

**GOVERNMENT-TO-GOVERNMENT  
2017 ACTIVITY REPORT**

**DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

**Key Contacts:**

Jean Straight, Acting Director  
350 Winter St. NE  
Salem, OR 97301

503-947-7872 (telephone)  
503-378-6444 (fax)  
[jean.m.straight@oregon.gov](mailto:jean.m.straight@oregon.gov)

Ruth Kemmy  
Multicultural Communications Manager

503-947-7513 (telephone)  
[ruth.m.kemmy@oregon.gov](mailto:ruth.m.kemmy@oregon.gov)

**PROGRAMS AND SERVICES:**

The Department of Consumer and Business Services' (DCBS) mission is to protect and serve Oregon's consumers and workers while supporting a positive business climate in the state.

DCBS is Oregon's largest business regulatory and consumer protection agency. The department administers state laws and rules to protect consumers and workers and support a positive business climate in the areas of workers' compensation, occupational safety and health, financial services, insurance, and building codes.

Our goals:

Protect consumers and workers in Oregon.

Regulate in a manner that supports a positive business climate.

Be accountable to the public we serve, with excellent service to our customers.

**DEPARTMENTAL STATEMENT:**

The Department of Consumer and Business Services promotes positive relationships between the department and the tribes. Although few DCBS regulatory programs affect the tribes because of their sovereign status, there are occasions when the tribes choose to receive services. In addition, the department often provides education and outreach to the tribes on issues such as homeownership, workplace safety and health, and Medicare. DCBS has an agencywide policy that promotes such communication.

## **A. BUILDING CODES DIVISION (BCD)**

### **1. Issue Name:**

Building department services

#### **Issue Description:**

The Confederated Tribes of Umatilla Indian Reservation requested that the division provide building department services for all projects on tribal land.

#### **Action Taken:**

The division entered into an intergovernmental agreement (IGA) with the Confederated Tribes of Umatilla Indian Reservation in February 2014, and is providing building department services through its Pendleton field office. Terms of the current IGA provide for the division to continue services through 2017.

#### **Actions Planned:**

The division will continue to provide building department services as requested by the tribes.

### **2. Issue Name:**

Boiler inspection services

#### **Issue Description:**

Occasionally, a tribe will request an inspection or consultation regarding boiler equipment located and operated on tribal land.

#### **Action Taken:**

The division provides consultation and inspection services through the boiler program as requests are received.

#### **Actions Planned:**

The division will continue to provide boiler-related services as requested by the tribes.

## **B. DIVISION OF FINANCIAL REGULATION (DFR)**

### **1. Issue Name:**

Health insurance education and outreach

#### **Issue Description:**

The Patient Protection and Affordable Care Act of 2010, allows federally recognized tribes to use federal and state-based exchanges to purchase health insurance for their members. All federal financial aid to tribes comes through state-based exchanges rather than local tribal health centers. This is a significant change from previous years, as tribes have not historically relied upon the state for assistance with insurance issues.

#### **Actions Taken:**

- On April 12, 2017, the division's consumer and tribal liaison, Kevin Jeffries, attended the Health and Human Services Region 10 Tribal Consultation event in Suquamish, Wash. This event is coordinated by the HHS Office of Intergovernmental and External Affairs (IEA). This office serves as the focal point for consultations with tribal governments on policy, regulatory, and legislative issues that have a significant direct effect on tribal governments and tribal organizations. We attend to show support for the tribes and to better understand the regulatory and social/medical needs of the tribes. Oregon tribes in attendance were Warm Springs, Burns Paiute, and Umatilla.
- On May 17, 2017, in order to remain updated on regional tribal health issues, Jeffries participated in the HHS Region Ten Tribal phone call. HHS and the tribes updated each other on outstanding issues discussed during the April 12 meeting.
- Jeffries attended the Aug. 23, 2017, OHA Tribal Health Cluster (Senate Bill 770) meetings in Chiloquin. At this meeting, he spoke to tribal members about the division's consumer advocacy services and promoted the community partnership campaign, seeking local contacts to help disseminate the division's consumer advocacy message. He also discussed how prescription drug benefits have changed to help with disaster preparedness. For example, aligning pickup days for all prescriptions, as well as access to 90-day supply.

**Actions Planned:**

The division will continue to attend the HHS tribal consultation meetings and continue to build relationships of trust with Oregon tribal leaders. The division will also continue to explore customer service opportunities in tribal communities.

**2. Issue Name:**

Financial fraud and identity theft prevention

**Issue Description:**

Tribal members are not immune to fraud and identity theft. Unlike more urban communities, rural tribal communities around the state have only recently had access to technologies and Internet services. As a result, these communities are not as prepared to address fraud and scams introduced through phones and the Internet.

**Actions Taken:**

On July 7, Kevin Jeffries led a class on scam prevention and ID protection with the Burns Paiute Tribe.

On July 21, Kevin Jeffries led a class on scam prevention and ID protection with the Confederated Tribes of Warm Springs.

**Action Planned:**

Jeffries has initiated conversations with the Confederated Tribes of the Umatilla Indian Reservation, Coquille Indian Tribe, Klamath Tribe, and the Confederated Tribes of Grand Ronde to lead classes on ID protection and scam prevention in 2018. It is our hope to provide this training to all nine tribal communities by the end of 2018.

- 3. Issue Name:**  
Insurance Literacy, Financial Resiliency

**Issue Description:**

2017 was a year full of natural disasters. The winter storms and summer wildfires affected many tribal communities. These sorts of insurance claims can be confusing.

**Action Taken:**

On Oct. 6, Kevin Jeffries led a class on insurance for natural disasters to the Burn Paiute Tribe. Jeffries also explained how DFR's consumer advocacy services work and encouraged tribal members to contact us if they have any questions or insurance complaints.

**Actions Planned:**

The division will continue to seek opportunities to provide information and advocacy services to Oregon's tribal governments and members. It is our hope to provide this training to all nine tribal communities by the end of 2018.

- 4. Issue Name:**  
Legislative Commission on Indian Affairs training

**Issue Description:**

SB 770 directs state agencies to conduct regular training events to help agencies interact with the tribes in order to meet federal consultation requirements outlined in the American Recovery and Reinvestment Act of 2009 (ARRA).

**Action Taken:**

Brian Fordham, the division's consumer advocacy and education manager, attended the LCIS Fall Gathering & Training and the 18th annual State Tribal Summit held Nov. 1-2, 2017, in Lincoln City.

**Actions Planned:**

The division will continue to seek opportunities for further training for those who regularly interact with tribal members and tribal governments.

- 5. Issue Name:**  
Consumer education about home buying

**Issue Description:**

Oregon's tribal communities continue to seek information for their members on such topics as home buying, particularly first-time and low- to moderate-income home buyers who may be considering obtaining non-prime or alternative mortgage home loans.

**Actions Taken:**

DFR staff provides a variety of fraud prevention, predatory lending prevention, financial education, establishing and maintaining credit, banking, financial coaching, and consumer protection information in general.

Consumer Information Specialist Fernando Velez attended the Native American Youth Association's (NAYA) 12th annual Housing to Homeownership fair on Oct. 14, 2017. He distributed information to approximately 175 attendees.

**Actions Planned:**

DFR staff will continue to participate in the annual NAYA homebuying fairs.

**C. OCCUPATIONAL SAFETY AND HEALTH DIVISION (Oregon OSHA)**

**1. Issue Name:**

Occupational safety and health

**Issue Description:**

Tribal lands, including reservations and trust lands, pose a unique jurisdictional situation with regard to occupational safety and health regulations. Federal OSHA has jurisdiction over tribal governments and tribal enterprises, as well as private-sector businesses performing work on tribal and trust lands. Federal OSHA requires states to maintain jurisdiction over public-sector employers performing work on tribal lands. Because federal and state occupational safety and health standards are nearly identical, this separation of authority has caused little or no confusion for affected employers and employees. Oregon OSHA maintains a close working relationship with federal OSHA so either agency can help employers and employees and direct them to the appropriate resources.

**2. Issue Name:**

Occupational safety and health education, consultation, and the Resource Center

**Issue Description:**

Although Oregon OSHA does not have regulatory jurisdiction over tribal governments and enterprises, the division makes education, consultation, and Resource Center services available to these entities at no cost.

**Actions Taken:**

Oregon OSHA provides safety and health outreach services to the nine tribes in Oregon by offering, upon request, consultations, conferences, workshops, training, and education. For the period Oct. 1, 2016, through Sept. 30, 2017, the following services were provided to members of the Oregon tribes:

**Training Courses:**

- Twenty-four tribal members completed Oregon OSHA online training courses.

**Consultations:**

- One of the tribes sought out a consultation during federal fiscal year 2017.

### **Resource Center:**

- The Resource Center received four requests for videos from tribal members.

### **Safety and Health Conferences:**

Oregon OSHA co-sponsored several safety and health conferences this year in Ashland, Bend, Pendleton, Eugene, and Portland. Tribal organizations attended workplace safety and health conferences as follows:

- Seven Feathers Casino Resort (Cow Creek Band of Umpqua Tribe of Indians – 7 people)
- Confederated Tribes of the Umatilla Indian Reservation (Wildhorse Resort & Casino – 3 people)
- Confederated Tribes of Warm Springs (17 people)

### **Actions Planned:**

Oregon OSHA will continue to provide consultations, education, and Resource Center services upon request. Oregon OSHA is available to make presentations to tribal entities or associations on safety or health topics, as well as the occupational safety and health services available to them.

## **D. Oregon Health Insurance Marketplace (OHIM) and Senior Health Insurance Benefits Assistance (SHIBA)**

### **1. Issue Name:**

Education, training, and enrollment help for insurance coverage specializing in Qualified Health Plans (QHP) and Medicare.

### **Issue Description:**

Health coverage education and training of tribal elders and Indian Health Services (IHS) staff with the nine federally recognized Oregon tribes:

- Burns Paiute Tribe
- Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians of Oregon
- Confederated Tribes of Grande Ronde
- Confederated Tribes of Siletz Indians
- Confederated Tribes of Umatilla Indian Reservation
- Confederated Tribes of Warm Springs
- Coquille Indian Tribe
- Cow Creek Band of Umpqua Tribe of Indians
- Klamath Tribes

### **Actions Taken:**

- Rob Smith and Marina Cassandra are the community partner and tribal liaisons for OHIM. Cassandra's position was created in the latter half of 2017, and Smith has been a tribal liaison since September 2015. With the merger of OHIM and SHIBA in late 2016 and early 2017, these positions also became the main point of contact for tribal issues regarding Medicare.

- Jan. 1, 2017, to Dec. 7, 2017 – SHIBA counselors provided one-on-one information and help to 119 tribal Medicare beneficiaries.
- Smith and Cassandra provide monthly updates from the Marketplace to tribal health contacts via email.
- Smith, Cassandra, and Amy Coven, OHIM's outreach and education coordinator, attended the monthly Oregon Health Authority Tribal Collaborative Webinar and provided support and information to attendees.
- In OHIM Grant Year 2017 (from Sept. 1, 2016, to Aug. 31, 2017), the Marketplace provided insurance coverage outreach and enrollment grant funding to the Native American Rehabilitation Association Northwest (NARA NW), which is an Urban Indian organization dedicated to provide health services in the Portland area. This funding was designed to increase services and communication to tribal populations, not only in the Portland metro area, but also to help coordinate outreach services to tribes throughout the state.
- Jan. 3, 2017 – Smith corresponded with the Umatilla Tribe via email regarding the proposed 1332 waiver.
- Jan. 11, 2017 – Smith and Anthony Behrens, OHIM carrier liaison, met with tribal representatives over the phone to discuss the proposed 1332 waiver and answer questions.
- Jan. 12, 2017 – Smith corresponded with the Coquille Tribe about its Tribal Premium Sponsorship Program (TPSP).
- Jan. 19, 2017 – Smith met with Julie Johnson, Tribal Affairs director for the Oregon Health Authority, to better coordinate services with Oregon's tribes.
- Jan. 27, 2017 – Smith corresponded with the Klamath Tribe about consumer issues with health coverage.
- Feb. 9, 2017 – Smith attended Tribal Governments Day at the Capitol in Salem.
- Feb. 22, 2017 – Smith and OHIM Administrator Berri Leslie attended the Tribal Health Cluster meeting, facilitated by OHA and attended by representatives of all nine federally recognized tribes of Oregon.
- Feb. 22, 2017 – Smith and Leslie corresponded with the Northwest Portland Area Indian Health Board, about advocacy of continuing Medicaid expansion and tribal provisions in the Affordable Care Act.
- Feb. 28, 2017 – Smith corresponded with Moda on behalf of the Umatilla Tribe to support the tribe in negotiating the continuance of its contract with the carrier.
- March 10, 2017 – Smith corresponded with the Coquille Tribe, providing more information about setting up a TPSP.
- March 10, 2017 – Smith corresponded with all nine tribes about the potential change in ACA legislation – the American Health Care Act.
- March 13, 2017 – Smith corresponded with the Coquille Tribe about order of payment issue with Medicaid and the tribal insurance plan – Nasomah.
- March 24, 2017 – Smith corresponded with the Grand Ronde Tribe about a consumer issue with health coverage.
- March 24, 2017 – Smith worked with OHIM's marketing contractors to update materials designed for outreach to Oregon's tribes.

- March 30, 2017 – Smith participated in a call with Rhonda Martinez-McFarland, Region X Tribal Affairs Coordinator for the Centers for Medicare/Medicaid Services (CMS) to discuss logistics on a scheduled presentation on Oregon’s tribes for the region.
- April 4, 2017 – Smith did a presentation on Oregon’s tribes and the Marketplace at the regional headquarters of CMS in Seattle.
- April 19, 2017 – Smith attended the Native Caring Conference, sponsored by the Grand Ronde Tribe at Spirit Mountain Casino, and provided information about health coverage through the Marketplace to attendees.
- April 23, 2017 – Smith, Cassandra, Julie Johnson, and Nadja Jones (DHS Tribal Affairs) met for additional Tribal Health Cluster coordination.
- April 27, 2017 – Smith and Donna Delikat, SHIBA program field officer, visited the Warm Springs Tribe to provide information about the Medicare to clinic staff. They helped the tribe strategize about how Medicare funding could be used to reduce costs to IHS programs at the clinic. Both also attended a collaborative meeting at Warm Springs, facilitated by OHA.
- May 18, 2017 – Smith and Delikat provided Medicare training for staff at Yellow Hawk Tribal Health clinic, which serves the Umatilla Tribe in Pendleton.
- May 24, 2017 – DCBS hosted the SB 770 Health and Human Services Cluster meeting in Salem. DCBS Director Allen and Smith were in attendance.
- June 6, 2017 – Smith, along with Agent Liaisons Michael Morter and Micheil Wallace, called the Klamath Tribe at the tribe’s request to discuss moving the Tribal Premium Sponsorship Program (TPSP) contract to Atrio from Moda. The TPSP program helps pay health coverage premiums for enrolled Klamath tribal members.
- June 9, 2017 – Smith, Delikat, and Miranda Mathae, SHIBA program representative, met with Coquille Tribal Health staff to discuss Medicare programs and provide training. Staff members from the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians Tribal Health Clinic were present as well.
- June 21, 2017 – Smith and Israel Estrada, Marketplace outreach and education specialist, attended the Pi-Ume-Sha Health Fair in Warm Springs, and provided information about health coverage through the Marketplace to attendees.
- Aug. 22, 2017 – Cassandra started her position as the second community partner and tribal liaison for OHIM.
- Aug. 24, 2017 – Cassandra attended a tribal health event in Portland sponsored by the Confederated Tribes of Grand Ronde.
- Aug. 25, 2017 – DCBS provided a tribal consultation meeting to discuss the proposed 1332 waiver that the agency was submitting to CMS. Though the meeting was open to any tribal members who were interested in providing comment or hearing more about the waiver, there were no attendees.
- Sept. 1, 2017 – Cassandra met with Karen Quigley, executive director of LCIS, to introduce herself in her new role.
- Sept. 15, 2017 – Smith and Cassandra attended a wellness fair held by Three Rivers Casino in Florence, co-hosted by the Confederated Tribes of Coos, Lower



Umpqua, and Siuslaw Indians. At the fair, they provided information about health coverage through the Marketplace to attendees.

- Sept. 20, 2017 – Smith and Cassandra attended a wellness fair held by the Grand Ronde Tribe at Spirit Mountain Casino. At the fair, they provided information about health coverage through the Marketplace to attendees.
- Sept. 26, 2017 – Cassandra and Mathae attended an elder luncheon hosted by the Cow Creek Tribe. The pair also provided Medicare information to attendees.
- Sept. 27, 2017 – Cassandra attended a collaborative meeting hosted by OHA in Warm Springs for tribal health staff and IHS staff.
- Sept. 28, 2017 – Smith and Cassandra attended a wellness fair hosted by the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians at the Tribal Community Center in Coos Bay. Smith and Cassandra provided information about health coverage through the Marketplace to attendees.
- Oct. 5, 2017 – Cassandra attended the Oregon Native American Chamber (ONAC) Annual Gathering in Portland.
- Nov. 1, 2017 – Smith and Cassandra attended the LCIS Fall Gathering & Training and the 18th annual State Tribal Summit held Nov. 1-2, 2017, in Lincoln City.
- Nov. 29, 2017 – Smith, and Cassandra attended the Tribal Health and Human Services Cluster meeting hosted by the Grand Ronde Tribe in Grand Ronde.
- Dec. 7, 2017 – Cassandra and Mathae attended the elder luncheon hosted by the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians and provided Medicare information to attendees.
- Dec. 13, 2017 – Smith corresponded with the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians tribal health staff about carrier contract negotiation.

Tribal people, including elders, and Indian Health Services can save money by receiving annual counseling, education, and trainings through SHIBA and OHIM. These programs also help HIS service coordinators with applications for Qualified Health Plans on HealthCare.gov, Medicare savings programs such as the Oregon Health Plan, Qualified Medicare Beneficiary benefits, and the Low-Income Subsidy for Medicare Part D.

## **DIRECTOR'S OFFICE (DO)**

### **General Activities:**

1. DCBS Acting Director Jean Straight and Ruth Kemmy, manager of multicultural communications, are the tribal liaisons for the department.
2. Kemmy attends the quarterly Economic Development cluster meetings.
3. Director Pat Allen and other DCBS staff attended the SB 770 Health and Human Services Cluster meeting, facilitated by OHA – Feb. 22, 2017.
4. DCBS hosted the SB 770 Health and Human Services Cluster meeting. Director Allen and other DCBS staff attended – May 24, 2017.

5. DCBS hosted the quarterly Economic Development Cluster Meeting. Director Allen welcomed attendees, Kemmy attended the meeting – May 26, 2017.
6. Diversity and Inclusion Coordinator Veronica Murray also participated in ONAC 10th annual Spring Mixer 2017.
7. Kemmy, Murray, and other DCBS staff attended ONAC's 13th Annual Gathering.
8. DCBS participated on the NAYA 12th annual Native American Housing to Homeownership Fair. Murray attended this event – Oct. 14, 2017.
9. DCBS Acting Director Jean Straight, Kemmy, and other DCBS staff attended the LCIS Fall Gathering & Training and the 18th annual State Tribal Summit held Nov. 1-2, 2017, in Lincoln City.
10. Straight and other DCBS staff attended the Tribal Health and Human Services Cluster meeting hosted by the Grand Ronde tribe – Nov. 29, 2017.
11. DCBS celebrated National Native American Heritage month in November. There was a display of Native American articles, demographics, and artifacts in the first-floor lobby of the Labor and Industries Building in Salem. DCBS emailed information and facts to employees on Native Americans culture, heroes, legends, and U.S. Census data to all staff.
12. DCBS is a member of the Oregon Native American Chamber (ONAC) with Murray attending the monthly meetings.

**Actions Planned:**

DCBS will continue to attend and support the SB 770 Tribal Health and Human Services and the Economic Development clusters and their activities.

DCBS will continue to offer a strong presence and collaboration on tribal health issues through the Oregon Health Insurance Marketplace.

The department will continue to provide information about its services and programs and identify areas that could benefit or serve the tribes.

DCBS will continue to maintain its positive relationships with the nine Oregon tribes.