

RESOLUTION

WHEREAS, it is the recommendation of the Health & Human Services and Law & Justice Committee to approve re-defining of word "Agency" that is defined in the Elder Abuse Code. "Agency" shall mean "Social Services" instead of Area Agency on Aging". This change will also coincide with the Working Agreement between the Confederated Tribes of the Colville Reservation Health & Human Services Department Social Services - Adult Protection Services and Washington State Region 1 HCA/Adult Protective Services. (Resolution 2018-439 July 18, 2018). Chairman or designee to sign all pertinent documents.

THEREFORE, BE IT RESOLVED, that we, the Colville Business Council, meeting in a **SPECIAL SESSION** this **6th day of February, 2020** acting for and in behalf of the Colville Confederated Tribes, Nespelem Washington, do hereby approve the above recommendation of the Health & Human Services And Law & Justice Committee.

The foregoing was duly enacted by the Colville Business Council by a vote of **7 FOR 0 AGAINST 0 ABSTAINED**, under authority contained in Article V, Section 1(a) of the Constitution of the Confederated Tribes of the Colville Reservation, ratified by the Colville Indians February 26, 1938, and approved by the Commissioner of Indian Affairs on April 19, 1938.

ATTEST:



Rodney Cawston, Chairman
Colville Business Council

cc: Janet Nicholson, HHS Committee Chair
 Richard Swan Sr., L&J Committee Chair
 Derek Palmanteer, HHS Committee Secretary
 Deanna James, L&J Committee Secretary
 Francis Somday, Executive Director
 William Nicholson II, Chief Financial Officer
 Dept. or Program: Kathy Picard, Social Services



Confederated Tribes of the Colville Reservation

Nespelem, Washington

TO: COLVILLE BUSINESS COUNCIL DATE: 12/12/19

FROM: Social Services

SUBJECT: Temp Revision of defining agency

Initiated By: Kathy Picard; Program Manager Program: Social Services

Committee Recommendations: Whereas, it is the recommendation of the Health & Human Services and Law & Justice Committee to approve re-defining of word "Agency" that is defined in the Elder Abuse Code. "Agency" shall mean "Social Services" instead of "Area Agency on Aging". This change will also coincide with the Working Agreement between the Confederated Tribes of the Colville Reservation Health & Human Services Department Social Services – Adult Protection Services and Washington State Region 1 HCS/Adult Protective Services. (Resolution 2018-439 July 18, 2018). Chairman or designee to sign all pertinent documents.

COMMITTEE MEMBERS

VOTE CAST
(YES) (NO)

COMMITTEE MEMBERS

VOTE CAST
(YES) (NO)

Jant Wak Wak Nichols
Nouma Sanchez
William M...
Jack Ferguson
[Signature]

X
X
X
X
X
X

[Signature]
[Signature]

X
X

Business Council Actions:

Seconded by:

7 FOR _____

Signed:

0 NAY _____

Signed:

0 ABSTAINED _____

NW
Jant Wak Wak Nichols
Committee Chairperson

Jack Ferguson
CBC Chairperson

Date Enacted: 2/16/20

Amendments: _____

Emergency (10 Affirmative Signatures) Rationale: 10

RESOLUTION

WHEREAS, it is the recommendation of the Management & Budget and Health & Human Services Committee to approve the attached Working Agreement between the CCT HHS Social Services Program - Adult Protective Services and Washington State DSHS Region 1 HCS/Adult Protective Services. Chairman or designee to sign all pertinent documents.

THEREFORE, BE IT RESOLVED, that we, the Colville Business Council, meeting in a **SPECIAL SESSION** this 19th day of July, 2018 acting for and in behalf of the Colville Confederated Tribes, Nespelém Washington, do hereby approve the above recommendation of the Management & Budget And Health & Human Services Committee.

The foregoing was duly enacted by the Colville Business Council by a vote of **12 FOR 0 AGAINST 0 ABSTAINED**, under authority contained in Article V, Section 1(a) of the Constitution of the Confederated Tribes of the Colville Reservation, ratified by the Colville Indians February 26, 1938, and approved by the Commissioner of Indian Affairs on April 19, 1938.

ATTEST:



Rodney Cawston, Chairman
Colville Business Council

cc: Jack Ferguson, M&B Committee Chair
 Andy Joseph Jr., HHS Committee Chair
 Naomi Yazzie, M&B Committee Secretary
 Rhandi Morin, HHS Committee Secretary
 Debra Wulff, Interim Executive Director
 William Nicholson II, Chief Financial Officer
 Dept. or Program: Marie James, Social Services



CHAPTER 5-4 ABUSE OF ELDERS AND VULNERABLE ADULTS

GENERAL PROVISIONS

5-4-1 Definitions

Unless the context clearly requires otherwise, the definitions in this section apply throughout this Chapter.

- (a) "Abandonment" means action or inaction by a person or entity with a duty of care for an elder or a vulnerable adult that leaves the elder or vulnerable person without the means or ability to obtain essential services.
- (b) "Abuse" means a nonaccidental act of physical or mental mistreatment or injury, or sexual mistreatment, which harms a person through action or inaction by another individual.
- (c) "Agency" means the Colville Confederated Tribes Area Agency on Aging.
- (d) "Consent" means express written consent granted after the person has been fully informed of the nature of the services to be offered and that the receipt of services is voluntary.
- (e) "Director" means the director or administrator of the Colville Confederated Tribes Area Agency on Aging.
- (f) "Elder" means any person who is sixty (60) years of age or older.
- (g) "Essential Services" means those services or things necessary to sustain a person's life, physical and mental health, and general well being, such as adequate food, clothing shelter, and health care. It may include service or items considered essential under the person's customs, tradition or religion, including but not limited to, access to traditional foods and access to religious ceremonies or services.
- (h) "Exploitation" means the illegal or improper use of an elder or vulnerable adult or that person's income or resources, including trust funds, for another person's profit or advantage. Exploitation includes the unreasonable imposition on the elder's time resources, such as leaving children or other persons in the care of the elder or vulnerable adult for extended periods or under circumstances in which the elder or vulnerable adult cannot adequately care for such children or other persons.
- (i) "Neglect" means a pattern of conduct or inaction by a person or entity with a duty of care for an elder or vulnerable adult that results in the deprivation of essential services to the elder or vulnerable person.
- (j) "Vulnerable adult" means a person eighteen (18) years of age or older who has the functional, mental, or physical inability to care for himself. "Vulnerable adult" shall include:
 - (1) Persons found incapacitated or adult persons who are otherwise eligible for the appointment of a guardian under this Code;
 - (2) A person who has a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the Director to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to the individual. The Agency shall adopt criteria which define neurological or other conditions under this Subpart in a way that is not limited to intelligence quotient scores as the sole determinant of these conditions and notify the Business Council upon such adoption; or
 - (3) Persons admitted to any long-term care facility or receiving services from home health, hospice, or home care agencies located or operating on the Colville Reservation.