

NM INDIAN ELDER PROGRAMS FUNDING INQUIRIES: NM INDIAN TITLE VI COALITION

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BASE BUDGET CHALLENGES (to be presented by Rita)

The NM Indian Title VI Coalition serves as an advocacy group for the 19 Pueblos and 2 Apache Tribes in support of Native American senior services. The Coalition consists of the Senior Program Directors and Managers for these tribes. The Title VI Coalition has been concerned about the equitability for the distribution of federal and state funds to our programs. Over the years, the Coalition has met with staff from Congresswoman Michelle Lujan Grisham office, All Pueblo Council of Governors', NM Aging and Long-Term Services Department's Indian Area Agency on Aging now known as the Office of Indian Elder Affairs, National Indian Council on Aging, NM AARP Director and other key agencies and organizations to assist in building strategies to address the lack of funding for tribal senior services.

Federal Title III funding provides formula grants to the NM State Area Agency on Aging, under approved state plans to stimulate the development and enhancement of comprehensive and coordinated community based systems resulting in a ***continuum of services to older individuals with the greatest economic or social need, with particular attention to low-income minority individuals***. A responsive community based system of services shall include collaboration in planning, resource allocation and delivery of a comprehensive array of services and opportunities for all older Americans in the community. The intent is to use Title III funds as a catalyst in bringing together public and private resources in the community to assure the provision of a full range of efficient, well-coordinated and accessible services for older persons. Across the spectrum, Indian Tribes receive direct appropriations where laws and statutes are explicit following the Federal Trust Doctrine, i.e. Title VI under the Older Americans Act. As citizens of the State, Indian citizens are counted as they are in the State Plan. However, the Indian Tribes in New Mexico have never had access to Title III resources on behalf of their clients who are citizens of the state.

The tribes receive NM State Legislative Appropriations annually and have not seen a significant increase in funding over the years to accommodate for service growth. The total amount of appropriations for this contract year 2018-2019 is approximately \$2.5 million dollars distributed to 21 tribes utilizing a distribution method unknown to tribes. If this amount was divided evenly among the 21 tribes that would amount to \$119,000 to each tribe. The moderate average cost of serving a meal is \$10 in a remote tribal setting. Therefore, if this equal distribution was implemented, the \$119,000 divided by the potential 260 service days / year we could only serve 46 clients one meal / day, and no other services. Unfortunately, this is the norm in Tribal Communities today serving only meals with little to no other services to the elders (see attachment A for a list of potential services).

The demographics supplied by the ALTSD/Indian Area Agency on Aging in 2015 identified that there are 36,000 Native American elders 60+ years of age in New Mexico. Additionally, data on health disparities provided by the New Mexico Department of Health in 2016, shows that the life expectancy for Native Americans is 72.1 years of age, and the leading causes of death among Native Americans Age 65+ is: Circulatory Heart Disease, Diabetes, Circulatory Cerebrovascular Disease (blood flow to the brain), Chronic Lower Respiratory Disease (asthma, bronchiectasis, emphysema and chronic bronchitis, and 51% of Native American adults 65 years and older are living with a disability. This data provided by the Department of Health also reveals Socio Economic Disparities and that 48% of Native Americans in the State of NM live below poverty levels and 42.4% of Native American grandparents are raising grandchildren.

Where tribes cannot afford to supplement senior services, they are unable to respond to these health, social and/or economic disparities. With the base funding received collectively from both federal and state funding, tribes still cannot establish the staffing to expand and or begin new services to meet the unique needs of our communities. Furthermore, this financial dilemma presents damagingly affects to meet contract compliance and unfunded mandates such as; having trained staff to expend time and effort into service unit tracking, compiling this data and submitting monthly service unit

reports, interpreting and establishing systems to meet ALTSD policies for all required areas of service, and conduct quarterly facility self-assessments at the same time we are expected to deliver services within our communities. One of the last changes to ALTDS policies was to lower the eligibility for services 55 years of age to 50 without any additional dollars to meet the demand for such services.

-TESTIMONY FROM EIGHT NORTHERN

The State-Tribal Collaboration Act was enacted by the Legislature with the intent to promote effective communication and collaboration between state agencies and Native American Pueblos, Tribes, and Nations. But in the area of aging the act has not met its intended purpose. Development and implementation of policies and processes are and have been incorporated and Tribal programs are consulted after the fact decisions are made.

Example #1 – when the administrative decision was made and the Office of Indian Elder Affairs was placed under the umbrella of the Aging Network, we were not informed of this change nor was there any Tribal consultation prior to that decision being implemented; if we as service providers had not questioned our place within the Aging Network, we would have not found out that there was a NM Statute that recognizes the Office of Indian Elder Affairs as its own branch under the Department of Aging and Long Term Services.

Example #2 – We are not sure if the Indian Area Agency on Aging still exists, has it replaced the IAAA - there has not been any clarification on this.

Example #3 – Inclusion of Navajo Nation under the Office of Indian Elder Affairs is another example of the lack of consultation with tribes. This inclusion will impact the contract management oversight responsibilities currently held by the OIEA.

Therefore, meaningful collaboration with Native American providers with respect to the NM State-Tribal Collaboration Act - changes and implementations which impact programs and direct services should involve meaningful communication and consultation with Tribal entities. We ask that you as a committee support and re-enforce the principles by which the Act was established.

With the investigation continuing with the North Central New Mexico Economic Development District and the findings that are surfacing, don't lose focus on Tribal Elder Programs needs and inequities in the shuffle.

There are questions regarding the OIEA Tribal Liaison who has been assigned to our programs by the Cabinet Secretary. There has not been any meaningful interactions since she has taken on this role. In addition, she also is the Acting Director of the Office of Indian Elder Affairs, and the Bureau Chief of The ALTSD Capital Project Bureau, this raises the concern for her ability to maintain the responsibilities under each position, as well as the potential conflict of interest that exists, with her being in the capacity of advocacy but then also making decisions. We would like to request for this committee to evaluate the effectiveness of this person to have the ability to fulfill these jobs, and make your recommendations based upon the best interest of those we serve.

Lastly, the NM-ALTSD is currently in the process of replacing the OIEA Director position. We understand that from a pool of potential 12 applicants the interview team is now down to three final candidates. Various entities, including the Pueblos of San Felipe, and the New Mexico Indian Council on Aging have requested inclusion in this process, but to no avail have not had any meaningful input by way of being more involved in this process thus far.