

# Tribal Consultation Process Overview

Through Tribal consultation the State of Oregon and the Oregon Department of Human Services (ODHS) share the goal of upholding and honoring Tribal sovereignty, strengthening government-to-government relationships, and promoting effective communication with the Nine Federally Recognized Tribes of Oregon.

Below is a high-level overview of the ODHS Tribal consultation process:

**Day  
1**

Critical Event is identified by the Nine Federally Recognized Tribes of Oregon\* or by ODHS Leaders and managers using their respective program process.

#### Examples of Critical Events:

- a. State Plan Amendments,
- b. Waiver requests or renewals,
- c. Program activities impacting Tribal members,
- d. Policy development impacting Tribal members,
- e. Data collection and reporting activities impacting Tribes,
- f. Funding or budget development impacting Tribes,
- g. Rulemaking or any other event with significant, specific, and/or disproportionate impact to Tribes.

To conduct and initiate consultation, Tribes, OHA and ODHS are guided to:

- a. Identify the Critical Event: complexity, implications, time constraints, deadlines, and issue(s).
- b. Identify how the Critical Event impacts Tribes.
- c. Identify affected/potentially affected Tribes.

**Day  
2**

For requests that need CMS approval please send to OHA Tribal Affairs Office and carbon copy the ODHS Tribal Affairs Director and Tribal Consultation and Operations Manager.

**Day  
7**

ODHS Leaders and staff have worked with their designated Tribal program staff, Service Equity Manager and the Office of Tribal Affairs to identify communication methods to notify affected/potentially affected Tribes and begin drafting official notice.

**Day  
14**

ODHS Office of Tribal Affairs will send official notice "Dear Tribal Leader Letter" within 14 days of an identified Critical Event.

If a consultation meeting is requested, ODHS Tribal Affairs will convene the meeting within **30 days of the request.**

ODHS will report on the outcomes of the consultation within **30 days of final consultation via letter or email.**

**Day  
30**

For permanent rulemaking ODHS Tribal Affairs will send official notice "Dear Tribal Leader Letter" including an invite to attend Rule Advisory Committee (RAC) including an invite to attend Rule Advisory Committee (RAC) meetings, and the rules text with proposed changes tracked, no less than 30 days before the RAC.

\*For more information including to request consultation, please contact the ODHS Director's Office at [ODHS.DirectorsOffice@odhsoha.oregon.gov](mailto:ODHS.DirectorsOffice@odhsoha.oregon.gov)