

Nooksack Tribal TANF Operating Agreement

**TANF Operating Agreement
Between the
Nooksack Tribal TANF Program
and
Bellingham and Mount Vernon Community Services Offices**

November 2021

This summary constitutes a record of the operational agreement reached between the Nooksack Indian Tribe, Bellingham and Mount Vernon Community Services Offices (CSO), Region 2 Community Services Division (CSD), for the implementation of Nooksack Tribal TANF (N-TANF).

These agreements are not static, but rather represent a starting point for the parties involved. Further cooperative agreements or operational modifications are likely as the needs change. As long as modifications are carried out with the knowledge and agreement of the parties involved, it is to be encouraged.

The purpose of this agreement is to further strengthen the government-to-government working relationship between all of the parties; and to assure that all of our mutual clients receive the best possible services at all times during the transition and the day-to-day operation of our TANF programs.

1. Identification of Tribal TANF cases

A. Whatcom County – Bellingham CSO

1. In order to prevent overlap with other near reservation tribes, the Nooksack/Lummi MOU will be followed based on the head of household to handle situations in which a family includes both Nooksack and Lummi members.
2. Within the geographical area defined below as the Nooksack Tribal TANF Services Area, the Nooksack Tribal TANF program (N-TANF) will serve:
 - a. On the Nooksack reservation and Trust Lands: All families with at least one American Indian or Alaska Native Family member – an enrolled adult or child – living on the Nooksack Reservation and Trust Lands and in Whatcom County; and
 - b. Nooksack Tribal Members: All families with at least one enrolled Nooksack Tribal member – enrolled adult or child – residing in Whatcom County, except for the Lummi reservation.
 - c. Other Tribal Members (non-Nooksack and non-Lummi): All families with at least one American Indian or Alaska Native family member – an enrolled adult or child – with a residential address east of the MOU boundary. The boundary is the Guide Meridian from the Canadian Border south to the intersection of the Guide Meridian and Interstate Highway 5 (I-5) in the City of Bellingham and east of I-5 from Bellingham

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to the border of Skagit County, excluding members of the Lummi Nation unless agreed to by the Lummi Nation.

3. The Tribal TANF geographic Service Area covers Whatcom County, except for:
 - a. The Lummi Indian (Nation) Reservation; and
 - b. Lummi tribal members in Whatcom County unless agreed to by the Lummi Nation; and
 - c. Under the MOU with the Lummi Nation those residential addresses west of the Guide Meridian from the Canadian Border south to the intersection of the Guide Meridian and I-5 in the City of Bellingham and west of I-5 from Bellingham to the border of Skagit County, except for members of the Nooksack Tribe.

B. Skagit County – Mount Vernon CSO

1. Within the geographical area defined below as the Nooksack Tribal TANF Services Area, the Nooksack Tribal TANF program (N-TANF) will serve:
 - a. Exclude Upper Skagit and Swinomish tribal members and all American Indian or Alaska Native (AI/AN) residing on the Upper Skagit and Swinomish Reservations unless agreed to by the Upper Skagit Tribe; and
 - b. Nooksack Tribal Members: All families with at least one enrolled Nooksack Tribal member, enrolled adult or child, residing in Skagit County (except as defined in section 'a' above).
 - c. Other Tribal Members (except for excluded Tribes): All families with at least one American Indian or Alaska Native family member, an enrolled adult or child residing in Skagit County.
2. The Tribal TANF geographic Service Area covers Skagit County, except for:
 - a. The Upper Skagit and Swinomish Reservations; and
 - b. Upper Skagit and Swinomish tribal members in Skagit County.

C. The Nooksack Tribal TANF Program will assist applicants to obtain misplaced documentation of enrollment. N-TANF may provide referrals to a tribe's enrollment officer for AI/AN who may be eligible to become enrolled.

D. Enrolled Native Americans and Alaska Native families can only receive TANF from one TANF program, state or tribal, at a time per WAC 388-400-0005.

E. If there is a question about which state or Tribal TANF program should serve a family, the state or Tribal TANF program to which the family first presents itself will take their application for TANF and will then immediately contact the other TANF program(s) to resolve who will serve that family. When it is determined that the family's TANF case will be transferred, the transferring agency will share the information gathered during

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the application process with the receiving agency, such notification given no less than 30 business days before transfer. However, the parties agree that the routine information to be transferred will be limited to information available in the Automated Client Eligibility System (ACES). The CSO will release additional information to the N-TANF when the CSO receives a release of information signed by the customer.

- F. The Bellingham CSO, Mount Vernon CSO, Nooksack Tribal TANF program, and Lummi Tribal TANF program will each designate a contact person to resolve questions about which program will serve a family. Initially, the contact persons for this purpose will be:
- | | |
|-------------------|---|
| Nooksack Tribe: | Nooksack Tribal TANF Lead Case Worker and/or Case Manager |
| Lummi Tribe: | Lummi Tribal TANF or WorkFirst Director |
| Bellingham CSO: | CSO Administrator or Financial Supervisor |
| Mount Vernon CSO: | CSO Administrator or Financial Supervisor |

2. Case Transfers

CSD staff will inform state TANF applicants and recipients of the option for them to contact the N-TANF program to access their Tribal benefits and services at the time of application and at eligibility reviews.

Upon Tribal TANF program approval, N-TANF will inform the CSO Tribal TANF liaison. The CSO Tribal liaison will terminate the state TANF grant.

The CSO liaison will make any information available to Nooksack staff needed to facilitate a case transfer; however, the parties agree that the routine information to be transferred will be limited to information that is available in ACES. All additional information will be released by the CSO to the N-TANF program when a release of information signed by the customer is received by the CSO.

3. Cases with Open Basic Food Assistance Program

Basic Food Assistance eligibility will be determined by CSD using the Tribes grant standards and any other earned or unearned income that would affect Basic Food Assistance eligibility. CSD will keep Basic Food Assistance through the current certification period providing the household remains eligible for Tribal assistance.

4. Cases with Medical Assistance

CSD will assist with referrals of clients to the Health Benefit Exchange (HBE) in-person assister, Washington Health Plan Finder, HBE call center, or provide an HBE paper application for the family, pending the Nooksack TANF eligibility determination.

5. Ongoing Information Exchange

The ongoing exchange of information will be covered in the data share agreement for the three years of the Tribe's TANF plan. This data share agreement will include specifics as to the information available to the Tribe through the ACES, as well as through the Support Enforcement Management System (SEMS). This data exchange can be used in any situation where exchange of information is needed for either program to administer their TANF, Basic Food Assistance, Medical Assistance, Aged, Blind or Disabled (ABD) or Medical Care Services to ensure that all programs issue timely and accurate benefits.

The Nooksack TANF staff will send an updated caseload report to the CSO monthly by the 10th of each month for cross-referencing to avoid duplication of benefits. The report will include all N-TANF cases and the following information: client name, grant amount, and employment program participation status. The N-TANF will consist of verification of newly acquired income to the CSO.

6. Transfer of Information for New Applicants

Nooksack TANF applicants approved for Tribal TANF who desire Basic Food Assistance or retroactive medical assistance will have the necessary information with all options to apply for food assistance, including scheduling an interview with the Tribal Outstation CSO staff.

7. Changes of Circumstances

Clients of CSD and Tribal TANF are responsible for reporting changes to the CSCC at 1-877-501-2233, or by using the Washington Connection online portal at www.washingtonconnection.org, and contacting the Nooksack TANF program.

8. Electronic Benefits Transfer (EBT)

Recipients needing a replacement of an EBT card can call EBT Edge at 1-888-328-9271, and the EBT card will be mailed and received by the customer in 7-10 days. The recipient can also call the CSCC at 1-877-501-2233 between 8 AM and 5 PM, Monday through Friday, to request an EBT replacement card.

9. Overpayments

If N-TANF or CSD opens TANF benefits when TANF assistance is already being received from another TANF program, the program that opened TANF in error will be responsible for establishing an overpayment and needs to coordinate with the issuing program to terminate duplicate benefits immediately.

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10. Terminations

The N-TANF will notify the CSO within ten working days of any termination of the N-TANF benefits and specify the reason for the termination.

CSD will review ongoing eligibility for Basic Food Assistance and Medical Assistance for these customers.

11. Time Limits and Extensions

Families who receive a combination of Tribal TANF/State TANF assistance for more than 60-months and N-TANF terminates the Tribal TANF assistance, may apply for State TANF assistance by calling the CSCC at 1-877-501-2233 or applying online at the Washington Connection online portal at www.washingtonconnection.org.

12. Communication and Referrals

The contact person designated by the parties on page 1 will make sure emergencies are quickly resolved and assures that high quality, professional and timely communication takes place. Telephone, Fax and or/email will be used as available.

13. Technical Assistance and Training

Community Services Division and Nooksack TANF staff are committed to providing technical assistance and cross-training as needed as defined in the 7.01 plan.

In acknowledgment of the intent of all parties:

1. The Bellingham and Mount Vernon CSOs and Nooksack Tribe will, upon request, arrange an orientation to their offices and basic programs and services, to help each other provide better client services;
2. The Bellingham and Mount Vernon CSOs and Region 2 CSD will invite N-TANF staff to any appropriate local or regional training;
3. N-TANF staff, the Bellingham and Mount Vernon CSOs and Region 2 CSD will share and exchange written materials and information about resources (journals, research papers, websites, etc.) which appear relevant to TANF administration and/or service delivery; and
4. N-TANF staff, the Bellingham and Mount Vernon CSO staff will on a periodic basis as needed, meet with each other to clarify, refine, and further improve the operation of their programs and their government-to-government relationship.

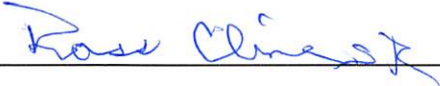

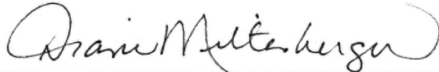

14. Mutual Cooperation, Trust and Support

The parties' intent and commitment to this agreement are to encourage and cultivate a professional, positive relationship, maintaining cooperative and mutual respect between our agencies and staff.

The spirit of cooperation, mutual respect and goodwill is critical to our successes and will result in our mutual customers' best services and outcomes.

The Nooksack Tribal TANF Operating Agreement is approved for a three (3) year period from November 1, 2021 to October 31, 2024.

This operating agreement becomes effective upon the signature of all parties. It may be reviewed, updated, or modified at any time by mutual agreement of the parties listed below.

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|  | 11/5/2021 |
| Ross Cline Sr., Tribal Chair, Nooksack Tribal Council | Date |
|  | 11/08/2021 |
| Sharon Bias, Regional Administrator, Region 2 Community Services Division | Date |
|  | 11-8-2021 |
| Diane Miltenberger, Administrator, Bellingham Community Services Office | Date |
|  | 11/8/2021 |
| Jessica Garretson, Administrator, Mount Vernon Community Services Office | Date |