**Human Service Zone Plan Template**

*Submit to Department of Human Services (Department) by June 1, 2020*

**Section 1. Organization and Operation of the Human Service Zone.**

A. General Operation

1. Please include information regarding the Human Service Zone’s liability coverage for the Human Service Zone Board, Human Service Zone Director, Human Service Zone team members, Human Service Zone property, and any unique contractual relationship with the state, other Human Service Zones, or other entities.

2. Please provide detailed information regarding the reasons why the counties have chosen to partner, addressing each specific factor outlined in Appendix E.

3. Please describe the following:

a. Method of operation of the Human Service Zone office and its administration;

b. The location of the main office and any ancillary offices;

c. A fixed asset list for assets greater than $5,000 in value at time of acquisition, including the name, year acquired, value at acquisition, and the fund source used to purchase the item (e.g., county general funds, social services funds, etc.); and

d. A plan for distribution of property owned by each of the county agencies affected by the consolidation and for the method of resolution of any disagreement between the boards of county commissioners involved in the Human Service Zone or between the governing board and one or more boards of county commissioners.

e. A process for client grievance procedures (e.g., general complaints about workers, service levels, etc.).

4. A Human Service Zone may contract with another Human Service Zone or any other public or private person to discharge any of its duties or exercise any of its powers to administer human services. Please list any areas in which the Human Service Zone will or may contract with another Human Service Zone or any other public or private person. Please also list the terms of the agreement or contract or potential agreement or contract or provide the agreement or contract along with the proposed Human Service Zone plan.

B. Programs and Services

1. N.D.C.C. § 50-01.1-02(13) requires that “counties plan must include a description of all unique locally provided programs and services that the programs are proposing to continue to provide within the Human Service Zone and to be funded under this plan.” Locally provided programs are those that might be unique to a community (e.g., food pantry, county-specific home and community-based services). Please provide that information here, including detail on the following: what goods or services are provided, the extent of the provision of those goods and services – including the budgetary requirements and the number of individuals served, if available – the characteristics of the populations served by these programs, and any relevant criteria used to determine who is eligible to be served by these programs. Please also describe the areas within the Human Service Zone in which these programs will continue to be provided.
2. Please attach a copy of General Assistance policies, if any.
3. Please include a consistent set of eligibility criteria for indigent burial to be used across the Human Service Zone. Please also list the proposed rates for indigent burial to be used in each county of the Human Service Zone.

C. Human Service Zone Board membership, duties, and makeup

1. Human Service Zone Board members must be appointed for a term of three years or until a successor has been appointed and qualifies. The Human Service Zone Board members appointed to the initial Human Service Zone Board, however, must be appointed to staggered terms determined according to this Human Service Zone plan. Please set forth the proposed staggered terms of the appointed members of the Human Service Zone Board.

2. Appointed members shall elect a vice presiding officer and appoint a secretary, and other officers as the Human Service Zone Board determines necessary. Please specify the vice presiding officer, appointed secretary, and any additional officers.

3. Please set forth the process for the Human Service Zone Board to conduct timely appeals regarding general assistance denials of eligibility which are subject to judicial review in the manner prescribed by N.D.C.C. chapter 28-32. General assistance appeals must remain confidential pursuant to N.D.C.C. § 50-06-15.

D. Human Service Zone Director

1. Please include the name, qualifications, and reasons for selection of the Human Service Zone Director.

**Section 2. Human Resources.**

A. The counties’ plan must specify any known role transitions for Human Service Zone team members. Please specify role transitions here.

B. Please include here or attach a current or proposed organizational chart for the Human Service Zone.

C. Procedures for team member grievances, appeals, and disciplinary actions must be in accordance with merit system requirements in N.D.C.C. § 54-44.3 and the Department’s Human Resources policy manual. Note that the Human Service Zone Board will hear and act on employee grievances. Please specify any additional detail on grievances, appeals, and disciplinary actions here.

D. Please acknowledge that the Human Service Zone Director shall notify the Department and appropriate host county staff, as directed by the county commissioners, regarding the hiring, dismissal, demotion, suspension without pay, forced relocation within the Human Service Zone, reduction-in-force, or reprisal of a Human Service Zone team member. Please list the appropriate host county staff for the Human Service Zone Director to notify.

**Section 3. Fiscal Information.**

A. A plan for the creation of a Human Service Zone must describe the method of disbursements of public funds, and the accountability for funds and manner of reporting receipts and disbursements. Please describe that process here. Note that the law requires that the Human Service Zone Director or designee shall approve or ratify all claims against the Human Service Zone Human Services Fund.

**Section 4. Acknowledgements & Agreements.**

A. A plan for the creation of Human Service Zone must agree to the requirements set forth in Appendices A, B, C, and D. Please set forth the acknowledgement and agreement to these requirements.

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**Appendix A: Acknowledgement of Human Service Zone Duties**

A. We acknowledge that the Human Service Zone succeeds to all the powers and duties enumerated for county agencies and shall perform all the functions and responsibilities assigned to county agencies by Title 50 of the North Dakota Century Code.

B. We acknowledge that the Human Service Zone shall be the Department’s authorized agent as set forth in law or administrative rules, unless another entity is designated by the Department.

C. Duties of the Human Service Zone:

1. We agree that the Human Service Zone will comply with the specific duties of the Human Service Zone identified under N.D.C.C. § 50-01.1-05 under the direction and supervision of the Department, unless otherwise directed or determined by the Department:

a. Supervise and direct all human services activities conducted by the Human Service Zone, including General Assistance or other public assistance.

b. Supervise and administer human services in the Human Service Zone which are financed in whole or in part with funds allocated or distributed by the Department.

c. Aid and assist in every reasonable way to efficiently coordinate and conduct human services activities within the Human Service Zone by private as well as public organizations.

d. Subject to N.D.C.C. § 50-06-05.1(16), administer the supplemental nutrition assistance program in the Human Service Zone in conformity with the Food Stamp Act of 1964, and enter an agreement for administering the supplemental nutrition assistance program with the Department.

e. Subject to N.D.C.C. § 50-06-05.1(18), administer the home energy assistance program in the Human Service Zone and enter an agreement for administering the home energy assistance program with the Department.

f. Charge and collect fees and expenses for services provided by the Human Service Zone's staff in accordance with policies and fee schedules adopted by the Department.

g. Supervise and administer designated child welfare services.

h. Supervise and administer human services.

i. Supervise and administer replacement programs with substantially similar goals, benefits, or objectives.

j. If applicable, supervise and administer experimental, pilot, statewide, regional, or transitional programs under the director of the Department and with the goals of enhancing quality, effectiveness, and efficiency of programs and services.

k. Cooperate with the Department or other Human Service Zones in revising Human Service Zone operations to reflect Department guidelines or best practices that may be based on recommendations from experimental or pilot programs.

l. Cooperate with any other Human Service Zone, including forwarding appropriation records and files, to assure the conduct of initial and ongoing human services with respect to any applicant or eligible beneficiary who is physically present in a Human Service Zone other than the Human Service Zone of which the applicant or eligible beneficiary is a resident.

m. Collaborate with the Department and other Human Service Zones to ensure the provision of quality, effective, and efficient human services to the citizens of North Dakota.

2. We agree that the Human Service Zone will comply with the specific duties of the Human Service Zone identified by N.D.C.C. chapter 27-20 and sections 11-16-01, 50-01.2-03 and 50-06.2-04.

a. To administer comprehensive human services for individuals and families at the Human Service Zone level in conformity with state and federal requirements under the direction and supervision of Department.

b. To provide the Department a Human Service Zone Plan and any amendments.

c. To make available the human services detailed in the Human Service Zone Plan.

d. To provide case management, child welfare services, and ensure the Human Service Zone has legal representation and commences actions involving the Human Service, Zone including temporary legal custody, continued foster care services, permanency hearings for all children in the custody of the Department, county social service board, or Human Service Zone, and termination of parental rights cases in which the child may be placed in the custody the Human Service Zone.

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**Appendix B: Acknowledgement of Organization and Operation**

A. We acknowledge that the Human Service Zone shall cooperate with the Department to adopt and implement administrative and operational cost-savings methodologies and determine options for consolidations.

B. We agree that the Human Service Zone shall allow nonresidents of the participating counties of Human Service Zone to access human services.

C. We acknowledge that the Human Service Zone plan, once approved, may be continued for a definite term or until rescinded, terminated, or modified by the Department through a process developed by the Department.

D. General Operation

1. We agree that the Human Service Zone shall abide by the standards for administration for human services adopted by the Department and shall provide for administration of human services that meet those standards.

2. We acknowledge that if a Human Service Zone fails to provide for administration of human services that meet the standards for administration for human services, the Department may take any of the following actions:

a. Provide training to the persons responsible for administration.

b. Require the Human Service Zone to prepare and implement a corrective action plan.

c. Terminate or modify a Human Service Zone, agreement, or plan which may include requiring the reconstituting of the Human Service Zone Board or rehiring of the Human Service Zone Director as part of a new or modified agreement or plan.

d. Recalculate and adjust the Human Service Zone’s formula payments.

e. Recommend disciplinary action to the Human Service Zone Director or the Human Service Zone Board.

E. Programs and Services

1. We agree that a reduction in access points may only be made with agreement of the Human Service Zone Board, the county commissions of affected counties, and the Department.

F. Human Service Zone Board membership, duties, and makeup

1. We agree that the Department shall be an active participant in the hiring process of the Human Service Zone Director and approve or disapprove of the recommendation for the Human Service Zone Director from the Human Service Zone Board and interview panel before the Human Service Zone Board takes action to hire the Human Service Zone Director.

2. We acknowledge that the Human Service Zone Director shall serve as presiding officer of the Human Service Zone Board as a non-appointed member and will have voting authority as a member of the board.

G. Human Service Zone Director duties and authority

1. Please acknowledge that the Human Service Zone, through the Human Service Zone Director or the director’s designee, has exclusive jurisdiction and control of the administration of general assistance within the Human Service Zone, except as otherwise provided within N.D.C.C. Title 50.

2. The Human Service Zone Director must be an employee of the Human Service Zone and primary office is located within the Human Service Zone, unless serving more than one Human Service Zone. We acknowledge that these requirements are met.

3. We acknowledge that the Human Service Zone Director shall serve as the presiding officer and a voting member of the Human Service Zone Board.

4. We acknowledge that the Human Service Zone Director is the custodian designees of the executive director of the Department for any child in the custody of the Department.

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**Appendix C: Acknowledgement of Human Resources Requirements**

A. We agree that the Human Service Zone agrees that the Human Service Zone shall seek approval from the Department regarding hiring or dismissal of county social services or Human Service Zone team members.

B. We agree that the Human Service Zone Director may hire and impose disciplinary actions on a Human Service Zone team member in accordance with the Department’s policies. The Human Service Zone Director has discretion to hire or separate from employment a Human Service Zone team member, on behalf of the Human Service Zone Board, subject to the allotted number of approved and funded staff positions by the Department.

C. We agree that the Human Service Zone authorizes Department to reduce full-time equivalent positions in combination with a transfer of the positions or a Human Service Zone team member’s separation from employment.

D. We agree that the Human Service Zone agrees to permit the Department to review proposed transfers of staff from the Human Service Zone to the Department, from the Department to the Human Service Zone, or between this Human Service Zone and another Human Service Zone.

E. We agree that the Human Service Zone Director may notify county commissioners, the Human Service Zone Board, or other appropriate county staff regarding transfers of staff between the county and the Department.

F. We agree that the Human Service Zone Director shall notify the Department and appropriate host county staff, as directed by the county commissioners, regarding the hiring, dismissal, demotion, suspension without pay, forced relocation within the Human Service Zone, reduction-in-force, or reprisal of a Human Service Zone team member.

G. We agree that the Human Service Zone Director may serve as a designee of the Department to supervise Department employees assigned to or located within the Human Service Zone.

H. We agree to provide to the Department regular feedback on any state employees providing human services in the Human Service Zone or to the residents of any county within the Human Service Zone.

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**Appendix D: Acknowledgement of Fiscal Requirements**

A. General Statements

1. We agree to continue to provide funding entirely from the county’s general fund for the county share of indirect costs associated with the service delivery of human services pursuant to N.D.C.C. chapter 50-35 and participate in the indirect cost allocation plan.

2. We agree that the Human Service Zone Director shall establish, as agreed upon by the Department, equitable compensation and salary increases for all Human Service Zone team members within established appropriation.

3. We agree that the Human Service Zone Director shall develop a budget for the Human Service Zone in partnership with the Department and other Human Service Zone Directors to ensure the administration of human services.

4. For budget periods after December 31, 2019, the Departmental budget submitted by the Human Service Zone may not exceed an amount determined by the Department and the Human Service Zone Director pursuant to N.D.C.C. § 50-35-04 and must include the county’s cost allocation of indirect costs based on a formula established by the Department. We agree that the counties agree that the departmental budget submitted by the Human Service Zone may not exceed an amount determined by the Department and Human Service Zone Director.

5. We acknowledge that the Department may recalculate and adjust each Human Service Zone’s formula payment biannually and that the spending authority of the Human Service Zone must be increased or decreased based on the approved, adjusted, or modified formula payment.

B. Budget process. We agree to and acknowledge the following:

1. The Human Service Zone Director shall prepare a proposed budget for the Human Service Zone at the time and in the manner as requested by the Department and shall submit the Department approved proposed budget to the board of county commissioners of each county in the Human Service Zone for review.

2. The board of county commissioners may not take any action to amend or modify the amount approved by the Department.

3. The board of county commissioners may make recommendations to the Human Service Zone Director and the Department to amend or modify the amount proposed or budgeted.

4. The amount budgeted must be sufficient to defray the anticipated expenses of administration and the delivery of human services.

5. Within ten days following review of the proposed budget by the boards of county commissioners, the human service director shall certify the budget to the respective county auditors of the counties in the Human Service Zone.

6. Each board of county commissioners also shall budget and approve amounts sufficient to defray that county's share of anticipated indirect costs of the Human Service Zone. We acknowledge that items that are considered indirect costs may not be billed to the Human Service Zone Human Services Fund and reimbursement will be provided by the Department. If a cost savings for indirect costs is achieved, the Human Service Zone must notify the Department and the Department will recalculate the indirect formula payment accordingly.

7. That the board of county commissioner acknowledge that the Department will pay, pursuant to N.D.C.C. § 50-35-04, for indirect costs according to a formula established by the Department, which will be paid to the host county across the two formula payments and the host county will then distribute the payment to each county within the Human Service Zone according to the amounts established by the counties participating within the Human Service Zone.

8. The amounts budgeted, reviewed, and approved by the several boards of county commissioners or the Department, or both, must be periodically deposited with the treasurer of the host county in which the Human Service Zone office is located and must be placed in a special Human Service Zone Human Services Fund.

9. The Human Service Zone’s income must be deposited into the Human Service Zone Human Services Fund by the treasurer of the host county.

10. The Human Service Zone Board shall establish procedures for the review and approval of all claims against the Human Service Zone Human Services Fund.

11. The Human Service Zone Director or designee shall approve or ratify all claims against the Human Service Zone Human Services Fund.

12. The county treasurer of the host county shall pay approved or ratified claims from the Human Services Zone Human Services Fund.

13. Any unexpended Human Services Zone Human Services Funds remaining at the end of a fiscal year may be carried over to the next fiscal year.

14. The Department may recalculate and adjust each Human Service Zone’s formula payment biannually based on pertinent factors, which include actual expenditures over prior or current payment period, current costs, offered services, need, income, performance of duties directed or assigned and supervised by the Department, and caseload. The Human Service Zone must provide any information necessary for these formula calculations, including participating in cashflow tracking and reporting.

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**Appendix E: Human Service Zone Approval Criteria**

In determining whether the creation of a Human Service Zone should be approved or established, the Department shall refer to, among other pertinent factors, the following:

1. The consideration of leveraging existing cooperative agreements currently between county agencies and how to collaborate to best meet local need, promote efficiency, service delivery, and ensure quality service.

2. Whether the affected county social service agencies are able to supply an adequate level and quality of social, human, and economic assistance services.

3. The proposed number and qualifications of staff personnel serving the affected county social service agencies.

4. The ratio of the number of cases handled by the affected county social service agencies to the number of their staff personnel.

5. The proposed geographical area and population served by the affected county social service agencies.

6. The distance of recipients from the affected county social service agencies.

7. The benefits that would be realized from the creation of the proposed Human Service Zone in terms of lower costs, increased availability of services, new services, and improvement of services.

8. The amount of current and future access points for individuals to apply for and receive services within a Human Service Zone.

9. The existing pattern of the counties trade area and any regional pattern established by the Department.

10. Whether the county has a population exceeding sixty thousand individuals according to the 2010 United States census to operate as a single Human Service Zone and whether it is in the best interest of the neighboring counties.

11. Whether and how the Human Service Zone Director can adequately supervise the activities and operations of the Human Service Zone.

12. Whether the Human Service Zone Board is constituted of individuals that represent the population of the Human Service Zone.

13. Other good cause. The proposed Human Service Zone Agreement Letter of Explanation shall detail any other relevant factors you believe supports the Human Service Zone application being approved.