

EMERGENCY MEDICAL ASSISTANCE POLICY AND PROCEDURES

QUILEUTE TRIBE
LAPUSH, WASHINGTON

Emergency Medical Assistance Policies and Procedures for the Quileute Tribe
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Revised April 26 , 2018
Approved by Motion 11278
September 2014

MEDICAL ASSISTANCE POLICY

CHAPTER 1. GENERAL PROVISIONS

SECTION 1.1 TITLE

This Policy shall be cited in full form as the “Emergency Medical Assistance Policy and Procedures of the Quileute Tribe” and in short form as the “Emergency Medical Assistance Policy”

SECTION 1.2 POLICY

Subject to available funding and budget limitations, it is the policy of the Quileute Tribe to provide a **limited** amount of medical assistance in the event of an emergency medical situation that is covered under this policy. Designated employees of the Quileute Tribe will administer eligible benefits as approved.

SECTION 1.3 PURPOSE

The purpose of this policy shall be to:

- A. The Quileute Tribe, federally recognized tribal government, desires to exercise its sovereign right to provide non-taxable needs based financial assistance under the Internal Revenue Service’s general welfare doctrine. Such financial assistance, to be paid from tribal funds, to its members whom qualify for assistance under this policy. The emergency medical financial assistance payments authorized by this policy are intended to qualify for favorable tax treatment under the general welfare doctrine to the fullest extent permitted by law and;
- B. The exercise of the Tribe’s sovereign right to provide for the general welfare of its members must recognize the historic poverty in its tribal community which continues to adversely affect its members, the remote location of the tribe’s reservation lands which make seeking emergency medical attention financially prohibitive for all its members and the historic and continued failure of the Indian Health Service to provide adequate funds for on-reservation healthcare for Indian people, including members of the Quileute Tribe.
- C. Provide information on assistance provided, covered medical expenses, procedures for requesting emergency medical assistance and limitations covered under this policy.

SECTION 1.4 AUTHORITY

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- A. The Quileute Constitution at Article VI Sec 1. (j) states that the Quileute Tribal Council shall exercise those powers necessary to safeguard and promote the peace, safety, morals and general welfare of the Quileute Tribe.
- B. It is the stated policy of the federal government to advance tribal sovereignty and encourage tribal self-governance and self-determination. Tribal governments, including the Quileute Tribe, currently provide for numerous services on their respective reservations including the administration of courts, law enforcement and direct health services.
- C. The General Welfare Exemption is an administrative doctrine that recognizes that it is inappropriate to impose federal income tax on the value of assistance provided from federal, state, and tribal government social welfare or benefit programs. While the General Welfare Exemption has been applied to social programs for which eligibility turns in whole or in part on the recipient's financial status (whether it be a percentage of poverty, which is sometimes as high as 500%, or use of national or local median family income statistics), it has also been applied to government programs that address non-financial needs, such as educational needs, and government programs designed to focus on broader "needs" of the government or community.

SECTION 1.5 DEFINITIONS

- A. Emergency Medical/Sub Acute Care: Emergency medical care is defined as non-routine or non-preventive medical care that is not available in La Push, Washington; defined as a sudden, urgent usually unexpected, occurrence or occasion requiring immediate action. Examples of emergency medical care include, but are not limited to, heart attack, stroke, or other life threatening events. Sub-acute care is defined as comprehensive goal-oriented inpatient care designed for a patient who has had an acute illness, injury, or exacerbation of a disease process; it is rendered either immediately after or instead of acute care hospitalization, to treat specific active or complex medical conditions or to administer any necessary technically complex medical treatments in the context of the person's underlying long-term condition. Examples of sub-acute care include dialysis, chemo therapy, and other medical care related to chronic or otherwise non recoverable illness.
- B. Enrollment Office: The Enrollment Office of the Quileute Tribe where tribal member enrollment information is located.

- C. **Family Unit**: A group of people who are related to each other by blood, adoption, or marriage residing within the same home.
- D. **Immediate Family Member**: Mother, father, son, daughter, wife, husband, brother, sister, stepson, stepdaughter, stepfather, stepmother, legal guardian, tribal member minors in recognized care, or significant other. For the purpose of the emergency medical assistance program, biological grandparents are included.
- E. **Significant Other**: A person who is in a “marital type” relationship and who have demonstrated a stable family relationship by living regularly together for at least two years.
- F. **Tribal Member**: An enrolled member of the Quileute Tribe, or non-enrolled infant age two years or younger who is otherwise eligible for enrollment with the Quileute Tribe.
- G. **Tribal Member Benefits Coordinator**: A person designated through the Quileute Tribe to be responsible for administering the Emergency Medical Assistance Funds as appropriate.
- H. **CHR**: Community Health Representative who works through the Quileute Health Center.
- I. **Short Day Travel**: Requires 12 hours or less of time to and from the residence, including the appointment itself, for both traveling to and from an emergency appointment, and the time required for the appointment, consistent with Quileute Travel Policy (i.e. no meals on short days).

CHAPTER 2. BENEFITS (INDIVIDUAL)

SECTION 2.1 ELIGIBILITY

To be eligible for emergency medical assistance a person:

- A. Must be a member of the Quileute Tribe and on the official rolls of the Quileute Tribe at the time assistance is requested and when the emergency medical treatment is received;
- B. Must meet the residency requirement for general council voting, which also requires a person to be 21 years of age. Parents and/or legal guardians of tribal member children under the age of 21 may apply for assistance this policy for their minor children.
- C. Must not have exceeded the annual limit for assistance as set forth in this policy.

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D. For Transportation to address emergency medical care:

- Tribal Members currently on Medicaid will not qualify for mileage to get to and from emergency medical appointments if it falls under the short day travel definition above.
- *If the travel need exceeds the definition of short day travel, the Tribe will support travel services for sub-acute care.
- Any travel over 12 hours, Medicaid entitled or qualified recipients will be required to first use Para-transit services available to Medicaid patients, before asking the Tribe for emergency medical travel support for sub-acute care. Tribal members who are Medicaid eligible, but non-compliant, are not eligible for this support from the Tribe.

SECTION 2.2 AVAILABLE MEDICAL EMERGENCY BENEFITS (INDIVIDUAL)
Assistance will be provided for the following reasons:

A. Transportation: Actual cost of transportation, including lodging and fuel, when necessary to seek Emergency or Sub acute treatment.

1. A travel advance for transportation costs will be permitted when travel in excess of 30 miles radius, one way, from the member's residence is required to seek emergency treatment. The address on file with the Enrollment Office at the time of request will be the address used for determining transportation costs.
 - i. The amount paid per mile is set as the Internal Revenue Service (IRS) moving/medical reimbursement mileage rate for the current year.
 - ii. Fuel vouchers are provided that can be used at the Quileute tribal fuel stations as needed and can only be used for exact amounts of fuel purchased and cannot be transferred into cash.
 - iii. Recipients of emergency medical benefits must provide documentation for the following expenses; confirmation that they attended the medical appointment, and ferry, toll, parking and lodging expenses. All unreconciled travel is subject to IRS taxation. (see Quileute Travel Policy) Recipients will

not receive additional emergency travel benefits until current expenses are reconciled with the Tribe's accounting department. .

2. Prior to travel advance being approved, recipient must exhaust all other available options such as; support through the Quileute Health Center; coordination with the CHR; Para transit etc. The Tribal Member Benefits Coordinator will contact the Quileute Health Center staff to verify that recipients have exhausted other options before requesting emergency funding support from the Tribe.
3. Medical Equipment - Medical assistance may be granted for medical equipment rental for rehabilitation for an emergency or acute medical condition, injury or illness, as deemed necessary by a licensed medical practitioner in Clallam County only.

SECTION 2.3 RECEIPT OF MEDICAL ASSISTANCE FUNDS

- A. Tribal member requesting funds must fill out the Emergency Medical Assistance Form and turn it into the Tribal Member Benefits Coordinator to begin the approval process.
- B. Other than Travel Advance funds, Emergency Medical Assistance funds approved through this policy will be paid directly to the provider of services whenever possible.
- C. For sub-acute care, tribal member requests are required to go through the standard accounting payment calendar, and must be submitted five (5) working days prior to the date needed to allow for proper accounting and allocation processes to occur.
- D. Tribal member recipients must complete Application for Emergency Medical Assistance form and must provide written documentation that appointments were attended.

CHAPTER 3. LIMITATIONS TO MEDICAL ASSISTANCE

SECTION 3.1 ASSISTANCE MAXIMUM ALLOWANCES

- A. Maximum allowance for Emergency Medical Assistance is limited to \$500.00 per assistance request and \$1000.00 per Tribal member for the Tribe's fiscal year.
(Note: This does not mean a person will receive \$500.00 per request; the amount

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of assistance will be determined per the guidelines set forth in this policy) Reports for Tribal Member balance: MIP Software, Bellwether and Sterling Credit Card for each current year – proof of tribal member balance.

Lodging is limited to two rooms per instance. Tribe: If medical emergency travel does not require lodging, travel is considered short day, no food per diem will be allowed.

B.

- C. Extenuating circumstances that require extraordinary support beyond these limits above will require the Tribal member to submit a written request to the Executive Director, for review and consideration.

Please see Fundraising Match/Contribution Policy for complete information.

CHAPTER 4. BENEFITS (TRAVEL FOR FAMILY)

SECTION 4.1 ELIGIBILITY

To be eligible for emergency medical assistance a family:

- A. Must be a member of the Quileute Tribe and on the official rolls of the Quileute Tribe at the time assistance is requested and when the medical treatment is received;
- B. Must meet the residency requirement for general council voting, which also requires a person to be 21 years of age. Parents and/or legal guardians of tribal member children under the age of 21 can request approval for “special circumstances,” which will be reviewed and decided by the Executive Director, in consultation with appropriate tribal department staff, on a case-by-case basis.
- C. Must not have exceeded the annual limit for assistance as set forth in this policy.
- D. Must be requesting funds due to the hospitalization of an immediate family member as defined above for the purposes of this policy.
 - a. Ineligible Hospital Stays: day surgery, out-patient surgery & giving birth
 - i. New born exception - If a newborn is required to remain in the hospital after birth, for more than two weeks, and is an immediate family member, they qualify under this policy.

Funds received under this Policy, even if not paid directly to the person applying for assistance, may be considered that person's taxable income under federal law and regulations. In compliance with federal law and regulations, the Quileute Tribe reports payments totaling \$600 or more per year to any one person. The Quileute Tribe does not provide tax advice. Your individual tax liability will depend on your unique circumstances. Please consult with your tax preparer for advice on your individual tax situation

By signing, "I acknowledge I have received a copy of the policies and I will abide by them."

Signed: _____ Date _____