

**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0306-18

**DATE:** September 13, 2018

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; SUPPORTING NAVAJO DIVISION OF SOCIAL SERVICES POSITION RELATING TO FAMILY FIRST PREVENTION SERVICES ACT AND COMMENTS TO U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

**PURPOSE:** This legislation will approve supporting the Navajo Division of Social Services position relative to the Family First Prevention Act and approve comments to the U.S. Department of Health and Human Services

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: None  
Website Posting Time/Date: 9:51am 9/17/18  
Posting End Date: 9/22/2018  
Eligible for Action: 9/23/2018

Health, Education & Human Services Committee  
Thence  
Naa'bik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION  
23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0304-18

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI'  
COMMITTEES; SUPPORTING NAVAJO DIVISION OF SOCIAL SERVICES POSITION  
RELATING TO FAMILY FIRST PREVENTION SERVICES ACT AND COMMENTS TO  
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

WHEREAS:

- A. The Health, Education, and Human Services Committee (HEHSC) is the oversight committee of the Navajo Division of Social Services. 2 N.N.C. § 401(C)(1).
- B. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' Committee to coordinate with all committees, Chapters, branches and entities concerned with all Navajo appearances and testimony before Congressional committees, and departments of the United States government. See 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(8).
- C. The Family First Prevention Services Act was signed into law as part of the Bipartisan Budget Act on February 9, 2018 and reforms the federal child welfare financing streams, Title IV-E and IV-B of the Social Security Act, to provide services to families who are at risk of entering the child welfare system. The bill aims to prevent children from entering foster care by allowing federal reimbursement for mental health services, substance use treatment, and in-home parenting skill training.

1 It also seeks to improve the well-being of children already in foster by incentivizing  
2 states to reduce placement of children in congregate care. See  
3 <https://campaignforchildren.org>.

4 D. The Family First Prevention Services Act provides three types of prevention services  
5 but only if the services are determined to be evidenced-based practices – promising,  
6 supported or well-supported. The requirement is that 50% of the prevention services  
7 be well-supported.

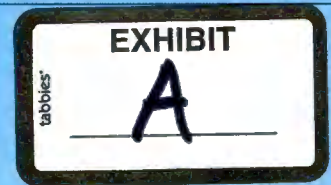
8 E. There are unique provisions in the Act that Tribes may face some special issues if a  
9 Tribe decides to implement the Act. How these provisions are implemented will be  
10 critical in determining the extent to which the Navajo Nation may make use of the  
11 Family First Prevention Services Act.

12 F. The U.S. Department of Health and Human Services plans to issue guidance on  
13 practice criteria and pre-approved services no later than October 1, 2018 and the  
14 Navajo Division of Social Services, Department of Family Services, prepared key  
15 talking points to consider for the upcoming Tribal Consultation, attached as **Exhibit**  
16 **A**.

17  
18 NOW THEREFORE BE IT RESOLVED:

19 A. The Navajo Nation supports the Navajo Division of Social Services, Department of  
20 Family Services' Advocacy Paper regarding the Navajo Nation key points to the  
21 Family First Prevention Services Act, attached as **Exhibit A**.

22 B. The Navajo Nation authorizes the Navajo Nation President or his designee and the  
23 Navajo Nation Washington Office to advocate the Navajo Nation as presented in the  
24 Department of Family Services' Advocacy Paper.



*Department of  
Health & Human  
Services  
Tribal Consultation*

*Advocacy Papers*

SEPTEMBER 10, 2018

*Navajo Division of Social Services*





**Title:** Family First Prevention Services Act  
**CFDA Number:**  
**Funding Agency:** Administration for Children and Families

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## DEPARTMENT OF FAMILY SERVICES

### BACKGROUND

The Family First Prevention Service Act (FFPSA) was enacted on February 9, 2018 as part of the Bipartisan Budget Act of 2018. FFPSA reauthorizes and amends Title IV-B, subparts 1 and 2; amends the Title IV-E foster care program to create new optional prevention funding under Title IV-E, places Title IV-E payment limits on child care institutions; and makes other changes. The Navajo Nation is a direct funded Title IV-E grantee via the Navajo Department of Family Services. Although the FFPSA appears to be positive federal action, it actually will have dramatic implications on the Navajo Nation's compliance with the federal legislation.

The FFPSA provides funding for three types of prevention services – mental health and substance abuse treatment programs, kinship navigator services, and in-home skills-based services, but only if the services have been determined to be evidence-based practices (*EBP*) – promising, supported or well-supported. The requirement is that 50% of the prevention services be well supported. By September 30, 2018, U.S. Department of Health & Human Services is supposed to issue a listing of promising, supported, and well-supported EBP in a clearinghouse.

There are unique tribal provisions in the law which recognize that tribes may face some special issues if a tribe decides to implement the Act. How these provisions are implemented will be critical in determining the extent to which the Navajo Nation can make use of the FFPSA. The following are key talking points to consider for the upcoming Tribal Consultation.

### *Cultural Adaptation:*

**Talking Point #1:** The law as written requires EBP, practices, and services as part of the financial reimbursement structure. The scientific rigor and clinical studies (*also known as clinical trials*) required for a treatment approach or assessment tool to be designated as “evidence-based” are not realistic with the small population size of tribal communities.

EBP programs developed without a tribal focus can be implemented with fidelity in tribal communities, but most often, implementers must adapt utilizing models such as the evidence-based practice model. Typical EBP research designs often do not account for differences in culture and context found across underserved populations. The most effective prevention programs are those developed by tribal communities and likely will not be included in the Clearinghouse of Evidence-Based Practices (EBPs) that will be established by HHS.

**Federal Register text (page 29122):** *FFPSA requires an independent systematic review of evidence to designate programs and services as “promising,” “supported,” and “well supported” practices.*

**Talking Point #2:** Clarify the definition and principals of the “independent systematic review”; the review process should adhere to the principal standard of the U.S. Department of Health and Human

Services Office of Minority Health National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care (*National CLAS standards*) that states:

*Provide effective, equitable, understandable and respectful quality care and services that are responsive to diverse cultural health beliefs and practices, preferred languages, health literacy and other communication needs.*

**Talking Point #3:** Designation of programs and services as “promising,” “supported,” and “well supported” practices are heavily weighted toward providing proof of scientific rigor of a study designed for two levels of practices (*Supported and Well-Supported Practices*) through the use of randomized controlled trials or a rigorous quasi-experimental research design. This includes reliance on the use of control groups (*comparing those who receive certain treatment to those who do not*), and the use of conventional standards of statistical significance as part of the determination of effectiveness. The FFPSA law is very specific on these requirements and the different levels (*promising, supported and well-supported practices*). It is important to note that the FFPSA requires that at least 50% of the FFPSA funding for prevention services and programs be for well-supported practices.

There is a generally-applicable provision in FFPSA that the Secretary may waive the strict scientific requirements for determining that a practice is well-supported. If the Secretary finds the evidence of the effectiveness of a given practice to be compelling, and the tribe has a plan for continually monitoring fidelity to the practice model and evaluating outcomes to refine and improve services. Clarify this process.

**Talking Point #4:** The study and evaluation of the effectiveness of culture-centered practices can pose unique challenges. Researchers often discover that they cannot conduct randomized controlled trials (RCTs) or rigorous quasi-experimental designs (QEDs) for small, but high priority, populations like AI/AN for pragmatic, cultural, and ethical reasons. In addition, the type of evidence required by registries or clearinghouses of evidence-based practices may not be compatible with culture-centered practices.

Challenges in building evidence for culture-based practices include small sample sizes, difficulty in identifying appropriate comparison groups, ethics of randomly assigning individuals for care in communities with high need and limited resources, and methodology that is incompatible with cultural values, beliefs, mores, and the traditions of local communities.

While RCTs and QEDs play important roles in establishing evidence, they represent only a sliver of the available information about practice effectiveness. Other approaches to evidence building is needed to fully explore the breadth of practices available to the widest range of populations.

Practitioners and researchers have been able to demonstrate the effectiveness of culture-centered practices by using different research methods and metrics. A practice-based evidence (*PBE*) approach uses research methods that quantify existing community practice outcomes and demonstrates the effectiveness of culture-centered practices using culturally syntonc research methods and metrics. In addition, a PBE approach can more clearly document the characteristics and treatment significance of cultural practices designed for underserved populations.

**Talking Point #5:** Implementation science has developed alongside of EBP registries, as researchers explored the challenges of implementing EBP, with fidelity to the practice and in the field (*in other words, on-the-ground in the community*). A major theme that emerged is implementing programs in the field is complex, especially when programs and practices are implemented in culturally diverse



communities. In some situations, programs can be implemented with fidelity, but most often, implementers must adapt the evidence-based practice.

PBE is designed to increase understanding of how practices work in real-world settings, and can be especially useful in underserved communities. PBE is part of the on-going efforts of practitioners and communities to implement programs in ways that best serve their populations, while also documenting fidelity, and changes, to programs. It is critical to be systematic and thoughtful about the selection and implementation of programs for tribal communities.

**Talking Point #6:** Policymaker concern about cost, ineffective treatments, and the opioid crisis have contributed to the continued emphasis on EBP and, more specifically, on EBPs that were developed from randomized controlled trials and quasi-experimental designs.

Research that relies on RCT and QED designs typically use assessment instruments that have been developed for mainstream populations and do not account for differences in culture and context found across underserved populations. It cannot be assumed that EBP will be effective in underserved tribal communities.

Public health and other community-based researchers have cautioned policymakers and funding agencies against a simplistic acceptance of the superiority of RCTs. For tribal practices, less rigor does not mean less effectiveness. Providing and evaluating services for an underserved population does not mean working without documentation of evidence. It means that in cases where RCTs and QEDs are impractical or not culturally appropriate, other methods of documenting effectiveness can be used to provide evidence for longstanding community practices and should be considered as culturally effective practices.

**Talking Point #7:** The goals of Participatory Action Research (PAR) and Community Based Participatory Research (CBPR) ensure that community members participate in the development, evaluation, and improvement of the programs and interventions that affect them. These strategies facilitate community ownership and engagement, which lead to improved insights into how to tailor practices for specific populations. PAR and CBPR is in alignment with tribal sovereignty and should be considered in ACF's evaluation and effectiveness of EBP for preventative services.

**Talking Point #8:** The complexity of field-based practice for tribal communities lends itself to participatory research strategies. The PBE approach to evidence-building emphasizes external validity based on community knowledge and longstanding cultural customs of why a particular intervention may or may not work.

A broad range of culturally appropriate research methods can be used to gain an understanding of program effectiveness with tribal populations. Some research methods used with underserved populations are ethnography, focus groups, structured and unstructured interviews, single group pre-test and post-test studies, analysis of extant epidemiological evidence, reviews of existing literature and research, document review, and historical analysis, which are not listed as viable research methods in the Act.

PBE is an example of how cultural practices for behavioral health interventions are discovered, adapted, monitored, and evaluated in real-world contexts. The PBE approach addresses the research-to-practice

challenge in real-world settings and recognizes the need for cultural context for meaningful practice improvement.

**Talking Point #9:** The scientific rigor required for the Navajo Nation to conduct its own research for the cultural adaptation of EBPs poses formidable challenges in research ethics. To effectively ensure high external validity, a thorough research methodology and adequate sample base approved by the Nation's Institutional Review Board (IRB) is needed. Often, the Nation's IRB is consciousness regarding human subject research, particularly in social science interventions. Often, such innervations have both direct and indirect implications on human subject's biopsychosocial functioning. While the intent is good, encouraging AI/AN to conduct research for federal compliance may increase the potential for harm to tribal members through the exposure of intervention/stimuli in randomized controlled trials and quasi-experimental designs. If the federal government is promoting human subject research, compensation to sample subjects should readily be available and accessible to tribal grantees.

In addition, DHHS needs to be cognizant of AI/AN IRB processes. The process for a research methodology to be approved by the Navajo's IRB can be timely, and thus could delay the implementation of FFPSA service provisions outlined by ACF timelines. DHHS needs to be cognizant of such systemic delays in their implementation timelines.

### ***Planning Grants***

**Talking Point #10:** Since the Fostering Connections legislation was passed in 2008, two-year planning grants have been provided to tribes who wish to pursue direct Title IV-E funding based upon a competitive grant process. Implementation of FFPSA on Navajo will be costly. Currently, HHS has not provided any information on availability of planning and/or implementation grants other than a Kinship Navigator Grant. Given the implications of FFPSA on all affected service systems, HHS should allow tribes the option to access funding for planning and implementation.

### ***Technical Assistance***

**Talking Point #11:** Technical assistance on manners regarding Title IV-B and Title IV-E from Regional ACF offices have been inconsistent and in some instances, ineffective. With the implementation of FFPSA, Regional ACF offices should be able to provide accurate and effective technical assistance in a timely manner. That is tribally specific because as the Nation has consistently made clear, tribes are not states. In addition, the Capacity Building Center for Tribes will be wrapping up its five-year contract with the Children's Bureau soon. What technical assistance will continue to be available to tribes, particularly if they are going to make effective use of the FFPSA legislation?

### ***Title IV-E AFDC Overview:***

Title IV-E permits the Nation to claim reimbursement for a portion of foster care expenditures for children who are removed from home and placed in foster care, and who are eligible based on the former pre-welfare reform Aid to Families with Dependent Children (AFDC), in effect July 16, 1996. The Nation spans across three states; each with its own pre-welfare reform AFDC standards rate. To date, the Nation determines Title IV-E eligibility based upon a child's state residence, and not upon Navajo's own AFDC standard. This presents concerns as Navajo children are treated unfairly due to their residence. A Navajo child who resides in one region of the Nation, may not be eligible for federal foster care entitlements in another region. This includes:



**Talking Point #1:** Navajo received guidance from ACF after inquiry of cross-state eligibility indicating: "...the IV-E Agency must use the AFDC rate, however the tribal Title IV-E Agency may determine the state in which a child resides in accordance with tribal law or policy." To date, the Navajo Nation still advocating for clarification of the above statement. If the Nation is referred to as a state, the Nation should be allowed to use one pre-welfare reform AFDC rate, rather than three, so entitlement funds are provided to Navajo children equally.

**Talking Point #2:** May a Title IV-E agency re-determine a child's AFDC eligibility after the child was determined to be eligible at time of removal? Example: When eligibility has already been determined in one state (*Arizona*), the new guardian takes the children to another state (*New Mexico*) and the children are removed again. Since the child was already determined eligible in one state, the tribe is told eligibility has to be re-determined using the state in which the child now lives using the guardian's income. Further, the removal is considered as an entirely new removal episode. Clarification is needed.

**Talking Point #3:** How should the Title IV-E agency determine financial need for AFDC program eligibility purposes when the child is removed from a specified relative other than a parent? Must the title IV-E agency consider the relative's income and resources? Again, we are required to consider the three states AFDC standards, demonstrating inequality of Navajo children and families.

**Talking Point #4:** If a child is removed from a specified relative who is the child's legal guardian, must the Title IV-E agency determine whether the child meets the AFDC criteria of deprivation based on the legal guardian or the parent? How would deprivation requirement be applied when movement from one to another is occurring. The specified relative may live in an entirely different state from the parent.

## Rachel T. Toledo

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**From:** Eric Gale  
**Sent:** Thursday, September 13, 2018 9:05 AM  
**To:** Rachel T. Toledo  
**Subject:** FW: NABI Meeting 9/6/2018

See below from Kandis...

**From:** Kandis Martine [mailto:kmartine@nndoj.org]  
**Sent:** Friday, September 7, 2018 11:10 AM  
**To:** Terrelene Massey <tmassey@navajo-nsn.gov>; Gladys Ambrose <gambrose@navajo-nsn.gov>; Eric Gale <egale@navajo-nsn.gov>  
**Cc:** Rachel T. Toledo <rtoledo@navajo-nsn.gov>  
**Subject:** RE: NABI Meeting 9/6/2018

Good Morning,

In regards to any Navajo Nation Policy Statements, only the Nabi Committee can authorize the issuance of such statements. That is why all policy statements have to go through committees and why I previously recommend the Family First comments be finalized in mid-August, so there would be enough time to go through the committees. As it is, written comments are due on September 28<sup>th</sup>, which is less than three weeks away. I doubt this can be done on time. DOJ has no authority to authorize the issuance of such statements.

Continue to try to get these through the process to them done by the 28<sup>th</sup>. Sorry, I have no other suggestions.

Kandis

**From:** Terrelene Massey [mailto:tmassey@navajo-nsn.gov]  
**Sent:** Friday, September 7, 2018 11:03 AM  
**To:** Gladys Ambrose <gambrose@navajo-nsn.gov>; Eric Gale <egale@navajo-nsn.gov>  
**Cc:** Kandis Martine <kmartine@nndoj.org>; Rachel T. Toledo <rtoledo@navajo-nsn.gov>  
**Subject:** RE: NABI Meeting 9/6/2018

Good morning Gladys and Eric:

First, thank you for attending the Nabi meeting Eric. Sounds like a long night.

Second, these papers were already submitted to ACF for the Navajo Regional Tribal Consultation and the online submission. I had authorization to provide that already. There are no changes with these papers so I think we can refer to those submission.

Third, the Family First may be the only one that is pending. I was out last week, but were you able to start the 164 process for that? My recommendation is that we get approval to submit these, as they are due today for the tribal consultation. I am copying Kandis to provide that authorization.

Last, an update, it appears that President Begaye will not be attending the consultation. I am inquiring with NNWO if there is anyone else. President Begaye is also designating me, as I will already be in DC for other ACF meetings.

Thanks,

Terrelene

**From:** Gladys Ambrose

**Sent:** Friday, September 7, 2018 10:42 AM

**To:** Eric Gale <[egale@navajo-nsn.gov](mailto:egale@navajo-nsn.gov)>; Terrelene Massey <[tmassey@navajo-nsn.gov](mailto:tmassey@navajo-nsn.gov)>

**Subject:** RE: NABI Meeting 9/6/2018

Thank you for the update, I will consult with Mrs. Massey as to what this means for the consultation meeting.

Good Day; Gladys

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**From:** Eric Gale

**Sent:** Thursday, September 6, 2018 8:21 PM

**To:** Terrelene Massey; Gladys Ambrose

**Subject:** Fwd: NABI Meeting 9/6/2018

NABI never got the AFCARS position paper and June Tribal Consultation report. They debated two separate topics for seven hours and lost quorum at 8:05 p.

Sent from my iPhone

Begin forwarded message:

**From:** "Rebecca. Healing" <[rhealing@navajo-nsn.gov](mailto:rhealing@navajo-nsn.gov)>

**Date:** September 6, 2018 at 12:57:56 PM MDT

**To:** Eric Gale <[egale@navajo-nsn.gov](mailto:egale@navajo-nsn.gov)>

**Subject:** RE: NABI Meeting 9/6/2018

Most likely they will need someone from our office because it pertains to AFCARS in case there are questions. But up to you.

-----Original Message-----

From: Eric Gale

Sent: Thursday, September 06, 2018 12:46 PM

To: Rebecca. Healing

Subject: Re: NABI Meeting 9/6/2018

Ok. Let me if I'm needed. The Verizon reception is horrible here, barely getting this now

Sent from my iPhone

On Sep 6, 2018, at 10:11 AM, Rebecca. Healing <[rhealing@navajo-nsn.gov](mailto:rhealing@navajo-nsn.gov)> wrote:

FYI, you may need to attend for AFCARS legislation today



From: Rachel T. Toledo

Sent: Thursday, September 06, 2018 9:52 AM

To: Gladys Ambrose; George Tallman; Rebecca. Healing; Laura Mike; Nicolette Begay; Emma Hannah

Cc: Terrelene Massey; Virgil Pablo; Brenda Tsosie; Vernon L. Livingston; Francine Roanhorse

Subject: NABI Meeting 9/6/2018

Good morning,

NABI is having a meeting today at 10:00am at the Navajo Nation Council Chambers, there are two items pertaining to NDSS on the agenda. See attachment for details.

Thank you,

Rachel Toledo

Division of Social Services

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Window Rock, Arizona 86515

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P Please consider the environment before printing this email.

<06SEP2018\_NABI\_Reg\_Mtg\_Agenda\_PROPOSED.pdf>

Document No. 011108

Date Issued: 09/11/2018

### EXECUTIVE OFFICIAL REVIEW

Title of Document: FFPSA Tribal Consul Position Paper Contact Name: AMBROSE, GLADYS

Program/Division: DIVISION OF SOCIAL SERVICES

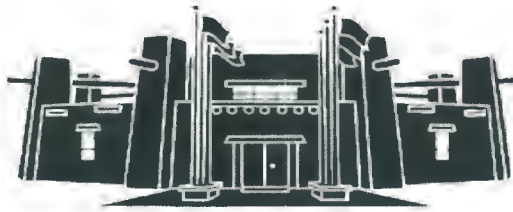
Email: gambrose@navajo-nsn.gov

Phone Number: 928.871.6556

| <input type="checkbox"/> |  |       |             | Sufficient               | Insufficient             |
|--------------------------|--|-------|-------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <b>Business Site Lease</b>   |       |             |                          |                          |
|                          | 1. Division:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 2. Office of the Controller:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | (only if Procurement Clearance is not issued within 30 days of the Initiation of the E.O. review)  |       |             |                          |                          |
|                          | 3. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <b>Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions</b>   |       |             |                          |                          |
|                          | 1. Division:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 2. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <b>Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications</b>  |       |             |                          |                          |
|                          | 1. Office of Management and Budget:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 2. Office of the Controller:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 3. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <b>Navajo Housing Authority Request for Release of Funds</b>   |       |             |                          |                          |
|                          | 1. NNEPA:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 2. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <b>Lease Purchase Agreements</b>   |       |             |                          |                          |
|                          | 1. Office of the Controller:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | (recommendation only)  |       |             |                          |                          |
|                          | 2. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <b>Grant Applications</b>  |       |             |                          |                          |
|                          | 1. Office of Management and Budget:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 2. Office of the Controller:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 3. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <b>Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval</b> |       |             |                          |                          |
|                          | 1. Division:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 2. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <b>Relinquishment of Navajo Membership</b>   |       |             |                          |                          |
|                          | 1. Land Department:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 2. Elections:  | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
|                          | 3. Office of the Attorney General:   | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

|                                    |   |                      | Sufficient                          | Insufficient             |
|------------------------------------|---|----------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/>           | <b>Land Withdrawal or Relinquishment for Commercial Purposes</b>  |                      |                                     |                          |
| 1. Division:                       | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. Office of the Attorney General: | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| <input type="checkbox"/>           | <b>Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases</b>                                      |                      |                                     |                          |
| 1. NLD                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. F&W                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 3. HPD                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 4. Minerals                        | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 5. NNEPA                           | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. DNR                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 7. DOJ                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| <input type="checkbox"/>           | <b>Rights of Way</b>  |                      |                                     |                          |
| 1. NLD                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. F&W                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 3. HPD                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 4. Minerals                        | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 5. NNEPA                           | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. Office of the Attorney General: | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 7. OPVP                            | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| <input type="checkbox"/>           | <b>Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease</b>                             |                      |                                     |                          |
| 1. Minerals                        | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. OPVP                            | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 3. NLD                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| <input type="checkbox"/>           | <b>Assignment of Mineral Lease</b>  |                      |                                     |                          |
| 1. Minerals                        | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. DNR                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 3. DOJ                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| <input type="checkbox"/>           | <b>ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)</b> |                      |                                     |                          |
| 1. NLD                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. F&W                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 3. HPD                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 4. Minerals                        | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 5. NNEPA                           | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. DNR                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 7. DOJ                             | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 8. OPVP                            | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| <input type="checkbox"/>           | <b>OTHER:</b>   |                      |                                     |                          |
| 1.                                 | Division of Social Services <i>Ynrike form</i>  | Date: <i>9/11/18</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2.                                 | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 3.                                 | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 4.                                 | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |
| 5.                                 | _____   | Date: _____          | <input type="checkbox"/>            | <input type="checkbox"/> |





## MEMORANDUM

**TO:** Hon. Amber Crotty  
23<sup>rd</sup> Navajo Nation Council

**FROM:**   
Levon B. Henry, Chief Legislative Counsel  
Office of Legislative Counsel

**DATE:** September 13, 2018

**SUBJECT:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; SUPPORTING NAVAJO DIVISION OF SOCIAL SERVICES POSITION RELATING TO FAMILY FIRST PREVENTION SERVICES ACT AND COMMENTS TO U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law and review of the documents submitted, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

The Office of Legislative Council confirms the appropriate standing committees' reviews are based on the legislative powers outlined in 2 N.N.C. §§ 400 and 700. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. § 164(A)(5).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0306-18\_\_\_\_\_

SPONSOR: Amber Crotty

**TITLE: An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; Supporting Navajo Division of Social Services position relating to Family First Prevention Services Act and Comments to U.S. Department of Health and Human Services**

**Date posted: September 17, 2018 at 9:51am**

**Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)**

**Written comments may be mailed to:**

**Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590**

**Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.**

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0306-18**

**SPONSOR: Honorable Amber Crotty**

**TITLE: An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; Supporting Navajo Division of Social Services position relating to Family First Prevention Services Act and Comments to U.S. Department of Health and Human Services**

**Posted: September 17, 2018 at 9:51am**

**5 DAY Comment Period Ended: September 22, 2018**

**Digital Comments received:**

|                              |             |
|------------------------------|-------------|
| <b>Comments Supporting</b>   | <i>None</i> |
| <b>Comments Opposing</b>     | <i>None</i> |
| <b>Inconclusive Comments</b> | <i>None</i> |

  
\_\_\_\_\_  
**Legislative Secretary II  
Office of Legislative Services**

9/23/2018 1:20pm  
\_\_\_\_\_  
**Date/Time**



Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO  
NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0306-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, AND  
NAABIK' IYATI' COMMITTEES; SUPPORTING NAVAJO DIVISION OF SOCIAL SERVICES  
POSITION RELATING TO FAMILY FIRST PREVENTION SERVICES ACT AND COMMENTS  
TO U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

*(Note: Eligible for Committee Action September 23, 2018)*

*Sponsor: Honorable Amber Kanazbah Crotty*

Has had under consideration and report the same with the recommendation  
that Legislation 0306-18 PASS with no Amendment and no Directive; and  
therefore referred the same to the NAABIK' IYATI' COMMITTEE OF THE NAVAJO  
NATION COUNCIL

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Jonathan L. Hale", is written over a horizontal line.

Jonathan L. Hale, Chairperson  
Health, Education and Human Services Committee

**September 24, 2018 - Main Motion**

Motion by: Honorable Amber Kanazbah Crotty

Seconded by: Honorable Nathaniel Brown

Vote: 3 in favor; 0 Opposed; Chairperson Not Voting

Yeas: Amber Kanazbah Crotty; Nathaniel Brown; Nelson Begay

Nays: None

Absent (excused): Norman M. Begay; Steven Begay

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
Regular Meeting  
September 24, 2018

Roll Call  
Vote Tally Sheet

LEGISLATION NO. 0306-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, AND  
NAABIK'IYATI' COMMITTEES; SUPPORTING NAVAJO DIVISION OF SOCIAL SERVICES  
POSITION RELATING TO FAMILY FIRST PREVENTION SERVICES ACT AND COMMENTS  
TO U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

*(Note: Eligible for Committee Action September 23, 2018)*

**Sponsor: Honorable Amber Kanazbah Crotty**

**September 24, 2018 - Main Motion**

Motion by: Honorable Amber Kanazbah Crotty

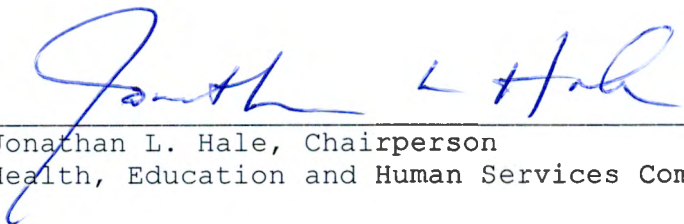
Seconded by: Honorable Nathaniel Brown

Vote: 3 in favor; 0 Opposed; Chairperson Not Voting

Yeas: Amber Kanazbah Crotty; Nathaniel Brown; Nelson Begay

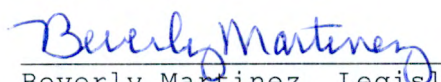
Nays: None

Absent (excused): Norman M. Begay; Steven Begay



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Jonathan L. Hale, Chairperson  
Health, Education and Human Services Committee



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Beverly Martinez, Legislative Advisor  
Health, Education and Human Services Committee