

**TITLE 17
TRIBAL SERVICES**

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Chapter 1 - Burial Fund Code

§ 101 - Short Title, Purposes and Definitions

- (a) Short title. This code shall be entitled “The Grand Traverse Band Burial Fund Code”.
- (b) Purpose. The Grand Traverse Band Burial Code shall provide assistance with funeral expenses at the time of death for all Tribal members.
- (c) Definitions. As used in this code:
 - (1) (Reserved)
 - (2) “Child”. Person between the ages of 1-12.
 - (3) “Enroll”. To comply with all requirements for membership in the Grand Traverse Band and to be placed on the membership rolls.
 - (4) “Infant”. Person between the age of birth-1 year.
 - (5) “Person”. A human being.
 - (6) “Tribal Member”. A person eligible for membership in the Grand Traverse Band of Ottawa and Chippewa Indians and who has been officially enrolled with the GTB’s Membership Office and who has been placed on the Tribal rolls. Tribal member includes future members, membership by adoption and eligible infants as determined by the GTB Membership Office.
 - (7) “Eligible Person”. A person eligible for membership in the Grand Traverse Band of Ottawa and Chippewa Indians who has completed all the requirements for enrollment or in the case of infants those who are eligible for membership as determined by the GTB Membership Office.
 - (8) “Expenses”. Expenses are the actual expenses of the funeral, for example, the cost to the funeral home or the expenses in the manner of interment. It does not include any incidental expenses, for example, transportation costs, hotel costs, etc.

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996, and by Special Session June 29, 2011.

§ 102 - Creation of Burial Fund

There is hereby created a burial fund program to provide assistance with funeral expense at the time of death for Tribal members.

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996, and by Special Session June 29, 2011.

§ 103 – (Reserved)

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996. Repealed by Special Session June 29, 2011.

§ 104 - Persons Covered

- (a) All persons covered must be Tribal members as defined in 101(c)(6).
- (b) (Reserved)
- (c) (Reserved)
- (d) In the case of infants, parents shall have from birth to one (1) year of age to obtain an Eligibility Statement. Parents shall obtain an Eligibility Statement from the GTB Membership Office.
- (e) The Tribal member may make a designation regarding responsibility for all arrangements of the funeral/burial by filling out a Burial Benefit Form. If no designation is made then the family shall designate a family member payee. Monetary assistance will not be issued until the designated responsible family member is identified.

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996, by Special Session June 29, 2011, and by Tribal Council motion on March 26, 2014.

§ 105 - Stillborn

This burial fund program will cover the expenses incurred for the funeral up to three thousand five hundred dollars (\$3,500). Expenses include the cost to the funeral home or the expense incurred in the manner of interment as defined in 101(c)(8).

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996, and by Special Session June 29, 2011.

§ 106 - Payment of Benefits

- (a) The benefit check shall be payable jointly to the person responsible for the funeral expenses and the funeral home or crematorium.
- (b) The designated family member payee may request an advance up to five hundred dollars (\$500) to assist the family with expenses for food, travel, lodging or miscellaneous expenses. This amount shall be deducted from the total burial fund amount.
- (c) No more than seven thousand five hundred dollars (\$7,500) shall be paid for any Tribal member's burial/funeral expense.

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996, and by Special Session June 29, 2011.

§ 107 - Schedule of Benefits

- (a) Birth to twelve (12) years: payments shall be three thousand five hundred dollars (\$3,500).
- (b) (Reserved)
- (c) (Reserved)
- (d) The schedule of benefits may be raised or lowered from time to time by Tribal Council resolution without the need of a formal amendment to this Burial Fund Code.

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996, and by Special Session June 29, 2011.

§ 108 – (Reserved)

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996. Repealed by Special Session June 29, 2011.

§ 109 - Applications for Benefits

Applications for benefits shall be made through the GTB's Office of Management and Budget.

History: Tribal Act # 92-10.75, enacted by Tribal Council on September 15, 1992. As amended by Tribal Act #96-14.348, enacted by Tribal Council on April 16, 1996, and by Special Session June 29, 2011.

§ 110 – Benefits Liability

- (a) The GTB assumes no liability for any costs related to a Tribal member's funeral or burial in excess of the benefits provided by this burial fund program.

- (b) The GTB may, at its discretion, amend or terminate the burial fund program.

History: Enacted by Tribal Council in Special Session June 29, 2011.

§ 111 – Inconsistent Provisions

- (a) Any prior legislation or other GTB laws and policies that are inconsistent with the purpose and procedures established by this Code are hereby repealed to the extent of any such inconsistency.

History: Enacted by Tribal Council in Special Session June 29, 2011.

Chapter 2 - Six County Service Area Guidelines

§ 201 - Intent

- (a) The general intent of this section is to require proof of residency only for those members seeking out health insurance or other tribal services in which eligibility is limited to those tribal members residing in the six county service area.
- (b) It is not the intent of this ordinance to require tribal members already receiving services to submit proof of residency, unless action is brought under § 204 – Verification of Permanent Residence.

History: Tribal Act #08-26.1904, enacted by Tribal Council on March 18, 2009.

§ 202 - Title, Purpose and Definitions

- (a) Title – This section of the Code shall be entitled “The Grand Traverse Band Six County Service Area Guidelines.”
- (b) Purpose – This section of the Grand Traverse Band Code shall implement guidelines for governmental departments that provide health insurance or other services to tribal members as well as tribal members seeking services from the Grand Traverse Band.

History: Tribal Act #08-26.1904, enacted by Tribal Council on March 18, 2009.

§ 203 - Proof of Residency Requirements

Upon receiving an application for services when those services are limited to GTB members residing in the six county service area, the Governmental Department shall require proof of residency to be submitted along with the application. The following is a list of documents tribal members are required to submit to verify eligibility to receive services:

- (a) A copy of a valid driver's license with the physical address listed on the application and one of the following:

- A current utility bill;
- A current bill received on a monthly basis;
- Most recent year form W2;
- Most recent year Federal Income Tax Return;
- Michigan Voter's Registration Card;
- Current monthly bank statement

Bills, statements and documents listed above must contain the resident tribal member's name, physical address. Utility bills, monthly bills and bank statements must be for the most recent billing cycle and no older than thirty (30) days from the date of application for enrollment. (On-line statements or bills are not acceptable documentation for address verification.)

- (b) Alternative Option #1

- (1) A copy of your photo Tribal ID, and

- (2) Two of the following:

- A current utility bill;
- A current bill received on a monthly basis;
- Most recent year form W2;
- Most recent year Federal Income Tax Return;
- Michigan Voter's Registration Card;
- A current monthly bank statement.

- (3) Bills, statements and documents listed above must contain the resident tribal member's name, physical address. Utility bills, monthly bills and bank statements must be for the most recent billing cycle and no older than thirty (30) days from the date of application for enrollment. (On-line statements or bills are not acceptable documentation for address verification.)

- (c) Alternative Option #2

- (1) A copy of your valid Driver's License, Michigan ID, or Photo Tribal ID, and

- (2) Fill out an Affidavit for Certification of Residency for Co-habitants Resident Tribal Member. (Affidavits are available at each department.)

(d) Minors

- (1) Please turn in a copy of the minor's trust bank statement, a bill, or a copy of school records.
- (2) Bills, statements and documents listed above must contain the resident tribal member's name, physical address, and be dated within one (1) month prior to the enrollment date. (On-line statements or bills are not acceptable documentation for address verification.)

History: Tribal Act #08-26.1904, enacted by Tribal Council on March 18, 2009.

§ 204 - Verification of Permanent Residence

Upon reasonable information, belief, notification or report that a tribal member who applied for insurance or other tribal services, or is already receiving those benefits, is not residing within the six county service area, the department manager or employee in charge of verifying the application for services or insurance may request additional and/or updated documents to verify permanent residence.

History: Tribal Act #08-26.1904, enacted by Tribal Council on March 18, 2009.

§ 205 - Misrepresentation of Residence

- (a) Application - In the event a tribal member misrepresents his/her permanent address in an application for health insurance or services, no benefits shall be awarded until the tribal member obtains a permanent residence in the six county service area and fulfills all eligibility requirements set forth in this section of the code and the program or department administering the insurance or service.
- (b) Misrepresentation to Obtain Services
 - (1) In the event a tribal member is discovered to have misrepresented his/her address to obtain insurance or other services meant only for the benefit of GTB members residing in the six county service area, the insurance and/or services shall be cancelled until such time as the tribal member obtains a permanent residence in the six county service and can meet the proof of residency requirements.
 - (2) The department manager for the specific department from which the services were obtained shall notify the Tribal Manager and all other department managers by official memorandum of the discovery and establishment of non-residency.
 - (3) The Legal Department on behalf of the Grand Traverse Band shall initiate a civil suit in Tribal Court and establish with specificity that misrepresentation did occur. If so, the Legal Department will request attorney fees and costs and contract health/tribal services reimbursement from the person who perpetrated the misrepresentation for the costs of services obtained by the misrepresentation. In the

event the Tribe has exhausted all reasonable avenues to collect on Court ordered fees, costs and/or reimbursement, and if no other avenues are available, as a last resort the Tribe shall intercept the per capita of the person found responsible for the misrepresentation consistent with the Revenue Allocation Ordinance at 18 GTBC § 1610, Tribal Court Orders.

History: Tribal Act #08-26.1904, enacted by Tribal Council on March 18, 2009.

§ 206 - Membership Office

Proof of residency shall not be required to change a general mailing address at the Grand Traverse Band Membership Office. The Tribal Council recognizes the fact that for various reasons tribal members may require general mailings and per capita distribution checks to be mailed to an alternate address, such as that of a parent or guardian.

History: Tribal Act #08-26.1904, enacted by Tribal Council on March 18, 2009.

§ 207 - Effective Date

- (a) The effective date of Title 17 - Tribal Services; Chapter 2 - Six County Service Area Guidelines, shall be immediately following the approval of this ordinance by Tribal Council.
- (b) The departments of the Tribe are directed to develop implementing procedures consistent with the terms of this Act.

History: Tribal Act #08-26.1904, enacted by Tribal Council on March 18, 2009.