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Health, Education, and Human Services Committee approves two legislations to enhance Social Services funding and foster home regulations


Legislation No. 0271-13, approves the Navajo Division of Social Services Title IV-E Eligibility Handbook and Guidelines, while Legislation No. 0280-13 amends the Navajo Nation Regulations for Family Foster Home Standards.

On Sep. 25, HEHSC members requested additional time to review the two legislations to gain a better understanding, as well as to participate in a full orientation of the legislative documents.

Representatives from the Navajo Division of Social Services and Navajo Department of Justice conducted the orientation, explaining that each legislation is a critical segment of an overall master plan for the Division of Social Services that has been developed over a four-year period.

“With this legislation we can move forward to create a master plan that will help improve and streamline services provided to our families,” said HEHSC member and legislation sponsor Council Delegate Joshua Lavar Butler (Tó Nanees Dizi). “With this approval, we will reduce out-of-home care, reunite children, require permanency planning and receive direct funding.”

Division of Social Services executive director Sharon Begay-McCabe, said the approval of the “IV-E” legislations would allow the Nation to receive and administer reimbursement payments directly, without going through the three neighboring states.

“The Nation does not receive reimbursements from Arizona or Utah, only New Mexico,” said Department of Justice acting assistant attorney general Kandis Martine. “The handbooks are part of a package that would allow for Navajo to receive the reimbursement of maintenance and administration costs.”

Currently, the Division of Social Services expends its own funds to cover many case costs such as: food, shelter, clothing, necessary personnel training, case management, and travel for children to case reviews.
HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) asked if other tribes were participating in Title IV-E and requested a timeline detailing when the policies would be implemented.

"Navajo is the leader with Title IV-E, because we are taking on every segment of the program. Only two other tribes have been approved, but they are only taking on certain segments of Title IV-E," said Martine. "The legislation will need to be reviewed by President Shelly and DOJ once more, after that it will be sent to the federal government for approval."

"Who gives the final certification for licensing foster homes? Is that given by the BIA or did the tribe develop its own certification guidelines?" questioned HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii). "Will families that live in the rural parts of the Nation, in hogans, be able to pass the guidelines for licensure?"

In response, Martine explained that licensures and regulations are a mandatory part of the Title IV-E process and have been included in Legislation No. 0280-13. Martine added that the handbooks are inclusive to Navajo culture and values, where as a Hogan would be considered safe for a child and acceptable by the foster home standards.

"The approval of these legislations will help between 200-250 Navajo children," said Begay-McCabe. "The focus of this initiative is to focus on our Navajo Children and Families."

The HEHSC approved Legislation No. 0271-13 with a vote of 3-0, followed by the approval of Legislation No 0280-13 with a vote of 3-0.

HEHSC serves as the final authority for both legislations.

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