist.

### Article II. Adoption, Amendment, Repeal

2-1. This policy is adopted by the Oneida Business Committee by resolution # BC-\_\_\_\_\_ that delegates authority and responsibility to the Community Support Services Program under the administration of the Income Maintenance Department.

2-2. This policy may be amended pursuant to the procedures set out in the Oneida Administrative Procedures Act by the Oneida Business Committee or the Oneida General Tribal Council.

2-3. Should a provision of this policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this policy which are considered to have legal force without the invalid portions.

2-4. All other Oneida laws, policies, regulations, rules, resolutions, motions and all other similar actions which are inconsistent with this policy are hereby repealed unless specifically re-enacted after adoption of this policy.

2-5. This policy is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

### Article III. Definitions

3-1. This article shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

3-2. "Catastrophic Event/Illness" is defined as an unplanned health-related or life-threatening condition, act of God, or disaster beyond the person's control that causes loss of income or physical well-being. The effects result in physical or financial hardship.

3-3. "Applicant" as used in this policy shall mean the person applying for funds or on behalf of another as legal guardian.

3-4. "Immediate Family" as used in this policy means that group of persons who make up a family unit normally defined as husband, wife and children, grandparents and grandchildren such that the relationship of the parties indicate a legal responsibility to care for another of the immediate family.

### Article IV. General Provisions

4-1. Only enrolled Tribal Members upon verification of enrollment are eligible for these funds. Applicants must be eighteen years of age, or an emancipated seventeen year old.

- 4-2. Applications may be made by a parent or legal guardian on behalf of another who is not an enrolled Tribal Member, or eligible for enrollment, provided one of the following criteria is met:
- a. The funds will benefit the enrolled children of the applicant, or
  - b. The funds will benefit the immediate family of an enrolled Tribal Member whether the family group is enrolled or not as a result of a loss of earning by the primary provider.
- 4-3. The Community Support Services Fund Program reserves the right to deny applicants who are employees of the Oneida Tribe and have elected not to be covered by benefits such as disability or health insurance offered to employees of the Oneida Tribe.
- 4-4. The Community Support Services Fund is not a loan program. Refunds by payroll deduction for employees of the Oneida Tribe are accepted for those applicants who wish to reimburse this fund. Donations to this fund are also accepted.
- 4-5. Applicants are eligible for financial assistance under one of three categories to be determined by the Community Support Services Fund Services Program. The three categories include Phase I, Phase II, or Phase III. Applicants must meet all other program requirements. Applicants will be determined eligible for Phase I, Phase II, or Phase III depending on duration and severity of catastrophic event or illness.

In all levels the Community Support Services Fund Program will determine what assistance will be provided. Emergency requests will be given first priority. In all cases, financial assistance will be provided to vendors towards medical bills and other basic household needs as a result of a catastrophic illness or event.

- a. Phase I. Applicants are eligible for a maximum amount of \$5000.00 within a twelve month period.
- b. Phase II. Applicants are eligible for an additional \$5000.00 for a maximum of \$10,000.00 in a twelve month period. The following medical conditions are included in Phase II:
  1. Terminally ill
  2. Physically challenged
  3. Physical incapacitation
  4. Major medical surgery
  5. Cancer
  6. AIDS

Financial assistance in the amount of \$350.00 per week maximum will be provided to enrolled tribal members caring for a terminally ill person or persons needing hospice care. Care must be provided to immediate family members only.

Payments will only be made to those who are currently employed at the time of the catastrophic illness or event. Verification of leave of absence and current employment status are required.

- c. Phase III. Applicants are eligible for Phase III provided they meet all other requirements of the Community Support Services Fund Program. Applicants are eligible for financial assistance for permanent or long term equipment needs which includes, but is not limited to, long term hospital or hospice care, wheel chairs, vehicles, or medical equipment. Decisions regarding Phase III applications will be made on a case by case basis, in no event shall

financial assistance exceed \$20,000, for a combined amount of \$30,000 for Phase I, Phase II and Phase III.

All assistance is subject to change according to fiscal year funding levels.

#### **Article V. Items Covered by Fund**

5-1. Community Support Services Fund will not cover payments that are not of a catastrophic nature or event. Items not covered by the catastrophic fund are - car payments, taxes, charge accounts, commercial loans, defaults, fines, bankruptcy charges, loss of luxury items, legal fees and court costs, or judgments.

5-2. Community Support Services Funds may be used for health insurance, insurance premiums, prescriptions, medical transportation, emergency medical travel, medical bills, utilities, and basic household necessities.

5-3. Security deposits will be limited to requests from Wisconsin residents only. Only one request per household. Security deposits will be issued on an emergency basis. Emergencies include, but are not limited to, eviction and homelessness. Requests for security deposits will not exceed \$200.00. Security deposits are non-transferable. It will be the responsibility of the applicant to notify Community Support Services Fund twenty-eight days prior to moving. Security deposits must be refunded to the Community Support Services Fund Program. No further security deposits will be provided until total amount issued has been refunded.

5-4. Tribal Programs and Enterprises are not eligible for these funds.

5-5. The Community Support Services Fund reserves the right to limit payments made to cover payments not made by other entities for which benefits were denied as a result of violations of the law, or non-compliance with the requirements of Tribal Programs.

#### **Article VI. Documentation Requirements**

6-1. Supporting documentation is required. No assistance will be provided without sufficient evidence of the catastrophic event or illness. Documentation to include, but not limited to - medical or psychological condition reports, bills, estimates, letters, police or fire reports.

6-2. Verification of status of employment. Documentation of leave of absence, balance of personal and vacation accumulation and all pertinent information regarding disability insurance or workmen's compensation coverage is required. Applicants must be off of work at least ten (10) working days in order to be eligible for assistance.

6-3. Requests submitted without proper documentation or verification will be kept on file pending approval until documentation has been submitted.

a. The application file will be kept open for thirty days from date of notice of request for additional information.

b. A request for additional information will be sent certified mail in cases where an application contains insufficient information according to this policy to make an informed decision of the award of money from the Community Support Services Fund.

c. Applicants have thirty days from the receipt of notice to forward the requested information or other documents.

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d. Failure to submit the requested information will result in closing of the application file, with no further action taken in regards to that application. Applicant will be sent a notice that the file has been closed.

e. Applicants may request additional time to locate and forward requested documents. Provided that, this may not increase any timeliness deadlines for requesting Community Support Services Funds located in this policy.

6-4. It is the responsibility of all applicants to provide receipts for all assistance provided. A signed acknowledgment of tax responsibilities by applicant will remain on file. (Form CFP-1.)

6-5. All applicants, before approval and prior to receiving funds, shall sign an agreement indicating that the applicant is responsible for cooperation with the case manager to comprehensively address the needs of the applicant. (Form CFP-2). The case manager will be responsible for creating a Case Management Plan which addresses the completion of the fund assistance as well as utilization of all tribal and/or non-tribal programs.

#### **Article VII. Deadlines for Submission or Requests**

7-1. Application for assistance must be made within a reasonable time period, not to exceed thirty to sixty days of origination of event. Applications made after that time period will be denied.

7-2. The Community Support Services Fund Program reserves the right to deny any medical requests submitted after one (1) year of service.

#### **Article VIII. Priorities for Consideration**

8-1. All applicants will be considered on a case by case basis depending on individual circumstances. All other resources that can meet the needs of the request must be utilized. Applicants will receive a list of resources and referral agencies. Verification of a denial of benefits is required from other agencies.

8-2. The Community Support Services Fund Program will assess each individual case, prioritize and assist in immediate needs. Priorities are:

- a. Emergency requests;
- b. Emergency medical travel (receipts required with application);
- c. Other emergency requests on case by case basis, which includes basic household living expenses, medical bills, assessment will include determining end of assistance to be provided.

8-3. The Community Support Services Fund Program shall in all cases where benefits are denied provide written documentation indicating why benefits were denied and the actions necessary, if any, needed to correct the reasons for denial.