



## PONCA TRIBE OF INDIANS OF OKLAHOMA

### BURIAL ASSISTANCE PROGRAM POLICY AND PROCEDURE

#### SECTION 1

##### GENERAL PROVISIONS

- A. **Purpose.** The Business Committee, which is the governing body of the Ponca Tribe of Indians of Oklahoma (Tribe), hereby enacts this Burial Assistance Program Policy and Procedure (Policy) to assist family members with the payment of eligible funeral expenses for deceased person who meet the conditions of eligibility set forth in this Policy (Deceased Persons). The Burial Assistance Program (Program) shall be administered by the Business Committee of the Tribe.
- B. **Compliance with Applicable Law; Interpretation.** This Policy shall be implemented and may be conformed to comply with the Constitution of the Tribe (Constitution), the Indian Civil Rights Act of 1968 (ICRA) and other applicable tribal, state, and federal laws. This Policy shall not be construed or applied to prevent the Tribe from complying with the terms and conditions of any federal grant or contract.
- C. **Interpretation.** This Policy supersedes and replaces all policies, rules, regulations and/or resolutions regarding its subject matter. In the event of a conflict between this Policy and the Constitution, the terms and provisions of the Constitution shall supersede and control such conflict.
- D. **Sovereign Immunity.** The Tribe specifically retains all governmental immunities associated with its sovereign status. The Tribe's subsidiaries, employees, officers, and agents shall share in its sovereign immunity from suit. The Tribe does not waive its sovereign immunity in any respect, and this Policy shall not be construed as such waiver.
- E. Definitions. When used in this Policy, the following definitions shall apply:**
1. **"Enrolled Member"** means and refers to an individual who is enrolled as a member of the Ponca Tribe of Indians of Oklahoma at the time of his/her death.
  2. **"Funeral Expenses"** means and refers to the costs of a funeral which are assessed by a Funeral Service Provider, including transportation cost.
  3. **"Funeral Service Provider"** means and refers to the professional organization, or establishment which prepares deceased person for burial where funeral services may be held.
  4. **"Local Funeral Home"** means and refers to Funeral Service Providers located within twenty (20) miles of the Community Center/Bereavement Center.

Amended: \_\_\_\_\_

Chairman: \_\_\_\_\_

5. *“Immediate Family”* means and refers to father, mother, legal husband, legal wife, son, daughter, brother, sister.
6. *“Traditional Funerals”* means and refers to four days including feast.

## SECTION 2

### IMPLEMENTATION

- A. *Burial Assistance*. The package is discussed at the funeral home, the cost is different for every funeral home, and the Tribe will pay up to a certain amount for these services. Which funeral home to use is a decision left to the family. The amount is paid directly to the attending funeral home.
- B. *Ponca Tribe Cemetery Burial*. There is no fee for enrolled members of the Ponca Tribe of Indians of Oklahoma. There is a fee of \$350 for non-enrolled members, non-enrolled members must be by descendancy or marriage.
- C. *Meat and firewood*. The Tribe will provide for feast, only if enrolled members of the Ponca Tribe of Indians of Oklahoma and long as supplies last.
- D. *Bereavement Center/Community Center*. There is a one-time deposit of \$100.
- E. *Cultural Center*. There is a one-time deposit of \$100 (upon approval).

## SECTION 3

### CONDITIONS OF ELIGIBILITY

- A. *Participant Eligibility Criteria*. The following criteria shall govern eligibility for Program participation:
  1. The Deceased Person must be an enrolled member of the Ponca Tribe of Indians of Oklahoma; and
  2. The Deceased Person must have eligible Funeral Expenses which are not covered or eligible for coverage through any insurance policy, agency, resource, or other Tribe.
- B. *Eligibility of Deceased Children*. Deceased children between the ages of one (1) and eighteen (18) years old must be enrolled members of the Tribe to be eligible for the funeral benefit. If the Deceased Person is an infant, a still born or miscarried child and not enrolled in the Tribe, the following criteria shall govern eligibility for the Program participation:
  1. The legal mother or father of the Infant must be an enrolled member of the Ponca Tribe of Indians of Oklahoma; and
  2. The infant must be eligible for enrollment in the Tribe at the time of death.

Amended: \_\_\_\_\_

Chairman: \_\_\_\_\_

## SECTION 4

### APPLICATION PROCEDURES

- A. *Application Requirement.* Each applicant (Immediate Family) is required to provide all the information requested and to sign the application and related forms. The form of application set forth to this policy hereby is adopted and incorporated by reference. All information and statements made by the applicant are subject to verification. If an applicant fails to provide a complete application, including any and all required supporting documentation, within six (6) months of the date of death of the deceased person, the application shall be denied, and the benefit shall be forfeited without further notice by the Tribe.
- B. *Application Procedure.*
1. Applications are accepted at the Tribal Affairs Building, most funeral homes have the Ponca Tribe of Oklahoma applications on file. The immediate family who is responsible for making the funeral/burial arrangements may apply on behalf of the deceased tribal member. Applications may be submitted electronically, mailed, facsimile, or in person. Each application shall reflect the date and time received.
  2. The application and all information relating to the deceased person shall be maintained in their file, updated deceased date in software, and notification to Bureau of Indian Affairs, Southern Plains Region, Pawnee Agency.
  3. If during the application intake and screening process it is determined that the deceased person is ineligible for assistance under the program, the applicant will be informed of such determination and the application classified as ineligible. If the application is classified as ineligible. In such instances, sufficient information and findings pertaining to the denial of services will be documented for the file. The tribe shall notify the applicant in writing within ten (10) days of the date of denial. The notice shall specify the grounds for the denial of service and notify the applicant of his/her right to appeal the decisions pursuant to the Grievance Policy and Procedure of the Ponca Tribe of Indians of Oklahoma.
- C. *Verification and Documentation of Application Information.* Information submitted by each applicant shall be verified and a Certificate of Indian Blood Report will be printed off to verify their membership. A complete and accurate verification record will be maintained. Each applicant shall provide the following documents to substantiate the deceased person's eligibility for assistance, this will be filed in deceased member's file.
1. Tribal Membership
  2. Death Certificate
  3. Funeral Home Bill
  4. Application

Amended: \_\_\_\_\_

Chairman: \_\_\_\_\_