

**MILLE LACS BAND OF OJIBWE  
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

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**Department:** Human Services – Emergency Services

**Policy Number:** HHS-HUM-ES 7103

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**Policy Title:** Emergency Services Loan

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**Attachments:**

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**Revision History:** 8/12;8/14;9/14;10/15;6/16

**Revised by/Date:** Kevin Pawlitschek 9/11/20

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**Approved by:** *CKalk*

**Date:**

Carmen Kalk, Interim Executive Director Human Services

*9/16/2020*

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**Approved by:**

**Date:**

Nicole Anderson, Commissioner of HHS

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*9-29-2020*

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**POLICY STATEMENT:** The Emergency Assistance Loan program is for Mille Lacs Band members encountering an **emergency that was unforeseen and beyond their control**. If the emergency has caused the band member to fall behind in basic living needs they are eligible to apply for a no-interest emergency loan. Eligible emergencies are as defined in this policy. Each request is based on individual circumstances.

**PURPOSE:** The purpose of this policy is to ensure enrolled Mille Lacs Band members experiencing an unforeseen emergency utilize this program as a final resource for assistance and to provide eligibility criteria and procedures for the emergency assistance application and loan program.

**DEFINITIONS:**

1. Immediate Family is defined as spouse, significant other, parent, child, sibling, stepchild, grandparent, grandchild
2. Extended Family is defined as, aunt, uncle, niece and nephew.
3. For above 1 and 2 Tribal Enrollments are involved for verification of family relations.

**Activities Not Covered:**

1. Court, fines, bail, bonds.
2. No Medical co-pays unless documentation from Circle of Health.
3. Daycare is not covered (unless child's parent or guardian employment can be verified.)
4. Routine medical appointments that can be handled by the Mille Lacs Band clinics and Mille Lacs Health System (Onamia, Isle, Hillman, Garrison)
5. Emergency housing needs due to remodeling are not eligible as an emergency. If an applicant is displaced from their home due to remodeling by the Mille Lacs Housing Authority, they are to work with the Mille Lacs Housing Authority on their needs.

**MILLE LACS BAND OF OJIBWE  
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

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**PROCEDURE:**

**Administration:**

1. The Emergency Assistance Loan Program will be administered by the Executive Director of Human Services, the Emergency Services Coordinator, and Emergency Services Assistant Coordinator.
2. If an emergency situation that does not meet the eligibility criteria in this policy, the coordinator will determine eligibility. If Coordinator is unavailable the Executive Director of Human Services will determine eligibility.
3. To avoid conflicts of interest, Emergency Services staff are not allowed to review or make decisions on applications for persons who are a part of their immediate family.
4. Emergency Loan applications can be obtained from the Mille Lacs Band Website, Emergency Services Office, the Government Center receptionist, District II, District IIA, District III Community Center, or the Urban Office.
5. Loan policies shall be posted in all districts as well as the Urban Office.
6. No interest loans: All loans shall have zero annual percentage rate (APR).

**Eligibility Criteria:**

1. Maximum available loan amount is up to \$750.00 per eligible applicant.
2. Applicant must be an enrolled Mille Lacs Band member, 18 years of age or older, and be a recipient of a Mille Lacs Band Per Capita payment.
3. Parents and legal guardians of enrolled Mille Lacs Band member children, who are not enrolled as Mille Lacs Band members themselves, are not eligible for an emergency loan.

**Administrative Hold:** An administrative lock will be placed on accounts that exhibit the following, and will not be unlocked until corrected:

1. An overage in charges.
2. Misuse of funds.
3. Corporate ban due to report of theft or misuse.
4. Non-compliance with documented active efforts attempts from case managers within HHS, as reviewed and approved by the department Coordinator/Assistant Coordinator and the Executive Director of Human Services.
5. Non-compliance with medical verification:
  - a. Applicant will have up to 30 days to provide verification, then the lock will be released.
  - b. If no verification is presented, the account will go into a one-year lock, from date of service.
  - c. Applicant needs to sign a lock form for acknowledgement that their account was locked.
6. When receiving after-hours emergency assistance, a lock will be placed-until the proper paperwork and verification is submitted.

**Loan Application Process:**

1. Emergency Services staff will verify if a potential applicant is eligible as an enrolled Mille Lacs Band Member that receives Per Capita payments.
2. Applicant must complete, sign and date the emergency loan application, which includes a Release of Information form, a Repayment Method form, and a Promissory Note.
3. Applicant must describe their emergency and provide necessary documents as proof of need.
4. Applicant must provide a current Mille Lacs Band of Ojibwe Tribal identification card.

**MILLE LACS BAND OF OJIBWE**  
**HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

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5. Emergency Services staff will verify if all necessary information is provided in the application, along with the required documentation. Applications will not be processed until application is complete, signed and all required documentation and forms are received.
6. Staff will follow-up on incomplete applications once per week. If the application is not completed after 30 days from submission date, it will be labeled “incomplete” and voided.
7. The Emergency Services staff will approve or deny the application based on loan policies and verification and analysis of information provided by the applicant.
8. If approved, an authorization signature is obtained before a check or voucher is processed.
9. All approved loan requests will be paid directly to the vendor or by voucher. The only exception to this policy is for medical, funeral, fire or natural disaster emergencies.
10. Applicants will be contacted by telephone on their application status. If unable to contact them by telephone, staff will contact them by mail, providing application decision; if denied, reasons for denial, or if additional information is needed for processing.
11. Emergency Services staff reserves the right to refuse services of any client that is verbally abusive, using explicit language, violent, threatening, causing a disturbance or is under the influence of alcohol or drugs. Clients can be suspended from the program for up to one calendar year.

**Eligible Emergencies:**

1. Utility Emergency
  - a. Applicant is eligible for a utility emergency for up to one hundred percent (100%) of their household electric or heating bill, not to exceed the \$750.00 maximum.
  - b. Applicants will be encouraged to apply for the State Energy Assistance program first, before applying for an emergency loan.
  - c. Elder applicants will also be encouraged to apply for the Elder Energy Assistance.
  - d. Telephone bills are NOT eligible as an emergency utility loan. EXCEPTIONS: it is necessary as part of a Band member’s life support system.
  - e. A check will be issues to the applicant’s utility company.
2. Medical Emergency
  - a. Applicant is eligible for a medical emergency loan to travel to a hospital to be with a family member who is suffering from life threatening injuries, critical illness or near death. This **does not** include advance notice medical appointments.
  - b. It is the applicant’s responsibility to provide an official written document from the medical facility stating individual’s name, location, and admittance date.
  - c. Medical travel is only for 60 miles or more from home, as defined in proof of medical emergency provided by applicant.
  - d. Applicate must show verification of appointment and then account will be locked until a post appointment verification is provided.
  - e. Immediate family members are eligible for up to \$150.00 per day, without exceeding the \$750.00 maximum loan balance.
3. Funeral Emergency
  - a. Applicant is eligible for a funeral emergency loan to attend a funeral of a family member.
  - b. It is the applicant’s responsibility to provide official written notice of the deceased’s name, and the date and location of the wake and funeral along with relationship status with the application.
  - c. Funeral assistance is determined as follows
    - i. Immediate family: \$300.00 if over 60 miles from funeral, \$150.00 if funeral is local.
    - ii. Extended family: \$150.00 if over 60 miles from funeral, \$75.00 if funeral is local.
    - iii. All other family members: will be eligible for a gas or food voucher.

**MILLE LACS BAND OF OJIBWE  
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

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- d. All loans must not exceed the maximum amount of \$750.00.
4. Gas Emergency
  - a. Gas emergency loans are for unforeseen emergencies, beyond the applicant's control, that have or will cause the applicant to fall behind in basic living needs.
  - b. All advance notice medical needs, such as doctor appointments or physical therapy appointments will be referred to Public Health for transportation. Should Public Health be unable to provide transportation, the applicant is then eligible for a gas voucher.
  - c. Applicate must show verification of appointment and then account will be locked until a post appointment verification is provided.
  - d. Maximum gas emergency loan is \$50.00 per applicant.
  - e. A gas voucher will be issued to an approved vendor affiliated with the Mille Lacs Band's Emergency Services Office. Cash or check will not be issued to the applicant.
  - f. Only the person listed on the gas voucher will be able to redeem the voucher. Applicant must provide a picture ID to cashier to redeem a voucher.
  - g. Gas vouchers are for gas only. No auto products are allowed.
  - h. Limited to fueling of one car only. Gas cans are not an allowable use.
  - i. Gas vouchers **may not** be simultaneously used with a medical or funeral emergency loan.
  - j. Coordination with other Band programs will be initiated to eliminate duplication of services.
5. Fire or Natural Disaster Emergency
  - a. Applicant is eligible for a fire or natural disaster emergency loan to pay for food, clothing and shelter needs caused by a fire or a major natural disaster.
  - b. Applicant must provide a dated police report, fire report, Red Cross statement, or DHS FEMA report documenting the location and the situation.
  - c. Eligible amount up to \$750.00, without exceeding the \$750.00 maximum loan balance.
6. Eviction/Rent Emergency
  - a. Applicant is eligible for an eviction/Rent emergency loan only in the case of an eviction or to prevent an eviction, and used for **applicant's household only**.
  - b. Applicant must provide evidence that the move or need for shelter is not secondary to an eviction due to criminal activity.
  - c. Applicant must submit written notice of eviction or past due notices with a signed and dated copy of their lease/rental agreement.
  - d. A check will be issued to the landlord listed on the lease/rental agreement.
7. Clothing Emergency
  - a. An applicant who is released from a treatment or correctional facility and is in need of clothing is eligible for a one-time clothing emergency loan.
  - b. Written verification of release date from the facility must be provided, or a written verification from an authorized official of the facility.
  - c. Coordination with other Band programs will be initiated to eliminate duplication of services.
  - d. Maximum clothing emergency loan amount is \$150.00 per person, per release.
  - e. A check will be issued to the vendor.
8. Employment Emergency
  - a. Employment emergencies are defined as an emergency that hinders an applicant's ability to maintain their job and cause the applicant to fall behind in basic living needs. Current job verification is required for this. This is restricted to:
    - i. Car insurance – provide current bill.
    - ii. Fuel Assistance-up to \$50 for 2-week period, increments of \$25/week.
    - iii. Auto repair – provide automobile repair bill.
    - iv. Driver's license renewal or reinstatement fee – provide statement.

**MILLE LACS BAND OF OJIBWE**  
**HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

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**Referrals:** The Office of Emergency Services may take referrals to needed county, tribal and state programs, which may be appropriate for the applicant's needs and specific situation. For example: Food Distribution, Food Shelves, Public Health, Family Services, and the Women's Shelter.

**File Documentation:**

1. The Emergency Services staff shall maintain proper loan files that include the loan application, forms, promissory note, payroll deduction form (if applicable), amortization schedule, and any delinquent follow-up notices, correspondence or client activity notes.
2. Applicant must receive a copy of the loan policies prior to disbursement of their loan and acknowledge receipt via signature. The original is kept in their file and is effective for one year.

**After Hours Emergencies:**

1. Emergencies occurring after 5:00pm on weekdays, on weekends or on holidays that cannot wait until the next working day are defined as life threatening medical injuries, critical illness, death in the family, or life threatening loss of heat during winter months. In these instances, contact the Emergency Services Coordinator or Assistant Coordinator.
2. If the request is approved, only Emergency Services vendors will be contacted by phone for service. No checks can be requested from any Band entity for after-hours emergencies.

**Repayment:**

1. Applicant must complete a Repayment Method Form as part of their application.
2. Applicant will complete and sign a Promissory Note outlining their payment agreement.
3. Repayment terms must utilize applicant's bonus payment.
4. Applicant can make additional payments with payroll deductions, money order, or cash.
5. If applicable, a payroll deduction form is completed by the applicant. The applicant's employer must be willing to make payroll deduction payable to Emergency Services Office and sent to the Mille Lacs Band – OMB.
6. Repayment Schedule
  - a. Loans of \$100.00 or less =Repayment in 1 month
  - b. Loans over \$100.00 and less than \$300.00 =Repayment at \$100.00 per month
  - c. Loans over \$300.00 and less than \$450.00 =Repayment at \$150.00 per month
  - d. Loans over \$450.00 and less than \$600.00 =Repayment at \$200.00 per month
  - e. Loans over \$600.00 and less than \$750.00 =Repayment at \$250.00 per monthApplicant can increase their monthly repayment amount if they so choose.
7. The applicant may, at any time, request the total amount of their loan be deducted from their next tribal bonus.
8. In the unfortunate event that an individual with an outstanding loan passes away, the balance of the loan will be forgiven and will not be collected from the applicant's heir or estate.

**Delinquency Process:**

1. All loan balances will be maintained on a timely basis by the Emergency Services Office.
2. A monthly outstanding loan status report and delinquency report will be prepared.
3. If loan payments are not received by the stated payment date, the Emergency Services Coordinator will initiate the following collection procedures:
  - a. If payment is not received within 15 days of expected payment date - Follow up with borrower's employer to check on payroll deduction status and send a notice of nonpayment to the borrower.

**MILLE LACS BAND OF OJIBWE  
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

- b. If payment is not received within 30 days of expected payment date – Call borrower and send second notice of nonpayment.
- c. If payment is not received within 45 days of expected payment date – Send a final letter indicating that legal remedies will be pursued if payment is not received within 15 days of the notice.
- d. If payment is not received within 60 days of expected payment date – The Emergency Services Coordinator will issue a loan default letter to OMB for collection from the tribal bonus. Debts owed to the tribal government have priority for repayment with tribal bonus garnishment. If more than one tribal debt is owed, garnishment will be prorated to the outstanding debts based on the ratio of the total outstanding balances.

**Appeals Process:**

- 1. An Emergency Services applicant may appeal an adverse decision as follows:
  - a. The first appeal is made in writing to the Executive Director of Human Services. Additional information or back-up documentation of the need should be submitted with the applicant’s written appeal.
  - b. If the Executive Director of Human Services upholds the original decision, the applicant has the option for a second appeal, made in writing, to the Commissioner of Health and Human Services for a final decision. The decision of the Commissioner of Health and Human Services is final.

**Falsification of Information/Misuse of Funds:** Any applicant who would falsify information on their application, purchase unauthorized merchandise, sell their services to another, or don’t use their services as stated in their application will not be eligible for an emergency loan for one calendar year from the date of the application or longer, if so determined by administration.

**Suspension of Program Use:** An Emergency Services applicant who verbally abuses staff, uses explicit language, threatens staff, causes a disturbance or is under the influence of alcohol or drugs will be denied emergency service assistance and could be suspended from the program for one calendar year or longer, if determined by administration.

<b>Internal and/or External References</b>	HHS-ADM-QC 3201 Health and Human Services (“HHS”) Complaint Policy
<b>Compliance - Posting Date</b>	9/29/2020 (HH)
<b>Replaces – Policy Number</b>	
<b>Next Review - Due Date</b>	9/29/2023