



STATE OF WASHINGTON

## DEPARTMENT OF SOCIAL AND HEALTH SERVICES

ECONOMIC SERVICES ADMINISTRATION

### DSHS ADMINISTRATIVE POLICY 7.01

JULY 1, 2022 TO JUNE 30, 2023 - PLAN & PROGRESS REPORT

## ESA HEADQUARTERS EXECUTIVE SUMMARY

The mission of the DSHS Economic Services Administration (ESA) is *to transform lives by connecting children, adults, and families to the resources and opportunities that help them reach their full potential.* ESA's unified goal is to reduce the number of individuals and families living in poverty by 50 percent by 2025 in a way that eliminates disparities. This is an ambitious goal; one that is achieved one family at a time, one individual at a time. To succeed, we will need to optimize customer-focused service delivery, build a culture of fully engaged and culturally competent employees, achieve excellent communication, provide world-class technology solutions, serve as ethical and efficient stewards of our resources, and by nurture and expand partnerships. ESA's strong working relationships and partnerships with Indian Nations and Recognized American Indian Organizations (RAIO) are critical in successfully reducing poverty in local communities.

This Executive Summary highlights some of the ESA Headquarters state/tribal work and activities to reduce poverty, eliminate barriers, strengthen government-to-government relationships and partnerships, and improve services to individuals, children, and families. You can find local state/tribal work and activities by reading each of the individual 7.01 Plans located here:  
<https://www.dshs.wa.gov/esa/division-child-support/washington-state-tribal-policy>.

We have also linked our 2021 ESA Briefing Book (<http://www.dshs.wa.gov/esa/manuals/briefing-book>), which is an excellent reference guide to our programs, client demographics, caseloads and expenditures, and includes an overview of the impact of the COVID-19 pandemic on our programs and services.

### **A. Office of the Assistant Secretary (OAS)**

The OAS Statewide Tribal Relations Administrator (STRA) coordinates tribal activities to ensure timely, consistent, and respectful interactions between ESA and tribes, in order to improve services for the individuals and families we mutually serve. The OAS STRA works with Executive Leadership, DCS and CSD Headquarters Tribal Program Leads, ESA Regional and Field Office staff, and the Office of Indian Policy (OIP) to strengthen our government-to-government relationships with tribes and assist with state/tribal communications, coordination, partnerships and intergovernmental agreements.

The OAS STRA provides structural/organizational assistance in leading ESA's state/tribal efforts and in managing an ESA Tribal Relations SharePoint site for OAS, CSD, and DCS Headquarters to better store, organize, and track state/tribal work, meetings, communications, and negotiations.

To further improve ESA communications, coordination, and negotiations with Tribal TANF programs, the OAS STRA leads and facilitates (as needed) a Tribal TANF Workgroup of subject matter experts from OAS, Budget, Fiscal, Accounting and Internal Control, CSD Tribal, CSD Communications and Community

Relations, and the DSHS Office of Indian Policy. The OAS STRA also helps track state/tribal actions and correspondence.

The OAS STRA is ESA's lead contact with OIP, co-chair and facilitator of the quarterly Indian Policy Advisory Committee (IPAC) ESA Subcommittee meeting, and ESA's lead for the Governor's Tribal Leaders Social Services Council (GTLSSC), IPAC meetings and annual Governor's Office of Indian Affairs (GOIA) Centennial Accord meetings.

In an effort to increase ESA staff awareness and knowledge of tribal sovereignty and state/tribal relations and partnerships, OAS STRA Manages the ESA Tribal SharePoint page for all staff that includes links to tribal relations staff, useful websites, key policies, state/tribal intergovernmental agreements, articles and other resources.

OAS STRA continues to write tribal-related iESA News articles and provide, schedule and advertise ongoing staff and management training regarding state/tribal relations, tribal sovereignty, tribal culture and government-to-government principles and partnerships. The OAS STRA provides tribal training at the ESA Senior Leadership Academy, and is available (with the CSD HQ Tribal Relations Program Administrator) to provide tribal training at CSD Regional and Call Center Skill Builder's Classes and at CSD Regional Expanded Leadership Teams (*as requested*). The OAS STRA, along with the DCS and CSD HQ Tribal Program Leads, continue to organize and facilitate a "DSHS Tribal Talk" training series for all DSHS staff. It began in November 2020 with these three Tribal Talks: *Lushootseed Language and Coast Salish Tribal Culture*, *Children of the Setting Sun Productions*, and *Traditional Storytelling and Current Life Experiences for Urban Indians*. In 2021, ESA held the following six DSHS Tribal Talks: *Surviving Assimilation: One Native American family's story of identify suppression and revitalization*; *Missing and Murdered Indigenous Women, Girls and 2SLGBTQIA People*; *Native American Cultural Competency – A BHA Policy*; *Considerations for Indigenous Language Revitalization for Indigenous Tribes*; *A Long Time Ago, When the Earth Was Young: An Indigenous Perspective of the History of the Chehalis Tribes*; and *DSHS OIP: Tribal Relationships and So Much More*.

As needed, the OAS STRA works with ESA Tribal TANF Workgroup members, tribes, CSD HQ and Regional leadership and Tribal Liaison, and sometimes ACF Region 10, and the ESA Assistant Secretary, to facilitate the finalization of numerous State/Tribal Intergovernmental Agreements (Tribal TANF IGAs, Tribal TANF Operating Agreements, and ACES/SEMS Web Data Share Agreements).

ESA continues to implement process improvement recommendations made by the ACES and SEMS Web Project team in an effort to streamline the process for tribes to efficiently obtain and maintain access and data from ACES Online and SEMS Web, and ensure: necessary ESA staff are informed, status updates are effectively communicated to tribes, and families are best served.

In various forums (state/tribal meetings, Director meetings, 7.01 meetings, GTLSSC, IPAC and IPAC ESA Subcommittee meetings, and others), ESA meets with tribes to learn from them, discuss ways we can strengthen state/tribal relationships and partnerships, celebrate successes, identify areas of opportunities, and discuss how we can better partner together to reduce the number of individuals and families living in poverty. ESA HQ Tribal Program Leads continue to track and support the goals and activities identified in ESA 7.01 Plans.

The OAS STRA works with the CSD HQ Tribal Relations Administrator and the 11 Tribal TANF Directors to plan two State/Tribal TANF Director's meetings each year. These meetings continue to be very

successful, and provide a great forum to build relationships, strengthen partnerships, share information, provide updates, discuss mutual issues, seek feedback, and brainstorm solutions.

ESA HQ Tribal Leads helped work with OIP and IPAC to draft Bi-Laws and Operational Procedures for the Governor's Tribal Leaders Social Services Council (GTLSSC), and worked with OIP and the Governor's Office of Indian Affairs (GOIA) to prepare ESA and DSHS Leaders with information for the Centennial Accord meeting with the Governor and Tribal Leaders.

In January 2022, the Suquamish Tribe notified ESA (OAS and CSD) of their interest in applying for federal approval and funding to operate a TANF program, and in March ESA staff held an initial meeting with the Tribe to learn more about their interest. In April 2022, the Tribe hopes to begin the process by submitting a letter of interest to the federal Administration for Children and Families (ACF), and if possible, begin operating a TANF program in the beginning of 2023. In 2022 and 2023, ESA staff expect to work closely with the Suquamish Tribe to assist them in their efforts.

### **B. Community Services Division (CSD)**

The Community Services Division, CSD, as part of DSHS' Economic Services Administration, ESA, remains focused and determined to fulfill ESA's mission to Transform Lives. CSD continues its steadfast work on creating and maintaining relationships with Tribal Governments and communities and working together with federally Recognized American Indian Organizations, also known as a RAIO. Using the guidance of DSHS American Indian Policy 7.01, CSD continues its government-to-government methodology in working together with tribal governments and their representatives in policy development and services and program activities.

CSD continues to work hard toward achieving ESA's 2025 goal to reduce poverty by 50 percent by 2025, focusing on doing so in a way that eliminates disparities. DSHS Policy 7.01 provides the template and guidance in documenting CSD's efforts toward this goal. This policy requires the Division to provide accountability and measures of progress on their actions and document how CSD works with a Tribe(s) or RAIO throughout the year. The 7.01 Plan and Progress Reports help identify gaps in services and opportunities for improvement and highlight accomplishments achieved over the past year. Tribal Liaisons and Regional Managers with the Office of Indian Policy, OIP, work together with Tribes and RAIOS to schedule meetings around 7.01 Plan and Progress Reports. These meetings allow the state and tribal leadership to learn about each others' programs and services. 7.01 meetings also offer the opportunity for discussion around partnerships, exchanges of ideas and methods of services, and successes of the efforts of the state and tribe(s) working together in assisting the tribal community.

Throughout the COVID-19 Pandemic, CSD shifted the traditional format of conducting bi-annual in-person State Tribal TANF Directors meetings. These meetings have been held virtually via Zoom for the past two years. While in-person meetings are preferred, TANF directors appreciated the virtual continuation of our meetings. The State Tribal TANF Directors meetings provide the opportunity for increased relationship building and collaborative efforts to innovative service delivery. The focus of the meetings recently held via Zoom included COVID-19 impacts on programs and sharing of new approaches to overcoming challenges the pandemic has had on providing services.

CSD remains focused on collaboration and partnership efforts. CSD continues to monitor our November 2020 request to USDA's Food and Nutrition Services, FNS, to expand Tribal SNAP Eligibility Determination to other interested Tribes. CSD developed this Plan with a collaborative workgroup, that

included the Port Gamble S'Klallam Tribe, who has operated a Tribal SNAP Eligibility Determination demonstration project since 2009.

In addition to the workgroup to expand Tribal SNAP Eligibility Determination, CSD formed a workgroup that focused on expanding EBT Issuance to Tribal Outstations. This workgroup has been working on creating policies and procedures to allow CSD staff who are outstationed at tribal social service locations to have the ability to issue EBT cards to eligible customers. As CSD reopens offices and begins resuming in-person services, the workgroup is resuming its work on finalizing policies and procedures. For interested Tribes and RAIOS, CSD looks forward to expanding EBT Issuance at tribal outstaitons.

In November 2021, after a competitive hiring process, CSD hired Mary Anderson as the permanent Tribal Relations Program Administrator, TRPA. Mary was the interim TRPA from April 2020 to November 2021. The TRPA works within CSD's Office of Communications and Community Relations. This Administrator assists CSD staff in working government-to-government with tribes and RAIOS and is also responsible for managing Intergovernmental Agreements between the state and eleven Tribal TANF programs. Accompanying these agreements, the TRPA also monitors the additional Data Share Agreements and Operating Agreements that provide Tribal TANF programs access to customer information within CSD's systems. These local agreements between Tribal TANF programs and regional Community Services Offices, CSOs, describe how they work together to provide the best services for tribal families and individuals.

The Tribal Relations Program Administrator also works directly with CSD staff, including Community Services Office Administrators, Regional CSD Tribal Liaisons, and Local Office Tribal Liaisons, to facilitate meetings and training between state and tribal partners. CSD staff provides information and training to tribal partners in DSHS programs and services, Washington Connection- including setting up Secure Access Washington or SAW accounts and Client Benefit Accounts, and BVS and ACES Online Training. In working directly with tribal partners, the TRPA assists in creating and fostering relationships between tribal partners and CSD staff.

CSD continues to support collaboration efforts during COVID-19. Pre-pandemic, CSD had done so by facilitating outstation staff to serve tribal customers at locations in tribal communities. At the tribal outstations, CSD staff determined eligibility and provided numerous other services. In response to COVID-19, CSD shifted almost all services to be provided over the phone or through the internet. CSD's staff continued providing service to tribal partners by utilizing alternative methods to provide their customers with personal assistance without compromising staff safety.

Some of the creative methods local Community Services Offices have provided tribal partners throughout the pandemic include providing tribal staff and customers with direct email and telephone numbers for their local CSD tribal liaison. Direct contacts allow those tribal staff and tribal customers the direct access they were accustomed to receiving in-person. Another creative solution CSO tribal liaisons have provided to their tribal partners is a dedicated, protected time each week for tribal customers to call or virtually chat with their tribal liaison. This dedicated time allows CSO tribal liaisons to foster positive and trusting relationships with tribal customers and staff at RAIOS and tribes.

The DSHS Administrative Policy 7.01 collaboration and reporting process supports comprehensive customer service through regular meetings with the twenty-nine federally recognized tribes and several RAIOS that provide services to American Indians and Alaskan Natives (AI/AN) throughout the state.

CSD shares job opportunities, training, and virtual conferences through regular email communications, and the Office of Indian Policy also shares these opportunities with tribal partners. CSD continues to invite tribal partners to be involved in hiring panels to fill key CSD positions.

The Tribal Relations Program Administrator provides information at Indian Policy Advisory Committee (IPAC) meetings and IPAC ESA Subcommittee meetings to keep tribes informed on program development and policy changes that may affect services. The Administrator leads conversations and follow-up from these meetings to research and answer tribal questions and develop enhanced partnerships. The Administrator also reviews proposed legislation to provide feedback on potential impacts on Tribal TANF programs.

Current/Future Projects for CSD Tribal Relations:

- CSD Tribal Liaison Community of Practice: The CSD Tribal Liaison Community of Practice's mission, or TL CoP, is to provide support and consistency by promoting open and standard communications, protocols, and best practices to create a cohesive and engaged team of CSD tribal liaisons statewide. The TL CoP is a beneficial resource for newly hired statewide tribal liaisons to learn best practices when working directly with tribal partners.
- Workgroup to address State Auditor's Office, or SAO Accountability Audit Exit Items: In July 2020, the State Auditor's Office audited the Maintenance of Effort payment distributions that DSHS had made to Tribal TANF programs for the state fiscal year 2019. The SAO issued no official findings, but did provide DSHS with exit items to address. These exit items include:
  - Developing procedures with its tribal TANF programs that reflect its current business practices,
  - Having consistent terms and conditions in the Operating Agreement language and
  - Documenting in Operating Agreements provisions to prevent duplicate services.

CSD assembled a workgroup of subject matter experts to work with ESA and CSD Tribal Relations and tribes to determine an appropriate method for sharing data to ensure customers do not receive tribal TANF and state TANF in the same month. Updates will be made to the Operating Agreements to reflect the method established. The workgroup is developing policies and procedures to prevent a customer from receiving tribal and state TANF benefits in the same month and ensure alignment with newly updated Operating Agreements.

### **C. Division of Child Support (DCS)**

The Division of Child Support (DCS) maintains government-to-government relationships with tribes in Washington State, respects tribal sovereignty, and strives to develop and deliver culturally-appropriate child support services. To help improve the lives of American Indian and Alaska Native children and families, the DCS Tribal Relations Team (TRT) in collaboration with DCS leadership, statewide tribal liaisons, DCS staff, the 29 federally-recognized tribes in Washington State, and seven Recognized American Indian Organizations (RAIOs) leads DCS' tribal relations efforts. TRT advocates for policies and laws, intergovernmental agreements, and assists in the development of processes that recognize tribal sovereignty and address the many challenges in the establishment and enforcement of child support.

You can find additional information about state/tribal child support efforts and agreements on the DCS Tribal Relations website at [www.dshs.wa.gov/esa/division-child-support/tribal-relations](http://www.dshs.wa.gov/esa/division-child-support/tribal-relations).

Eight tribes in Washington State operate their own federally-funded child support programs: Lummi Nation, Nooksack Tribe, Tulalip Tribes, Port Gamble S'Klallam Tribe, Suquamish Tribe, Puyallup Tribe,

Confederated Tribes of the Colville Reservation, and the Quinault Indian Nation. Ten tribes and one RAIIO also operate tribal TANF programs. DCS has established, or is working to establish partnerships with other tribes and RAIIOs around Washington, as well as with tribes in the bordering states like Idaho and Oregon, and tribal child support programs in Alaska.

### Agreements

DCS has entered into intergovernmental agreements that provide additional collection tools for tribes, tribal programs and the state alike. For example, some tribes have agreed to honor DCS withholding notices, while Cooperative Agreements with tribal TANF programs permit DCS to offer child support services to tribal TANF clients - even after the TANF grant closes. Some agreements with tribes who have *per capita* distributions, allow DCS to appear in tribal court to request intercepting a portion of those payments and applying them toward a child support debt.

DCS's Data Sharing Agreements provide selected tribal program staff limited read-only access to State TANF and child support computer data. Tribal staff don't have to rely on requesting data from state Tribal Liaisons which reduces the delay to benefits and services for customers. DCS Tribal Relations Team staff, along with the CSD State Tribal Relations Administrator, monitor Agreements with 11 Tribal TANF programs and eight Tribal Child Support programs. ESA staff and IT experts work often with tribal program and IT staff to ensure security, maintain connectivity and troubleshoot issues.

TRT also negotiates and monitors Treasury Offset Agreements with six Washington State Tribal Child Support programs and one out-of-state tribal program (the Central Council Tlingit and Haida Indian Tribes of Alaska, CCTHITA). Offset Agreements allow DCS to certify tribal child support debts to the federal government for offset from IRS tax refunds or other federal administrative funds. Offset Agreements result in monies that wouldn't otherwise be available to tribes reaching tribal families.

### Tribal Liaisons

DCS cases with tribal connections are assigned to 31 specially-trained DCS Tribal Liaisons in field offices around the state. An additional 15 tribal-related staff work in Policy (4), IT (1), Central Services (2), as Claims Officers (5) and in TRT (3). Liaisons manage tribal cases and serve as the local points-of-contact for tribes in their region. DCS Tribal Liaisons have provided outreach, training (including "Child Support 101") and technical assistance to staff and local tribes. DCS encourages liaisons and staff to participate at tribal events to increase awareness and experience, build trust, strengthen partnerships, and improve services through coordination with tribes. Pre-pandemic, many liaisons would meet monthly, or even weekly, with their tribal partners, or have regularly scheduled dates when they are available on-site for tribal clients and staff. Due to the COVID-19 pandemic, tribally-declared health emergencies and Reservation closures, and staff transitioning to telework-from-home; in-person meetings and events were suspended in March 2020. As liaisons more fully return to offices this year, many are discussing with DCS leadership and regional tribal counterparts the resumption of in-person gatherings, meetings and participation at tribal events.

Tribal Liaisons attend the Governor's Office of Indian Affairs' Government-to-Government training (though this training has been postponed since 2020) and the DSHS Office of Indian Policy's 7.01 training. Tribal Liaisons have attended and participated in tribal cultural events like Pow Wows, annual Canoe Journey days, tribal health fairs, job fairs, conferences, and other community events at the

invitation of their tribal partners. Through 2021, nearly all scheduled cultural events were cancelled or postponed due to the pandemic. Some meetings and events, however, have been held virtually, and DCS Tribal Relations staff attend when able. Many DCS Tribal Liaisons have attended the virtual 2021 Centennial Accord meeting and Governor's Tribal Leaders Social Services Council meetings held throughout the year. Regional DSHS Policy 7.01 meetings have continued with tribes via Zoom or Microsoft Teams, and liaisons often participate, or even lead and take minutes for those meetings.

#### Tribal Liaison Meetings

The Tribal Relations Team hosts a quarterly meeting with DCS Tribal Liaisons from around the state, and occasionally invites staff from OCSE, ESA and CSD. This meeting serves to update liaisons of policy and procedural changes, and provides an opportunity to recognize successes, discuss concerns, and address challenges in each region. In addition to the quarterly meetings, TRT hopes to host a DCS Tribal Liaisons in-person meeting again in 2022. In the past, DCS has invited staff from Oregon Child Support Program and the Oregon Department of Justice, who shared updates from their state and tribal programs. TRT and the DCS Director's office are considering participation and location options to resume this important meeting.

TRT provides on-boarding "check-in" meetings and training plan for new Tribal Liaisons, Program Managers, or any DCS staff who could interact with tribal programs, or who are involved with tribal cases. The training is held about 60 days after hiring and includes an introduction to historical resource documents, DCS tribal policy, links to internet resources and other information around state and tribal relations. The invitation to participate in the 60-day follow up is extended to the entire Tribal Team.

#### Bi-Annual DCS/Tribal IV-D Directors Roundtable Meeting

DCS's Director and Policy staff meet with the eight Tribal Child Support Directors twice annually to share updates and discuss: legislative proposals, policy or process changes, budget and program issues, etc. DCS hosted meetings with the Tribal Child Support Directors on September 14, 2021 and on March 8, 2022. Tribal Directors received detailed information regarding requests for a conference board (an informal hearing conducted by a DCS attorney) from their tribal members, and how those requests were resolved or decided. In addition, DCS shares detailed reporting regarding tribal case referrals and inappropriate enforcement actions taken on tribal cases (such as a withholding notice being sent to a tribal business). These "inappropriate" actions continue to decrease, and DCS continues to educate staff via presentations at all-staff and team meetings, one-on-one interaction and email reminders on the proper procedures when encountering tribal connections.

The Directors' group has also continued to collaborate on challenges posed from credit bureau reporting of debts on tribal cases. DCS and Tribal Child Support Directors are nearing finalization of a pilot project to evaluate and gather data on the effectiveness of this tool on child support collections. Pandemic-related office closures and limited staff availability have delayed the progress of this pilot, but discussions continue as the participating tribes and DCS agree on next steps.

Tribes have also expressed concerns with federally-required DCS documentation informing parents of their rights to a child support order modification. Modification procedures can vary for parents who have an order established by a tribal jurisdiction. DCS is in the process of revising the letter sent to parents and is seeking tribal input and feedback at meetings scheduled in 2022.

### DCS/Tribal IV-D Director-level 7.01 Plan

A Directors-level 7.01 Plan was established to capture the meaningful work being done at the semi-annual Directors Roundtable meetings. Originally suggested by the Directors' group itself, this plan memorializes higher-level objectives, discussions and activities that encourage state and tribal cooperation in the development of child support related legislation, policy and procedures that affect American Indians and Alaska Natives. Progress is reported at a statewide level.

### Tribal and DCS Participation on Hiring Panels

DCS continues to seek tribal representation on state hiring panels for key positions that involve working with tribes and Recognized American Indian Organizations, and welcomes tribal input and suggestions during the development of interview questions and criteria. Despite COVID-19 limitations, DCS has been fortunate to have representatives from tribes share suggestions and make themselves available to participate virtually on interview panels.

DCS, like DSHS, encourages diversity and inclusion and equal opportunities for all. We regularly share employment announcements from within the Division, as well as from other administrations and organizations, with our tribal contacts and sister agencies.

### ACES Online / SEMS Web Access Workgroup

Following the efforts of the ESA workgroup in January 2019, DCS Tribal Relations and IT staff continue to work with tribal counterparts in obtaining and maintaining access to ACES Online and SEMS Web. The process to request and activate access is multi-layered and can be cumbersome, often requiring simultaneous involvement of the tribal program user, tribal IT staff, and DCS IT staff. We have implemented Workgroup recommendations, such as simplified/standardized forms and a step-by-step checklist, which have helped to improve processes. TRT has worked successfully with Tribal Child Support and TANF IT staff, CSD and DSHS IT staff, and with DCS IT experts to obtain and restore access to several tribal programs. TRT continues to facilitate and troubleshoot access issues for tribal partners.

### Covid-19 Impacts and Effects

DCS and tribes continued safety efforts to protect staff and clients during 2021. Some tribes who were in the process of reopening government offices and services had to re-close when the omicron variant caused a spike in cases in those communities. Social events, travel and in-person meetings have remained postponed, or were converted to a virtual event.

Annual tribal training that was being provided by TRT and Tribal Liaisons to new employees in DCS Central Services was postponed in 2020 due to TRT staff being in telework-from-home status. The training provides guidance for identifying tribal connections and appropriately handling tribal cases and referrals, and has been managed exclusively by Central Services Tribal Liaisons. As new employee orientation resumes at DCS HQ, TRT will again inquire about also participating in tribal training for Central Services staff.

In adherence with the state's "Roadmap to Recovery", and in response to the threat from the omicron variant, DCS scaled back in-office days for many staff in January 2022. Non-essential employees



continued to work from home. Tribal Relations staff have relied on email, telephone and virtual meeting technology to stay connected to colleagues and tribal partners. While in-person outreach and all in-person events have remained on-hold, some DCS staff have been able to provide virtual outreach to clients, and all are looking forward to resuming those activities in-person. Several tribes opted to not meet with DCS this year for 7.01 planning, and those tribes' plans were either approved by the tribe without a 7.01 meeting, or are still in "draft" status awaiting tribal review. Office of Indian Policy staff continue to diligently work to schedule 7.01 meetings between DCS and tribes who want to meet.