

**ON OR NEAR AN  
INDIAN  
RESERVATION**

Foster homes **on or near** an Indian reservation may be licensed or approved based on tribal criteria. Authorized payment to the child placing agency or tribe occurs in the same manner as payment authorized by any other licensed child placing agency with which the Michigan Department of Health and Human Services (MDHHS) has a purchase of service contract.

Caseworkers should utilize the Native American Affairs Tribal Service Area Map to determine if a foster home has potential to be under tribal jurisdiction; see [Tribal Service Area Map](http://www.michigan.gov/documents/dhs/NAA-Tribal-Service-Area-Map_305179_7.pdf) at [http://www.michigan.gov/documents/dhs/NAA-Tribal-Service-Area-Map\\_305179\\_7.pdf](http://www.michigan.gov/documents/dhs/NAA-Tribal-Service-Area-Map_305179_7.pdf).

Caseworkers must contact a tribal social service director/tribal court for the tribe(s) identified in their county to confirm tribal jurisdiction and/or request a tribal reservation/trust land map to verify tribal jurisdiction.

The Bureau of Indian Affairs (BIA) determines tribal reservation or trust land based upon federal tribal consultation processes with each tribe respectively. The State of Michigan recognizes tribes and tribal lands as determined by the BIA and/or the State Attorney General's Office.

***Verifying On or Near***

When a caseworker is uncertain whether a home is considered on or near, a determination must be made through the director of Native American Affairs in conjunction with Child Welfare Licensing (CWL) and the tribe. If agreement cannot be reached, the issue must be brought to the attention of the state of Michigan MDHHS director in central office.

All final determinations of a home on or near will be provided by the BIA and/or the State Attorney General's Office.

**NOT ON OR NEAR  
AN INDIAN  
RESERVATION**

Foster homes **not on or near** an Indian reservation must be licensed and assigned a state license number in accordance with the Child Care Licensing Act, MCL 722.111-722.128. Authorized payment to the child placing agency or tribe occurs in the same manner as payment authorized by any other licensed child placing agency with which MDHHS has a purchase of service contract.

**RELATIVE  
LICENSING**

The requirement of relative licensing is optional for children who are Indian Children as defined by the Indian Child Welfare Act (ICWA). ICWA/MIFPA placement priorities still apply (MCL 712B. 1 - 41). Refer to Native American Affairs policy manual item, Placement Priorities for Indian Children, NAA 215.

***Fingerprinting***

In order for tribal foster care homes to be eligible for title IV-E funding all caregivers must be fingerprinted and documentation must be found in the foster home licensing file.

The CWL has established policy to pay for the cost of fingerprinting tribally licensed foster care homes/caregivers; see BCAL 120a.

**Indian Ancestry Verification**

According to the Indian Child Welfare Act/Michigan Indian Family Preservation Act, Indian children must be placed in ICWA/MIFPA placement priority homes.

In order to ensure ICWA/MIFPA placement priorities for Indian children, caseworkers must verify Indian ancestry utilizing the DHS-120a for those families that indicate they are of American Indian/Alaska Native race on their licensing application.

Copies of the BCAL-120a and tribal verification responses must be filed in the foster home licensing file as applicable; see CWL policy.

**LEGAL BASIS**

Child Care Licensing Act, MCL 722.111-722.128

Indian Child Welfare Act, 25 USC 1901 et seq.

Michigan Indian Family Preservation Act, MCL 712B. 1 - 41.