

**TUNICA-BILOXI TRIBE OF LOUISIANA
TRIBAL COUNCIL RESOLUTION NO. TBN-R-2020-036**

**AN RESOLUTION TO AMEND THE TUNICA-BILOXI TRIBE OF LOUISIANA CATASTROPHIC
ASSISTANCE PROGRAM GUIDELINES**

WHEREAS, the Tunica-Biloxi Tribe of Louisiana is a federally recognized Indian Tribe; and

WHEREAS, the Tunica-Biloxi Tribal Council ("Tribal Council") is the duly governing elected body of the Tribe, as authorized by Article VII, Section 1, of the Constitution of the Tunica-Biloxi Tribe of Louisiana ("Constitution"); and

WHEREAS, the Tunica-Biloxi Tribal Council is empowered by the Articles VII and VII of its Constitution to enact codes necessary to fulfill its enumerated powers and other codes necessary and incidental to the exercise of its enumerated powers; and

WHEREAS, as part of the Tribe's long-term efforts to promote self-sufficiency and assist Tribal Members in need, the Tribal Council wishes to further amend the Catastrophic Assistance Program Guidelines; and

WHEREAS, the purpose of the Tunica-Biloxi Catastrophic Assistance Program is to provide temporary and short-term relief to Tribal Members who have experienced a severe loss due to a natural disaster, emergency, or extraordinary circumstance.

THEREFORE, BE IT FURTHER RESOLVED, the Tribal Council hereby amends the Tunica-Biloxi Catastrophic Assistance Program Guidelines.

BE FURTHER RESOLVED, this Resolution shall become effective May 29, 2020.

CERTIFICATION

We, the undersigned, as Vice-Chairman and Secretary-Treasurer of the Tunica-Biloxi Tribe of Louisiana, certify that the Tribal Council of said Tribe is composed of seven (7) members, of whom 5, constituting a quorum, were present at a meeting thereof, duly called, noted, convened and held this 29th day of May 2020; and that the foregoing Resolution was duly adopted by a vote of 5 members in favor, 0 opposed, and 0 abstaining.

Dated this 29th day of May 2020.

Attest:


Marshall Ray Sampson, Vice-Chairman


Beverly Rachal, Secretary/Treasurer

TUNICA-BILOXI TRIBE OF LOUISIANA
Policy and Procedure Manual

Policy: Catastrophic Assistance Program
Department: Social Services
Approval Date: May 29, 2020

SECTION 1 — PURPOSE

The purpose of the Tunica-Biloxi Catastrophic Assistance Program is to provide temporary and short term relief to Tribal Members who have experienced a severe loss due to a natural disaster, emergency, or extraordinary circumstance.

SECTION 2 — SCOPE

This policy shall apply to all tribal members of the Tunica-Biloxi Tribe of Louisiana seeking emergency assistance from the Catastrophic Assistance Program.

SECTION 3 — ADOPTION; AMENDMENT; COMPLIANCE; SEVERABILITY

- (a) Adoption. This Policy shall be adopted by resolution of the Tunica-Biloxi Tribal Council.
- (b) Amendment. This Policy may be amended by subsequent Tribal Council motion or resolution.
- (c) Severability Clause. If any provision of this policy or its application to any person or circumstance is held invalid by the Tribal Constitution or a court of competent jurisdiction, the invalidity does not affect other provisions or application of this policy which can be given effect without the invalid provision or application, and to this end the provisions of this policy are severable.

SECTION 4 — ELIGIBILITY

In order to be eligible to receive assistance from the Catastrophic Program, the intended recipient must:

- (a) Be an enrolled member of the Tunica-Biloxi Tribe of Louisiana;
- (b) Have experienced a severe loss within the last three (3) months due to a natural disaster, emergency, or extraordinary circumstance;
- (c) Undergo an interview with the Tunica-Biloxi Department of Social Services;
- (d) Have completed a Catastrophic Assistance Program application and provided supported documentation pursuant to Section 6;

SECTION 5 — DEFINITIONS

For the purposes of this Policy, the following definitions shall apply:

- (a) **Basic Necessities.** Food, clothing, shelter, fuel, electricity, non-elective essential medical services as prescribed by a physician, prescription drugs, basic telephone service where it is necessary for medical reasons, and any other commodity or service determined essential by the Tribe.
- (b) **Disabled.** A person who is presently unable to work or maintain a home due to a physical or mental disability that is verified by a physician or qualified mental health provider.
- (c) **Emergency.** Any life-threatening situation or a situation beyond the control of the individual which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of a person.
- (d) **Extraordinary Circumstance.** An unforeseen emergency event not due to one's personal choice, not covered or stated as such in this policy, that may be taken into consideration by the Tribe.
- (e) **Elder.** Any enrolled Tunica-Biloxi member over 55 years of age.
- (f) **Natural Disaster.** A natural event such as a flood, earthquake, tornado, or hurricane that causes great damage or loss of life.
- (g) **Tribal Council.** The governing body of the Tunica-Biloxi Tribe of Louisiana.
- (h) **Tribal Member.** An enrolled member of the Tunica-Biloxi Tribe of Louisiana.
- (i) **Tribal Sponsorship.** The purchase of health insurance, such as temporary or emergency coverage through a Marketplace, for Tribal members affected by an acute or terminal illness.

SECTION 6 — REQUIRED DOCUMENTS

The following documents shall be required in order to qualify for the Tunica-Biloxi Catastrophic Program:

- (a) A completed Catastrophic Program application
- (b) Monthly Expense Report
- (c) Supporting Documentation
- (d) A written statement (if applicable)

SECTION 7 — ASSISTANCE REQUESTS

The following requests shall be eligible for, but not limited to, assistance under the Catastrophic Program Guidelines:

- (a) Emergency/Natural Disaster Relief
- (b) Acute and/or Terminal Illness
- (c) Life-threatening conditions
- (d) Disability/Foster Care Assistance

- (e) Homelessness
- (f) Extraordinary Circumstances

SECTION 8 — PROHIBITED EXPENSES

The following items shall be ineligible for disbursement under the Catastrophic Program Guidelines:

- (a) Credit Card Debt
- (b) Pay Day Loans
- (c) Legal Fees
- (d) Entertainment Expenses
- (e) Pet Care
- (f) Property Taxes
- (g) Vehicle Maintenance
- (h) Tuition
- (i) Mail Orders
- (j) Cigarettes
- (k) Alcohol
- (l) Tobacco
- (m) Elective Procedures
- (n) Non-essential Expenses

SECTION 9 — INDIVIDUAL SELF-SUFFICIENCY PLAN

This goal of this program is to promote member self-sufficiency. An individual Member Care Plan (“care plan”) shall be developed for each applicant seeking temporary relief or assistance from the Tunica-Biloxi Catastrophic Assistance Program. A case management folder shall be developed for each applicant containing the following:

- (a) Screening Interview Report: A report containing the date, time, and additional information of an initial interview with the applicant; and
- (b) Member Assessment: After an applicant is screened, the case manager shall schedule an assessment interview to determine the eligibility of each applicant for alternative resources. Each assessment shall determine the applicant's level of functioning, existing resources, and gaps in the service provision. The assessment shall identify the client's conditions and resources in relation to each of the following:
 - 1) Mental Health/Behavior/Cognition
 - 2) Physical Health
 - 3) Activities of Daily Living (ADLs)
 - 4) Nutrition Status
 - 5) Health Conditions/Special Services/Medications
 - 6) Social Resources

- 7) Employment Barriers/Career Readiness
- 8) Personal Financials
- 9) Environmental Risks (if applicable)
- 10) Other Barriers

- (c) Member Care Plan: A care plan containing an approved schedule of service activities, objectives, referrals, and a schedule of follow up interviews with the applicant. The case manager must provide follow up contact within one (1) week of the initial interview.

No prospective applicant shall be eligible to receive additional assistance from this program for a period of twenty-four (24) months upon the failure to complete an individual self-sufficiency plan ("case plan") as assigned or referred by the Department of Social Services. Section 9 shall not apply to applicants seeking assistance for acute or terminal illnesses.

SECTION 10 — DISBURSEMENT OF TRIBAL FUNDING

- (a) Upon the approval of a member care plan, payments shall be issued directly to the vendor, service provider, or payee, where applicable.
- (b) Each approved applicant shall be limited to a maximum of \$1,500 in assistance per 12-month cycle. The Catastrophic Program is solely funded by the Tunica-Biloxi Tribe of Louisiana. Disbursements shall also be based on the availability of funding.
- (c) In the event that Tribal government budget allocated program funds are depleted in a given year, approved application requests shall be placed on a waiting list to receive assistance during the next program funding cycle.

SECTION 11 – ALTERNATIVE RESOURCES

The services under this program are designed to be secondary in nature. The Tunica-Biloxi Department of Social Services shall make every effort to obtain relief from other third-party and alternative sources, including, but not limited to the following:

- (a) Life Insurance
- (b) Health Insurance
- (c) Workers' Compensation Insurance
- (d) Homeowner's Insurance
- (e) Automobile Insurance
- (f) Long and Short-Term Disability Insurance
- (g) Unemployment Insurance
- (h) Medicare
- (i) Medicaid
- (j) Federal and State Disaster Relief Programs (ex: FEMA)
- (k) Religious and other Charitable Organizations
- (l) Personal Savings and Investments
- (m) Tribal Government Programs

SECTION 12 — FRAUD, MISREPRESENTATION, AND SUSPENSION

- (a) Applicants or recipients who knowingly and willingly provide false or fraudulent information shall be subject to suspension from services under the Catastrophic Program and/or prosecution under applicable tribal and federal law.
- (b) Any applicant who has been placed on suspension will be notified within 15 days, in writing, by the Tunica-Biloxi Department of Social Services.

SECTION 13 — CONFIDENTIAL DISCLAIMER

- (a) Records, materials, and other information collected and maintained under this program is strictly confidential and protected under tribal law. Any unauthorized release of records or information shall be deemed unlawful.

SECTION 14 — RIGHT TO APPEAL

- (a) Applicants shall have the right to appeal suspension or ineligibility for the Catastrophic Program by submitting a Letter of Appeal and any other supporting documentation to the Tunica-Biloxi Department of Social Services within fifteen (15) days of notice.
- (b) Any ruling by the Tunica-Biloxi Department of Social Services shall be the final determination.

SECTION 15 — EFFECTIVE DATE

These guidelines shall become effective immediately upon resolution of the Tunica-Biloxi Tribal Council.

