

**COOPERATIVE AGREEMENT
BETWEEN
DEPARTMENT OF SOCIAL AND HEALTH SERVICES, AGING &
DISABILITY SERVICES ADMINISTRATION,
HOME AND COMMUNITY SERVICES DIVISION/ADULT PROTECTION
SERVICES**

This Cooperative Agreement ("Agreement") is executed between the Confederated Tribes of Chehalis Reservation ("Tribe") and the Washington State Department of Social and Health Services ("DSHS"), Aging & Disability Services Administration ("ADSA"), Home and Community Services Division, Adult Protective Services ("APS").

Statement of Purpose

DSHS/ADSA/APS and the Tribe are committed to a mutually supportive working relationship. This government-to-government relationship is formed to enhance and strengthen a cooperative framework to address jurisdictional issues, coordination, and assistance associated with reported allegation of abuse, exploitation or neglect as defined in the Revised Code of Washington 74.34, of vulnerable adults on the Confederated Chehalis Tribe Reservation, and that involve victims who are Confederated Chehalis Tribal members and descendants who reside outside the boundaries of the Tribal Reservation. We will maintain a cooperative effort in providing services. Out of this commitment, there is an understanding that controversy will be resolved at local levels first, promptly engaging the parties involved.

DSHS/ADSA/APA recognizes The Confederated Chehalis Tribe's sovereignty and its right to have its needs addressed at any level of the Department or government that it feels appropriate. We make a commitment to open communication and sharing of information.

Reports of Alleged Abuse, Neglect, or Exploitation

1. On the Confederated Chehalis Tribal Reservation and trust lands.

APS will notify The Confederated Chehalis Tribe Adult Protection Services Tribal investigator within 24 hours whenever APS receives a referral regarding abuse, neglect, or exploitation, as defined in the Revised Code of Washington 74.34, of a Tribal or non-tribal member living on the Tribe's Reservation or trust lands. Referrals should be sent via facsimile, and a telephone call be made to alert Tribal staff that a facsimile is coming.

Adult Caseworker: (360) 709-1754

Confidential facsimile number: (360) 273-5207

If there is a crime or an emergent situation on the Tribal Reservation or trust lands, APS should call the Tribal police first and give them the referral.

Tribal Police number: (360) 273-7051

Facsimile number: (360) 273-6318

The Tribes Adult Protection services should be called and informed about the referral.

The Tribe chooses to conduct their own investigation on all Tribal members living on the Reservation or trust lands. APS will not assign cases to APS workers where the Tribe has jurisdiction.

- For Non-Tribal members living on the Tribe's Reservation or trust lands: APS will have jurisdiction unless the Tribe chooses to accept jurisdiction. If the Tribe chooses to have APS investigate, APS will need to inform the Tribe of the referral, the planned visit time, and ask the Tribe for assistance if necessary.

2. Outside the Boundaries of the Confederated Chehalis Tribal Reservation and trust lands.

The Tribe may assist APS with investigations of referrals regarding abuse, neglect, or exploitation, under chapter 74.34 RCW, of a Tribal member living off the Tribal Reservation or trust lands. APS may contact the Tribal investigator for prior history and possible assistance with Tribal services as appropriate.

Collaborative Services

1. ADSA/APS and the Tribe agree to work cooperatively to explore and enhance services to Tribal members. The Tribal and State partnership will continue to expand appropriate services as may be proposed in the appropriate 7.01 Implementation Plan, which is established under the 1989 Centennial Accord between federally recognized Indian tribes in Washington and the State of Washington.
2. ADSA/APS will notify the Tribe of relevant training opportunities for Tribal staff.
3. The Tribe may provide technical assistance and consultation on Native American cases as requested by APS, as staff time and caseloads allow.

Confidentiality and Information Sharing

The parties agree that information obtained through an APS Intake, Investigation and the provision of Protective Services is generally confidential under Federal, Tribal and State law. Such confidential information may be disclosed only to those permitted by law to receive it without first obtaining the written consent of the vulnerable adult, reporter, and witnesses.

Appeal and Dispute Resolution

The parties will attempt to resolve any disputes first by direct face-to-face discussions on a staff to staff level. If staff level discussions fail to resolve a dispute, a face-to-face discussion will occur between (the Tribe's Social Service Director and the DSHS Regional Administrator.) If these discussions fail to resolve a dispute, all appeals and disputes shall be referred to a Dispute Panel.

Each party to this Agreement shall appoint one member to the Dispute Panel. The members will jointly appoint a third member. The Dispute Panel will review the facts, contract provisions and applicable law, and then decide the matter. The Dispute Panel's decision is non-binding and does not affect the right of either party to seek legal recourse in a court of competent jurisdiction.

Termination of Agreement

Either party may terminate this Agreement upon thirty (30) days written notice. Notice will be sent to the Confederated Chehalis Tribal Chairman and Region 3 Home and Community Services' Regional Administrator.

Entire Agreement

This Agreement supersedes any prior agreements between the Tribe and DSHS/ADSA/APS associated with the investigation of allegations of abuse and protection of vulnerable adults. This Agreement incorporates all the agreements and understandings between the parties. No agreement or understanding of the parties regarding their responsibilities under this Agreement shall be valid or enforceable unless contained within this Agreement.

Amendment

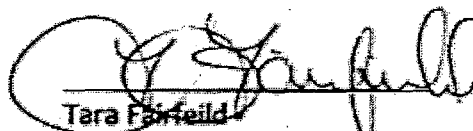
This Agreement may be amended only in writing executed by authorized representatives of both parties with the same formalities as this Agreement.

Effective Date

This Agreement is effective upon authorized signatures by the Parties below.


Tribal Chairman

3/5/13
Date


Tara Fairfield
Regional Administrator
Home and Community Services
Region 3

3/7/13
Date