

42 C.F.R. § 136.414

How does the IHS determine eligibility for placement or retention of individuals in positions involving regular contact with Indian children?

- (a) Adjudication is the process IHS uses to determine eligibility for placement or retention of individuals in positions involving regular contact with Indian children. The adjudication process protects the interests of the employer and the right of applicants and employees. Adjudication requires uniform evaluation to ensure fair and consistent judgment.
- (b) Each case is judged on its own merits. All available information, both favorable and unfavorable, should be considered and assessed in terms of accuracy, completeness, relevance, seriousness, overall significance, and how similar cases have been handled in the past.
- (c) The adjudicating official who conducts the adjudication must first have been the subject of a favorable background investigation.
- (d) Each adjudicating official must be thoroughly familiar with all laws, regulations, and criteria involved in making a determination for eligibility.

This document is only available to subscribers. Please [log in](#) or [purchase access](#).

[Purchase Login](#)