

THE MINNESOTA CHIPPEWA TRIBE

ORDINANCE NO. 18

CHAPTER I – PURPOSE

Section 101. This Ordinance is designed to set standards for Out-patient programs located on The Minnesota Chippewa Tribe Reservations. This Ordinance will also mandate high standards with emphasis on quality care and treatment and will set minimum standards of care and treatment for an individual receiving outpatient treatment. The purpose of this Ordinance is NOT to dictate program operation and administration, but to allow leeway for programs to be administered and operated by the governing boards of the Treatment Facilities while insuring the health and safety of the residents.

CHAPTER II – DEFINITIONS

Section 202. Licensing Committee – The Minnesota Chippewa Tribe Education/Human Services Subcommittee.

Section 203. Director – The Director of the Human Services Division of The Minnesota Chippewa Tribe.

Section 204. Chemically Dependent Person – Any person incapable of managing themselves or their affairs or unable to function physically or mentally in an effective manner because of psychological and physiological dependency.

Section 205. License – The certificate issued by the Licensing Committee of The Minnesota Chippewa Tribe that conforms to compliance with this Ordinance and authorizes the applicant to operate and Out-patient Treatment Program.

Section 206. Program Director – The staff member responsible for planning and implementing all aspects of the program. The individual may delegate specific functions to other staff but this person shall be held accountable for insuring compliance with this Ordinance.

Section 207. Tribe – refers to The Minnesota Chippewa Tribe.

Section 208. Client – Any person using the services of an outpatient treatment program.

CHAPTER III – LICENSURE

Section 301. Every Treatment Program must have a current and valid license or provisional license to operate on a reservation of the Tribe. The License shall describe the location of the program and facility.

Section 302. Every Treatment Program must apply to the Licensing Committee within 90 days of the effective date of this Ordinance and comply with the provisions of the Ordinance to obtain and maintain a license. Application for renewal of license shall be made each year 45 days prior to the date of expiration. Application and re-application shall be made on forms furnished by the Human Services Division of the Tribe.

Section 303. A license shall be valid for one (1) year after the date of issuance. A license may not be transferred from one program or location to another.

Section 304. Every applicant will be furnished a copy of this Ordinance.

Section 305. If the Licensing Committee determines that the applicant or license holder is not complying with the provisions of this Ordinance or that the best interest of the community and public is not served by granting or continuing the license, the license may be denied, revoked, or not renewed after written notice to the applicant or license holder.

Section 306. There shall be a review team appointed by the Licensing Committee consisting of one Licensing Committee member and the Human Services Director who shall review the application, make the appropriate inquires and make recommendations (to issue or deny the license to the Licensing Committee).

Section 307. Prior to the issuance of a license or provisional license, the following steps must be completed:

1. The geographic location of the program must be approved by the Licensing Committee. If the same type of out-patient treatment center is applying for the issuance of a license where there is the same type of program in existence, supportive data shall be submitted along with the application for licensing to justify the need for the additional program in the location in question. A letter of recommendation from the Reservation Business Committee must be presented to the Licensing Committee supporting the need for the same type of program on the reservation in question.
2. A completed application for the license shall be submitted to the Licensing Committee.
3. An annual license fee of \$200.00 shall be paid to the Licensing Committee.

Section 308. Licensing policies and procedures shall be available to the public by request to the Human Service Division, and/or the licensing Committee.

Section 309. A specific regulation may be waived temporarily or permanently with the approval of the Licensing Committee, provided that the health and safety of the residents is assured.

Section 310. No resident shall be discriminated against in relation to admissions, termination, or treatment on the basis of race, creed, color, sex, national origin or religion.

CHAPTER IV – MINIMUM STANDARDS FOR THE ISSUANCE OF A LICENSE

Section 401. Governing Board or Advisory Board – Every Outpatient Program shall have a Board of Directors, a Board of Trustees and/or an Advisory Board. Every such body, and its composition shall be on record at the Human Services Division Office of the Tribe.

Section 402. Director and/or Administrator – Every Outpatient Program shall have a Director who shall be responsible and accountable for meeting the requirements of this Ordinance.

Section 403. Administration and Management – Every Outpatient Program shall submit administrative and management information to the Licensing Committee. Along with the application for licensure, information should include:

1. Admission Procedures and Requirements.
2. Required information to be kept in the client's confidential record. This includes description of out patient plans, medical requirements and a statement of confidentiality.
3. Program plan, including a statement of purpose, and a description of treatment services involved, (i.e., family counseling, psychiatric, education assistance, employment assistance, etc.).

4. Description of provision for emergency medical and/or psychiatric care.
5. Written documentation of insurance coverage in an amount sufficient to protect the interests of the clients and the staff.
6. A description of the methods by which the legal, civil, and human rights of the residents will be protected. This shall include the procedures for handling complaints.

CHAPTER V – EXPLANATION OF PROGRAM

Section 501. All outpatient facilities shall at times of admission clearly explain their program and policies to those applying or being considered for treatment.

CHAPTER VI – CONFIDENTIALITY

Section 601. Information regarding a client shall not be released to any person or agency unless the client has consented in writing to release such information. All records concerning clients shall be kept confidential. Only current staff members of the outpatient program shall have access to said records without written consent of the client.

We do hereby certify that the foregoing Ordinance was duly presented and acted upon by a vote of 8 For, 0 Against, 0 Silent, at a Special Meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum present, held on November 25, 1986 at Duluth, Minnesota.

Darrell Wadena, President
THE MINNESOTA CHIPPEWA TRIBE

Alfred Pemberton, Acting Secretary
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