

FUNERAL ASSISTANCE & BENEFITS POLICY

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FUNERAL ASSISTANCE & BENEFITS POLICY

GENERAL PROVISIONS

I. Purpose

The purpose of this Policy shall be to:

- A. Specify the criteria and procedures for providing death benefits to all Siletz Tribal members;
- B. Outline the requirements for obtaining Meal Assistance for a Tribal member funeral; and
- C. To specify which costs will be paid for directly or reimbursed in relation to the funeral of a Siletz Tribal member.
- D. It is not the intent of this Policy to dictate how or where to bury, cremate or entomb a deceased Siletz Tribal member or how to conduct the funeral or meal.

II. Definitions

- A. Check Request: A written request by a Tribal employee for a Tribal check to be issued by the Tribal Accounting Department. Processing can take up to 14-days depending upon the date of submission and any holidays.
- B. Death Beneficiary Benefit: This is a Tribal funded cash benefit, in the form of a Tribal check, that is paid to the most recently Designated Death Beneficiary on file with the Enrollment Department upon the death of an enrolled Tribal member once all funeral and burial expenses have been paid.
- C. Death Benefit: The general term used to describe the Tribal benefit for covering the costs of a Siletz Tribal member's funeral and a payment to their designated beneficiary.
- D. Designation of Death Benefit Beneficiary Form (FORM # ENROLL-003): This Tribal Enrollment form designates the person(s) the Tribal member wishes to name as the Beneficiary for Death Benefits.
- E. Designated Beneficiary or Beneficiary: The individual designated by a Tribal member to receive the Death Beneficiary Benefit. In *general*, this is the person that will be handling the funeral arrangements for the Tribal member and handling their affairs at the time of the Tribal member's passing. The selection of this individual is the exclusive prerogative of the Tribal member. This person must be at least the age of 18 at the time of the designation is made as they may be required to sign a legal and binding contract with a vendor for the burial expenses and living at the time the Tribal members passes away.
- F. Direct Burial Expenses: Costs incurred as a direct result of the burial of a deceased enrolled Tribal Member or a very young member not yet enrolled, including stillborn birth. These costs mean body preparation, cremation, casket, urn and any plot fees.
- G. Direct Funeral Expenses: Cost of holding a funeral/memorial service for an enrolled Tribal member or a very young member not yet enrolled, including stillborn birth. This includes

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the cost for flowers, announcement, obituary, hall rental, officiate, drummers, etc.

- H. Funeral: Used in reference to a funeral service, memorial service, celebration of life or any other ceremony honoring the passing of a Siletz Tribal member or other eligible person as defined in IV.B.
- I. Deceased Removal: The process of removing the name of a deceased and enrolled Tribal member from the current Tribal Membership Roll. The enrollment number of the deceased individual member shall be retired and not used for any other Tribal member however, no Tribal ID cards with that roll number will be issued after their passing. A Certificate of Indian Blood (CIB) can be issued for the matter of Probate or other relevant business purposes when requested.

III. After Hours Notification

- A. The Enrollment Department can be reached after hours by calling the direct office number (541) 444-8258 where an answering service will be available to contact a staff member of the Enrollment Department.

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BENEFITS

IV. Eligibility

- A. All Death Benefits are made available at the time of death of a Siletz Tribal member as defined in B.
- B. For Death Benefits to be awarded, the deceased must be one of the following:
 - 1. An enrolled member of the Confederated Tribes of Siletz Indians at the time of their death;
 - 2. A non-enrolled infant age one year or younger that would have otherwise been eligible for enrollment with the Confederated Tribes of Siletz Indians; or
 - 3. A stillborn birth where at least one of the parents is a Siletz Tribal member and their infant would have otherwise been eligible for enrollment with the Confederated Tribes of Siletz Indians.
- C. The Death Benefit is not an asset of the deceased Tribal member or their estate. Death Benefits cannot be used to make prepaid arrangements for a funeral.
- D. Funeral & Burial Assistance: This benefit is available to the individual handling the funeral, memorial and/or burial of an eligible decedent as defined in §3.636B.
- E. Meal Assistance: This benefit is available to the person/family handling the funeral arrangements or their designee to have a public dinner or potluck following the funeral of an eligible decedent as defined in §2.353(b) above. Any amount unspent for the meal, assistance will not be cashed out and shall remain in the Siletz Tribe's Meal Assistance fund.
- F. Death Beneficiary Benefit: This benefit is available to the ADULT person/family member of the deceased enrolled Siletz Tribal member, as defined in §2.363(A), designated as the beneficiary before his or her death. This benefit is not the property or asset of the deceased Siletz Tribal member as defined by §2.363(A). If no beneficiary was designated prior to death, the benefit will go unpaid and remain the property of the Tribe.

V. Maximum Funding Limitations

- A. Funeral & Burial Assistance: \$6,000
- B. Meal Assistance: \$200
- C. Death Beneficiary Benefit: \$1,000

VI. Merchandise Costs & Payments

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- A. The cost of all items supplied by the Siletz Tribe and used for the Tribal member's funeral will be deducted from the funeral and burial assistance prior to any other payment being made. This merchandise in general is caskets, grave liner and Tribal Pendleton blankets.
- B. Merchandise supplied by the Siletz Tribe and used for a Siletz Tribal member's funeral is priced at the Siletz Tribe's cost.
- C. Payment for the merchandise items must be paid in full prior to the merchandise being picked up/released by the Enrollment Department if not covered by the Death Benefit.
- D. Merchandise supplied by the Siletz Tribe, if in supply, available, and not needed for Siletz Tribal members, may be purchased by Tribal members, Tribal employees, Chinook Winds Casino Resort employees for funerals of a non-Tribal family member at the Siletz Tribe's cost.
- E. Other Oregon Tribes may purchase items supplied by the Siletz Tribe, if in supply, available, and not needed for Siletz Tribal members, for funerals at 20% above the Siletz Tribe's cost.
- F. Tribes outside of Oregon and the public may purchase items supplied by the Siletz Tribe, if in supply, available and not needed for Siletz Tribal members, for funerals at 30% above the Siletz Tribe's cost.

VII. Funeral Assistance Benefit

- A. Arrangements: Neither the Confederated Tribes of Siletz Indians (Siletz Tribe), nor the Enrollment Department are responsible for funeral arrangements. Funeral arrangements are the sole responsibility of the family, another person (i.e. friend of the deceased), or the Designated Beneficiary.
- B. Funeral arrangements include the following:
 - 1. Time and date of funeral, dressing, religious services, meal, etc;
 - 2. Location of the funeral, including making arrangements for the use of the Siletz dance house and/or the Siletz Community Center;
 - 3. Place of burial, cremation or interment including the location of grave within the Paul Washington Cemetery or other cemetery maintained by the Siletz Tribe;
 - 4. Selection of an officiate and/or drummers including the honorarium amount; and
 - 5. Opening and closing, including the costs/fees if any, of the grave, mausoleum, columbarium or other interment facility.
- C. The person signing the contract with the funeral home is responsible for payment of any expenses that exceed the limitations of funding for the Death Benefit provided by the Siletz Tribe.
- D. Reporting of Death: The Enrollment Department will accept reports of the death of a Tribal member from anyone: family, Beneficiary, friend, coroner's office, funeral home, etc.

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- E. Notification: As soon as possible after a death, the Enrollment Department shall be contacted with the following information:
1. Full legal name of the deceased;
 2. Tribal roll number, if known;
 3. Date and place of death;
 4. Date and place of funeral, burial or cremation;
 5. The name, address and phone number of the primary contact that will be responsible for making the funeral arrangements;
 6. Name, address and phone number of the spouse, if any;
 7. Name and phone number of the funeral home; and
 8. Veteran information including branch(es) of service and a copy of their DD-214 when possible.
- F. Allowable costs/services:
1. Services and goods provided by the funeral home such as cremation, embalmment, transportation of the deceased and honorariums to an officiate and/or drummers;
 2. Funeral announcements and publication of obituary (when one is done, a copy should be provided to the Enrollment Department for inclusion in the deceased's enrollment file);
 3. Caskets and grave liners from the funeral home, Enrollment Department or any other vendor;
 4. Cremation urns;
 5. Death certificates, number to be determined by the family for their use;
 - a) One (1) certified long form (showing cause of death) death certificate purchased through the funeral home and sent with the final invoice/bill for the funeral home for the Tribal member's Enrollment file;
 6. Headstones purchased through the funeral home or any other vendor;
 7. Costs to add information to an existing headstone;
 8. Cemetery fees, if any, such as purchase of one (1) plot for the burial, fees for opening and closing of grave and mausoleum costs.
 9. Flowers purchased through the funeral home, a florist, other vendor or as a reimbursed cost to an individual submitting receipts;
 10. One (1) Siletz Tribal Pendleton blanket used directly for the burial or as a liner in the casket purchased through the Enrollment Department; and

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11. Cremation, thumbprint, and/or other memorial jewelry.
- G. Disallowed costs/services:
1. Any funeral/burial expense which exceeds the maximum funding limit will not be paid by the Siletz Tribe;
 2. Clothing for the deceased to be dressed in for the funeral;
 3. Any endowment care funds for the upkeep of cemetery plots, crypts, columbarium or mausoleum;
 4. Giveaway or gift items including blankets and/or apparel to be worn by attendees of the funeral/memorial; and
- H. Billing and payment:
1. All payments will be made directly to the provider(s)/vendor(s) except as noted in this subsection.
 2. The primary contact for making funeral arrangements shall provide to the funeral home the name of the Tribe and the phone number to the Enrollment Department.
 3. The Enrollment Office will provide information to the funeral home on the requirements of the death certificate and the billing process with the list of allowable and disallowed costs.
 4. The primary contact is responsible for ensuring the Enrollment Department receives the final bill and the death certificate. No payments will be made until these items are received.
 5. The Tribal funeral assistance benefit is a secondary benefit and resource. Payments by Siletz Tribe under this Policy will be made only after all other benefits have been paid, such as Veteran benefits or insurance.
- I. Payments will be made in the following order until the funeral assistance benefit funding amount is exhausted:
1. Product and services supplied by Siletz Tribe (casket, delivery fee of casket, blanket used in the casket, and grave liner);
 2. The funeral home serving as the primary service provider;
 3. A secondary funeral home;
 4. Cemetery costs/fees;
 5. Other services/goods provided; and
 6. Reimbursement to family members for costs associated with the funeral.
 7. Any amount unspent for the funeral and burial assistance will be available for allowable funeral and burial costs for up to 12-months following the date of death.

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VIII. Meal Assistance

- A. Meal Assistance is available to the family to provide for a Tribal customary wake the night prior to the burial and/or lunch/dinner/potluck immediately following the funeral service. The intent of the funding is to provide the family with assistance in accommodating their desire to feed extended family and community members who attend the funeral in respect of the deceased.
- B. The meal shall be a public meal at the funeral home, church, community center or similar facility.
- C. Meal Assistance will not be provided for private or family only meals.
- D. The allowable items that can be purchased with Meal Assistance are a catering service, deli food, grocery food, paper plates, paper napkins, plastic utensils and non-alcoholic beverages.
- E. The primary contact person, whom is established during the notification process, shall determine the items they wish to be purchased through a Tribal Purchase Order (PO) with an approved vendor (i.e. Fred Meyer). Vendors that accept a PO are established through the Accounting Department of the Siletz Tribe. The primary contact person will work with a representative of the Human Services (Program I) Department or the Area Office Supervisor if not in Siletz to have the Meal Assistance items purchased.
- F. For those living outside of the 11-county service area, the primary contact or their designee is permitted to be reimbursed for allowable Meal Assistance items by submitting original store receipts dated within three (3) days prior to the date of the funeral with the name and address of the person to be reimbursed.
- G. Staff assistance for funerals is available through the Human Services (Programs I) Department Monday – Friday, 8:00 AM to 4:30 PM, excluding holidays. For funerals that are held outside those hours, the primary contact person is responsible for making arrangements for individuals to volunteer in the kitchen for meal preparation.
- H. Any amount unspent for the Meal Assistance will be remain within the Siletz Tribe's Meal Assistance fund.

IX. Death Beneficiary Benefit

- A. Once all allowable costs as set out in this Policy have been paid and the original death certificate is on file with the Enrollment Department, the Death Beneficiary Benefit of \$1,000 will be paid in the form of a Tribal check to the most recent Designated Beneficiary on file with the Enrollment Department.
- B. Unused funds from the meal assistance will NOT be paid out to the Designated Beneficiary, and will remain in the Tribal budget.
- C. If no eligible beneficiary was designated prior to death, the Death Beneficiary Benefit will not be paid out.
- D. Unused funds from the funeral and burial assistance will NOT be paid out to the Designated

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Beneficiary and will remain in the Tribal budget.

X. Prepaid Funerals

- A. In the event the funeral, burial, headstone and plot costs have been paid in full prior to Siletz Tribe making a payment, the individual(s) who paid for any of these services will be entitled to reimbursement for allowable costs/services up to the maximum funding limitations for each benefit. The individual(s) must provide proof of payment in full before reimbursement by Siletz Tribe will be made.
- B. If the individual who paid for the funeral is the deceased, no reimbursement will be allowed to the family or the estate. The balance of the funding limitation for funeral and burial assistance will be paid to the Designated Beneficiary in addition to the Death Beneficiary amount.
- C. If an insurance policy taken out by the decedent covered the cost of decedent's funeral, the balance of the funding limitation for funeral and burial assistance will be paid to the Designated Beneficiary.

XI. Designation of Death Benefit Beneficiary Form

- A. In the event there is no Designated Beneficiary on file at the time of death, all other benefits provided by this Policy will be allowed towards the funeral and burial costs of the Tribal member. The Enrollment Department will work with a representative of the decedent to ensure they know what is available and to provide all available benefits.
- B. The form is included as addendum to this Policy. The form allows for up to three (3) beneficiaries to be listed in case the first and/or second beneficiary should pre-decease the Tribal member or they all die in the same incident (i.e. car accident). The Tribal member can choose to split the Death Beneficiary payment between multiple beneficiaries by making a specific note on the form of this wish. If no such note is written on the form, payment will go to the 1st living beneficiary in order of 1-3.
- C. It is the Tribal member's responsibility to ensure they have a form on file with the Enrollment Department and the contact information for the listed beneficiaries is accurate. The Enrollment Department will make all possible efforts to contact a beneficiary.
- D. It is advised for Tribal members to research the State/Country they reside in to determine if other documentation must be completed in order to designate a person that has the lawful right to control final disposition of a decedent.
- E. When someone is newly enrolled with the Tribe, a Designation of Death Benefit Beneficiary Form is sent by the Enrollment Department to them with their notification of their approval for enrollment with the Siletz Tribe.
- F. The original and completed form must be returned to the Enrollment Department. Copies, emailed scans and faxes are not accepted. If signatures, notary verification or information is missing; the form will be returned to the Tribal member for completion or submission of a new form.
- G. Per the Tribal Confidentiality Ordinance, Tribal Staff cannot share the name or contact information of the Beneficiary with anyone other than the Beneficiary and the Funeral

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- Home. The Elders Council Officers are permitted to receive the contact information for purposes of sending their condolences card, funeral flowers and/or check
- H. There is no “default beneficiary” such as a spouse if married or parents if a minor child should pass. A designated beneficiary on the required form is the only way that benefits payment to the Designated Beneficiary(ies) will be paid under this Policy. All Tribal members, adults and minors, need to have their own form on file with the Enrollment Department to receive the full benefits available under this Policy.
 - I. The Enrollment Department annually publishes an article explaining the Siletz Death Benefit. The Enrollment Department will send out a letter with the form to individual Tribal members that have no designated beneficiary on file at least once every three years.
 - J. The Designation of Death Benefit Beneficiary form is for a Tribal member to designate a beneficiary. No other form or notarized statement will be accepted. This benefit is not allowed to be specified for designation to an individual in a Last Will & Testament or similar document.
 - K. In order for someone to complete a form on behalf of an adult Tribal Member using a Power of Attorney (POA), the POA must explicitly grant the power to the agent to assign or change beneficiary designation if that is the principal’s intent.
 - L. The Designated Beneficiary designated on any Designated Beneficiary form by a Siletz Tribal member must be age 18 years or older at the time the form is completed.
 - M. The Designated Beneficiary designated CANNOT be a “family trust” or the “estate” of the deceased. The Designated Beneficiary must be an individual person(s).
 - N. In order to be considered complete, the form must include at minimum the 1st Beneficiary's legal name, mailing address, and telephone number. The completed form must contain the enrolled Siletz Tribal member’s name, roll number, their notarized signature and the date the form was signed. The form must be received by the Enrollment Department PRIOR to the passing of the Tribal member.
 - O. The Tribal member can list on their Designated Beneficiary Designation form multiple people who will share equally in the Benefit to be paid after all burial expenses are paid.
 - P. As of January 1, 2017 the Designation of Death Benefit Beneficiary form (FORM # ENROLL-003) is REQUIRED to be notarized to ensure the Tribal member has been the one to sign the form. Any Beneficiary form that was submitted prior to this date, will be accepted by the Enrollment Department.
 - Q. An enrolled Tribal member may change their designated beneficiary at any time. This is done by completing a new form and submitting it to the Enrollment Department for filing within their individual Enrollment file.
 - R. The most recent completed form, signed correctly, notarized if required by the form and on file with the Enrollment Department as of the date of death of a Tribal member is the one that will be honored when determining the beneficiary.
 - S. The Tribal member must complete and return a new form if they need to update the Designated Beneficiary's address or phone number. The Enrollment Department will make all reasonable attempts to notify the Beneficiary, however it will be up to the Beneficiary to contact the Enrollment Department within twelve months of the date of death to provide current mailing address for distribution of the Beneficiary payment.

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- T. The Confederated Tribes of Siletz and the Enrollment Department are not responsible for lost or misdirected forms.
- U. Minor Children not under Tribal/State Foster Care: The biological/adoptive parent of a Tribal member minor child, at the time a Designated Beneficiary form is completed, must complete the form for the minor child; the child does not have the legal capacity to complete the form for themselves. If the form is completed by someone other than the child's biological/adoptive parent, such as a legal guardian, legal documentation showing the legal guardian is specifically allowed to decide the "inheritance rights" of the Tribal member child must be submitted with the form.
- V. Minor Children in Tribal/State Foster Care: Should a child that is currently in Tribal/State foster care pass away no Death Beneficiary Benefit payments will be paid regardless if a form is on file with the Enrollment Department.
- W. Once the minor child is eighteen (18) years of age, they have the capacity to fill out their own Designated Beneficiary form. Until an updated form is properly completed and submitted to the Enrollment Department, the existing Beneficiary form will continue on file.

XII. Eligible Infant Not Yet Enrolled

- A. When an infant, one (1) year of age or younger is not yet enrolled and passes away but would have been eligible for enrollment the infant is eligible for distribution of Death Benefits as described in §2.354(c) - §2.354 (f) only. Eligibility under this section shall include a stillborn birth.
- B. For a stillborn birth, the Tribal member parent will need to provide a copy of the report from the hospital that is provided to the funeral home in lieu of a death certificate, generally referred to as a fetal demise report.
- C. The Enrollment Department will administer the Death Benefits for a stillborn infant in the same manner as when a Tribal member has no designated beneficiary.

XIII. Removal of Deceased From the Current Tribal Membership Roll

- A. When a Tribal member passes away their enrollment status is changed from "Active" to "Deceased Pending Resolution" in the Enrollment database; Tribal Assistance System (TAS).
- B. This action is posted as required in the Enrollment Ordinance once the death certificate has been received by the Enrollment Department.
- C. Action is taken by the Tribal Council in the form of a Tribal Resolution instructing the Enrollment Department to remove the name of the deceased Tribal member from the roll.
- D. The removal of the deceased Tribal member's name from the Siletz Membership roll and transferred to the Honored Ancestors Roll shall occur as specified in the Enrollment Ordinance.

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XIV. Death Reports

- A. The Enrollment Department maintains multiple reports regarding deceased Tribal Members.
- B. The Tribal Member Death Report lists the roll number, legal name, date of birth and date of death of Tribal members that have passed away during the current Tribal fiscal year. This will be published in the Siletz News on a quarterly basis in the Confidential newsletter. A copy of the Tribal Member Death Report is available to Tribal staff as needed.
- C. A copy of the Tribal Member Death report will be sent to the Bureau of Indian Affairs (BIA), Division of Probate and Estate Services at the Northwest Regional Office on a quarterly basis at minimum. The Enrollment Department will work with the BIA to assist in providing necessary documentation, family information, and contact information for potential heirs as requested by the BIA.
- D. The Enrollment Department maintains a statistical report for the cause of death of Tribal members. The statistical report will be included with the Enrollment Department quarterly report to Tribal Administration and Tribal Council.

XV. Tribal Contacts for Funerals

When having a funeral for a Siletz Tribal member, there are multiple people within the Tribe the primary contact, Beneficiary or the funeral home may need to contact to arrange for the funeral services:

- A. Plot Location*: Culture Department
- B. Grave-site Preparation*: Public Works
- C. Honor Guard & Veteran Benefits: Veteran's Coordinator
- D. Community Center: Fleet and Facility
- E. Dance House: Culture Department
- F. Meal/Potluck: Programs I Manager
- G. Tribal Casket and Tribal Pendleton Blanket: Enrollment Department

*For burial at Paul Washington Cemetery in Siletz, Oregon

Resolution No. 2021 - 320

Date Approved: September 17, 2021

Subject: Funeral Assistance and
Benefits Policy Revision

SILETZ TRIBAL COUNCIL

Resolution

WHEREAS, the Siletz Tribal Council is empowered to exercise the legislative and executive authority of the Confederated Tribes of Siletz Indians of Oregon pursuant to Article IV, Section 1 of the Siletz Constitution approved June 13, 1979, by the Acting Deputy Commissioner of Indian Affairs, as amended; and

WHEREAS, the Siletz Tribal Council has previously established a self-funded Death Benefit Program; and

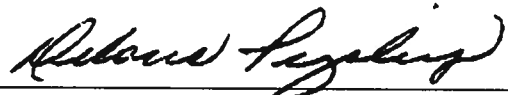
WHEREAS, the Funeral Assistance and Benefits Policy was originally approved on October 18, 2019 by Tribal Resolution 2019-369; and

WHEREAS, to ensure the family of Tribal members are able to honor and remember their family in their own way; now

THEREFORE BE IT RESOLVED, the revision to the Funeral Assistance and Benefits Policy will designate that there will be no payout to the beneficiary of the balance of funds not spent for the funeral/burial costs; and

BE IT FINALLY RESOLVED, the revision to the Funeral Assistance and Benefits Policy will be Effective January 1, 2022 and made available on the public side of the Tribal web site under the Enrollment section with the Designation of Death Benefit Beneficiary form.

Confederated Tribes of Siletz Indians
By



Delores Pigsley, Tribal Council Chairman

CERTIFICATION

This Resolution was adopted at a Regular Tribal Council Meeting held on September 17, 2021, at which a quorum of the Tribal Council was present, and the Resolution was adopted by a vote of 8 FOR, 0 AGAINST, and 0 ABSTAINING, the Chairman or Vice Chairman being authorized to sign the Resolution.

By



Sharon Edenfield, Tribal Council Secretary