

**Testimony before the Health and Human Services Committee  
Representative Robin Weisz, Chairman  
Effect of Government Funding and Administration on Social  
Service Programs of Tribal Governments  
November 17, 2009**

Chairman Weisz, members of the Health and Human Services Committee, I am Brenda M. Weisz, Chief Financial Officer, for the Department of Human Services. I appear before you to provide information regarding the coordination of human services programs of the state and tribal governments, the involvement of the counties and tribes in the department's budgeting process, and information on the status of Indian County payments.

**Coordination of human services programs of the state and tribal governments.**

The coordination of human services programs and tribal governments varies among programs within the Department because of the nature of the programs and / or federal requirements. Maintaining contracts or Memorandums of Understanding (MOUs) is the predominant method of coordination with the Tribes among the divisions. The following are examples of Department efforts:

- Economic Assistance Policy – We currently maintain MOUs for the Tribal NEW program with Standing Rock Sioux Tribe, Three Affiliated Tribes, Turtle Mountain Band of Chippewa, and Spirit Lake Tribe. These MOUs are a collaborative effort among the Tribes, the Department and County Social Service Boards. The Tribal NEW program supports education for the Indian population for which each tribe services. The counties refer TANF clients to the Tribal NEW program. Additionally, we have a JOBS contract with Turtle

Mountain Band of Chippewa for a portion of TANF clients in Rolette County.

- Child Support – The Division is committed to working with the Tribes to provide child support enforcement services for tribal children as reported recently before the Interim Tribal and State Relations Committee. Currently, only the Three Affiliated Tribes has a comprehensive program in place where they provide the services required by the federal government.
- Medical Services – In order to follow federal requirements, the Department solicits input from the Tribes on all Medicaid Waivers (new and renewals). Additionally, the Home and Community-Based Services (HCBS) staff have provided information related to Tribal Community Health Resource (CHR) providers regarding the various components of HCBS, the eligibility for services, and the enrollment to provide services. CHR providers can currently enroll to provide personal care and transportation services. The Department is currently working with the Centers for Medicare & Medicaid Services (CMS) to secure approval of a Medicaid state plan amendment that would allow CHR providers to also provide Target Case Management to elders.
- Vocational Rehabilitation – The Tribes receive direct VR funding from the Federal government which is referred to as 121 / VR programs. The Division maintains MOUs with the Tribal 121/VR programs in order to coordinate services with them so we can extend resources of both the State and the Tribes. Additionally, the Tribes are invited to general training and new counselor training sessions along with our state and regional staff providing technical assistance when requested.

- Children and Family Services – The Division enters into contracts with each tribe related to children in Foster Care services or at-risk of placement.
- Aging Services – The Division enters into contracts to provide Older Americans Act services such as home delivered meals, congregate meals and outreach.
- Regional Human Service Centers (HSCs) - The coordination of programs with Tribes will vary by Region. Each HSC offers mental health and substance abuse services to Tribal members. Some regions enter into contracts with the Tribe for substance abuse services while others access the services through contracts that exist in the region. Additionally, HSC staff provide technical assistance and consultation in areas of child protection and foster care.

Most recently, the Department invited Tribal Chairpersons, Tribal Health Coordinators, and Tribal Substance Abuse Program Administrators to a Department Consultation meeting on October 27 to share pertinent information on Department programs. Unfortunately, participation was light, and we are in the process of determining how to restructure future meetings to encourage greater participation.

**Involvement of the counties and tribes in the department's budgeting process.**

Every two years, the Department holds stakeholder meetings in all eight regions of the state. The Counties and Tribes are included in the notification letters that are sent in each region. These meetings have proven to be most helpful in identifying issues both regionally and statewide. Additionally, the County Social Service Boards have monthly

meetings in Bismarck and have included the various Department divisions on their agenda, where budget issues are also brought forth.

**Status of Indian County Payments -**

The funding of Economic Assistance programs for counties that have Reservation Land does not change until July 2010. At that time the funding will be based upon the county's percentage of Supplemental Nutrition Assistance Program (SNAP) cases residing on Reservation Land, with the percentage of costs to be reimbursed not to exceed 90% of total costs. The quarterly payments will be made for State Fiscal Year 2011, the 2nd year of the biennium, based upon actual State Fiscal Year 2010 costs and SNAP caseloads.

Currently, counties are eligible for quarterly payments in State Fiscal Year 2010 if 20% of the county's Economic Assistance caseload resides on Reservation Land and the county's administrative costs expressed in mills is greater than the statewide average administrative costs expressed in mills for all other counties.

I would be happy to address any questions that you may have.