



DEPARTMENT OF ECONOMIC SECURITY

*Your Partner For A Stronger Arizona*

Janice K. Brewer  
Governor

Neal Young  
Director

The Honorable Janice K. Brewer  
Governor of Arizona  
1700 West Washington  
Phoenix, Arizona 85007

Dear Governor Brewer:

I am pleased to provide you with the Department of Economic Security's (DES) Tribal Consultation Report for State Fiscal Year 2009. This report is submitted pursuant to Executive Order 2006-14, which requires all Executive Branch agencies to produce an annual report of all action undertaken as a result of the implementation of its tribal consultation policy. The report is submitted to the Governor and Legislature, and a copy is provided to the Arizona Commission of Indian Affairs.

If you have any questions, please contact me at (602) 542-5757.

Sincerely,

Neal Young  
Director

Enclosure

cc: President Robert L. Burns, Arizona State Senate  
Speaker Kirk D. Adams, Arizona State House of Representatives  
Members of the Joint Legislative Audit Committee  
Kristine M. Thomas, Interim Director, Arizona Commission of Indian Affairs  
GladysAnn Wells, Director, Arizona State Library, Archives, and Public Records

# Arizona Department of Economic Security

## Tribal Consultation Report

July 1, 2008 – June 30, 2009

### Introduction

The vision of the Arizona Department of Economic Security (DES) is for every child, adult, and family in the State of Arizona to be safe and economically secure. The mission of the Department is to promote the safety, well-being, and self-sufficiency of children, adults, and families.

The Department of Economic Security's Native American Tribal Liaison position has been vacant this year due to budget constraints. However, the Department continues a strong commitment to working with Arizona's 22 tribes, and implementing its Tribal Consultation Policy pursuant to Arizona Executive Order 2006-14. The DES Tribal Consultation Policy is demonstrative of a fundamental respect for tribal sovereignty and self determination. DES commits to working in consultation with Native American Tribes to improve the quality, availability, and accessibility of human services to children, youth, adults, and elders.

The goals of DES are to: 1) strengthen individuals and families; 2) increase self-sufficiency; and 3) develop the capacity of communities. This report provides an overview of the tribal consultations conducted to achieve these goals. This has been a dynamic process, involving ongoing joint efforts of Tribal and Department leadership and staff.

### Division of Children, Youth and Families

The Division of Children, Youth and Families (DCYF) has developed working relationships with the tribes to promote safety and well-being for tribal children and families. It is this consistent effort of tribal consultation that has resulted in intergovernmental agreements (IGAs) with the following tribes:

- |   |  |
|---|--|
| • Navajo Nation                             | Title IV-E Program Administration  |
| • Navajo Nation                             | Comprehensive Service Delivery   |
| • Navajo Nation                             | Family Support, Preservation, and Reunification                          |
| • Hopi Tribe                                | Title IV-E   |
| • Salt River Pima Maricopa Indian Community | Family Support, Preservation, and Reunification Services (two contracts) |
| • San Carlos Apache                         | Family Support, Preservation, and Reunification Services                 |
| • San Carlos Apache                         | Specialized Substance Abuse Treatment                                    |
| • Pascua Yaqui                              | Family Support, Preservation, and Reunification Services                 |
| • Pascua Yaqui                              | Specialized Substance Abuse Treatment                                    |
| • White Mountain Apache Tribe               | Family Support, Preservation, and Reunification Services                 |

- White Mountain Apache Tribe                      Specialized Substance Abuse Treatment
- Hualapai    Family Support, Preservation, and Reunification Services
- Quechan    Family Support, Preservation, and Reunification Services
- Ak-Chin Community                                      Family Support, Preservation, and Reunification Services

DES receives federal funding for foster care children under Title IV-E of the Social Security Act. Native American tribes in turn may enter into IGAs with DES and be reimbursed for the care of tribal foster care children in tribal custody. Family Support, Preservation, and Reunification services are very important to the tribes' focus to keep tribal children within their own families instead of placing them with non-tribal families. This program facilitates meetings with families and emphasizes the preservation of family units to care for their children.

### **Indian Child Welfare Act**

As required by the Indian Child Welfare Act (ICWA) and under the umbrella of the DES Division of Children, Youth and Families (DCYF), a tribal liaison is designated to collaborate and coordinate complex ICWA/Child Protective Services (CPS) cases. The DCYF Indian Child Welfare Act Child Welfare Specialist continues to meet regularly with tribal ICWA representatives and state representatives to address common concerns, monitor ICWA implementation and compliance measures outlined in the State Child and Family Services Plan, and consult regarding the implementation of ICWA, including consultation regarding Title IV-E of the Social Security Act. To ensure compliance, the ICWA Child Welfare Specialist provides technical assistance, case consultation, training of state and tribal child welfare staff, and qualified expert witness testimony in state courts.

Some current work in tribal consultation in the area of child welfare includes:

- During state fiscal year 2009 (SFY 2009), the Department completed four child welfare services IGAs with Indian tribes. These Agreements will help to promote safety, stability, and permanency for Native American children and their families.
- There are pending draft child welfare services IGAs with the following Indian tribes: Yavapai Prescott, Hopi, White Mountain Apache, and the Gila River Indian Community. Discussions with tribes to update their initial respective Agreement are ongoing.
- The Navajo Nation is diligent in keeping its Agreement current with recent changes in federal and state laws and policies. A third revision has just been completed.
- The DCYF in collaboration with the Inter-Tribal Council of Arizona, Inc. (ITCA) has and continues to provide information concerning the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 to Arizona Indian tribes. ITCA provided an overview of the new law to the Tribal Social Services Directors' work group in November 2008.
- The Department continues to provide support and training to both the Navajo Nation Division of Social Services and the Hopi Guidance Center concerning their effort to implement the Title IV-E Agreement with the state of Arizona.

- The Navajo Nation has submitted a letter of intent to the U. S. Department of Health and Human Services and is applying for a planning grant to transition its Title IV-E program from a state pass through arrangement to direct funding by 2012.
- Two other Indian tribes have submitted letters of intent to the U. S. Department of Health and Human Services and are working on applications for planning grants. Other Indian tribes have expressed interests but remain uncommitted. The Department will continue to provide technical assistance to these tribes as requested.
- The DCYF provides opportunities for tribes to participate in and collaborate on important program activities, such as policy development and agency evaluation. Three tribal affiliates participated in the revision of the Department's concurrent case planning policy. In March 2009, the final concurrent case planning policy and procedures was presented to the Navajo Nation Division of Social Services. In April 2009, the same policy was presented to the Inter-Tribal Council of Arizona, Tribal Social Services Directors' work group for their information and awareness.
- During SFY 2009, the DCYF Indian Child Welfare Specialist participated in the Urban Indian Child Welfare Coalition. The Coalition initiated and completed a community assessment of the urban Indian population to identify service gaps affecting Indian children and their families. The Coalition is sponsored by the Casey Family Program and the Phoenix Indian Center. The Phoenix Indian Center intends to use data to develop strategies to assist the Department to recruit Native American foster/adoptive families in the urban area.

The DCYF Indian Child Welfare Act Specialist is constantly engaged in meeting with tribes and training about the intent and regulations of the ICWA. This applies to organizations and other entities such as law enforcement agencies and court systems who desire to become more knowledgeable about ICWA. Although there are only a few tribes currently pursuing IGAs, other tribes are also being served through the diverse training and technical assistance offered by the Indian Child Welfare Specialist. An example is the meeting with Tribal Social Services Directors to discuss concerns related to Native American children in tribal foster homes. In addition, the Inter-Tribal Council of Arizona, which consists of all the tribes in the state with the exception of the Navajo Nation, is a partner with DES in pursuing and fulfilling obligations necessary for the Indian Child Welfare Act. The Indian Child Welfare Specialist also attends DES Native American Advisory Board meetings should any issues related to ICWA need to be discussed.

### **Temporary Assistance for Needy Families (TANF)**

DES has Intergovernmental Agreements with six tribes to provide Temporary Assistance for Needy Families (TANF) programs: Pascua Yaqui, Salt River Pima-Maricopa Indian Community, White Mountain Apache, Navajo Nation, Hopi, and San Carlos Apache. Each tribe has its own TANF Plan approved by the federal government. The most recent tribal TANF program is San Carlos Apache Tribe's, which began on May 1, 2008. Each of the Tribal TANF program plans were designed with flexibility to develop strategies for promoting work and self-sufficiency. It further challenges tribes to foster changes that are culturally appropriate and to take responsibility for program results and outcomes.

DES works closely with each tribal TANF program to provide technical assistance and coordinate Tribal TANF program operations and interactions throughout DES. DES assists some tribes with completion of federal TANF reports. DES provides a state/tribal TANF coordination team to each tribe, composed of the DES Native American Tribal Liaison, policy analysts, data systems personnel, financial analysts, strategic/budget analysts, and computer programmers from the DES Division of Benefits and Medical Eligibility, Family Assistance Administration (FAA); and the Division of Employment and Rehabilitation Services, Employment Administration, and Child Care Administration. This team attends the meetings on a quarterly basis but also meets with all of the TANF tribes intermittently to focus on issues specific to them. Some of the issues they have worked collaboratively with the following tribes include:

**Pascua Yaqui Tribe:**

- Intergovernmental agreement for the Social Services Block Grant with the Division of Aging and Adult Services.
- Data sharing agreement regarding access to information on their customers' Social Security.
- Programmatic issues such as connectivity, pre-compliance, facilities, lifetime benefit limits, TANF application, and approval process.
- Enhancing the communication system between the tribe and DES.
- Planning the first Tribal Customer TANF Conference.

**White Mountain Apache Tribe:**

- Programmatic issues relating to facilities, personnel, connectivity, and policies and procedures.
- Intergovernmental agreement for the Employment Administration.
- Billing issues.
- Work participation rate.
- Data sharing agreement.
- Educational concerns related to their TANF Plan.
- Internal programmatic issues.
- Planning the first Tribal Customer TANF Conference.

**Salt River Pima-Maricopa Indian Community:**

- Data sharing agreement regarding their access to information on customers.
- Revision of their TANF Plan.
- Planning the first Tribal Customer TANF Conference.

**Navajo Nation Self-Reliance Program:**

- Intergovernmental agreements and contract amendments.
- Policies and procedures.
- Facilitated meetings regarding their state appropriations.
- Presentations to the Navajo Nation Tribal Council at Window Rock and Phoenix.
- Attended budget negotiations meeting between the Navajo Nation and state of Arizona.
- Planning the first Tribal Customer TANF Conference.

**Hopi Tribe:**

- Part of a team that met with the Hopi Vice-Chairman to discuss an Elderly Health Care Unit.
- Policies and procedures.
- Intergovernmental agreements
- Data sharing agreement.
- Jobs program.
- Data security system.
- Training on case management policies.
- Internal programmatic issues.
- Planning the first Tribal Customer TANF Conference.

**San Carlos Apache Tribe:**

- Assistance with the development of the Tribal TANF Plan.
- Intergovernmental agreement and contract amendments.
- Data sharing agreement.
- FAA and Jobs policies and procedures.
- Data security system.
- Training on data security system.
- Internal programmatic issues.
- Planning the first Tribal TANF Conference.
- Meeting with other tribal representatives to discuss the TANF program.
- Meeting to discuss the tribe's educational concerns regarding their Tribal TANF Plan.

**Division of Aging and Adult Services**

The Division of Aging and Adult Services (DAAS) provides an array of services to tribal elders who reside on reservations. To achieve this level of tribal consultation there were numerous meetings held regarding policies and procedures, intergovernmental agreements, contract amendments, and relevant issues.

DAAS currently has intergovernmental agreements with the following tribes:

1. Ak Chin Community
2. Cocopah Tribe
3. Colorado River Indian Tribe
4. Fort McDowell Yavapai Nation
5. Fort Mojave Tribe
6. Gila River Indian Community
7. Havasupai Tribe
8. Hopi Tribe
9. Hualapai Tribe
10. Kaibab-Paiute Tribe
11. Navajo Nation
12. Pascua Yaqui Tribe
13. Quechan Tribe
14. Salt River-Maricopa Indian Community

15. San Carlos Apache
16. Tohono O’odham Nation
17. Tonto Apache Tribe
18. White Mountain Apache Tribe
19. Yavapai Apache Nation
20. Yavapai Prescott Indian Tribe

DAAS is providing services in the following areas to the tribes:

**Independent Living Support Services**, a comprehensive case managed system of care that offers an array of services designed to assist aging and vulnerable individuals to live independently in their own home and community with the appropriate level of support.

Independent Living Services include:

	Ak-Chin	Cocopah	Colorado	Ft. McDowell	Ft. Mohave	Gila River	Havasupai	Hualapai	Hopi	Kaibab-Paiute	Navajo	Pascua Yaqui	Ft. Yuma	Salt River	San Carlos	San Juan	Tohono O’odham	Tonto Apache	White Mountain	Yavapai Apache
Advocacy																			X	
Caregiver Training											X									
Case Management								X		X	X	X								
Congregate Meals Transportation				X	X	X	X	X			X			X	X					X
Counseling		X																		
Elder Abuse Prevention											X									
Health Promotion											X									
Home Delivered Meals				X		X		X			X			X	X			X	X	X
Housekeeping			X				X			X	X								X	
Information & Referral											X									
Kinship						X				X				X			X			
Nutrition Education Home Repair											X									
Respite Care											X									
Transportation	X			X				X			X				X	X				

**State Health Insurance Assistance Program**

- This program includes the health benefits counseling service that assists Arizona’s Medicare beneficiaries, their families, caregivers, and professionals in understanding and accessing the health care benefits they are entitled to. The mission of the program is to educate, advocate, counsel, and empower people to make informed benefit decisions.
- Senior Medicare Patrol (SMP) is designed to involve retired professionals as volunteers in the education of their peers in safeguarding the Medicare and Medicaid programs.

**Family Caregiver Support Program** provides the following supportive services to family caregivers:

- Assistance in accessing services
- Peer/support groups
- Supplemental services

**Adult Protective Services**

- This program provides technical assistance and offers training when requested to the Tohono O’odham Nation in the area of protective services for vulnerable adults.

DAAS is the point of contact for appropriations made by the Arizona State Legislature regarding capital projects on Native American reservations. The following is a description of capital projects funding for the Native American reservations from 1999 to 2009.

Legislation	Description	Appropriation Year	Appropriation Fund	Amt. Expended	Balance
SB 1317	Navajo Senior Citizens Building *	1999	\$305,000	\$221,800	\$83,200
HB 2578	Navajo Tribal Senior Centers	2001	\$50,000	\$50,000	0
HB 2485	Navajo Tribal Senior Centers	2002	\$714,300	\$667,900	\$46,400
HB 2865	Navajo Multi-Purpose facility	2007	\$450,000	\$59,400	\$390,600
HB 2870*	Navajo Senior Center	2007	\$395,000	\$205,200	\$189,800
HB 2783	Navajo Multi Purpose Center	2008	\$1,000,000	\$1,000,000	0
HB 2783	Navajo Multi Purpose Center	2009	\$1,000,000	\$1,000,000	0
HB2485	Hopi Tribal Senior Centers	2002	\$285,700	285,700	0
HB2783	Hopi Assisted Living Center	2008	\$142,500	142,500	0
Totals			\$4,292,500	\$3,582,500	\$710,00

**Notes/Comments:**

\* HB2785 re-appropriated \$45,000 for a senior center at Chilchenbeto from SB1317 to HB2870. HB 2785 amended HB 2870 to be exempt from lapsing.

**Division of Employment and Rehabilitation Services (DERS)**

**Rehabilitation Services Administration (RSA)**

RSA has cooperative agreements with five American Indian Vocational Rehabilitation (VR) programs in Arizona to provide vocational services to tribal members living outside or near the Nation to provide employment-related services: the Tohono O’odham, Fort Mojave, Hopi Tribe, Navajo Nation, and White Mountain Apache Tribe. Counselors have been assigned to visit tribal vocational rehabilitation “121 Programs” and coordinate services, especially to those who are undertaking training or employment. DES continues to partner with the Nation to share vocational rehabilitation costs to increase self sufficiency through work.

1. District III staff and Central Office staff attended the annual Hopi Disability Day Celebration last summer.
2. District III vocational rehabilitation/independent living has joint cases with White Mountain Apache, Navajo, and Hopi tribes.
3. Each of the tribes is regularly invited to RSA trainings and attend regularly.
4. Tribal VR staff attend RSA Comprehensive Orientation Rehabilitation Education (CORE) trainings.
5. District III RSA staff regularly attend joint retreats and planning sessions with White Mountain Apache VR.
6. District III has 40 joint youth transition students with Navajo VR.



7. Northern Arizona RSA and Northern Arizona Regional Behavioral Health Authority (NARBHA) have a major goal in their annual plan to increase penetration to Hopi seriously mentally ill (SMI) clients.
8. A staff member of the Hopi VR program presented at the last District III staff appreciation day.
9. Paula Sienez, Navajo Nation Office of Special Education and Rehabilitative Services (NOSERS), is a past chair of the State Rehabilitation Council (SRC).
10. Training was conducted last summer by Ed House, Manager of RSA's Services for the Blind and Visually Impaired (SBVI), to Navajo VR regarding statewide blindness program.
11. District III is in the planning stages of a pilot project that would increase services to blind/visually impaired clients in the rural reservation lands (Hadley school paraprofessional program). The idea is to employ Native Americans in the new positions created.
12. Students from all three Northern Arizona tribes (White Mountain Apache Tribe, Navajo, and Hopi) attended the blind/visually impaired summer school programs last summer and this summer; this was funded by RSA.
13. Former Deputy Administrator, District Program Manager Phil Clayton, and Jeannie Grigg from the Traumatic Brain Injury Council, attended the annual CANAR conference last November.

### **Employment Administration (EA)**

The Employment Administration is an employment and training program designed to assist public assistance recipients. The Employment Administration provides services to qualified recipients of Temporary Assistance for Needy Families (TANF) Cash Assistance and the Supplemental Nutrition Assistance Program. The Employment Administration will assist participants in moving from public assistance to employment through supportive services identified by the tribes.

Presently, the following tribes have intergovernmental agreements (IGA):

- Hopi – Current IGA is for the operation of the Jobs Program and will expire on November 13, 2009. Presently, the DES Employment Administration and the tribe have agreed that upon expiration of the IGA, the tribe will receive TANF funds directly from the Department of Health and Human Services.
- San Carlos Apache – The tribe has an IGA that allows the San Carlos Apache Tribe to use the Department's Jobs Automated System (JAS) for Electronic Benefit Transfer (EBT) payments for Tribal Related Expenses (TRE) and Fair Labor Standards Act (FLSA) payments.

### **Workforce Investment Act (WIA)**

The federal Workforce Investment Act (WIA) through DES's Employment Administration (EA), currently has IGAs with 13 tribes. WIA is primarily designed to serve disadvantaged adults and youth. Priorities for services are veterans, recipients of cash assistance or Jobs services, the homeless, disabled, high school dropouts, and the basic skills deficient. The following tribes have intergovernmental agreements with EA:

- Cocopah
- Colorado River
- Gila River
- Ak-Chin
- Hopi
- Hualapai
- Ft. Mojave
- Quechan
- Salt River Pima-Maricopa Indian Community
- San Carlos Apache
- Tohono O'odham Nation
- White Mountain Apache
- Yavapai Apache

DES is in negotiation with the Pascua Yaqui Tribe to develop an IGA for their WIA program.

### **Child Care Administration (CCA)**

The Child Care Administration has continued its work with the Navajo Nation by providing technical assistance with coordination and cross training for child care services. This resolved the release of information from the DES Child Care Administration to the Navajo Nation to enable the tribe to learn which members qualify for services from the tribe and DES.

Through a contract with the Inter-Tribal Council of Arizona (ITCA), the Child Care Administration participates in the Tribal Early Childhood Working Group that has been established and is facilitated by the ITCA. This group's membership includes representatives from Indian Nations/reservations in Arizona, who are directly involved in the administration and development of early childhood development and child care programs. The group has adopted a set of guidelines identifying the improvement of coordination and quality child care as two of its goals. CCA uses this forum to communicate with tribal child care and CCDF grantees to discuss issues and needs and to provide technical assistance as requested.

CCA has held an Inter-Governmental Agreement (IGA) with the Tohono O'odham Nation for Child Care Services since July 1995. This IGA provides support for the operation of two child care centers on the Tohono O'odham reservation. These two centers serve approximately 80 children annually. An IGA for the period of July 1, 2008 through June 30, 2010 is currently awaiting finalization by the tribal council.

### **Arizona Early Intervention Program (AzEIP)**

The Arizona Early Intervention Program (AzEIP) is the statewide system of services and supports for families of infants and toddlers, birth to three years of age, with disabilities or developmental delays. The purpose of early intervention is to help families help their children develop to their full potential. Early intervention services are provided through the Department of Economic Security's Arizona Early Intervention Program (DES/AzEIP) and the Division of Developmental Disabilities (DES/DDD), and Arizona State Schools for the Deaf and the Blind (ASDB). DES/AzEIP provides services through contracts, some of which are with contracts or

subcontracts with the tribes. DES/AzEIP maintains an intergovernmental agreement with the Navajo Nation for the provision of early intervention services.

When the tribe does not have a direct role in providing the services through contract or subcontract, the DES/AzEIP contractor establishes partnerships with tribal early childhood programs, such as Headstart, local schools and local health and human service organizations to ensure that communities know how to make referrals. Examples include strong relationships built between local DES/AzEIP contractors and Hopi, Tohono O'odham, San Carlos Apache, and Havasupai tribes.

## **Division of Developmental Disabilities**

The Division of Developmental Disabilities provides services and supports to eligible individuals with documented disabilities of autism, cerebral palsy, epilepsy, cognitive disability, and developmental delay for children under the age of six. As an AHCCCS program contractor for the Arizona Long Term Care System (ALTCS), the Division provides Medicaid funded home and community based services to individuals eligible for ALTCS including tribal members throughout the state. Native Americans who are enrolled with the Division through the ALTCS program have a choice of a Division contracted health plan(s) or Indian Health Services (IHS). Those individuals who chose Indian Health Services receive the majority of their medical care through IHS but the Division is responsible for any medical services provided outside an IHS facility.

The Division of Developmental Disabilities maintains an IGA with the Navajo Nation through which the Navajo Nation provides case management services for up to 255 tribal members eligible for ALTCS. Navajo Nation contracted case managers work with families and individuals to develop support plans for the provision of home and community based services. The Division of Developmental Disabilities delivers those services through a network of contracted providers on the Navajo Nation.

## **Division of Child Support Enforcement (DCSE)**

The Division of Child Support Enforcement is a federal/state/local effort to collect financial support from parents who are legally obligated to pay child support. DCSE locates absent parents, establish paternity, enforce orders, and collect child support payments. Through outreach efforts with the tribal communities, DCSE has developed intergovernmental agreements and is working towards establishing additional agreements.

The Navajo Nation continues to have an intergovernmental agreement and collaborative partnership with DES. In conjunction with the DCSE/Navajo Nation IGA, DCSE provides training and system support to them. The DCSE system staff continuously provide the following support services to the Navajo Nation:

- General ATLAS Help Desk contact: system related calls, updates, program code change requests, etc. (ATLAS is the automated child support enforcement case management system).
- Security: setting up system access, password resets, and printer and server remote access.
- Distribution of routine production reports.

- Assisting with office moves (generating notices, setting up access, etc.).

On August 18-24, 2008, the Navajo Nation held their Central Fair. The DCSE partnered with the Navajo Nation Child Support Agency by providing a variety of child support related materials to them to disseminate during the fair.

The San Carlos Apache Tribe continues to work with DCSE in the establishment of paternity and contact DCSE as needed for technical assistance.

There were many visits to hospitals utilized by Native Americans and the Indian Health Services Center to share information on the services provided by DCSE. In addition, DCSE Hospital Paternity staff provides daily technical (phone) assistance.

In July 2008, the Whiteriver Medical Center served as host for a paternity workshop. The workshop was available to other hospitals in the surrounding area. Birth registrars from the Whiteriver Indian Medical Center, Whiteriver DES FAA staff, and the staff of Cibecue Indian Health Services attended.

The White Mountain Apache Tribe (WMAT) invited DCSE to participate in their 2008 Health Fairs, which were held in two different locations – Cibecue and Whiteriver, Arizona. The Cibecue Indian Health Services event was held August 6, 2008. The Whiteriver Indian Medical Center event was held August 20, 2008. In addition, two vans of clothing and other household goods donated by DCSE staff were delivered for those impacted by economic conditions.

Finally, DCSE presented to the DES Native American Advisory Council during the reporting period.



Read this report on  
DES Web Site - [www.Azdes.gov](http://www.Azdes.gov)  
Or Call 602-542-3882 for more information

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