

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
April 30, 2015**

Amended IM 5232

TO: County Social Service Directors
Economic Assistance Policy Regional Representatives
Economic Assistance Policy Quality Control Reviewers

FROM: Carol Cartledge, Director, Economic Assistance

SUBJECT: Three Affiliated Tribes General and People's Fund
Distribution

PROGRAMS: CCAP, SNAP and TANF

EFFECTIVE: Immediately

RETENTION: Until superseded

**SECTIONS
AFFECTED:** CCAP
400-28-65-20-10 Recurring Lump Sum Unearned Income
400-28-65-10-40 Unearned Income

SNAP
430-05-50-20-10 – Unearned Income

TANF
400-19-55-10-20-10 – Recurring Lump Sum Payments
400-19-55-20-15 – Countable Unearned Income Types

This IM is being amended to correct the funding source and to include an additional payment received in March.

The Three Affiliate Tribes has made the following payments from the People's Fund and General Distribution to date:

- 12/2013 – all enrolled members received \$500. Parents had the option of receiving funds for their children or placing it in their IIM account until their minor turns 18. The Tribe did not anticipate future payments at that time so this was considered a non-recurring lump sum. This was a general distribution from oil and gas revenue.

- 08/2014 – all enrolled members 21 and older received \$500. Individuals under the age of 21 had their monies deposited into an IIM account. However, individuals between the ages of 18 and 21 that were attending an accredited college or university or those on active duty with the U.S Armed Forces or National Guard could mail a written request to receive their distribution. This was a distribution from the People’s Fund.
- ~~09/2014 – enrolled members under age 18 each received \$500.~~ all enrolled members received \$500. Parents had the option of receiving funds for their children or placing it in their IIM account until their minor turns 18. This was a general distribution from oil and gas revenue.
- ~~12/2014 – all enrolled members received \$1,000. Individuals under the age of 14 are required to submit a written request to receive their distribution or to have their distribution deposited into their IIM account. If the written request is not received the funds are put into their IIM accounts. Parents had the option of receiving funds for their children or placing it in their IIM account until their minor turns 18. This was a general distribution from oil and gas revenue.~~
- 03/2015 – all enrolled members received \$1,000. Parents had the option of receiving funds for their children or placing it in their IIM account until their minor turns 18. This was a general distribution from oil and gas revenue.

Policy will continue to distribute FYI’s regarding the distributions as we become aware of them.

CCAP/SNAP/TANF

These payments are unearned income and considered recurring lump sum payments. At application and review, payments received in the most recent FULL 12 month period are annualized and counted for the new review period.

LIHEAP

Per LIHEAP Manual section 415-25-05-20-20 (#14), the annual payments are counted as unearned income. The amount to be included as annual income is equal to the total of all payments received by members of the household between June 1 and the following May 31.

Basic Care

Per Basic Care Policy at Section 400-29-35-05, Eligibility Criteria, Eligibility for Basic Care follows Medicaid eligibility guidelines with the exception that all income, including SSI income, will be counted. Since Basic Care counts

this income, and follows Medicaid Policy with regard to the budgeting of this income, these payments are considered recurring lump sum payments and are prorated over the period they are intended to cover.

Section 400-29-55, Correcting Errors in Payments, When it is discovered that a recipient failed to report or incorrectly reported income, deductions, assets, or the eligibility worker incorrectly calculated the recipient responsibility resulting in an error in payment resulted, the county currently managing the case shall rework the case in the Basic Care Resident Payment System. When making corrections to a given month, adequate or advance notice does not apply. Send notification to the recipient and provider informing them of the overpayment or underpayment and the reason.

- If the correction to the case is due to the recipient incorrectly reporting income, deductions, or assets, the corrections must be made in the Resident Payment System and notifications sent out from the date of the change forward.
- If the correction to the case is due to an eligibility worker incorrectly calculating the recipient responsibility, the correction is made in the Resident Payment System from the date of discovery forward.

Health Care Coverage/Non-ACA/ACA/Healthy Steps

Oil and gas revenue from reservation lands is not considered income to Native Americans. If there are monies available the month following the month of receipt, it will be a countable asset unless it is in their IIM Accounts, which are excluded assets for Health Care Coverage. Per Non-ACA Policy at Section 510-05-85-30(9)/ACA Policy at Section 510-03-85-30(29)/Healthy Steps Policy at Section 510-07-40-30(29)

If you have questions, please contact your Regional Representative.