

Policy 7.01 Implementation Plan and Progress Report **DRAFT**

Timeframe: July 1, 2019 through June 30, 2020

Updated: 7/10/19

Division: Child Support

Region/Office: Tacoma Division of Child Support (DCS)

Tribe(s): Puyallup (PTCSP)

Plan and Progress Report Due Dates: April 2 (Regional Plan submitted to Assistant Secretary) and April 30 (Assistant Secretary Plan submitted to OIP) of each year.

Implementation Plan

Progress Report

1. Policy Identification: Case Referrals

Tribal Sovereignty Statement. The Puyallup Tribe has existed since creation as the aboriginal people who are the owners and guardians of their lands and water. The Puyallup Tribe is an independent sovereign nation, having historically negotiated with several foreign nations, including the United States in the Medicine Creek Treaty.

The Puyallup Tribal Council is the governing body of the Puyallup Tribe in accordance with the authority of its sovereign rights as the aboriginal owners and guardians of their lands and water, reaffirmed in the *Medicine Creek Treaty*, and their *Constitution and Bylaws*, as amended and approved by the Tribe and the Assistant Secretary of the Interior.

The Puyallup Tribe was the first in Washington state to receive direct IV-E federal funding to operate its child support program. Child support cases are heard in the Puyallup Tribal Court, a judicial forum known for its stubborn devotion to due process of law.

The work of the Puyallup Tribal Court and of the Puyallup Tribal Child Support Program for its sacred citizens, the Tribe's children and their families, adheres to the Tribe's statutory policy:

"Children are the most vital resource to the continued existence and integrity of the Puyallup Tribe. Therefore, the Tribe has a compelling interest in promoting and maintaining the health and well-being of all Puyallup children."

"Child support orders shall reflect the understanding that in order for children to prosper, their parents must provide for their own needs as well as the needs of their children. Therefore, a child support order should not be so burdensome that the parent obligated to pay is left with insufficient resources necessary for their own livelihood."
Section 7.24.020 Puyallup Parental Responsibility Act

DSHS 7.01 Policy, Tribal Sovereignty Statement: Federal law recognizes Federally Recognized Tribes as possessing sovereignty over their members and their territory. The Code of Federal Regulations (CFR) for the Bureau of Indian Affairs identifies territory as the Service Area and the CFR for the Indian Health Services defines territory as the Contract Health Services Delivery Area. Sovereignty means that tribes have the legislative, executive and judicial power to make and enforce laws, and to establish courts and other forums for resolution of disputes.

7.01 Policy Highlights

The Department of Social and Health Services (DSHS) follows a government-to-government approach to seek consultation and participation by representatives of tribal governments in **policy development** and **service program activities**. This is in compliance with Chapter 43.376 RCW, the Washington State 1989 Centennial Accord and current federal Indian policy as outlined by Executive Order #13175, and the Presidential Memorandum on Tribal Consultation signed by President Obama in November 2009, which promotes government-to-government relationships with American Indian Tribes.

This (DSHS 7.01) Policy applies to **all DSHS programs and employees**. DSHS administrators and regional program managers who **oversee contracted services** (see definition of contracted services) are also responsible for implementing this policy in the planning and delivery of contracted services **by incorporating the appropriate language into the contracts**.

DSHS shall acknowledge and consider the opportunity for Federally Recognized Tribes' involvement and consultation in, but not limited to: **plans, budgets, policies, program services (including those provided by contractors and grantees), operational procedures, federal waivers or exemptions to state plans that affect American Indian people.**

Implementation Plan – Director Level

1. **Policy Identification:** Provide Tribes with meaningful opportunities for involvement and consultation in the development of state child support- related legislation, departmental plans, budgets, policies, program services, contracted services including services provided under contract with ESA/DCS, operational procedures, federal waivers or exemptions to state plans that affect American Indian people.

Standing Agenda Items for the Bi-Annual Directors' Meeting: Complete Implementation Plan Details to be Added Later

Legislation *development* and tracking.

DCS will keep the Tribe informed of its legislative agenda as it develops ahead of each year's legislative session so the Puyallup Tribe has an opportunity for meaningful input.

Departmental Plans affecting child support

Policy *development* and amendments.

DCS will keep the Tribe informed of its policy development work, so the Puyallup Tribe has an opportunity for meaningful input. In addition, DCS agreed on 3.18.2019 to send canary notices to PTCSP and the other tribal child support programs.

Budget

DCS Organizational Chart Review

Provide the DCS organizational chart to the Tribes at least once a year.

Noted here for documentation purposes only as items in this section are outside the parameters of the Administrative Policy 7.01 and can be addressed in another forum.

Prosecutor contracts - 7.01 compliance.

DCS contracts with county prosecutors to provide paternity, establishment, modification and enforcement services. All of these activities have a major impact on the Puyallup Tribe. The 7.01 Policy clearly states that Tribes shall have meaningful opportunities for involvement and consultation on such contracted services. The Directors agree to explore the best way for that to occur.

State plan waivers and exemptions

Conference Board case tracking

Improper Coding

Improper Referrals

Improper Direct Withholds of Tribal Employers

The PTCSP has received a high number of complaints from tribal employers that they are receiving state IWOs. The DCS Director, Sharon Redmond, agreed on 3.18.2019 to address this issue and report back to the Tribe before the next bi-annual directors' roundtable.

Credit Reporting.

The DCS Director, Sharon Redmond, announced on 3.18.2019 that the Puyallup Tribe's request to "turn off" credit reporting on cases referred to the Tribe can be accomplished. The Puyallup Tribal Court expressly prohibits credit reporting in its child support establishment orders. PTCSP accept Director Redmond's offer to turn off credit reporting on cases referred to the PTCSP.

Locate Requests

Case Closure Issues

Other Tribal Issues and Concerns

Noted here for documentation purposes only as items in this section are outside the parameters of the Administrative Policy 7.01 and can be addressed in another forum.

Implementation Plan – Regional Level				
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
DCS will refer cases to PTCSP where the NCP, CP and /or child is a member of the Puyallup Tribe.	<p>Deidre Finley will e-mail Mary Squally to request verification of tribal enrollment.</p> <p>DCS agrees that use of enrollment status information is strictly limited to identifying cases for referral to PTCSP.</p> <p>Deidre Finley will send needed case info to Mary Squally to review to see if PTCSP wants to take the case.</p>	All appropriate cases will be referred to PTCSP.	<p>State: Deidre Finley</p> <p>Tribe: Mary Squally</p> <p>Target Date: Review Annually</p>	<p>Referral process is on-going.</p> <p>DCS will continue to advise all staff members on appropriate identification and handling of tribal cases.</p>
DCS will refer for enforcement cases to PTCSP where NCP works for a Tribal entity or <i>enterprise</i> .	<p>Deidre Finley will e-mail Mary Squally to request verification of tribal employment.</p> <p>DCS agrees that use of tribal enrollment status information is strictly limited to identifying cases for referral to the PTCSP.</p>	All appropriate cases will be referred to PTCSP.	<p>State: Deidre Finley</p> <p>Tribe: Mary Squally</p> <p>Target Date: Review Annually</p>	<p>Referral process is on-going.</p> <p>Update: Continue educating DCS staff to check all employers before contact for Tribal affiliations. When one is identified, Deidre will contact Puyallup for appropriate action. Recent automation will provide warning pop-ups when staff attempt to generate forms to tribal employers if that employer is identified in SEMS as such.</p>

2. Policy Identification: Technology				Progress Report
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
DCS will assist PTCSP to locate parties in the most expedient manner possible.	Tacoma FO tribal liaisons will assist PTCSP with locate services through DCS Central Services.	Enhanced locate abilities for PTCSP.	State: Deidre Finley Tribe: Mary Squally	
There is a perception that DCS is providing less locate information and requiring more formality in making requests for locate on Puyallup tribal cases.	Address these perceptions. Tacoma FO Tribal Liaisons will provide information regarding ESD wage and UC information as needed.	PTCSP wants to receive the best locate assistance available from our Tribal Liaison.	Target Date: Review Annually	
Payments on DCS/PTCSP work around cases going to PTCSP instead of directly to the CP.	DCS and PTCSP are researching EFT options. TRT is having discussions about further options besides EFT.	PTCSP to receive credit for the payments.		

3. Policy Identification: Coding Tribal Cases Correctly				Progress Report
Goals/Objectives	Activities	Expected Outcomes	Lead Staff and Target Date	Status
DCS will properly code in SEMS with Tribal coding.	<p>DCS and PTCSP will work to correctly identify Puyallup tribal members and tribal employers and make sure coding on the case is correct.</p> <p>PTCSP will notify DCS of any cases not set up correctly with the Tribal Access Code and/or where parties were not coded with the Puyallup Tribal membership code.</p> <p>DCS will input the case specific information onto the Tracking Sheet for Inappropriate Referrals and Actions.</p>	To reduce or eliminate the miscoding of Tribal cases.	<p>State: Steve McDannel, Deidre Finley</p> <p>Tribe: Mary Squally</p> <p>Target Date: Review Annually</p>	<p><i>Update: 12 identified and added since 7/1/18</i> (emails sent to employees' supervisors when identified). TRT and PTCSP will review for trends and training issues.</p> <p>SEMS has been reprogrammed to create a warning pop-up if/when DCS attempts to generate a form to a known Tribal employer with a correct FEIN identifier in the SEMS system. This should significantly reduce inappropriate contact.</p> <p>DCS has identified employers with improper coding and are checking alternate databases in an attempt to locate the correct identifiers for the employers in question.</p>

4. Policy Identification: Training Opportunities				Progress Report
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
Sharing training opportunities	<p>Deidre will provide and/or arrange training for PTCSP staff for SEMS and ACES upon request of the PTCSP Director.</p> <p>Arrange refresher Conference Board training annually.</p>	<p>Increased participation by both DCS and PTCSP staff in each other's training events.</p> <p>Help new staff become proficient with WA's databases used for casework.</p> <p>Increase understanding of the Conference Board process.</p>	<p>State: Steve McDannel, Deidre Finley</p> <p>Tribe: Mary Squally</p> <p>Target Date: Review Annually</p>	<p>State continues its policy of providing Government- to-Government Training for all Tribal Liaison personnel and for other positions that have contact with Tribes.</p> <p>Update: All Tribal Liaisons in Tacoma had taken Government to Government and 7.01 Training, but in this period they have also taken other trainings that cross over, such as Customer Service training.</p> <p>Update: Conference Board Training held 1/24/19.</p> <p>State continues to advise Tribe of upcoming training opportunities and applicable SEO Academy sessions.</p> <p>Update: The Tribe was invited to a recent training Academy that started 1/15/19 in Tacoma.</p>

5. Policy Identification: Communication & Problem Solving				Progress Report
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
On-site meetings with PTCSP and DCS field representative to communicate and problem solve on joint cases.	Deidre Finley will be available on-site at PTCSP with a laptop and SEMS connection as needed.	To communicate and problem solve on cases.	State: Deidre Finley, Heidi Montgomery Tribe: Lynn Weible, Angelia Hendrix, Mary Squally Target Date: Review Annually	Deidre Finley will meet with PTCSP case managers once a month and more often if needed. Update: Deidre meets with PTCSP monthly) on the 3 rd Friday of the month.
Regular 7.01 Meetings will be held	A joint meeting between the DCS District Manager and the Tacoma DCS Tribal staff will be held quarterly with the region Tribal Program Directors.	Meetings will be held	State: Heidi Montgomery, Steve McDannel, Deidre Finley, Branden Aasen, Mary Groom, Aldon Ekstrom , Kay'd Gonzales Office of Indian Policy: Marie Natrall Tribe: Mary Squally Target Date: Annually	Meetings are held quarterly Update: In this 7.01 period, we met on July 19, 2018 at Suquamish; on October 25, 2018 at Tacoma DCS; on January 24, 2019 at Port Gamble S'Klallam and on April 25 th , 2019 at Puyallup.
Annual 7.01 plan update and finalization meeting(s)	The Tribe, DCS and OIP staff should meet - either in-person or via conference call - each year to discuss updates of the 7.01 Plan, and agree on a final version that will be submitted to DSHS's Economic Services Administration (ESA).	A fully agreed upon Plan that describes and documents on-going activities and accomplishments	State: Heidi Montgomery, Steve McDannel Office of Indian Policy: Marie Natrall DCS Tribal Relations Team: Georgia Payne Tribe: Mary Squally Target Date: Annually (ideally prior to ESA 7.01 Plan submission deadlines - usually around May)	

<p>General Problem Resolution</p>	<p>DCS staff will be available to work through particular issues as requested.</p> <p>Separate meeting with the DCS District Manager and PTCSP Director as needed.</p>	<p>Problems will be resolved quickly and efficiently.</p>	<p>State: Heidi Montgomery, Steve McDannel</p> <p>Tribe: Mary Squally</p> <p>Target Date: Review Annually</p>	<p>PTCSP will bring to Steve McDannel and Heidi Montgomery any issues that need to be resolved and they will alert Mary of any they identify.</p> <p>Update: To date in this 7.01 period, the issues identified are mentioned above (inappropriate contact with Puyallup employers).</p>
<p>Effectively work hard-to-collect cases where DCS does not have jurisdiction and collection remedies have been exhausted by the Tribe.</p>	<p>Line staff from both offices will discuss individual cases and the related circumstances to best identify the most effective way to work the case.</p>	<p>Cases will continue to be worked utilizing the resources available to both DCS and the Tribe in a way that preserves the Tribe's jurisdiction and maximizes available collection remedies.</p>	<p>State: Steve McDannel, Deidre Finley</p> <p>Tribe: Mary Squally</p> <p>Target Date: Review Annually</p>	<p>Process continues – no changes</p>

Facilitate DNA testing with PTCSP and the Pierce County Prosecuting Attorney's Office.	Discussion with DCS Government Liaison and Pierce Prosecuting Attorney.	Create a pathway to assist with DNA testing at the Pierce County Jail.	State: Steve McDannel, Deidre Finley Tribe: Mary Squally Target Date: August 31, 2019	Next Step: Discuss further at next (July 11, 2019) quarterly 7.01 meeting.
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6. Policy Identification: Hiring				Progress Report
Goals/Objectives	Activities	Expected Outcome	Lead Staff and Target Date	Status
Inclusion of Tribal Staff in major DCS hiring decisions	DCS will invite Tribal Staff to participate in interview panels and/or consult on major hiring decisions in this office, particularly any that have direct impact on Tribal Team workload. Such positions shall include Regional Program Manager and Tribal Liaison.	Increased relationship building through participation in key hiring decisions.	State: Heidi Montgomery, Steve McDannel Tribe: Mary Squally Target Date: Review Annually	Puyallup Tribe continues to participate in interview panels and provide tribal aspect in hiring decisions that have a direct impact on the tribal team. Update: PTCSP was invited to participate on the November 2018 hiring panel for the two Child Support Program Manager vacancies in Tacoma and the May 2019 hiring of two new Tribal Liaisons.
7. Policy Identification: Teambuilding				Progress Report
Goals/Objectives	Activities	Expected Outcomes	Lead Staff and Target Date	Status
Building a stronger sense of teamwork between the DCS Tribal SEOs and Tribal Program Staff	Meetings, luncheons, and gatherings will be held whereby staff of the two programs can come together.	As appropriate, staff will be invited to each other's offices to participate in celebrations and team building luncheons.	State: Heidi Montgomery, Steve McDannel Tribe: Mary Squally Target Date: Review Annually	DCS/PTCSP share and participate in events that affect both offices. Update: PTCSP was invited to the National American Indian Heritage Month celebration in Tacoma held November 15 th , 2018.

8. Institutional Memory **Add a similar section for the Director section at the beginning.				Progress Report
Goals/Objectives	Activities	Expected Outcomes	Lead Staff and Target Date	Status
To memorialize decisions and agreements between PTCSP and DCS for future reference	In addition to items in this 7.01 Plan, add an attachment of the Desk Manual that DCS uses work PTCSP case.	To capture procedures and guidelines which were developed mutually.	State: Deidre Finley Tribe: Mary Squally Target: Review Annually	The current iteration has been added to the bottom of this plan.

Completed Historical Section			
Date Completed	Goals/Objectives	Outcome	Date to Re-visit Issue
2014	Request Additional SEMS WEB screens	Allowed access to AH (all payment History) and DH (Distribution History) screens. Denied access to IA (individual Addr) and BI (Basic Individual) screens.	Revisit requesting access to IA and BI screens at a future date.
2015	Cases referred timely.	Cases need to be referred to PTCSP within 30 days of determination that the PTCSP should receive the case	Deidre Finley and the PTCSP Case Managers met in January and February to review current referral process and discuss areas for improvement.
2016	Case count and reconciliation	PTCSP has all appropriate tribal cases.	Can revisit as necessary.
2016	Tribal Access Code for cases; Tribes/State have in common	DCS is unable to accommodate this request due to the extensive nature of the programming that would be involved to make this change.	Can revisit if there is a future need.

2018	Quick Program Training	PTCSP Case Managers have access to the Quick Program and will contact DCS when they want training.	Can revisit if there is a future need.
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DCS Tribal Desk Guide (excerpts relevant to PTCSP):

Puyallup Tribe

TLs are directed not to disclose IRS or FTI to Tribal child support programs in any way, verbally or written. Payment amounts may be described as voluntary or involuntary, or administrative/non-administrative.

Employment and Enrollment Verifications

Send a Secure email to Mary Squally, PTCSP Director; provide the parties (*name, social security number and date of birth*). If employment verification is needed, also include the tribal employer's name.

Referring case for Order Establishment

(Do not delay this process just because we do not have a current address for the NCP. As soon as it is identified that the NCP is a Puyallup member, start the process. If in doubt, check with PTCSP).

1. Send 9-881 to CP (**2 week waiting period**)
2. 18-570 - Include NCP BI # and Tribal Affiliation of both NCP and CP (if known)
3. 18-729 (Transmittal #1 – Acknowledgment)
4. 18-730 (Confidential Information Form)
5. 18-576 (Uniform Support Petition, completed by SEO)
6. 18-578 (General Testimony, completed by SEO)
7. Copy of CBRI (if available)
8. Scan referral and send via secure email to Mary Squally, PTCSP Director (*hold original for pickup by PTCSP staff*).
9. Add Intergovernmental information to the 'BC' screen and Tribal Access Code: 36 and Non US FIPS Code: TR-036.

Referring Foster Care case for Paternity and/or Order Establishment

(Do not delay this process just because we do not have a current address for the NCP. As soon as it is identified that the NCP is a Puyallup member, start the process. If in doubt, check with PTCSP).

(Make sure both parents are listed as Respondents on the referral – Transmittal and USP)

If NCP mom, only request Order Establishment for Enforcement

If NCP is alleged father, request Paternity and Order Establishment or Enforcement

1. Send 9-881 to CP (**2 week waiting period**)
2. 18-570 - Include NCP BI # and Tribal Affiliation of both NCP and CP if known
3. 18-729 (Transmittal #1 – Acknowledgment)
4. 18-730 (Confidential Information Form)
5. 18-576 (Uniform Support Petition, completed by SEO)
6. 18-578 (General Testimony, completed by SEO)
7. Scan referral and send via secure email to Mary Squally, PTCSP Director (*hold original for pickup by PTCSP staff*).
8. Add Intergovernmental information to the 'BC' screen and Tribal Access Code: 36 and Non US FIPS Code: TR-036.

Referring case for Enforcement of Existing Order

1. Send 9-881 to CP (**2 week waiting period**)
2. 18-570 - Include NCP BI # and NCP and CP Tribal Affiliation (if known). Include Tribal Employer name (if known)
2. 18-729 (Transmittal #1 – Acknowledgment)
3. 18-730 (Confidential Information Form)
4. 18-576 (Uniform Support Petition, completed by SEO) - Check box: Other Remedy Sought, type "Request registration of Child Support Order for Enforcement".
3. 18-577 (Registration Statement) - Include separate 18-577's for each order
4. Certified copy of Order(s) - Use 9-984 form to certify both Administrative and Court Orders
5. Certified copy of Debt Calculation
6. Scan referral and send via secure email to Mary Squally, PTCSP Director (*hold original for pickup by PTCSP staff*).
7. Add Intergovernmental information to the 'BC' screen and Tribal Access Code: 36 and Non US FIPS Code: TR-036.

Conference Bureau Reporting

Puyallup Tribe Orders now have the following language added which states "Credit Reporting Prohibited. Puyallup tribal law does not authorize disclosure of a child support debt or lack of it to credit reporting agencies. The court hereby holds that disclosure of a child support debt or lack of it, to a credit reporting agency, by any entity, is a violation of this order and of Puyallup tribal law."

Domestic Violence Information

Domestic Violence information should be listed on page 2 of the Transmittal #1 under Section VI. Other Pertinent Information

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