

New Opportunities Program

*Policies
2022*



POLICY AND PROCEDURE MANUAL

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**The sections denoted by a CFR number are requirements that cannot be changed.

I. Program Overview

The general welfare of Indian children, families and communities is best promoted when appropriate state, local and other programs provide necessary social services or available funds to Indian individuals for provision of services or assistance on the same basis as it does to others. To achieve this policy, tribal social service programs will encourage cooperative relationships with federal, state and local programs.

When assistance or services are not available or not being provided by state, local or other agencies, the Quinault Indian Nation New Opportunities Program may be provided to Indian individuals subject to funding availability. A determination will be made by staff as to what parts of these necessary services or assistance are not available through other resources. Services will be provided in a manner designed to promote personal and family unity, economic and social stability and working toward the attainment of self-sufficiency and self-determination.

The Quinault Indian Nation New Opportunities Program was reviewed, authorized and instituted by the Business Committee on August 28, 1995.

II. Program Purpose, Goal and Authority

A. Purpose

The New Opportunities Program is intended to administer federal and state funding purposes that meet certain specified unmet essential needs of eligible Indians. This program includes direct payment to meet prescribed essential needs to individuals and payment of certain costs directly related to care for adults. Unmet essential needs are determined by reviewing with each applicant their situation, including a determination of the size of the household, income or resources available and the applicable state public assistance requirements for meeting financial need. The basic money amount required to meet certain specified need varies from state to state. Each state has established minimum money amounts for basic need items including food, clothing, shelter, household supplies, utilities, personal needs and other essential or special living requirements. Payments are intended to meet the cost of basic need items.

B. Goal

The goal of the New Opportunities Program is to increase self-sufficiency. Each participant must work with staff to develop and sign an Individual Self-Sufficiency Plan. The plan must outline the specific steps the individual will take to increase independence by meeting the goal of employment. ^{25 CFR § 20.301}

C. Authority

The Snyder Act, 25 USC § 13, is a general enabling statute allowing the Bureau of Indian Affairs to “direct, supervise, and expend such moneys as Congress may from time to time appropriate, for the benefit, care, and assistance of the Indians throughout the United States. The Bureau has delegated this authority to the Quinault Indian Nation in order to provide the services and to request the required information herein.

III. Eligibility

A. Age

All applicants must be 18 years of age or older, unless 16 years of age and emancipated.

B. Certificate of Indian Blood

All participants must be enrolled members of a federally recognized tribe of Indians. ^{25 CFR § 20.300(a)} Valid documentation must be as evidenced by one of the following: Tribal Identification Card, Certification of Degree of Indian Blood or written statement from the Tribal Enrollment Office.

C. Residency

Services are for applicants who reside on the Quinault Indian Reservation, or are enrolled Quinault members who reside within Grays Harbor or Jefferson County. ^{25 CFR § 20.300 (c)}

Residency verification includes a home visit by the staff and a lease agreement, statement from a landlord, or a rent/utility receipt in applicant's name. Residency verification is due with the application and at redetermination thereafter. Failure to provide residency verification will result in a non-shelter cash grant being issued until one is provided.

For purposes of this program, college and vocational students whose domicile is within the service area, regardless of where the school is located, shall be deemed to meet the residency requirement.

Applicant or participant must remain in the service area for at least 51% of the reporting period to be eligible for services, unless attending treatment or college/vocational school.

D. Income and/or Resources

The New Opportunities Program is limited to those applicants who do not have sufficient resources to meet essential needs as defined. ^{25 CFR § 203.00(b)} The income level is not to exceed \$300 per month for those eligible for a non-shelter cash grant, \$400 per month for those eligible for a shelter cash grant, or the amount of a prorated cash grant amount.

E. Social Security Number

Each applicant must provide a copy of their social security card at the time of application or within 30 days of being deemed eligible. If one is not provided with the application, applicants must provide documentation showing that an application for a replacement social security card has been made. Once the participant receives the card, a signed copy must be submitted to the program. Failure to provide a copy within 30 days after applying for a card will result in the case being closed, unless there is good cause. Good cause would include issues arising from the unavailability from the Social Security Administration Office. If the case is closed for lack of social security card, one must be provided at time of reapplication.

Payments are issued in the name printed on the Social Security card.

F. Unemployment Benefits

All applicants, through the application process, are to complete a Self-Request for Records Form to determine possible eligibility for unemployment benefits. If the returned information indicates the applicant may be eligible for unemployment benefits, the applicant is required to apply for benefits to include following through with an appeal, if applicable. While waiting for the results, an applicant can be deemed eligible for New Opportunities services. Participants are to complete a Self-Request for Records Form yearly thereafter.

IV. Ineligibility

Any applicant who cannot satisfy the aforementioned eligibility requirements will not be eligible for assistance through the New Opportunities Program, as well as those who:

A. Are receiving Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI) payments in their own right or whose needs are included in such payments are not eligible for assistance from the New Opportunities Program. ^{25 CFR § 20.303(c)}

B. Have been sanctioned off TANF, been suspended from TANF for fraud, and/or have voluntarily terminated TANF services.

C. Those currently receiving other comparable public assistance. ^{25 CFR § 20.303}

D. Do not seek and accept available local and seasonal employment, or quit a job without good cause. Applicants, for whom this applies, cannot receive assistance for a period of 60 days after refusing or quitting a job. ^{25 CFR § 20.316 (b), 20.317 (a)}

1. Good cause for refusing or quitting a job includes:

- a. The work adversely affects participant's physical health as documented by a qualified health care professional.
- b. The work site violates federal, state or tribal health and safety standards.
- c. The wage does not meet federal minimum wage or piecework standards.
- d. The job is vacant due to strike, lockout, or other labor dispute.
- e. The job referral or employer is discriminatory.

V. Responsibilities

A. Staff Responsibilities

1. Advise the applicant of the eligibility requirements and the process for determining need and provide a clear explanation of the information that is necessary to establish a basis for eligibility determination.
2. Verify eligibility from the documents provided by the applicant. If no determination can be made, staff shall request further information to make a determination.
3. Ensure that the applicant is advised of his/her rights under the Privacy Act (5 U.S.C. 552a), the applicant's responsibility to immediately report all facts and/or changes in circumstances which may affect eligibility and the penalty for failure to do so.
4. Recognize expressed or implied needs, other than the request for financial assistance. Staff must be knowledgeable of other services, tribal programs and other community resources, which the applicant may be referred to in an attempt to resolve particular problems. ^{25 CFR § 20.318 (d)}
5. Refer participants for professional mental health, substance abuse, or vocational and educational evaluations if it has been determined that there may be potential barriers.
6. Reassess the need for continued financial assistance every 90 days for employable participants, 6 months for all other participants. The redetermination shall include a home visit, estimate of income and resources, living circumstances and household composition and any other appropriate revisions to the Individual Self Sufficiency Plan. ^{25 CFR § 20.305 (a) (b) (c)}
7. Work with participants to maintain contact and to monitor progress. Contact can/may be done through phone, email, office visits, or at the participant's home. All activities and paperwork will be maintained in a case file. ^{25 CFR § 20.318 (e), (f)}
8. Treat all participants courteously and in a fair and equal manner.
9. Staff will not manage cases or sign for benefits of members of their immediate family or those considered close ties.

B. Letter of Notification

Staff will mail out letters of notification for all future notifications of action taken by the program or action needed by participants. This includes such things as sanctions, due dates, missing documents, etc. Letters of notification will include a copy of the Appeal Form and information regarding the right to appeal, if applicable.

C. Participant's Responsibilities

1. Maintain a mail delivery receptacle to receive program correspondence. If unable to maintain a mail receptacle, the participant is responsible for maintaining regular contact to receive correspondence. Delay of time sensitive correspondence due to the lack of a mail receptacle is at no fault of the program.

2. Report all changes of circumstances on the Monthly Redetermination Report or complete a Change of Circumstance Form within ten business days of a change, whichever is sooner. Changes to report include, but are not limited to:
 - a. Address
 - b. Household composition
 - c. Employment/School/Medical status
 - d. Marital status
 - e. Any and all income to household
 - f. Other federal, state, or tribal assistance obtained
 - g. Medical condition
 - h. Incarceration
3. Seek training to become employed, when applicable.
4. Attend employment and training classes when required. (See case type for exemptions)
5. Ensure attendance of required meetings, such as home visits and review of the Individual Self Sufficiency Plan.
6. Actively participate in the development of the Individual Self Sufficiency Plan, any work activity, job readiness workshops, treatment or counseling recommendations, apply for other services, and any other activities as listed in the Individual Self Sufficiency Plan. ^{25 CFR § 20.319 (a) (b) (c)}
7. Participate in evaluations of job readiness or any other testing required for employment purposes. ^{25 CFR § 20.319 (d)}
8. Submit written proof of having sought employment with persons or establishments that are actively hiring. Written proof of active job searching will be reported on the Monthly Redetermination Report, under the job search section. ^{25 CFR § 20.319 (e)}
9. Ensure that all required documents are submitted with the Monthly Redetermination Report.
10. Submit all requested documents or complete evaluations, SSI application, updated medical exemption notes or other necessary documents to determine eligibility and compliance within the timeframe stated in the letter of notification or as indicated in the Individual Self Sufficiency Plan.
11. Contact staff regarding payments. Participants are not allowed to contact the Quinault Indian Nation Finance Department for any reason.
12. Behave in an appropriate manner toward staff and other participants to include refraining from physical or verbal harassment, or intimidation. If a participant or someone acting on their behalf is inappropriate, they will be asked to vacate the premises or if necessary will be removed by local law enforcement officials. An incident report will be completed and forwarded to the Manager requesting assistance with the matter.
13. Refrain from intoxication or the use of alcohol, illegal substances, or controlled substances that may affect the client's ability to make legally binding decisions and representations while meeting with staff, attending sponsored activities, or participating in work activities. If violated, participant will be required to obtain a full chemical dependency evaluation and follow through with the recommendation to continue to receive services. The Individual Self Sufficiency Plan will be updated to include this as a requirement.

VI. Program Requirements

The program is dedicated to assisting participants to reach the goal of self-sufficiency. Failure to comply with any of the requirements below shall result in case closure. See Case Closure Summary Table here within.

A. Monthly Contact

All participants must maintain contact, one time per month, with staff. Contact may be via phone, email, office visit, a home visit or submission of documents. If no contact is made within the month, the case will be closed and letter of notification will be sent.

B. Individual Self-Sufficiency Plan

The initial Individual Self-Sufficiency Plan will be developed by the participant and staff, within ten business days of

eligibility determination as part of the orientation process. If the plan is not completed within the ten business days, the eligibility date will be adjusted to the date the plan is completed. If the plan is not completed within 30 days of eligibility determination, the case will be closed.

The Individual Self Sufficiency Plan will be revised, at a minimum, every 90 days or six months as required for redetermination. If changes to the plan are needed to be made to accommodate the participant's situation, the plan may be revised at any time to assist in compliance.

1. The activities listed in the Individual Self Sufficiency Plan shall take into consideration the participant's circumstances and contain realistic goals and time frames for completion. The plan will be developed to:
 - a. Assess employability and assist the participant in a plan that will help them in becoming self-sufficient. ^{25 CFR § 20.318 (a) (b)}
 - b. Identify any barriers that may exist and how to rectify those barriers.
 - c. Identify education, training and employment goals. ^{25 CFR § 20.303 (d)}
 - d. List any required tasks, submission of paperwork or deadlines for completing such tasks or submitting paperwork.
 - e. Individual Self Sufficiency Plans will be signed by participant and staff. ^{25 CFR § 20.318 (c)}
2. All participants must adhere to the requirements set forth in their Individual Self Sufficiency Plan. If they are not followed, the sanction process will be initiated or the case will be closed as outlined herein.

C. Home Visit

A home visit will be completed by staff to establish residency. The Home Visit Statement Form will be completed and on file. ^{25 CFR § 20.305} A home visit will be completed within 30 days of initial eligibility determination and at the time of redetermination thereafter. A home visit may also be completed if a participant relocates. ^{25 CFR 20.304 (a), § 20.305 (a).}

For participants that are out of the area for educational or treatment purposes, a home visit will be done upon the return of the participant to the service area.

D. Redetermination

A redetermination of eligibility must be completed every 90 days for individuals who are not exempt from seeking or accepting employment, every 6 months for all other participants, and whenever there is a change in status that affects a participant's eligibility or amount of assistance. ^{25 CFR § 20.304}

Redetermination will include an estimate of income, living circumstances and household composition, a home visit and a review of the Individual Self Sufficiency Plan. ^{25 CFR § 20.305} A letter of notification will be mailed at least 20 days prior to the redetermination due date. Failure of the participant to complete the requirements of a redetermination by the redetermination expiration date will result in a 30 day case closure.

All participants must submit a Monthly Redetermination Report. The report is designed as a way for the participant to report monthly activities in accordance with the Individual Self Sufficiency Plan. ^{25 CFR § 20.316(a)} If a participant fails to submit a completed report by the last day of the month a cash grant will not be processed.

Redetermination for participants who are out of the area for educational or treatment purposes will be completed through written correspondence or verbally.

E. Application for Assistance from other Programs

All participants who are deemed eligible or potentially eligible for assistance from other programs, including, Unemployment, TANF or SSI shall be required to concurrently apply for assistance unless good cause exists, such as physical isolation with sporadic access to transportation, or the intermittent availability of state eligibility

specialists, and temporarily prevents concurrent application. Staff shall verify that such an application has been made and shall document all action taken by the TANF or SSA Office on their determination of eligibility. ²⁵ CFR § 20.302; 20.303(b) (c)

Participants will be given a 30 day window to apply for assistance from other programs. Failure to apply, provide verification of applying, or failure to follow through with the application process to include appeals will result in a case closure. To reopen, the applicant must provide verification of applying or following through with the application or appeal process.

Assistance may be approved only to meet the participant's needs until other assistance is actually received. As much as possible, the applicant will be assisted to apply and meet eligibility requirements for other assistance programs. Participants will be required to reapply for assistance from other programs, yearly, thereafter.

F. SASSI Assessment

A SASSI is required to be completed as part of the orientation and yearly thereafter.

A referral will be made for a full chemical dependency assessment should the SASSI indicate the need and this will be reflected in the Individual Self Sufficiency Plan. Participants will have 30 days to complete a full chemical dependency assessment and submit the results. Failure to complete the assessment or submit the results will result in a 30-day case closure.

Any recommendations made by the Chemical Dependency Agency will be reflected in the Individual Self Sufficiency Plan and if compliance is not met, the sanction process will be followed.

Should a case close and the recommendations were not completed, the recommendations will be included in the Individual Service Plan when the case reopens, if still applicable. If more than 90 days has passed, a full assessment will be required within 30 days of the approval letter of notification and included in the Individual Self Sufficiency Plan.

G. Documentation

Documentation necessary for file completion will be requested at the time of application, expiration, or yearly thereafter. Failure to provide documentation within 20 days of a letter of notification or as outlined in these policies will result in a case closure. Should a case close and the individual reapplies for services, the documentation will be required at the time of application if still applicable.

VII. Application and Intake Process

Individuals who believe that they may meet the eligibility requirements of this program have a right to complete an application and have an eligibility determination completed. Under all circumstances, the applicant's right to privacy will be a prime consideration in the application process.

The staff will have the responsibility for giving prompt attention to all requests or referrals for financial assistance and for taking appropriate action to prevent any unnecessary hardship for the applicant.

A. Method of Application

Applications for assistance may be made at any one of the three office locations or submitted electronically. An application for financial assistance may be made orally, by correspondence, or if the applicant is physically or mentally unable to represent himself/herself, by an authorized representative. A simple inquiry about services or eligibility criteria does not constitute an application for assistance.

B. Application Form

All requests for services, however received, shall be recorded on an application form and signed by the applicant or

signed by verbal request of the applicant. In situations where it is difficult to obtain a written application on a form, the staff shall complete an application over the phone, by mail or email. No decision will be made until a signed application is received.

Written application for services and/or assistance shall consist of no less than the following:

1. Full legal name and date of birth for all persons within the household
2. Applicant's relationship to those listed in the household
3. Education/Training/Skills
4. Social Security Number
5. Marital status
6. Tribal affiliation and enrollment number (current/valid)
7. Location of residence
8. Mailing address or alternate place to mail correspondence and checks
9. Phone number or message phone
10. Availability of resources and income
11. Employability status
12. Reason for exemption from participating in work like activities, if applicable
13. Plan of action
14. Person with authority to act on behalf of person, if applicable
15. Statement of need and signature of applicant
16. Date of application
17. Signed Eligibility and Reporting Requirements Notice
18. Signed statement regarding the Federal Law Governing Fraud
19. Signed Authorization to Release Confidential Information
20. Signed Privacy Act Statement
21. Appeals Statement
22. Signed Self-Request for Records Form

C. Re-applying

Re-applying after a case closure will require submission of a new and complete application. If documents on file are still valid, they can be used to determine eligibility and do not need to be resubmitted.

D. Approved, Pending, or Denial of Application

Once an application has been reviewed, the applicant will be sent a letter of notification within five business days. The letter will be mailed to the address given, or if no mail receptacle is given, left at the front desk of the office where they applied for services. The letter will state the status of the application as approved, pending for further information or denial of services.

Approved applicants will be notified, in writing, of their initial eligibility date and the monthly payment standards for a shelter or non-shelter cash grant. The letter will also include a list of any information that the participant must bring with them to orientation. If an applicant does not submit the required documentation at the time of orientation or within 30 days of the letter, the case will be closed or case status changed based on the information available.

Applicants will be sent a letter of notification if the application is incomplete, notifying the applicant of pending status. Pending applications not complete within 30 days of the application date will be sent a letter informing them that they are ineligible. Applicants can reapply by completing a new application.

If an applicant is denied, a letter of notification will be mailed explaining the reason for denial.

E. Orientation

Orientation is part of the application process and will include the completion and/or review of the following:

1. Policies and Procedures
2. Program and Participant Responsibilities
3. 30-day notice to apply for other services, if applicable
4. SASSI Assessment
5. Individual Self-Sufficiency Plan
6. Home Visit
7. Request for missing items as listed in the letter of notification
8. Payment options

At the orientation, a case type will be determined and the Individual Self Sufficiency Plan will be written according to which case type the participant will be serviced under and what standard requirements will need to be met for compliance. The types of cases include: Employable, College/Vocational Student, High School Student, Medical Exempt and Treatment Exempt.

If the participant fails to complete an orientation within 15 business days of the date of the letter of notification, the case will be closed.

VIII. Resources and Income

In determining eligibility, the program shall consider all types of income and other resources available for support and maintenance. All earned or unearned income will be counted as income in the month received and as a resource thereafter. Resources are considered available both when actually available and when the applicant or participant has legal interest in a liquidated sum. Liquid assets are those properties in the form of cash or other financial instruments which can be converted to cash, such as savings or checking accounts, promissory notes, mortgages and similar properties. ^{25 CFR § 20.307 (a) (b); 20.100}

A. Earned Income

Earned income is cash or in kind income earned by an individual through the receipt of wages, salary, commission or profit from activities in which he/she is engaged as a self-employed individual or an employee. Earned income includes earnings over a period of time for which settlement is made at one given time, as in the instance of the sale of fireworks, minor forest products, farm crops, etc. With respect to self-employment, “earned income” means total profit from business enterprise, (i.e., gross receipt after subtracting business expenses directly related to producing the goods or services and without which the goods or services could not be produced). Business expenses do not include items such as depreciation, personal business and entertainment expenses, personal transportation, capital equipment purchases, or principal payments on loans for capital assets or durable goods. ^{25 CFR § 20.308}

B. Unearned Income

Unearned income is income from interest; oil and gas and other mineral royalties; gaming income per capita distributions; rental property, cash contributions such as child support and alimony; gaming winnings; retirement benefits; annuities; veteran’s disability; unemployment benefits; federal and state tax refunds; per-capita payments not excluded by federal statute; income from sale of trust land and real or personal property that is set aside for reinvestment in trust land or a primary residence, but has not been reinvested in trust land or a primary residence at the end of one year from the date the income was received. All of the above shall be counted to the extent that they are disregarded by federal statute. ^{25 CFR § 20.309 (a) (b) (c) (d)}

1. The following are considered unearned income:

- | | |
|---|-----------------------------|
| a. Interest payments | m. Veterans Benefits |
| b. Rent from owned property | n. Alimony |
| c. Gross income from sale of timber, mineral, gas, and oil, and bonuses | o. Casino Winnings |
| | p. SSSU (Survivor Benefits) |

- | | |
|---|-------------------------------|
| d. Life insurance pensions, unemployment compensation, strike benefits, survivor's benefits, and allowances for dependents of military personal | q. Military Allotments |
| e. Social Security Income or Disability | r. Inheritance |
| f. Unemployment Insurance | s. Rent/Lease Income |
| g. Annuities | t. State General Assistance |
| h. Settlements | u. Gifts or Prizes |
| i. Adoption Support | v. Out of State AFDC/TANF |
| j. Worker's Compensation | w. Railroad Retirement |
| k. Dividends | x. Sale of Property or Timber |
| l. Foster Care Payment | y. Tribal Lease |
| | z. Subsidized Housing |

Unearned income will be counted the way earned income is counted and will continue to be counted as long as it is available.

2. In-kind contributions occur when shelter and utilities are provided at no cost to the individual or household. In establishing the amount of the in-kind contribution, the tribe shall use the amount for shelter and utilities included in the standard, if identifiable, are 25 percent of the standard unless there is evidence provided that the value of free shelter and utilities is less; and ^{CFR § 20.309 (e) (f)}

- a. Reimbursements are received from the Department of Housing and Urban Development.
- b. Adjustments are made by the Quinault Housing Authority.
- c. Assistance is provided by a state, tribal, county, local, or other federal agency.

C. Reduction of a Cash Grant

The program shall deduct earned, unearned, or in kind income, dollar for dollar unless otherwise disregarded.

D. Prorating of Income/Disregards

The program shall prorate income in the following instances:

1. Over a 12 month period recurring annual income received by individuals, such as teachers, whose regular employment does not engage them in a year round basis. ^{25 CFR § 20.310 (a)}
2. Income received by individuals employed on a contractual basis over the period of the contract. ^{25 CFR § 20.310 (b)}
3. Intermittent income received quarterly, semiannually or yearly over the period covered by the income. The program shall prorate the income unless there is evidence that the income will not continue to be received in the future. This does not include lease income. ^{25 CFR § 20.310 (c)}
4. Income received from lease income is to be considered as income in the actual month received and as a resource thereafter. ^{25 CFR § 20.307}

E. Disregards

The program shall disregard the following from the gross amount of earned income:

1. Federal, State and local taxes ^{25 CFR § 20.311 (a) (1)}
2. Social Security (FICA) ^{25 CFR § 20.311 (a) (2)}
3. Health Insurance ^{25 CFR § 20.311 (a) (3)}
4. Work related expenses, including reasonable transportation costs ^{25 CFR § 20.311 (a) (4)}
5. Child care costs, for children under the age of 6, except where the other parent in the home is not working and is physically able to care for the children ^{25 CFR § 20.311 (a) (5)}
6. The cost of special clothing, tools and equipment directly related to the individual's employment. ^{25 CFR § 20.311 (a) (6)}

7. The costs of conducting business, for self-employed individuals, as well as all of the amounts in paragraphs 1.

25 CFR § 20.311 (b)

8. Emergency Assistance as administered through the QIN Tribe.

F. Other Disregards

The program shall disregard the following as income or other resource:

1. The first \$2,000 or the state allowable amount of resources annually available to the household, whichever is less. ^{25 CFR § 20.312 (a)}

2. Any home produce from a garden, livestock, and poultry used for consumption. ^{25 CFR § 20.312 (b)}

3. Resources specifically excluded by Federal statute. ^{25 CFR § 20.312 (c)}

4. Funds held in trust, per P.L. 98-64, and distributed as judgment payments per individual per payment. This provision will apply unless the funds are specifically excluded by other Federal statute.

IX. Cash Benefits

A. Benefit Months Limit

The maximum length of time an employable participant can obtain cash assistance is 60 months per lifetime. This does not apply to high school students, college/vocational students, or those deemed as exempt for medical reasons or for intensive outpatient, detox, inpatient treatment, or those in a recovery residence. It is the program's responsibility to track the number of months that a participant is deemed employable or unemployable. It is the responsibility of the participant to provide documentation verifying that they meet the criteria of either employable or unemployable. Any time during the reporting month that a participant is deemed "unemployable," that month is excluded from the 60 months per lifetime. If a participant has reached 60 months of being deemed employable, the participant is no longer eligible for services.

Participants can request a Hardship Exemption, requesting additional benefit months, after reaching the 60 benefit months limit by requesting a hearing in writing and providing supporting documents as to why the request is being made and to include a plan of action to be taken by the participant to become self-sufficient.

The reasons to grant an exemption, may include, but are not limited to:

1. Physical abuse or physical acts that resulted in physical injury
2. Mental health issues
3. Chemical dependency issues
4. Neglect or deprivation of medical care
5. Other extenuating circumstance

Once a written request is received, the Manager or designee will schedule a hearing with the applicant to determine the outcome of the request for an exemption. A hearing will be held with no less than three designated staff. After the hearing, a decision will be mailed to the participant within 5 business days.

If approved the participant must complete the intake process. The participant will undergo a review by the staff at a minimum of every 3 months to determine continued eligibility for the Hardship Exemption. If the participant is not making satisfactory progress or is found to have not followed program policies while on a Hardship Exemption, the sanction process will be followed or the case will close. The individual can reapply for services 60 days.

B. Determining and Calculating Payment Amounts

The amount of the monthly cash grant is determined by deducting the household's net countable income from the

total "need" of the budget. After all countable income and resources are considered, an assistance payment will be made to the participant in an amount necessary to meet the basic costs of Washington State. The program is

required to use the Washington State standards in determining the amount of financial assistance in all cases. ^{25 CFR § 20.100}

1. Monthly assistance payments will be calculated by the Coordinator by doing the following:
 - a. Subtracting from all resources. ^{25 CFR § 20.313 (a) (1)}
 - b. Subtracting the rateable reduction or maximum payment level used by the state. ^{25 CFR § 20.313 (a) (2)}
 - c. Subtracting an amount for shelter. ^{25 CFR § 20.313 (a) (3)}
 - d. Rounding the result down to the nearest dollar. ^{25 CFR § 20.313 (a) (4)}
2. The Coordinator will calculate a shelter amount as follows:
 - a. The shelter amount must not exceed the amount for shelter in the state TANF standard. ^{25 CFR § 20.313(b)(1)}
 - b. If the state TANF does not specify an amount for shelter, staff must calculate the amount as 25 percent of the total state TANF payment, and ^{25 CFR § 20.313(b)(2)}
 - c. If there is more than one household in a dwelling, staff must prorate the actual cost among the households receiving assistance. ^{25 CFR § 20.313(b)(3)}
 - d. When one or more of the family groups receive TANF, the proration rule shall be applied when computing the grant.
 - e. Income from SSI received into a multi-family household, however, shall be exempt from the proration requirement.
 - f. Unless there is clear evidence to the contrary, staff will not assume that a non-legally responsible individual(s) residing within the assistance household is contributing to the support of any member of the household included in the assistance payment. The legal relationships between husband and wife, parent and minor child, and guardian and ward will be considered as relationships in which support is implied. The Tribe's definitions of emancipation and age of majority will also be used to assess whether a legal relationship exists between household members.
3. To receive a shelter grant, participants must submit proof of shelter costs with the initial application, when a participant relocates and incurs shelter costs, and at time of redetermination thereafter. Proof of shelter costs may be in the form of a lease agreement, rent receipt, statement from the landlord, or a utility bill (to include receipt for purchase of firewood) in the participant's name. Failure to submit proof of shelter cost will result in the cash grant being adjusted to deduct the shelter cost and the cash grant will otherwise be issued.
4. The initial cash grant is prorated from the date that the applicant is deemed eligible. To prorate the cash grant, the amount shall be divided by the days per month, and then multiplied by the number of eligible days in the initial payment period. Any time a participant is deemed pending, payments will be prorated for that time.

C. Payment Types

Cash grants are paid by check, direct deposit, or electronic payment. Payment types are discussed and decided upon at orientation. For new cases, the first few cash grants may need to be issued by check until another payment type is set up. For those that receive a check, all checks are mailed unless extraordinary circumstances require the participant to pick the check up in the office and arrangements have been made with staff.

Electronic or direct deposits are processed on banking days.

Electronic payments made to a card may be uploaded with other types of payments issued by the Quinault Tribe. This is due to accounting processes. Cards are ordered from the bank, and once received, staff will contact the participant to come into the office to activate the card. If the card is lost or stolen, participants are to call the bank to cancel and/or order a card.

To change payment types, updated paperwork is required and may delay the process of payments based on payment cycles.

D. Payment Schedule

Cash grants will be calculated on a monthly basis for the reporting period of the 21st of the month through the 20th of the following month. The processing of complete Monthly Redetermination Reports received by the 20th will begin on the next business day. Cash grants processed at this time will be received on or around the first day of the month and are considered on time grants.

Reports received after the 20th and prior to the first day of the following month will be processed on the first day of the following month. Cash grants processed at this time will be received on or around the 10th of the month and are considered late grants. Any paperwork received after the last day of the month will not be processed. Should the 1st or the 10th of the month fall on a Sunday or a holiday, payments will be received the next business day or as close to as possible.

Early payments are not authorized.

E. Payments Not Processed

Cash grants will not be processed for incomplete Monthly Redetermination Reports, Treatment Exempt participants without treatment compliance verification or for students that do not provide a course outline and/or monthly/quarter/semester grades.

F. Vendor Payments

Vendor payments can be made from the cash grant and mailed directly to a vendor. Checks mailed to vendors will follow the same issue dates as a cash grant and will not exceed the grant amount.

G. Underpayment

Underpayments may occur as a result of an administrative error or a change in participant circumstances and shall be corrected by payment of the unpaid amount retroactive to the date that the error or change in circumstances occurred. Written notification will be given when an underpayment is detected and a grant will be processed.

H. Overpayment

Adjustments will be made for recovery when an overpayment becomes apparent and is no fault of the participant. Notice will be sent to the participant. The participant will have the opportunity to discuss the matter and resolve it before adjustments are made.

1. Overpayments are to be corrected by adjustments of the cash grant. Measures will be taken to recover the overpayment in full, going back to the date of the overpayment. If the participant is currently receiving benefits when the overpayment is realized, the cash grant will be reduced by no more than 25% of the grant, until repayment is made in full.
2. Should an overpayment be detected after a participant no longer receives grant payments, an agreement will be made for the participant to repay the overpayment directly. In the event the participant fails to enter into such agreement or fails to comply with the terms of such an agreement, the overpayment will be put in the file and should the person reapply for services, deductions will resume. Where allowable, garnishments from wages will also be sought.

I. Retroactive Payment

In no case shall the program provide retroactive payments for any period prior to the date of application.^{25 CFR § 20.313(c)}

J. Non-Receipt of Payment

If a cash grant is not received after 4 banking or mailing days of issuance, a Stop-Payment Form must be completed by the participant. Staff will initiate a stop payment and request a new payment if applicable. If it is discovered that

the participant fraudulently reported non-receipt of a payment and received two cash grants, the participant will be suspended from the program for a minimum of 60 days. An overpayment will be sought. The matter may also be referred for prosecution.

K. Payments While in a Residential Treatment Program

Cash grants will be issued for participants on a pre-arranged basis while they are participating in a bona fide state-certified residential alcohol/drug treatment center, to include a recovery residence. All treatment plans issued by the referring agency must be provided to the staff by the participant.

The length of assistance while in treatment or in a recovery residence shall not exceed 180 days when outside of the service area. Should the participant be out of the service area in treatment or in a recovery residence and the participant leaves the facility or residence, the participant is ineligible for further services if the participant does not reestablish residency within the service area.

L. Payments Pending While Incarcerated

Participants will be considered “pending” and not eligible to receive assistance while incarcerated in any jail or correctional facility. Participants are required to report all incarcerations in which they are held longer than 24 hours on the Monthly Redetermination Report. The case will be closed after 30 days of incarceration. If a participant fails to report incarceration, this is considered fraud and the fraud policies apply.

X. Case Types

A. High School Student - Unemployable

Participants who are attending high school must attend classes as required by the school and meet the school standards for attendance and progress. School attendance verification and grades are to be submitted monthly with the Monthly Redetermination Report. Failure to submit verification of monthly school attendance and grades with the report will result in a non-calculation of a cash grant. Failure to meet the school attendance requirements and progress during the reporting period will result in the sanction process being followed.

1. All students are required to submit course outlines at the start of the quarter/semester and grades at the end of the quarter/semester. If they are not received within 15 business days of the start or end of the quarter/semester, a cash grant will not be processed.
2. Students will be deemed employable should they drop below three hours per day of school and during the summer months. Once they are deemed employable, employable case type guidelines apply. If school class time or part time work conflicts with employment and training class, the in person class attendance requirement shall be waived. Should a student become over income during the summer months, the case will be placed in pending status until school resumes. Monthly submission of the Monthly Redetermination Reports are required during the pending status. Once school resumes, the case status is updated and cash grants resume accordingly.
3. Should the student discontinue school at any time, they must immediately report this per the reporting requirements herein . A determination will be made regarding continued eligibility.

B. College/Vocational Student - Unemployable

Participants can be deemed a student with verification.

1. Staff shall not disqualify from continued receipt of assistance for a participant who has been deemed eligible for assistance because the participant:
 - a. Is attending an institution of higher education that is located outside of the service area, and
 - b. Has provided proof that their domicile is within the service area. If the participant discontinues attendance at an institution of higher education that is located outside of the service area and does not relocate to a residence within the service area they will not be eligible for the program.
 - c. Is enrolled in courses, (at least nine credits) in a study or training program.
 - d. Is attending a program or training that can reasonably be expected to lead to gainful employment.

2. The following two educational or training programs are to be automatically exempt from determination whether or not a course of study is likely to lead to gainful employment:
 - a. An institution of higher education (as defined for purposes of any program of assistance to students under the Higher Education Act of 1965);
 - b. A vocational school (as defined for purposes of any programs of assistance to students under the Higher Education Act of 1965).
3. In determining the cash assistance provided, staff shall not include consideration of the following:
 - a. All needs other than those defined as essential including those directly related to the applicant's status as a student. The payment will continue to take only essential needs into consideration.
 - b. The amount of any financial assistance received by the individual as a student or trainee. Therefore, all standard forms of student financial aid, including any that may be provided for subsistence are to be disregarded when assistance eligibility is determined.
4. Students will be deemed employable should they drop below nine credits and during the summer months. If deemed employable, employable case type guidelines apply. If school class time or part time work conflicts with attending employment and training classes, or should the participant attend college or vocational school outside of the service area and not return to the service area during the summer, the in person class attendance requirement will be waived. Should a student become over income during the summer months, the case will be placed in pending status until school resumes. Monthly submission of Monthly Redetermination Reports are required during the pending status. Once school resumes, the students are then deemed unemployable.
5. All students are required to submit course outlines at the start of the quarter/semester and grades at the end of the quarter/semester. If they are not received within 15 business days of the start or end of the quarter/semester, as applicable, payments will not be processed.
6. Should the student drop any classes or discontinue school at any time, they must report this per the reporting section herein . Once a student reports dropping classes or discontinuing school, a determination will be made regarding continued eligibility.
7. Students who are on a school break for up to three weeks (21 days) will remain as unemployable and will be exempt from job searching and employment and training class attendance.

C. Medical, Treatment, or other Exempt - Unemployable

Participants can be medical, treatment or otherwise exempt with verification.

1. The following individuals are exempt from employable requirements and are considered "unemployable" if one or more of the following criteria are documented in the case record:
 - a. Persons under the age of 16 years. ^{25 CFR § 20.315(a)}
 - b. Full-time students under the age of 19, who are attending an elementary school, secondary school, vocational/technical school or college and are making satisfactory progress. ^{25 CFR § 20.315(b)}
 - c. Students enrolled at least half time in a program of study, who are making satisfactory progress and were active participants for at least three months prior to determination/redetermination. ^{25 CFR § 20.315(c)}
 - d. Persons suffering from a temporary medical injury or illness, when it is determined by medical evidence or in other sound basis that the illness or injury is serious enough to temporarily prevent employment. If the illness exceeds three months, the participant must be referred to SSA. ^{25 CFR § 20.315(d)}
 - e. An incapacitated person who has not yet received SSI assistance if physician, psychologist or social services worker certifies that a physical or mental impairment(either by itself or in conjunction with age) prevents the individual from being employed. The assessment is documented in the case plan. ^{25 CFR § 20.315(e)}
 - f. Caretakers who are responsible in their home for a person who has a verified physical or mental impairment that requires the caretaker to be a household member available to assist if a physician or certified psychologist verifies the condition. The case plan must document that the condition requires the caretaker to be home on a virtually continuous basis; and there is no other appropriate household member to provide this care. ^{25 CFR § 20.315(f)}

- g. A parent or other individual who does not have access to child care and he/she personally provided full-time care to a child under the age of six. Documentation must be on file stating that there is no other daycare option. ^{25 CFR § 20.315(g)}
 - h. Persons for whom employment is not accessible in a commuting time that is reasonable and comparable with others in similar circumstances (a minimum commuting time of one hour each way). ^{25 CFR § 20.315(h)}
2. It is the responsibility of the participant to provide the documentation necessary to be deemed unemployable. The unemployable status is in effect for the duration listed on the documentation provided. It is the responsibility of the participant to provide updated information to remain in unemployable status. If the documentation expires and updated documentation is not provided, a new case type will be determined and the Individual Self Sufficiency Plan must be updated within ten business days of the document expiring. If the Individual Self Sufficiency Plan is not updated the case will be closed and a letter of notification will be mailed.
 3. Participants claiming they are medical exempt due to temporary medical illness or injury must provide the following:
 - a. Diagnosis and statement that the individual's illness or injury is serious enough to temporarily prevent employment and exempt the participant from job search and class;
 - b. Estimated prognosis and date available for employment, job search, and class; and
 - c. Any limitations for individual work preparation activities (*e.g.* no use of right arm, no standing or walking, no stress, no work, etc.).
 4. If the medical illness or injury is estimated to continue for more than six months, the individual will be referred to the SSA Office to determine eligibility for services.
 5. Participants in exemption due to awaiting treatment, in treatment, or those in Intensive Outpatient will have this listed in their Individual Self Sufficiency Plan as a requirement. Participants are required to provide monthly verification of compliance with the Monthly Redetermination Report from an approved Chemical Dependency Agency. If compliance is not submitted, a cash grant will not be calculated. If the participant is not in compliance with their treatment plan, the sanction process will be followed. Should a case close and treatment recommendations not met, the case will reopen with treatment recommendations listed as a requirement in the Individual Self Sufficiency Plan if still applicable or the participant will be required to complete a full chemical dependency within 30 days of approval. Once the agency deems the participant has completed all phases or recommendations for treatment, the case will be re-evaluated to determine continued eligibility.

D. Employable

Participants must provide evidence of efforts to obtain employment. All employable participants are required to seek and accept available employment. Participants will be expected to enroll immediately in local training programs for which he/she might be eligible and be actively involved in planning, developing and implementing a plan designed to promote self-sufficiency and employment. To remain eligible, the participant must provide evidence of satisfactory progress toward searching for and/or attaining employment, attending in-training and/or educational programs. A participant who does not comply will not be eligible for assistance. ^{25 CFR § 20.314(a)}

1. Unless otherwise exempt from attending, all employable participants are required to attend employment and training classes when offered. Participants are required to average four hours per week of class time for the reporting month or the sanction process will be followed. If class is not held or is not accessible the average is adjusted accordingly. Since classes are designed to prepare participants for employment, remove barriers, provide work skills, and provide job leads, participants need to attend class unless for a valid reason. Completed homework reported and verified on the Monthly Redetermination Report by staff, can be used to make up missed in person class time when done in the same reporting period. If the participant will need to miss in person class, it is the responsibility of the participant to prearrange homework accordingly. If an in person class day is missed and hours not made up, proof of employment, medical note, funeral, or verification of a court date must be provided.
2. Unless otherwise exempt from job searching, all employable participants are required to complete five job

searches per week at a business or company that is actually hiring. Verification of meeting this requirement must

be provided on the Monthly Redetermination Report or the sanction process will be initiated.

3. Individuals not exempt, who refuse available employment, or who voluntarily and without good cause do not maintain their employed status, will not be eligible to receive cash assistance for a period of 60 days following the date of eligibility re-determination. Please refer to Section IV(b) for Good Cause Criteria for Failure to Accept or Maintain Employment.

XI. GED

Participants who are not engaged in high school, and who do not have a high school diploma or GED, must attend GED class for an average of ten hours per week for the reporting period. GED attendance verification is to be reported on the Monthly Redetermination Report. Class attendance can be averaged for the reporting period. Since classes are designed to prepare participants to obtain their GED, participants need to attend class unless there is a valid reason.

Completed homework reported and verified on the report, by an instructor, can be used to make up missed in person class time when done in the same reporting period. In person class can be missed and hours not made up if proof of employment, medical note, funeral, or verification of a court date is provided.

A. Failure to submit verification of GED attendance or to meet the hours of attendance required will result in the sanction process being initiated.

B. Those persons over 55 or who have a note from a licensed professional attesting that the participant cannot obtain a GED are exempt from this requirement. Further, those that have been deemed unemployable are exempt from this requirement.

C. Exemptions from attending GED classes for an extended amount of time may include, but are not limited to, the unavailability of class, employment conflicts, illness, death of immediate family, lack of transportation, or as deemed exempt by the Program Manager. Exemptions are to be prearranged when possible. An Exemption Request Form can be obtained from staff and is required for ongoing exemption from class.

XII. Support Services

Limited financial resources are available to participants to assist in removal of barriers that may be preventing a participant in becoming self-sufficient. (See Appendix A) Support services are available to eligible participants who are in compliance with program requirements. Support services are not automatic or an entitlement. Support services are contingent on the availability of funds and are based on the individual needs of each participant. Support services are designed to meet specific, basic and emergent needs. All supportive services are considered on a case-by-case basis and only when all other resources have been exhausted. Support service may be denied for any plausible reason, including but not limited to: compliance issues, availability of other resources, missing documentation, questions of eligibility, frequency of use, availability of funds, and amount remaining in the pertaining category of current guidelines.

A. When considering a support service, staff and participant shall consider the most cost effective method. All other community and tribal resources must be exhausted prior to using program support services, including, but not limited to: QIN Emergency Services, CCAP, LIHEAP, food banks, food stamps, and other resources. Purchased services will follow the Quinault Indian Nation purchasing procedures. Support services do not include reimbursing a participant for items/services that have already been purchased.

B. Some support services require a receipt to be returned within ten days after the support service is issued. This is to verify allowable items were purchased and for the staff to pay the vendor. If a receipt it is not returned within the time frame listed or an item is purchased that was not approved, support services will not be issued for a minimum of 60 days.

C. If a participant is in sanction warning or sanction, they are not eligible for support services until the sanction warning or sanction is rectified unless the support service assists in rectifying the sanction warning or sanction.

D. Support services will be issued per Appendix A.

XIII. Incentives

Incentives are given to recognize participants for accomplishments. Incentives are issued per Appendix B and are based on availability of funds.

A. An Incentive Form and supporting documentation is required when requesting an incentive. Once approved, the incentive is given in the form of a gift card.

B. An Incentive can be submitted for accomplishments completed while open on a case and must be requested within 30 days of completion of the accomplishment.

C. If a participant is in sanction warning or sanction, they are not eligible for incentives until the sanction warning or sanction is rectified.

XIV. Sanction Process

To remain eligible, the participant must remain in compliance with the agreed upon terms of their Individual Self Sufficiency Plan and must provide evidence of meeting required activities on the Monthly Redetermination Report.

A. Summary Sanction Table:

Participant does not comply with requirements as outlined in the Individual Self Sufficiency Plan or as evidenced by the Monthly Redetermination Report for the reporting period. (21st through the 20th of the following month).

Participant does not comply with requirements as outlined in the sanction warning letter for the next reporting period. (21st through the 20th of the following month).

Participant completes all requirements as outlined in the sanction warning letter at next reporting period. (21st through 20th of following month)

Participant does not comply with requirements outlined in the sanction letter, for the second reporting month in a row. (21st through the 20th of the following month).

Participant receives a sanction warning letter and are given an outline what must be corrected by the next reporting period to avoid the next step in the sanction process. A cash grant is issued for the reporting period.

Participant receives a sanction letter that outlines what must be completed to receive a cash grant for the next reporting period. A cash grant is not issued for the reporting period, considering the reporting period as a 30-day suspension for non-compliance.

Participant returns to good standing and receives a cash grant at the next reporting period, if all other eligibility is still met.

The case is closed for 30 calendar days. Participant receives a closure letter.

1. The original letter of notification must include all compliance issues and only applies to the compliance issues listed.

If other compliance issues arise, another letter will be sent, following the sanction process. There may be times that there may be more than one letter of notification outstanding, for unrelated compliance issues.

2. If the participant does not submit a Monthly Redetermination Report for the following month that shows compliance issues have been addressed, this will constitute a suspension month and a cash grant will not be issued. A letter will be mailed, outlining what must be completed to receive a cash grant the next reporting period. The letter will also include the policy on case closure if no contact is made. If the participant voluntarily closes their case during the sanction process, the participant can reapply for services after 30 calendar days. Any compliance issues that can be resolved prior to opening a case must be completed to reopen.

B. Summary Closure Table:

Participant fails to meet or complete Program Requirements as listed herein.

If Program Requirements are not met within the listed time frame and verification is not received, then the participant is no

longer eligible for services and a letter is mailed notifying that the case is closed. The letter further identifies what issues must be corrected to reapply for services. All unresolved Program Requirements that can be completed prior to reapplying must be submitted at time of applying. (e.g., SS card, applying for other financial assistance programs, etc.).

XV. Fraud

A. Federal Law Governing Fraud

At the time of the application, the applicant must sign an acknowledgment that they have been informed of the Federal Law Governing Fraud, which states:

“Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willingly falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or documents, knowing the same to contain false, fictitious, or fraudulent statements or entry, shall be fined not more than \$10,000.00 or imprisoned for not more than five years or both.”

By signing the statement, the applicant agrees to supply information regarding resources and income, notify of any changes in their situation, and allow the program to obtain information necessary to establish eligibility for assistance.

B. Program Action Taken for Fraud

Once the fraud has been discovered and the overpayment calculated, a letter will be mailed to the participant informing them of the amount owed to the program and that they are suspended from services. Participants are suspended for no less than six months for the first offense, 12 months for the second offense, and 24 months for the third offense and any after. The case will be forwarded to the Prosecutor. Where allowable, garnishments from wages will be sought. Should the participant reapply for services, the case will reopen with the overpayment to the cash grant being applied if the amount has not been paid in full.

XVI. Appeal Process

The Quinault Indian Nation has an interest in assuring its program is administered, implemented and enforced non-discriminatorily and consistent with basic principles of justice and fairness. All applicants, or recipients of assistance, have the right to appeal all decisions made by the program that affect services or assistance provided to the applicant or participant other than in the case of fraud. (Fraud cases will be handled in the Quinault Tribal Court, under the Quinault Tribal Code.)

Late submission of a Monthly Redetermination Report or paperwork necessary to process the cash grant after the 20th of the month and prior to the last day of the month to receive a late grant is not appealable due to the time frame necessary to process payments.

A. Ineligibility for Services, Assistance or Adverse Decisions

When the program determines that an applicant is not eligible for assistance or a decision has been made that directly affects the services provided to a participant, the program shall provide the applicant or participant with an letter of notification that will include an outline of the decision and why the decision was made. The letter shall be mailed to the participant's last known address or left at the front desk of the office for those without a mail receptacle within ten business days from the date of the decision. The letter shall also inform the participant of their right to appeal and shall contain an Appeal Form.

B. Appeal to Manager

If the applicant or participant disagrees with the program's decision they may request an administrative review of the decision by the Manager. The request must be addressed to the Manager, in writing and must be made within

ten business days from the date of the letter of notification.

The written request shall be signed and dated and contain the following information:

1. The nature of the decision; and
2. Why the person adversely affected by the decision disagrees with the decision, action or finding; and
3. Supporting documents, as applicable

Upon receipt of the written request for review, the Manager will review the case and render a decision within 5 business days from the receipt of the appeal. The applicant/participant will be notified in writing the decision and be advised of their right to administrative review by the QIN Court, if they disagree with the decision of the Program Manager.

C. Appeal to QIN Court

A person aggrieved by the final decision of the Manager is entitled to judicial review only under the provisions of these guidelines and such person may not use any other procedure to obtain review of such final decision even though another review procedure is provided elsewhere by tribal law, rule, regulation or Business Committee resolution.

1. Judicial review under these guidelines shall be commenced by the filing of a petition for review in the Quinault Indian Nation Tribal Court. The petition shall be served and filed within ten business days after the Manager enters the final decision. Copies of the petition for review shall be served upon the Manager and the QIN Office of the Attorney General by certified mail, return receipt requested. The clerk of the Tribal Court shall not accept for filing any petition for review unless a copy of the final decision is attached to the petition.
2. Enforcement Pending Review - The filing of a petition for review shall not stay enforcement of the decision.
3. Transmittal of Record on Review - Within 30 calendar days after service of the petition, or within such further time as the Tribal Court may allow, the Manager shall transmit to the Tribal Court the original or a certified copy of the entire record of the hearing; but all parties to the review may stipulate to the record on review.
4. Conduct of Review - The review shall be conducted by the Tribal Court without a jury and shall be confined to the record. The Tribal Court shall not take additional evidence or hear testimony. The Tribal Court shall hear oral argument and receive written briefs. The Tribal Court shall set the length of briefs and time for arguments.
5. Authority of Tribal Court - The Tribal Court may affirm the final decision of the Manager; or remand the case for further proceedings; or reverse the final decision, in whole or in part, if the rights of petitioner have been prejudiced because the decision:
 - a. Violates the Quinault Indian Nation Constitution or the Indian Civil Right Act, 25 U.S.C. 1301 et. seq.;
 - b. Exceeds the lawful authority of the Program;
 - c. Is clearly erroneous in view of the entire record; or
 - d. Is arbitrary or capricious.

The decision of the Tribal Court shall be final and not subject to further review by the Quinault Court of Appeals, the Quinault Business Committee or any other agency or person unless authorized by Federal law.

XVII. Confidentiality

The program will restrict the use and disclosure of information and records about participants receiving benefits. All information obtained regarding a participant will be held in the strictest confidence. Except where provided by law, administrative rule, as ordered by a court of competent jurisdiction or under the program's plan, information about the

participant may not be disclosed to an outside person or agency. Such information and records include, but are not limited to, any information that contains the client's name or any identifying symbol.

A. Information or records may be released if:

1. Requested by the participant or disclosure is made with the participant's prior written consent.
2. Requested by another agency for a purpose compatible with the purpose for which the information was collected. (For example, dual eligibility).
3. Requested by formal action of the Quinault Indian Nation's Business Committee.
4. Where a person petitions for review of the Program Manager's adverse decision.
5. To a requesting person or agent upon a showing of compelling circumstances affecting the safety of an individual participant, if upon disclosure, notification is transmitted to the last known address of the participant.
6. The program staff suspects or has knowledge of child abuse, as required by law.

XVIII. Policy Exceptions

The Quinault Indian Nation recognizes that it is difficult to anticipate all possible circumstances in written policies and procedures and that flaws and inadequacies in these policies and procedures may become apparent after implementation. For this reason, the Manager may waive or make exceptions to the policies and procedures when reasonably necessary to achieve the underlying purpose of meeting the essential needs of the participants. Waiver determinations will be case noted as it pertains to a case and in some incidences will set precedent. At time of the next policy revisions, such waivers will be included.

DEFINITIONS

Appeal means a written request for correction of an action or decision of a specific program decision.

Applicant means an Indian individual by or on whose behalf an application for financial assistance and/or social services has been made.

Application means the written or oral process through which a request is made for financial assistance.

Authorized Representative means a parent or other caretaker relative, conservator, legal guardian, foster parent, attorney, paralegal acting under the supervision of an attorney, friend or other spokesperson duly authorized and acting on behalf or representing the applicant or participant.

Case means a single type of assistance and/or service provided to an individual or household in response to an identified need which requires intervention by social services.

Close ties means a non-relative, but staff had or has a close personal relationship with the person.

Domicile means somebody's place of residence: somebody's true, fixed, and legally recognized place of residence, especially in cases of prolonged absence that require them to prove a continuing and significant connection with the place.

Employable means an eligible person who is physically and mentally able to obtain employment.

Essential Needs means shelter, food, clothing and utilities.

General Assistance means financial assistance payment to an eligible Indian for essential needs.

Head of household means a person in the household that has primary responsibility and/or obligation for the financial support of others in the household.

Household means person living together who may or may not be related to the "head of household".

Indian means any person who is a member of an Indian tribe.

Indian tribe means an American Indian or Alaska Native tribe, band, nation, pueblo, village, or community which is recognized as eligible for the special programs and services provided by the United States because of their status as Indians.

Individual Self-sufficiency Plan means a plan designed to meet the goal of employment through specific action steps and is incorporated within the case plan for the general assistance participant. The plan is jointly developed and signed by the participant and Coordinator.

Month means the reporting month, from the 21st of one month, to the 20th of the following month.

Need means the deficit after consideration of income and other resources necessary to meet the cost of essential and special need items.

Qualified Health Care Professional means an individual who is qualified by education, training, licensure/regulation (when applicable), and facility privileging (when applicable) who performs a professional service within his/her scope of practice and independently reports that professional service. Qualified health care professionals include physicians, clinical nurse specialists, clinical social workers, nurse practitioners, physician assistants, and physical therapists.

Recipient means an eligible person receiving financial assistance or social services under this part.

Resources means income, both earned and unearned, and other liquid assets available to an Indian person or household to meet current living costs, unless otherwise specifically excluded by federal statute. Liquid assets are those properties in the form of cash, such as savings or checking accounts, promissory notes, mortgages and similar properties, and retirements and annuities.

Service area means a geographic area where financial assistance and social services programs are provided. Such a geographic area can include a reservation, near reservation, or other geographic location.

Temporary Assistance for Needy Families (TANF) means one of the programs of financial assistance provided under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

Unemployable means an eligible person who is physically and/or mentally unable to obtain employment.

Appendix A

Support Services Guidelines

This list is a guideline. Support services are offered based on the program budget. Support Services are based on fiscal year October 1st through September 30th. Emergent needs, compliance and utilizing most economical/available resources are taken into consideration.

\$ 300.00 per fiscal year limit.

Transportation	License fees - Actual cost per invoice/statement Bus pass - 4 per month Fuel - \$50 per month for employment/education purposes
Employment	Licensing or certification required for employment - Actual cost per invoice/statement
Supplies	Personal hygiene/household items-\$75 per quarter Laundry cards – 2 per month
Clothing/shoes	Work related clothes/shoes - \$150 Interview clothes/shoes - \$75 Clothing needed for detox or inpatient treatment - \$100
Other	Post office box, program required documents, birth certificates, State ID – Actual cost per invoice/statement

Appendix B

Incentive Guidelines

This list is a guideline. Incentives are offered based on the program budget. Incentives are based on fiscal year October 1st through September 30th. Verification and compliance are taken into consideration.

Obtain Driver's License	\$ 50	1 time per lifetime
Treatment Completion (Detox, IOP, or Inpatient)	\$ 50	1 time per fiscal year
GED/HS Diploma Completion	\$ 50	1 time per lifetime
Tech/Vocational School Completion	\$ 50	1 time per lifetime
Associates Degree	\$ 50	1 time per lifetime