



DEPARTMENT OF ECONOMIC SECURITY

*Your Partner For A Stronger Arizona*

Janice K. Brewer  
Governor

Clarence H. Carter  
Director

AUG 29 2013

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 2013. 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,

Clarence H. Carter  
Director

Enclosure

cc: President Andy Biggs, Arizona State Senate  
Speaker Andy Tobin, Arizona State House of Representatives  
Members of the Joint Legislative Audit Committee  
Kristine FireThunder, Executive Director, Arizona Commission of Indian Affairs  
Joan Clark, Arizona State Library, Archives, and Public Records

# **Arizona Department of Economic Security**

## **Tribal Consultation Report**

July 1, 2012 – June 30, 2013

### **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 continues a strong commitment to working with all of Arizona's 22 tribes. Pursuant to Arizona Executive Order 2006-14, the DES Tribal Consultation Policy demonstrates a fundamental respect for tribal sovereignty and self-determination. DES commits to working in consultation with Tribal Nations to improve the quality, availability, and accessibility of human services to children, youth, adults, and elders.

This report provides an overview of DES actions and activities related to tribal consultations (both formal and informal) conducted over the past state fiscal year to achieve these goals. Our process is one which jointly involves Tribal and Department leadership and staff.

### **DES Tribal Relations Liaison**

In State Fiscal Year (SFY) 2013, the DES Assistant Director for the Division of Aging and Adult Services served several months in the DES Tribal Liaison capacity until the search for a new DES Tribal Relations Liaison was completed and the position was filled by Mary Huyser on February 4, 2013. The position continues to be housed in the Assistant Director's office of the Division of Aging & Adult Services, allowing the Liaison access to the DES Director, Deputy and Assistant Directors, as well as all division tribal liaisons throughout the Department, while also having the administrative support and leadership guidance necessary for this position to be successful.

Ms. Huyser has considerable expertise in state and tribal government relations, having served as a strategic advisor on tribal matters with Casey Family Programs for seven years. In addition, Ms. Huyser has direct tribal experience, having worked a combined 16 years for the Navajo Nation and the Gila River Indian Community. After assessing the status of the Tribal Relations Liaison office, Ms. Huyser initiated several large projects such as creating a strategic and communications plan, revising the tribal liaison website, and updating the DES Tribal Government Consultation Policy, including input from Arizona tribal governments. Ms. Huyser is also conducting an environmental scan to better understand the Department's strengths and areas for improvement as it pertains to our partnerships with tribal governments.

The primary purpose of the DES Tribal Relations office is to build a positive working relationship between the Tribes and the State to discuss key strategies and renew collaborations to strengthen communication for positive outcomes for both entities.

## **Departmental Consultation and Activities in 2012-2013**

This report contains a summary of the tribal consultation activities, both formal and informal, that occurred through each division program within DES during SFY 2013. We appreciate the opportunity to work closely with tribal staff to assist their members in a variety of human service areas.

### **Division of Benefits and Medical Eligibility**

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

DES has intergovernmental agreements (IGAs) with six tribes to provide technical assistance and services for their respective Temporary Assistance for Needy Families (TANF) programs. The six tribes include: Pascua Yaqui Tribe, Salt River Pima-Maricopa Indian Community, White Mountain Apache Tribe, Navajo Nation, Hopi Tribe, and San Carlos Apache Tribe. Each tribe has its own TANF plan approved by the federal government. Each of the Tribal TANF Program plans was developed by the respective tribe, with flexibility to implement strategies for promoting culturally-appropriate work and self-sufficiency. It further provides for tribal responsibility for program results and outcomes.

DES works closely with each Tribal TANF Program to provide technical assistance and coordination of Tribal TANF Program operations and DES interactions. When requested, DES also assists tribes with completion of federal TANF reports, and a DES Tribal TANF Coordination Team is available to each tribe. This team is composed of the DES Tribal Relations Liaison, and when necessary, tribal liaisons, policy analysts, data systems personnel, financial analysts, strategic/budget analysts, and computer programmers from the DES Division of Benefits and Medical Eligibility (DBME) and the Division of Employment and Rehabilitation Services (DERS). This team is represented at the quarterly meetings with TANF tribes and is also available between the quarterly meetings, should specific issues arise.

Of notable interest, during SFY 2013, this technical assistance team worked closely with the DES Tribal Relations Liaison and the six tribes that administer their own TANF Program but have DES submit their data to the feds to identify the source of process and computer programming errors which were leading tribes to receive sanction notices for not meeting their Workforce Participation Rate (WPR), as established by the federal government. The first notice was received by the Pascua Yaqui Tribe and was immediately brought to the attention of DES. After an in-person meeting, to better understand the concern, DES worked closely with the tribe to identify the specific glitch and rectify it. Over the next six months, DES worked with all of the TANF tribes for whom DES submits their data to the federal government, reprogrammed DES computer systems, as needed and resubmitted Tribal TANF data from 2008 through 2012. DES also made the programming changes permanent to ensure that such errors would not occur in the future. By the summer of 2013, DES was receiving notes from the TANF tribes indicating that they were not only hitting their required WPRs for 2008, but also for 2009, 2010, and some

are beginning to clear their 2011 requirements (the most recent data is under review). Thus, DES believes that this issue has been resolved, resulting in saving Arizona TANF tribes hundreds of thousands of dollars in federal sanctions and demonstrating that the Department often does work collaboratively and effectively with tribes.

Specifics of this WPR collaboration, in addition to other SFY 2013 matters where DES collaborated with Tribal TANF staff to address issues include:

#### **Pascua Yaqui Tribe**

- Case determination issues such as Tribal TANF pre-compliance, lifetime benefit limits, TANF applications, work program referral, and approval processes.
- Policy and procedure revisions for the tribal exemption from the Division of Child Support Services (DCSS, formerly known as Division of Child Support Enforcement, DCSE) requirement.
- Policy and procedure revisions related to child-only cases to reflect the new Tribal TANF plan.
- Notification to Family Assistance Administration (FAA) staff regarding changes to the Tribal TANF policy and procedures.
- FAA Systems reviews Pascua Yaqui Tribe cases on a monthly basis to ensure case accuracy.
- DES worked with the Pascua Yaqui Tribal TANF Program staff to reconcile the WPR data utilized for the federal reporting.
- Enhancing communications between the tribe and DES.

#### **White Mountain Apache Tribe**

- DES worked with White Mountain Apache Tribe to reconcile the TANF WPR data utilized for the federal reporting.
- Policy and procedure revisions for the tribal exemption from the federal child support requirement.
- Notification to FAA staff of changes to the Tribal TANF policy and procedures.
- Enhancing communications between the tribe and DES.

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

- Case determination issues such as Tribal TANF pre-compliance, lifetime benefit limits, TANF application, work program referral and approval process.
- Maintain data sharing agreement regarding their access to information on customers.
- DES worked with the Salt River Pima-Maricopa Indian Community Tribal TANF staff to reconcile the WPR data utilized for the federal reporting.
- Policy and procedure revisions for the tribal exemption from the federal child support requirements.
- Notification to FAA staff of changes to the Tribal TANF policy and procedures.
- Enhancing communications between the tribe and DES.

#### **Navajo Nation Self-Reliance Program**

- Executed IGAs and contract amendments.

- Enhancing communications between the tribe and DES.

### **Hopi Tribe**

- Case determination issues such as Tribal TANF pre-compliance, lifetime benefit limits, TANF application, work program referral and approval process.
- Assisted with the revision of the Tribe's TANF plan.
- Provided consultation to the tribe regarding their TANF policies and procedures.
- Executed IGAs and contract amendments.
- Provided consultation to the tribe regarding their TANF policies and procedures.
- Policy and procedure revisions for the tribal exemption from the federal child support requirement.
- Revising policy and procedure for the referral process to the Hopi Tribe TANF Program.
- Notification to FAA staff regarding changes to the Tribal TANF policy and procedures.
- DES worked with the Hopi Tribe TANF Program to reconcile the WPR data utilized for the federal reporting.
- Enhancing communications between the tribe and DES.

### **San Carlos Apache Tribe**

- Case determination issues such as tribal TANF pre-compliance, lifetime benefit limits, TANF application, work program referral and approval process.
- Executed IGAs and contract amendments.
- Maintained data sharing agreement.
- Policy and procedure revisions for the tribal exemption from the DCSS requirement.
- Notification to FAA staff of changes to the Tribal TANF policy and procedures.
- DES worked with the San Carlos Tribal TANF Program to reconcile the WPR data utilized for the federal reporting.
- FAA Systems reviews San Carlos cases on a monthly basis to ensure case accuracy.
- Enhancing communications between the tribe and DES.

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

The Division of Employment and Rehabilitation Services (DERS) has three administrations including the Employment Administration (EA), the Child Care Administration (CCA), and the Rehabilitation Services Administration (RSA). DERS also has the Workforce Investment Act (WIA) Program. Staff from all of these program areas is available to tribal leadership, staff, and members for consultation, technical assistance, and support. During SFY 2013, DERS consulted with tribes on a number of items as outlined below.

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

The EA provided technical assistance to the six tribes who operate their own TANF work programs. These tribes include the Hopi Tribe, Navajo Nation, Pascua Yaqui Tribe, Salt River Pima-Maricopa Indian Community, San Carlos Apache Tribe, and White Mountain Apache Tribe. Each tribe has its own TANF plan that has been approved by the U. S. Department of Health and Human Services (DHHS). The EA has a specific IGA with two of the six tribes that operate their own TANF work program in Arizona. This IGA allows the Hopi Tribe and the San

Carlos Apache Tribe to use the Jobs Automated System (JAS). JAS is a case management system that tracks services and activities provided to participants of the tribal TANF work programs. The two tribes record work participation data in JAS, which is then included by DES into the required federal TANF Data Report. The EA provides assistance to each tribe including access to computer programmers, data systems personnel, financial analysts, planners, policy specialists, strategic analysts, and others as requested.

During this past year, the DERS Tribal Liaison within EA worked collaboratively with the tribes participating in quarterly Six Tribes TANF Meetings. The Hopi Tribe hosted the meeting in Flagstaff on August 8-9, 2012; San Carlos Apache Tribe hosted the meeting in San Carlos, Arizona on January 16-17, 2013; and White Mountain Apache Tribe hosted the meeting in Pinetop, Arizona on April 16-17, 2013. Topics included a presentation by EA regarding Tribal Consultation Policy; DERS/EA updates; plus sharing of information, contacts, and resources available within DES/DERS.

A Family Assistance Administration (FAA) Local Office Manager (LOM) reported at the Flagstaff Six Tribes Meeting that Tribal TANF participants and other tribal members were having difficulty applying for jobs with the State of Arizona at [www.azstatejobs.gov](http://www.azstatejobs.gov) because the connections on the reservations are very slow and often time-out. EA facilitated communication between the Hopi Tribe and Navajo Nation representatives with the DES Human Resources Administration (HRA); HRA staff offered assistance.

At the Flagstaff Six Tribes Meeting, five of the six tribes (for whom DES reports WPR data to DHHS) again expressed concerns and requested a meeting/consultation regarding sanction notices some of them received due to errors in the WPR. A meeting was scheduled on September 13, 2012 with representatives from each of the five tribes and the DES Tribal Relations Liaison. Issues were identified and corrections were made regarding the reporting logic, data elements, and participation/activity codes. The EA attended conference calls prior to the WPR meeting to discuss the questions elevated by the five tribes. The DHHS representative, Shannon Bopp, provided extensive information during one of the calls on how the WPR is calculated and determined. Following are some of the specific issues that the EA worked with tribal staff to address during SFY 2013:

### **Hopi Tribe**

- The Hopi Tribe reported that some tribal data reported in the federal Tribal TANF Data Report submitted by DES was inaccurate. The DERS Tribal Liaison, along with key EA and Department staff, met with tribal representatives on September 13, 2012 to discuss concerns and gather details about the reporting inaccuracies; including the reporting logic used to extract participation data from JAS and ensure the data captures the appropriate activities and hours. DES discovered that while some activities were corrected, some were not included in the report logic. Thus, EA Information and Technology (IT) staff revised the report logic to ensure that all activities and participation hours are now included. A follow-up meeting was held on March 28, 2013 to discuss corrections and progress made toward resolution. The Hopi Tribe representative was unable to attend but was apprised of all information. The Hopi Tribe met their WPR for 2008, 2009, and 2010. As of this report, there is one outstanding data element being revised.

- The DERS Tribal Liaison also provided technical assistance to the Hopi Tribe TANF Supervisor to revise the Hopi Tribe TANF Plan to ensure compliance with the TANF work program requirements. The DERS Tribal Liaison remains available to the Hopi Tribe to help with further revisions, including incorporating new information into the Hopi Tribe policy manual.

#### **San Carlos Apache Tribe/Nnee Bich'onii Services**

- The San Carlos Apache Tribe reported concerns about data recorded in JAS, indicating that some tribal data remained inaccurately reflected in the federal Tribal TANF Data Report submitted by DES. The DERS Tribal Liaison, along with key EA and other Department staff, met with tribal representatives on September 13, 2012 to discuss concerns, gather details, and ensure that the accuracy of the reporting logic used to extract participation data from JAS captured the appropriate activities and hours. DES staff discovered that while some activities were corrected, some were not included in the report logic. Thus, EA IT staff revised the report logic to ensure all activities and participation hours are now included. The San Carlos Apache Tribe met their WPR for 2008, 2009, and 2010.

#### **White Mountain Apache Tribe**

- The White Mountain Apache Tribe last used JAS in 2008 and currently operates their TANF benefit determinations and case management on a software program called the Tribal Assistance System. The Navajo Nation Program for Self-Reliance also uses this computer program.
- The White Mountain Apache Tribe reported concerns that required activities and participation hours, as defined by the White Mountain Apache Tribe and recorded in JAS, were not accurately reflected in the 2008 federal Tribal TANF Data Report. Staff found that some activities were not included in the report logic. EA IT staff revised the report logic to include all activities and allowed White Mountain Apache Tribe staff to key past participation hours.

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

- The Salt River Pima-Maricopa Indian Community reported continuing concerns regarding data reported to DHHS indicating that some tribal data remained inaccurately reflected in the federal Tribal TANF Data Report submitted by DES. The DERS Tribal Liaison, along with key EA and other Department staff, met with the tribal representatives on September 13, 2012, to discuss concerns, gather details, and ensure that the accuracy of the reporting logic used to extract participation data from their system captured the appropriate hours. DES staff discovered that while some information was corrected, some was not included in the report logic. Key DES staff revised the report logic to ensure that all participation hours are now included. The Salt River Pima-Maricopa Indian Community met their WPR for 2008, 2009, and 2010.

#### **Pascua Yaqui Tribe**

- The Pascua Yaqui Tribe reported continuing concerns regarding data reported to DHHS indicating that some tribal data remained inaccurately reflected in the federal Tribal

TANF Data Report submitted by DES. The DERS Tribal Liaison, along with key EA and other Department staff, met with the tribal representatives on September 13, 2012 to discuss concerns, gather details, and ensure that the accuracy of the reporting logic used to extract participation data from their system captured the appropriate hours. DES staff discovered that while some information was corrected some was not included in the report logic. Key DES staff revised the report logic to ensure that all participation hours are now included. The Pascua Yaqui Tribe met their WPR for 2008, 2009, and 2010.

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

The Federal Workforce Investment Act (WIA), administered through the DES Employment Administration (EA) within DERS, currently has IGAs with 13 tribal entities to address performance and policy guidance. The tribes involved include:

- Cocopah Indian Tribe
- Colorado River Indian Tribe
- Fort Mojave Tribe
- Gila River Indian Community
- Hopi Tribe
- Hualapai Tribe
- Pascua Yaqui Tribe
- Quechan Tribe
- Salt River Pima-Maricopa Indian Community
- San Carlos Apache Tribe
- Tohono O’odham Nation
- White Mountain Apache Tribe
- Yavapai Apache Nation

The WIA primarily targets disadvantaged adults and youths, and allows for priority of services for veterans, recipients of cash assistance or jobs services, the homeless, the disabled, high school dropouts, and those with basic skills deficiencies. The WIA also provides technical assistance and training to the Nineteen Tribal Nations including the Equal Opportunity review to Local Workforce Investment Areas and tribes through the WIA Field Operations Liaison. Finally, an EA manager serves as a board member for the Nineteen Tribal Nations Workforce Investment Board.

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

Through a contract with the Inter Tribal Council of Arizona, Inc. (ITCA), CCA took part in the Tribal Early Childhood Working (TECW) Group, which ITCA established and facilitates. TECW’s membership includes representatives from Indian Nations in Arizona who are directly involved in developing and administering early childhood development and child care programs. TECW has adopted guidelines to improve coordination and delivery of quality child care. Through the TECW, CCA maintains communication with tribal child care and Child Care Development Fund grantees on issues and needs. CCA also provides collaboration and technical assistance when requested, as in the following examples:

#### **Tohono O’odham Nation**

- CCA has maintained an IGA with the Tohono O’odham Nation for child care services since July 1995. This IGA provides operational support for two child care centers on the reservation, which serve approximately 80 children annually. The IGA was renewed at the end of SFY 2013 and is now in place for July 1, 2013, through June 30, 2018.

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



- The CCA Program Administrator began working with the Salt River Pima-Maricopa Indian Community Child Care Program to encourage American Indians, who may be on the child care waiting list or newly applying for child care services, to apply for the Salt River Pima-Maricopa Indian Community Child Care Program.

### **Navajo Nation**

- CCA continued providing technical assistance to the Navajo Nation for coordinating and providing cross training for child care services.
- CCA held a meeting with the Navajo Nation Child Care Management, which included a tour of the Child Care Center in Leupp, Arizona, and a planning session to resume quarterly meetings between DES and Navajo Nation child care staff and management.

### **Hopi Tribe**

- CCA provided in-person training for Hopi Tribe Non-Certified Relative Providers and met with Hopi Tribe TANF staff to review the referral process for their participants.

### **Other**

- CCA staff attended the recent monthly ITCA Tribal Child Workgroups to finalize plans for the ITCA conference. CCA participated in a pre-conference training day with Tribal Child Care administrators on June 18, 2013 followed by ITCA's Child Care Conference on June 19, 2013.

### **Rehabilitation Services Administration (RSA)**

The Rehabilitation Act of 1973, Title I, Part C, Section 121 provides for vocational rehabilitation services to American Indians with disabilities who reside on or near federal or state reservations so that they may prepare for and engage in gainful employment. Programs providing these services are referred to as "121 programs."

The RSA has cooperative agreements to provide employment-related vocational services with five of the American Indian Vocational Rehabilitation (VR) programs in Arizona: the Tohono O'odham, the Fort Mojave Indian Tribe, the Hopi Tribe, the Navajo Nation, and the White Mountain Apache Tribe. RSA/VR counselors provide technical assistance for the tribal Vocational Rehabilitation "121 Programs" and coordinate services, especially to those who are undertaking training or employment.

The RSA continues to partner with the tribes to support eligible American Indians who receive vocational rehabilitation training and services to increase their self-sufficiency through work. By virtue of cooperative agreements with each Tribal Nation, RSA provides VR programmatic planning, technical assistance, and direct service delivery to mutually eligible VR clients to assist in the facilitation of VR services.

In addition to multiple instances of collaborating on services for VR clients, other notable collaborations in SFY 2013 included:

### **Hopi Tribe**

- RSA and Hopi Tribe VR continued to collaborate to provide services to underserved populations on the Hopi Tribe Reservation.
- RSA staff attended the Hopi Tribe Special Needs Day on September 11, 2012. They provided information and hands-on demonstrations of assistive technology to attendees. RSA staff also met with Hopi Tribe VR staff to conduct a Statewide Needs Assessment Survey for Independent Living service needs on the reservation.
- The Operations Manager with Services for the Blind, Visually Impaired and Deaf (SBVID) and other representatives from the RSA VR Program attended the Second Annual Hopi Tribe Disability Conference on March 12-13, 2013, at the Hopi Tribe Junior/Senior High School located on the Hopi Tribe Reservation in Kykotsmovi, Arizona. The conference was hosted by Eva L. Sekayumptewa, MSW, Manager of the Office of Special Needs. The purpose of the event was to enhance the community's awareness of tribal members with disabilities. Highlights included many featured presentations on topics such as *Hopi Tribe Early Intervention Vocational Rehabilitation Services, Transition Services for the Developmentally Disabled Student, and Thinking Outside the Box When It Comes to the Disability*. VR hosted a booth at the event to share information in regards to the program and services.

#### **Tohono O'odham Nation**

- RSA has begun quarterly meetings with members from the Tohono O'odham Nation as an effort to improve their collaborative relationship.
- VR staff met with the supervisor from the Tohono O'odham Nation on October 10, 2012 to discuss collaboration beginning with a meeting in Sells. The purpose of the meeting was to exchange information regarding the tribe's employment program and to educate their employees and other members of the community about RSA.
- On October 31, 2012, VR staff went to Sells to provide a presentation to the Tohono O'odham supervisor, his staff, community members, individuals from behavioral health, the school system, the community collect, and others. The presentations included information regarding collaboration and understanding the various programs. Since the Tohono O'odham Nation is one large land base divided into a number of districts, discussion is ongoing regarding the division of districts and which should be served by the Casa Grande VR office and those served by the Tucson Southside VR office.

#### **Pascua Yaqui Tribe**

- RSA continues to conduct monthly orientations on the Pascua Yaqui reservation. The orientations are conducted by staff in the Southside/Irvington office in Tucson.

#### **White Mountain Apache Tribe**

- A VR counselor/liaison with the Native American 121 Programs met with and provided courtesy counseling for a client from the White Mountain Apache Tribe on December 12,

2012. Information was then provided to the White Mountain Apache Tribe VR counselor.

- RSA SBVID worked with White Mountain Apache Tribe regarding a client who accepted employment in Phoenix.

### **121 Programs**

- RSA staff met with the Navajo Nation, Hopi Tribe, White Mountain Apache Tribe, and Salt River Pima-Maricopa Indian Community VR “121 Programs” directors and staff at the Quarterly Tribal VR Meeting on August 9, 2012. The discussions included partnerships, issues that each of the programs are facing, and worked on further collaborations regarding dual cases.
- RSA central, regional, and district offices attended the Quarterly RSA/Native American 121 Tribal VR Director’s meeting on November 30, 2012 in Chinle, Arizona. The discussions included variances in processes among the six VR programs for determining client eligibility. RSA staff was encouraged to attend the next meeting for Native American VR directors.

### **Division of Children, Youth and Families (DCYF)**

The Division of Children, Youth and Families’ (DCYF) involvement of tribes in developing department policy allows for locally relevant and culturally appropriate approaches to important issues. The DCYF has developed working tribal relationships with the American Indian tribes in Arizona to promote safety, permanency, and well-being for tribal children and families. This ongoing effort of tribal consultation, communication, and cooperation has resulted in contracts with the following American Indian Tribes and the IGAs between the Navajo Nation Division of Social Services and the DES /DCYF.

- |   |  |
|---|--|
| • Navajo Nation                             | Title IV-E Reimbursement                                 |
| • Navajo Nation                             | Comprehensive Service Development                        |
| • Navajo Nation                             | Child Protective Services / 1978 ICWA (IGA)              |
| • Navajo Nation                             | Family Support, Preservation, and Reunification Services |
| • Colorado River Indian Tribes              | Family Support, Preservation, and Reunification Services |
| • Gila River Indian Community               | Family Support, Preservation, and Reunification Services |
| • Salt River Pima-Maricopa Indian Community | Family Support, Preservation, and Reunification Services |
| • San Carlos Apache Tribe                   | Family Support, Preservation, and Reunification Services |
| • San Carlos Apache Tribe                   | Specialized Substance Abuse Treatment                    |
| • San Carlos Apache Tribe                   | Family Support, Preservation, and Reunification Services |
| • San Carlos Apache Tribe                   | Specialized Substance Abuse Treatment                    |
| • Pascua Yaqui Tribe                        | Family Support, Preservation, and Reunification Services |
| • Pascua Yaqui Tribe                        | Specialized Substance Abuse Treatment                    |
| • White Mountain Apache Tribe               | Family Support, Preservation, and Reunification Services |
| • White Mountain Apache Tribe               | Specialized Substance Abuse Treatment                    |

- Quechan Tribe Family Support, Preservation, and Reunification Services
- Fort Mojave Tribe Substance Abuse Treatment
- Inter Tribal Council of Arizona Consultation (21 tribes)  
(ITCA)

The current status of the Family Support, Preservation, and Reunification contracts include four fully implemented and four pending tribal leadership signatures. In addition, the Navajo Nation is not part of ITCA's contract; therefore, the Division takes part in the Navajo Nation's Tri-State meeting, which includes Arizona, New Mexico, and Utah.

The DCYF staff and the Attorney General's Office meet frequently with the Navajo Nation through a DES-Navajo Nation IGA Quarterly Coordinating Committee to discuss and problem-solve any program, practice, or compliance concerns between the Division and the Navajo Nation. The 1997 IGA was revised in February 2012 to make the content and language consistent with the Nation's agreements with New Mexico and Utah. This agreement is currently in a re-negotiation phase. While the re-negotiation is in process, the Division continues to work with the Navajo Nation to address concerns related to: state law that expedites permanency for children under age three; case coordination and collaboration; expert witness testimony; conducting relative searches and approving relative placements; and utilizing the Navajo Nation's relative home study and recommendations for placement. In addition, the Division has worked with the Navajo Children and Family Services Program Director to discuss coordination and issues on specific cases concerning Navajo children. The DCYF/Navajo Nation IGA on child welfare case coordination had quarterly meetings.

DCYF's Independent Living Coordinators and Education Training Vouchers Coordinators and contract providers continue to be available to tribes to assist in the development of tribal-specific informational and training programs for youth and caregivers. Community providers are required to increase outreach, collaboration, and engagement of tribal youth in services. Provider agencies have reported some success with outreach to the following tribes: Ft. McDowell Yavapai Nation, Salt River Pima-Maricopa Indian Community, Gila River Indian Community, San Carlos Apache Tribe, Tohono O'odham Xavier Nation, Pascua Yaqui Tribe, and Navajo Nation.

Northern Arizona's contractor, Arizona's Children Association, continues outreach through the Northern Arizona Regional Behavioral Health Authority (NARBHA) to engage tribal social service agencies through scheduled presentations. This has been successful in producing an increase in referrals, specifically for youth from the Yavapai Apache Nation.

The contracted provider in the Southwestern Region, Arizona's Children Association, initiated contact with the Cocopah Indian Tribe by reaching out to the social service department director and scheduling a meeting. Cocopah Tribal Social Service then invited the contracted provider to speak to all employees where information was provided on Transitional Independent Living Program and Life Skills training. This increased the amount of referrals received from the Cocopah Indian Tribe. They have now sought outreach with the Colorado River Indian Tribe in La Paz and they are hopeful this outreach will be successful as well.

### **DCYF CPS Policy Consultation**

In SYF 2013, The State of Arizona's Children and Services Policy Manual Section on Servicing American Indian Children was updated with a focus on components of the Indian Child Welfare Act (ICWA) and Servicing American Indian Children and their Families. The policy changes included ongoing input with the tribes through the DCYF ICWA Specialist and Policy Program Manager. The ITCA and DCYF, along with the tribes, had a closing "Policy Changes" meeting. DCYF staff conducted a power point presentation of the complete policy revisions and changes that could affect American Indian children and their families. There was further discussion and copies of the policy were handed out to all participants and an additional two-week period was agreed upon for additional tribal input. At the agreed upon deadline date, the Arizona's Children and Services Policy Manual Chapter 6, Section 5-13 revision conclusions took place.

The Division is working to support Indian tribes to gain direct access to Title IV-E foster care maintenance payments from the Federal Department of Health and Human Services. The Division provided requested technical support and training to the Navajo Nation and the Hopi Tribe to facilitate implementation of Title IV-E IGA with the Division. The Division is also working with the Navajo Nation, Tohono O'odham Nation, and the Hopi Tribe to develop a Transfer of Placement and Responsibility Procedures in response to the ACF January 06, 2012 Information Memorandum related to direct Title IV-E funding.

### **Indian Child Welfare Act (ICWA) Issues and Compliance**

After nearly 20 years at DES, in SFY 2013 the former ICWA Specialist retired and in mid-SFY 2013, the Division hired a new ICWA Specialist. The new Specialist came to DES with significant ICWA experience working with tribes in another state and is actively working on her own and with the DES Tribal Relations Liaison to become familiar with Arizona tribes and ICWA issues in Arizona.

A component of the Division's Indian Child Welfare Specialist's role is to meet regularly with the tribal partners and the designated tribal ICWA liaisons to consult and review the progress toward ICWA compliance and Indian Child Welfare-related issues. In addition, the Division continues to actively participate with the ITCA.

The Division's contract with the ITCA includes the delivery of three ICWA seminars and an annual Indian Child and Family Conference. In partnership with Arizona State University's Office of American Indian Projects, the Division and the ITCA have developed community seminars focused on the Indian Child Welfare Act. Presentations occurred in March, April, and June 2013. The seminars provide an overview of the ICWA, an overview of the Department's policy and procedures relating to American Indian children and their families, significant state and federal case law, and any national, state or local trends. Tribal Social Services and Division CPS staff, along with students may attend the seminars.

To promote timely communication and ensure that CPS staff have access to ICWA compliance experts, the Indian Child Welfare Specialist maintains a current list of state and tribal ICWA contacts, including contacts for the following tribes: Ak-Chin Indian Community, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort McDowell Yavapai Nation, Fort Mojave Tribe, Gila River Indian Community, Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab-Paiute

Tribe, Pascua Yaqui Tribe, Pueblo of Zuni, Quechan Tribe, Salt River Pima-Maricopa Indian Community, San Carlos Apache Tribe, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Tribe, Yavapai Apache Nation, and the Yavapai-Prescott Indian Community.

This list is not to replace the use of the federal register for ICWA notifications, but allows for ongoing communications between tribal and state staff. In addition, a Division CPS ICWA contact sheet has been created to identify one or more ICWA contacts in each CPS Region, DCYF Central Office, and the Office of the Attorney General. These communication contact sheets, along with the National Directory of Tribal Justice Systems including designated ICWA contacts published by Casey Family Programs, are available to CPS staff and Tribal Social Service workers upon request.

While the Division's goal is identification of tribal affiliation for 100 percent of American Indian children, identification is sometimes hindered by issues such as a parents' unwillingness to disclose information, enrollment pending situations with a tribe, lack of documentation to support a statement of tribal affiliation and missing information reported on CPS forms. The DCYF ICWA Specialist, in conjunction with the ICWA Tribal Liaison Workgroup and other DCYF staff, will be reviewing and strategizing options to improve identification of tribal affiliation information.

#### **Joint Tribal State/Federal Workgroups and/or Task Forces**

The Division and the Attorney General's Office partnered with the Administrative Office of the Courts, the ITCA, and the Navajo Nation to develop the Arizona State, Tribal, and Federal Court Forum. The key areas of focus are: Cross-jurisdiction and interagency cooperation, law, and education.

The first project of the Forum this reporting period was the creation of the Arizona ICWA Guide which is based in part on Michigan's ICWA guide. The goal of the guide is to be a tool to assist in implementation of ICWA for the benefit of Indian children, families, and tribes. This Arizona ICWA guide is in draft form and has been sent out for comment and expected to have final reviews by August 2013.

The Arizona State, Tribal and Federal Court Forum organized a workshop that was hosted by Casey Family Programs Indian Child Welfare Office titled a "Vision Towards the Future." This half-day event included experiences that the State of Alaska's Children's Services and Tribes went through on their journey creating a partnership. There were table discussions about terminology, definitions, commitment, authentic partnerships and collaborations. Participants completed a needs assessment of the Arizona Indian child welfare system and agreed to meet again to have continued work and discussions in the areas of structure, training, partnerships, and data collection between Tribal and State workers in the field of child welfare. Following the workshop was a full-day summit titled "Connecting Legacies: Continuing the Journey with ICWA." The summit provided information and evoked discussion critical to improving outcomes for American Indian children and families involved in the child welfare system. Among the topics addressed were: ICWA history, working together to identify the best placements for children, and the "how and why" of transferring a case between state and tribal court.

## **Division of Aging and Adult Services (DAAS)**

The Division of Aging and Adult Services (DAAS) provides an array of services to tribal members throughout Arizona. DAAS is also the point of contact for appropriations made by the Arizona State Legislature regarding capital projects on American Indian lands. On behalf of the Department, DAAS also administers Social Services Block Grant contracts with Arizona tribes.

DAAS works closely with the tribal staff throughout the year to provide technical assistance and consultation regarding program policies and procedures, IGAs, contract management, and other relevant issues. For instance, during SFY 2013, staff of the ITCA and the Navajo Nation received technical assistance from DAAS contracts and program staff related to the information management system for independent living support services for older adults. DAAS also participates in tribal conferences and other engagements as requested and appropriate.

DAAS currently has IGAs with the following tribes for the services and program areas noted below:

- Ak-Chin Indian Community
- Cocopah Indian Tribe
- Colorado River Indian Tribe
- Fort McDowell Yavapai Nation
- Fort Mojave Tribe
- Fort Yuma-Quechan Tribe
- Gila River Indian Community
- Havasupai Tribe
- Hopi Tribe
- Hualapai Tribe
- Kaibab-Paiute Tribe
- Navajo Nation
- Pascua Yaqui Tribe
- Quechan Tribe
- Salt River Pima-Maricopa Indian Community
- San Carlos Apache Tribe
- Tohono O'odham Nation
- Tonto Apache Tribe
- White Mountain Apache Tribe
- Yavapai-Prescott Apache Nation

### **New Reporting System**

DAAS is in the process of developing a new reporting system entitled Division of Aging and Adult Reporting System (DAARS). Both the ITCA and Navajo Nation staff have been involved throughout the past year assisting with the development by providing input on the system's components, training staff, and making the necessary preparations to convert existing data to the new system. The Department is especially appreciative of the ITCA's work with member tribes to help them see the value in converting from their current data system to the new DAARS system when it launches before the end of the 2013 calendar year.

### **Independent Living Support Services**

DAAS contracts with tribes to implement a comprehensive case managed system of care that offers an array of services designed to assist aging and vulnerable individuals and their family caregivers to live with dignity and independence in their own home and community with the appropriate level of support. As the chart below depicts, each tribe determines which services will be offered to its members. This allows tribes flexibility in addressing the unique cultural and service needs of tribal members.

In SFY 2013, tribal contracts for Independent Living Support Services included:

Service Type	Ak-Chin	Cocopah	Colorado River	Ft. McDowell	Ft. Mojave	Gila River	Havasupai	Hualapai	Hopi Tribe	Kaibab-Paiute	Navajo	Pascua Yaqui	Ft. Yuma	Salt River	San Carlos	Tonto Apache	White Mountain	Yavapai Apache
Advocacy																	X	
Caregiver Training											X							
Case Management		X										X	X					
Congregate Meals/ Transportation					X	X	X	X			X			X	X			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							
Nutrition Education/ Home Repair											X							
Respite Care											X							
Transportation	X								X		X				X			

### **State Health Insurance Assistance Program (SHIP)**

DAAS contracts with the tribes to provide health benefits counseling services to assist Arizona's Medicare beneficiaries, their families, caregivers, and professionals in understanding and accessing the health care benefits to which they are entitled. The mission of the program is to educate, advocate, counsel, and empower people to make informed benefit decisions. A complimentary program called Senior Medicare Patrol is administered along with the SHIP and is designed to involve retired professionals as volunteers in the education of their peers in identifying fraud, waste, and abuse in and the safeguarding of the Medicare and Medicaid programs. In SFY 2013, the State SHIP Coordinator provided technical assistance and training to designated staff at the Navajo Nation Area Agency on Aging and ITCA Area Agency on Aging.

### **Long Term Care Ombudsman (LTCO)**

The Long Term Care Ombudsman program upholds resident rights and works to improve the quality of life and quality of care of residents living in long term care facilities throughout the state. DAAS contracts with ITCA and Navajo Nation to help provide such services in the geographic areas they serve. The tribal entities also assist non-tribal LTCO with translation services when a tribal member resides in a non-tribal long term care facility and requires LTCO assistance. In addition, the State Long Term Care Ombudsman (SLTCO), located in DAAS, is required to train and certify LTCOs throughout the state. In SFY 2013, the SLTCO provided training to designated staff at the Navajo Nation Area Agency on Aging and ITCA Area Agency on Aging.

### **On-Site Monitoring and Technical Assistance**



As a routine aspect on contract management, DAAS staff schedule and perform both desktop and on-site contract monitoring to ensure that the programs and services are being administered in accordance with state and federal statutes, regulations, and policies. As part of the monitoring process, DAAS contract and program specialists also provide on-site technical assistance and guidance about how to improve program processes and quality of services. In general, most contractors (tribal or otherwise) are monitored every two to three years. The date tribal entities were monitored by DAAS during SFY 2013 are indicated below:

<b>Name of Tribe or Agency</b>	<b>Date of Monitoring Visit</b>
Navajo Nation Area Agency on Aging	June 2013
Inter-Tribal Council of Arizona, Inc.	May 2013
Ak-Chin Indian Community	SFY 2014
Fort McDowell Yavapai Nation	April 2013
Fort Mojave Tribe	SFY 2014
Havasupai Tribe	SFY 2014
Hualapai Tribe	SFY 2014
Gila River Indian Community	May 2013
Pascua Yaqui Tribe	December 2013
Salt River Pima-Maricopa Indian Community	May 2013
San Carlos Apache Tribe	September 2013
Tonto Apache Tribe	November 2013
White Mountain Apache Tribe	September 2013
Yavapai-Prescott Apache Nation	SFY 2014
Hopi Tribe	October 2013
Cocopah Indian Tribe	October 2013
Colorado River Indian Tribe	August 2013
Fort Yuma-Quechan Tribe	October 2013
Kaibab-Paiute Tribe	September 2013

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

The Arizona Early Intervention Program 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 enhance the confidence and competence of parents and caregivers to support their child’s full participation in everyday routines and activities important to their family. 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 the Arizona State Schools for the Deaf and the Blind (ASDB). DES/AzEIP provides services through contracts, some of which are with Tribal Nations. DES/AzEIP maintains an IGA 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 Head Start, 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 the Hopi Tribe, Tohono O’odham Nation, the San Carlos Apache Tribe, and the Havasupai Tribe.

## **Division of Developmental Disabilities (DDD)**

The DDD provides supports and services to eligible individuals of all ages who have autism, cerebral palsy, epilepsy, or a cognitive disability; and to children under the age of six with a developmental delay. As a program contractor with the Arizona Health Care Cost Containment System (AHCCCS) for the Arizona Long Term Care System (ALTCS), the Division provides Medicaid-funded home and community-based services to tribal members on and off reservations throughout the state.

American Indians enrolled in the DDD/ALTCS program may select to receive medical services through the American Indian Health Program (AIHP) or through a Division contracted acute care health plan. Those individuals who choose AIHP receive the majority of their medical care through AIHP, with the Division responsible for any medical services provided outside an AIHP facility.

### **Navajo Nation**

The Division maintains an IGA through which Navajo Nation Social Services staff provide case management services to tribal members who are eligible for ALTCS. Individuals and families who live on the Navajo Nation may choose between a state or Navajo Nation Social Services case manager to coordinate the provision of home and community-based services. DDD and Navajo Nation case managers are co-located in offices throughout the Navajo Nation. The DDD contracts with a network of vendors who provide a range of services and supports to individuals eligible for ALTCS services on the Navajo Nation.

## **Division of Child Support Services (DCSS)**

The DCSS, formerly the Division of Child Support Enforcement, is a federal/state/local entity that collects financial support from parents who are legally obligated to pay child support. DCSS locates absent parents, establishes paternity, enforces orders, and collects child support payments. Due to jurisdictional issues, the DCSS is limited in providing child support services on tribal reservations. As a result, the Office of the Attorney General (AG) works closely with DCSS in providing legal counsel and guidance when jurisdictional issues arise. The AG and DCSS staff approaches each tribe individually, seeking a means to have matters heard in the tribal courts.

The DCSS is involved with the Navajo Nation through an IGA and with other tribes as either child support services business practices dictate or when a tribe seeks specific information from DCSS. The DCSS Hospital Voluntary Paternity Program (HPP) is involved with birthing hospitals located on all reservations.

### **Navajo Nation**

The Navajo Nation Department of Child Support Enforcement (DCSE) is responsible for administering their Tribal IV-D child support program. The DES has an IGA with the Navajo

Nation DCSE which enables the Navajo Nation to utilize the DES/DCSS Automated Tracking Location System (ATLAS) for tribal case management activities.

DCSS staff continuously provides support services to the Navajo Nation staff. Services include:

- When the Navajo Nation DCSE closed an office, consultations occurred regarding the reassignment of cases to other offices;
- Provided technical assistance as it relates to the DCSS ATLAS system used for the case management of their caseload;
- Coordinated training by the Federal Office of Child Support Enforcement (OCSE) and the DES DCSS for Navajo Nation DCSE staff; and
- Discussions in progress regarding the coordination of the Navajo Nation DCSE Internal Revenue Service (IRS) Safeguarding audit by the IRS Office of Safeguards.

### **Tohono O'odham Nation**

The Tohono O'odham Child Welfare Program is continuing to pursue the enactment of child support tribal laws. Consultation meetings occur periodically.

### **DCSS Hospital Voluntary Paternity Program**

The DCSS Hospital Voluntary Paternity (HPP) program staff provides daily technical (phone) assistance to all birth recorders statewide. They also provide on-site assistance as needed and conduct annual compliance reviews of all hospitals. Hospital staff from several reservations attended various Voluntary Paternity Workshops offered by HPP.

### **Outreach Efforts to Native American Organizations**

In addition to approaching tribes for collaboration, DCSS continuously seeks other avenues of education on the importance of paternity and child support enforcement. Examples include:

- After conferring with Native American Connections, arrangements were made to conduct child support modifications workshops at their Encanto Pointe location.
- DES DCSS was available at the annual Native American Fatherhood & Families Association (NAFFA) Conference and also made arrangements with the San Carlos Apache Tribe Tribal TANF Program to present a Tribal Temporary Assistance for Needy Families (TANF) Workshop at the conference.
- Phoenix Indian Hospital staff participated at a Voluntary Paternity workshop.
- DCSS coordinated DES's presence at the 25th Annual Arizona Indian Council on Aging Conference.

## **Conclusion**

Additional collaboration with the tribes by the Division Tribal Liaisons and the DES Tribal Relations Liaison included:

- Participation in the American Indian Nations and Tribal Legislative Day, February 2013;
- Attended the Inter Tribal Council of Arizona, Inc. work groups;
- Conducted monthly division tribal liaison meetings with the Tribal Relations Liaison to strategize tribal activity and collaboration with tribes; and

- The tribal liaisons continue to develop communications, to expand and improve relationships with the 22 American Indian Tribes in Arizona.

The DES works daily to address the human service needs of vulnerable Arizonans, regardless of where they reside within the state. The Department values the relationships with Arizona's Indian Nations and Tribes and trusts that future interactions will occur in the spirit of true partnership.

Any questions related to the information provided in this document should be addressed to Mary Huyser, DES Tribal Relations Liaison at (602) 542-1290 or via e-mail at [DESTribalRelations@azdes.gov](mailto:DESTribalRelations@azdes.gov).



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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