

Memo

To: Shana McConville Radford, Governor's Tribal Affairs Director; Patrick Flanagan, Legislative Commission on Indian Services Executive Director

From: Andrew Stolfi, DCBS Director; Ruth Kemmy, Multicultural Communications Manager

Date: Dec. 13, 2024

Subject: 2024 Government-to-Government Report

2024 Government-to-Government Report

Programs and services

The mission of the Department of Consumer and Business Services (DCBS) is to equitably protect and empower consumers and workers while maintaining a predictable yet innovative regulatory environment for the businesses we regulate.

DCBS is Oregon's largest consumer protection and business regulatory agency. We are a resource to consumers and businesses 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

DCBS promotes positive relationships between the department and the nine federally recognized tribes in Oregon. Although few DCBS regulatory programs affect the tribes because of their sovereign status, there are occasions when they choose to receive services. In addition, the department provides education and outreach to the tribes on issues such as homeownership, insurance and financial preparedness for wildfires, and workplace safety and health. DCBS has an agencywide policy that promotes such communication.

In 2021, the Oregon Legislature passed, and Gov. Kate Brown signed, House Bill 2167 – the Racial Justice Council Codification bill into law. The law directs state agencies to take racial equity considerations in their plans and actions to promote and practice social justice and fairness for underserved and underrepresented communities, including tribal communities. In 2022, DCBS created a community engagement plan as a road map that helps us, in collaboration with our community partners, determine where we are and where we need to go. Our goal is greater community engagement with underserved and underrepresented communities so we can correct historical inequities and better perform the agency's mission.

A. Building Codes Division (BCD)

1. **Issue Name:**

Building department services

Issue Description:

The Confederated Tribes of Umatilla Indian Reservation (CTUIR) has previously requested that the division provide plan review, inspection, and building official services for certain projects on tribal land. The division has had an intergovernmental agreement with the tribe since 2014.

Action Taken:

Through its Pendleton field office, the Building Codes Division will continue to provide the services as requested. The current agreement provides availability to the services of a building official by phone during normal business hours; this service is available only for projects related to residential structures and for which commercial plan review has previously been conducted or is in progress by DCBS.

Actions Planned:

The division will continue to provide building department services as requested by the tribes. The current intergovernmental agreement is set to expire on March 1, 2025, but it is in the process of being extended through March 2030.

2. **Issue Name:**

Boiler and elevator consultation inspection services

Issue Description:

Occasionally, a tribe will request a consultation inspection regarding boiler or elevator equipment located and operated on tribal lands. These requests come at irregular intervals and affect a different program than the site-built inspection services described in the first issue. The division charges an hourly rate for consultation inspection services in this program.

Action Taken:

The division will continue to provide consultation inspection services through the boiler and elevator programs as requests are received.

Actions Planned:

The division will continue to provide boiler- and elevator-related services as requested by the tribes. The current intergovernmental agreement is set to expire on March 1, 2025, but it is in the process of being extended through March 2030.

B. Workers' Compensation Division (WCD)

1. **Issue Name:**

Vocational Rehabilitation Meeting

Issue Description:

In September, Preferred Worker Program (PWP) staff met with the vocational rehabilitation program director for the Confederated Tribes of the Siletz Indians.

Action Taken:

This was an education and outreach opportunity for WCD. PWP information was reviewed with the program director, with the focus on how the program can and cannot be used with regard to employment on and off of the reservation.

Action Planned:

No further action is planned.

C. Division of Financial Regulation (DFR)

1. **Issue Name:** DFR Statewide Outreach Sponsorship Program

Issue Description:

In 2022, the DFR outreach team initiated a sponsorship program for organizations that engage in financial empowerment work. The sponsorship program's goal is for consumers in underserved communities to gain increased awareness of the division's services and resources, and to develop increased capacity to make good decisions about insurance and financial services. The desired outcome is for the sponsored organization, and the consumers it serves, to gain increased awareness of DFR as a trusted source of information on insurance and financial services.

Actions Taken:

In 2024, DFR awarded four sponsorship contracts of \$25,000 each. Priority was given to organizations whose activities addressed the needs of underserved communities, especially African Americans; Latino, Latina, and Latinx people; Native Americans; Asians and Pacific Islanders; other people of color; immigrants and refugees; youth who are underserved; LGBTQ+ people; survivors of domestic violence; formerly incarcerated people; people with disabilities; and seniors. Additional priority was given to organizations serving women in underserved communities.

One of the organizations selected was a tribal organization. The Warm Springs Community Action Team (WSCAT) serves residents and employees of the Warm Springs Indian Reservation and Burns Paiute Reservation. WSCAT's mission is to promote community development in Warm Springs by empowering individuals and groups of people to realize their potential, become self-reliant, and affect positive change for themselves, their families, and their community.

In 2024, DFR staff members supported four adult and youth financial and insurance education classes for Warm Springs community members. In addition, DFR participated at the Warm Springs Pi-Ume-Sha Health Fair and shared resources with more than 200 community members. Topics addressed included, insurance basics, budgeting, and financial preparedness for disaster.

Actions Planned:

For 2025, DFR has awarded a \$25,000 sponsor program contract to Nixyaawii Community Financial Services (NCFS), a community-based organization serving members of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). DFR staff is consulting with NCFS staff to plan financial and insurance education programming for CTUIR community members in 2025.

2. **Issue Name:** Disaster preparedness

Issue Description:

DFR engages in education and outreach to prepare communities for disasters by using insurance and taking action to safeguard their finances. Wildfires have become an increasing problem for rural communities, and some tribal lands are susceptible to wildfire damage. Tribal communities are also at risk of damage caused by earthquakes, storms, tsunamis, landslides, and flooding.

Actions Taken:

DFR participated in the 2024 Oregon Prepared Conference and the 2024 Oregon Emergency Management Association Conference. DFR staff consulted with tribal emergency managers and planners at the conference and provided them with access to

DFR's financial preparedness publications, including the Consumer Guide to Earthquake Insurance, the Disaster Scam Booklet, and the Financial Preparedness Checklist. DFR also provided information on how to get DFR's consumer advocacy resources and offered to table at preparedness events and provide presentations on how to be more financially resilient when disaster strikes.

DFR staff members engaged with Oregon Department of Emergency Management officials who serve as liaisons to tribal emergency offices. DFR's effort to build relationships with tribal and state emergency managers will help communities to best utilize DFR's disaster preparedness and recovery resources.

DFR staff members also delivered a presentation on financial preparedness for disaster at the September Economic Development and Community Services Tribal Cluster meeting. The presentation provided information about the division's financial preparedness resources and how it can support tribal preparedness efforts.

Actions Planned:

In 2025, DFR staff members will continue to consult with tribal emergency managers through participation in the Economic Development and Community Services Tribal Cluster, partnership with Oregon Department of Emergency Management, and participation in the Oregon Prepared and Oregon Emergency Management Association conferences.

DFR General Activities:

- Craig Vattiat, consumer education and engagement coordinator, attended the Economic Development and Community Services State-Tribal Cluster meeting in September.
- Karla Martinez, consumer education and outreach manager, and Lisa Emmerson, senior policy adviser, attended these Senate Bill (SB) 770 Health and Human Services Tribal Cluster meetings:
 - Jan. 4, 2024, hosted by the Native American Rehabilitation Association
 - April 3, 2024, hosted by the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
 - July 3, 2024, hosted by the Confederated Tribes of the Umatilla Indian Reservation
 - Oct. 2, 2024, hosted by the Confederated Tribes of Warm Springs

Actions Planned:

- DFR will continue its engagement with the tribes through the Economic Development and Community Services Tribal Cluster and the SB 770 Health and Human Services Tribal Cluster.

D. Occupational Safety & Health Division (Oregon OSHA)

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.

1. 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 federally recognized tribes in Oregon by offering – upon request – consultations, conferences, virtual and in-person workshops, online training, and education. For the period Oct. 1, 2023, through Sept. 30, 2024, the following services were provided to members of the Oregon tribes:

Consultations:

- Oregon OSHA fulfilled four requests to provide consultative services to tribal employers.

Public Education Training Courses:

- Sixty-two tribal members completed Oregon OSHA online training courses in which they self-identified tribal membership in the registration information.

Safety and Health Conferences:

- Oregon OSHA co-sponsored a full schedule of safety and health conferences in 2024. Ten tribal members attended the Blue Mountain Occupational Safety & Health Conference in Pendleton, Oregon.

Actions Planned:

Oregon OSHA will continue to provide consultations, education, Resource Center services, and community engagement activities. Oregon OSHA will continue to seek opportunities 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. In addition, through an active pursuit of the goals outlined in our Community Engagement Plan and Racial Equity and Inclusion Statement, we recognize that additional outreach efforts should include tribal members who work for private or public employers outside of the tribes themselves. This work hopes to identify and serve worker communities facing barriers that limit access to our services, engage with and inform vulnerable workers of their rights and protections under federal OSHA and the Oregon Safe Employment Act, and guide them to participate in division policymaking, budget development, and the expansion of strategic resource materials.

E. Director's Office (DO)

General Activities:

1. DCBS Director Andrew Stolfi and Multicultural Communications Program Manager Ruth Kemmy are the tribal liaisons for the department.
2. In July, Stolfi attended the SB 770 Health and Human Services Cluster meeting.
3. In July, Stolfi and Kemmy attended the Annual Tribal-State Government-to-Government Summit in Canyonville.
4. Kemmy attended the Economic Development and Community Services Cluster meetings held in 2024.
5. Morgan Cowling, executive director of the Universal Health Plan Governance Board, which is housed within DCBS, attended the Oct. 2, 2024, SB 770 Health and Human Services Cluster meeting to introduce herself and share an update on the board's

legislative charge, which is to develop a plan to finance and administer a universal health plan for Oregon.

6. DCBS is a member of the Northwest Native Chamber. Bryant Campbell, director of DCBS' Office of Equity, attended the chamber's Gathering 2024: Celebrating 30 Years of Empowering Native Economies
7. External Affairs Director Mary Jaeger attended Native American Youth and Family Center (NAYA) events in the Portland area, including seasonal markets, the annual auction, community fundraisers, and other events.
8. Stolfi is a member of the National Association of Insurance Commissioners (NAIC) American Indian and Alaska Native Liaison Committee, which provides a forum for ongoing dialogue between NAIC members and the American Indian and Alaska Native communities concerning insurance issues of common interest.

Actions Planned:

DCBS will continue to attend and support the SB 770 State-Tribal Health and Human Services and the Economic Development and Community Services cluster meetings and their activities.

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 federally recognized tribes in Oregon.