

Community Support Fund Policy

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Article I. Purpose and Policy

1.1. The purpose of this Policy is to assist the greatest number of Tribal members of the Oneida Tribe of Indians of Wisconsin who apply for assistance to the Community Support Services Fund in times of a catastrophic event, illness or injury when no other resources for assistance exist.

1.2. It is the policy of the Oneida Tribe of Indians of Wisconsin to assist their people in a time of need after a catastrophic event, illness or injury, when there is no other assistance available or all other assistance has been exhausted.

Article II. Adoption, Amendment, Repeal

2-1. This Policy is adopted by the Oneida Business Committee by resolution # BC-5-15-96-A, amended by resolution # BC-01-08-97-G, and amended by resolution # BC-12-11-13-D.

2-2. This Policy may be amended or repealed by the Oneida Business Committee and/or the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

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

2-4. In the event of a conflict between a provision of this Policy and a provision of another policy, the provisions of this Policy shall control.

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

Article III. Definitions

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

(a) "Applicant" shall mean the person applying for assistance for themselves or on behalf of another person who is otherwise unable to do so due to age or incapacity.

(b) "Business Days" shall mean Monday through Friday 8:00 a.m. to 4:30 p.m., except for recognized holidays as listed on the official calendar of the Tribe.

(c) "Case Manager" shall mean the employee of the Social Services Area responsible for administering Community Support Services Fund benefits according to the established guidelines set forth below.

(d) "Catastrophic event" shall mean a natural or man-made incident, which results in substantial damage or loss requiring major financial resources to repair or recover (i.e. house fire, tornado, flood, or other disaster).

(e) "Catastrophic illness or injury" shall mean a serious debilitating illness, injury, impairment, or physical or mental condition that involves:

(1) in-patient care; or

(2) a period of continuing treatment due to a chronic serious health condition

- (asthma, diabetes, epilepsy, etc.); or
- (3) a period of illness or injury that is long-term due to a condition for which treatment may be ineffective (stroke, terminal disease, etc.); or
- (4) receipt of multiple treatments either for restorative surgery after an accident or other injury, or for a chronic condition. (i.e. cancer or kidney disease)
- (f) “Cost share” shall mean the request to have the applicant agree to contribute to the cost of the assistance given.
- (g) “Emergency” shall mean a situation that poses an immediate risk to health, life, safety, property or environment. Emergencies require urgent intervention to prevent further illness, injury, death, or other worsening of the situation.
- (h) “Emergency medical travel” shall mean an unexpected serious health situation or occurrence, requiring the immediate presence of immediate family. (i.e., end of life situation, life support, etc.)
- (i) “Fund” shall mean the Community Support Services Fund.
- (j) “Immediate family” shall mean that group of persons who make up a family unit normally defined as husband, wife, children, sister, brother, in-laws, step family, grandparents and grandchildren, and/or a person who has legal responsibility for a member of their immediate family.
- (k) “Legal guardian” shall mean a person who has the legal authority to care for the personal and property interests of another person granted through Court order.
- (l) “Legal Responsibility” shall mean specific duties imposed upon a person to care or provide for another including liability for personal obligations as granted through a Power of Attorney or Court order.
- (m) “Major medical surgery” shall mean a surgical procedure that carries a degree of risk to the patient’s life, or the potential for severe disability if something goes wrong during surgery. It is a surgical procedure that usually requires a patient to be put under general anesthesia and given respiratory assistance because he or she cannot breathe independently.
- (n) “Reservation” shall mean all the lands and waters within the exterior boundaries of the Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.
- (o) “Severity” shall mean the verified rate or level of need.
- (p) “Shelter” shall mean mortgage payments or rent payments.
- (q) “Tribal or Tribe” shall mean the Oneida Tribe of Indians of Wisconsin.
- (r) “Verification” shall mean the evidence or proof that confirms the accuracy or truth of the alleged catastrophic event, illness or injury and of Tribal membership (i.e., estimates, photographs, doctor statements/report, check stubs, tribal identification card/letter, etc.).

Article IV. Social Service Responsibilities; Eligibility and Qualifications

4-1. The Social Services Area of the Governmental Services Division shall create and administer the Fund.

- (a) The Social Services Area shall create standard operating procedures for the administration of the Fund. The standard operating procedures shall include the list of categories the Fund covers and a cap that set the amount of assistance per event/ per

household, except for funeral expenses which shall be set per event/ per person.

(b) The Governmental Services Division Director shall report semi-annually to the Oneida Business Committee. The report shall include, the amount of Funds paid out under each category. (c) The Social Services area shall ensure that the Tribal membership is informed of what assistance is available through the Fund, how to apply for assistance, and specify who is eligible for assistance.

4-2. Eligibility for assistance provided under the Fund is reserved for Tribal members. Applications may be made by a non-Tribal parent or legal guardian on behalf of a Tribal member, or minor eligible for enrollment, provided Funds will benefit the Tribal member or child of the applicant.

4-3. Residency within the State of Wisconsin is not a prerequisite for assistance, except for requests for a security deposit in Section 6-2.

4-4. The Fund provides assistance when there is no other financial assistance available.

(a) Applicants will be asked to contribute a percentage of the assistance being requested.

(b) Applicants shall first seek out other resources that can meet the needs of their request. Proof of requesting assistance from other sources shall be provided with the application.

4-5. The following types of catastrophic events, illnesses or injuries qualify an applicant for assistance:

(a) Terminally ill

(b) Physically challenged or incapacitated

(c) Major medical surgery

(d) Life threatening (i.e. Cancer, AIDS, Stroke, disabling injuries due to motor vehicle accident, etc.)

(e) Natural disaster (i.e. Tornado, fire, flood, etc.)

(f) Death in immediate family

4-6. A Case Manager reserves the right to deny applicants who have elected not to be covered by employer benefits such as disability or health insurance.

4-7. All payments shall be provided directly to the service provider. However, funeral travel shall be reimbursed to the applicant.

4-8. Assistance available under the Fund is subject to change according to fiscal year funding levels.

4-9. Tribal Programs and Enterprises are not eligible for these funds.

Article V. Priorities for Consideration

5-1. The Case Managers shall determine the level of assistance to be provided based on:

(a) Severity of event, illness or injury

(b) Ability of applicant to cost share

(c) Cost (usual and customary fees)

(d) Amount of time elapsed since catastrophic event, illness or injury occurred

5-2. The Case Manager shall assess each individual case, prioritize and assist with immediate needs. Priorities are as follows:

(a) Life-threatening emergency requests

(b) Emergency medical travel

(c) Other needs

Article VI. Items Covered by the Fund

6-1. Requests for assistance from the Fund must be tied to or be a result of a catastrophic event, illness or injury. Upon verification of a catastrophic event, illness or injury, the Fund may be used for the following:

- (a) Health insurance, including COBRA
- (b) Prescriptions not available through an IHS Clinic
- (c) Medical transportation/emergency medical travel (including vehicle repairs)
- (d) Rental of medical equipment
- (e) Medical bills (dental, optical, hospital) not covered by insurance
- (f) Shelter and utilities where no other resources exist (including security deposits)

6-2. Requests for assistance for a security deposit shall be tied to or be a result of, a catastrophic event, illness or injury and are limited to Tribal members who are Wisconsin residents only.

- (a) The Tribal member shall demonstrate the ability to fulfill the terms of the rental lease. The Fund does not co-sign any lease.
- (b) Security deposits are non-transferable and the amount paid for a security deposit shall be paid back to the Fund Program before another security deposit is issued at any time in the future.
- (c) Only one request per household will be considered.
- (d) Security deposits shall be issued on an emergency basis which shall include, but is not limited to, pending eviction and homelessness.

6-3. Requests for assistance for the payment of utilities shall only be allowed once every three (3) years by the person listed as responsible to pay with the utility company. Those who receive assistance in paying their utilities shall cost share those expenses by paying back fifty percent (50%) of the funds received within four (4) months. If those funds are not reimbursed to the fund by the required date, the Community Support Program may garnish the individual's per capita payments.

6-4. Travel expenses to arrange or attend a funeral for immediate family members outside the State of where an applicant resides shall be paid by the applicant first, and the Fund shall reimburse those applicants for mileage or airfare expenses up to a maximum amount of five hundred dollars (\$500).

Article VII. Items not covered by the Fund

7-1. The Fund does not cover payments that are not for a catastrophic event, illness or injury as defined above. The following is a list of items not covered by the Fund; however, this is not an exhaustive list:

- (a) Car payments
- (b) Taxes
- (c) Credit card or Charge accounts
- (d) Commercial loans
- (e) Defaults/fines/bankruptcy charges
- (f) Expenses not tied to basic needs (Cable, internet, memberships, etc.)
- (g) Legal fees/court costs/judgments

7-2. The Fund reserves the right to deny or limit benefits if evidence is found regarding the applicant as to the following:

- (a) The catastrophic event, illness or injury is the result of a violation of the law as proven by a citation or criminal conviction.
- (b) The applicant or others in the household benefiting from assistance from the Fund are non-compliant with the requirements of other tribal programs, policies or laws (i.e. Zoning, etc.)
- (c) The applicant or others in the household benefiting from assistance from the Fund are non-compliant with the requirements of the Fund.

If the Fund chooses to approve, deny, or limit benefits under this section, an explanation of the decision shall be in writing and provided to the applicant with a copy placed in the Fund's file.

Article VIII. Application Requirements

8-1. To be considered for assistance and before receiving assistance the applicant must complete the full application process. All applicants shall cooperate with the Case Manager to assist the Case Manager in comprehensively addressing the needs of the applicant.

8-2. Supporting documentation shall be required in all cases. The applicant is responsible to provide all documentation requested by the Case Manager.

- (a) No assistance shall be provided without sufficient documentation of the catastrophic event or illness or injury as requested by the Case Manager.
- (b) No assistance shall be provided without sufficient documentation that the applicant sought assistance from other agencies with an explanation of benefits received or refusal of assistance by the other agencies.

8-3. Documentation includes, but is not limited to:

- (a) Medical reports
- (b) Bills or statements
- (c) Estimates
- (d) Letters
- (e) Police or fire reports
- (f) Obituary or formal notice of death
- (g) Check stubs
- (h) Pictures or photographs
- (i) Applications for assistance from other agencies
- (j) Approval of assistance or denial of assistance letters from other agencies

8-4. Verification of status of employment is required and includes the following documentation:

- (a) Leave of absence paperwork
- (b) Balance of personal and vacation time accumulation
- (c) Disability insurance or workmen's compensation coverage
- (d) Check stubs

8-5. Requests submitted without supporting documentation shall be kept on file for thirty (30) business days.

- (a) A request for additional information by a Case Manager shall be made when an application contains insufficient information to make an informed decision.
- (b) Applicants may deliver, scan, fax, mail, or e-mail additional requested information.
- (c) Failure to submit the requested information within the thirty (30) business days will result in closing the application file, with no further action taken in regard to that application.

(d) Applicant shall be sent a notice that the file has been closed and reason(s) for the file being closed.

(e) After the file is closed, the applicant shall start the application process over again in order to be considered for assistance from the Fund. However, no applicant may re-apply for the same catastrophic event, illness or injury more than twice.

8-6. Application for assistance shall be made within a reasonable time period, not to exceed thirty (30) business days of a catastrophic event or illness or injury. Applications made after thirty (30) business days shall not be considered.

Article IX. Appeal

9-1. An appeal of the Case Manager's decision shall be made to the Case Manager's supervisor. If the supervisor upholds the decision, it may then be appealed to the Area Manager of the Social Services Division. If the decision is upheld by the Area Manager, the decision may be appealed as a final decision to the Judiciary.

End.

Adopted - BC-5-15-96-A
Amended - BC-1-8-97-G
Amended- BC-12-11-13-D