

108TH CONGRESS
2D SESSION

S. 2937

To amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7, 2004

Mr. DEWINE (for himself and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Services for Ending
5 Long-Term Homelessness Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Nationally, there are approximately 200,000
2 to 250,000 people who experience chronic homeless-
3 ness, including some families with children. Chron-
4 ically homeless people often live in shelters or on the
5 streets for years at a time, experience repeated epi-
6 sodes of homelessness without achieving housing sta-
7 bility, or cycle between homelessness, jails, mental
8 health facilities, and hospitals.

9 (2) The President's New Freedom Commission
10 on Mental Health recommended the development
11 and implementation of a comprehensive plan de-
12 signed to facilitate access to 150,000 units of per-
13 manent supportive housing for consumers and fami-
14 lies who are chronically homeless. The Commission
15 found that affordable housing alone is insufficient
16 for many people with severe mental illness, and that
17 flexible, mobile, individualized support services are
18 also necessary to support and sustain consumers in
19 their housing.

20 (3) Congress and the President have set a goal
21 of ending chronic homelessness in 10 years.

22 (4) Permanent supportive housing is a proven
23 and cost effective solution to chronic homelessness.
24 A recent study by the University of Pennsylvania
25 found that each unit of supportive housing for home-

less people with mental illness in New York City resulted in public savings of \$16,281 per year in systems of care such as mental health, human services, health care, veterans' affairs, and corrections.

(5) Current programs for funding services in permanent supportive housing, other than those administered by the Department of Housing and Urban Development, were not designed to be closely coordinated with housing resources, nor were they designed to meet the multiple needs of people who are chronically homeless.

**SEC. 3. DUTIES OF ADMINISTRATOR OF SUBSTANCE ABUSE
AND MENTAL HEALTH SERVICES ADMINISTRATION.**

Section 501(d) of the Public Health Service Act (42 U.S.C. 290aa(d)) is amended—

(1) in paragraph (17), by striking “and” at the end;

(2) in paragraph (18), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(19) collaborate with Federal departments and programs that are part of the President’s Inter-agency Council on Homelessness, particularly the Department of Housing and Urban Development,

1 the Department of Labor, and the Department of
 2 Veterans Affairs, and with other agencies within the
 3 Department of Health and Human Services, particu-
 4 larly the Health Resources and Services Administra-
 5 tion, the Administration on Children and Families,
 6 and the Centers for Medicare and Medicaid Services,
 7 to design national strategies for providing services in
 8 supportive housing that will assist in ending chronic
 9 homelessness and to implement programs that ad-
 10 dress chronic homelessness.”.

11 **SEC. 4. GRANTS FOR SERVICES FOR CHRONICALLY HOME-**
 12 **LESS INDIVIDUALS IN SUPPORTIVE HOUSING.**

13 Title V of the Public Health Service Act (42 U.S.C.
 14 290aa et seq.) is amended by adding at the end the fol-
 15 lowing:

16 **“PART J—GRANTS FOR SERVICES TO END**
 17 **CHRONIC HOMELESSNESS**

18 **“SEC. 596. GRANTS FOR SERVICES TO END CHRONIC HOME-**
 19 **LESSNESS.**

20 “(a) IN GENERAL.—

21 “(1) GRANTS.—The Secretary shall make
 22 grants to entities described in paragraph (2) for the
 23 purpose of carrying out projects to provide the serv-
 24 ices described in subsection (c) to chronically home-
 25 less individuals in permanent supportive housing.

1 “(2) ELIGIBLE ENTITIES.—For purposes of
2 paragraph (1), an entity described in this paragraph
3 is—

4 “(A) a State or political subdivision of a
5 State, an Indian tribe or tribal organization, or
6 a public or nonprofit private entity, including a
7 community-based provider of homelessness serv-
8 ices, health care, housing, or other services im-
9 portant to individuals experiencing chronic
10 homelessness; or

11 “(B) a consortium composed of entities de-
12 scribed in subparagraph (A), which consortium
13 includes a public or nonprofit private entity
14 that serves as the lead applicant and has re-
15 sponsibility for coordinating the activities of the
16 consortium.

17 “(b) PRIORITIES.—In making grants under sub-
18 section (a), the Secretary shall give priority to applicants
19 demonstrating that the applicants—

20 “(1) target funds to individuals or families
21 who—

22 “(A) have been homeless for longer periods
23 of time or have experienced more episodes of
24 homelessness than are required to meet the def-

1 initiation of chronic homelessness under this sec-
2 tion;

3 “(B) have high rates of utilization of emer-
4 gency public systems of care; or

5 “(C) have a history of interactions with
6 law enforcement and the criminal justice sys-
7 tem;

8 “(2) have greater funding commitments from
9 State or local government agencies responsible for
10 overseeing mental health treatment, substance abuse
11 treatment, medical care, and employment (including
12 commitments to provide Federal funds in accordance
13 with subsection (d)(2)(B)(ii)); and

14 “(3) will provide for an increase in the number
15 of units of permanent supportive housing that would
16 serve chronically homeless individuals in the commu-
17 nity as a result of an award of a grant under sub-
18 section (a).

19 “(c) SERVICES.—The services referred to in sub-
20 section (a) are the following:

21 “(1) Services provided by the grantee or by
22 qualified subcontractors that promote recovery and
23 self-sufficiency and address barriers to housing sta-
24 bility, including but not limited to the following:

1 “(A) Mental health services, including
2 treatment and recovery support services.

3 “(B) Substance abuse treatment and re-
4 covery support services, including counseling,
5 treatment planning, recovery coaching, and re-
6 lapse prevention.

7 “(C) Integrated, coordinated treatment
8 and recovery support services for co-occurring
9 disorders.

10 “(D) Health education, including referrals
11 for medical and dental care.

12 “(E) Services designed to help individuals
13 make progress toward self-sufficiency and re-
14 covery, including benefits advocacy, money
15 management, life-skills training, self-help pro-
16 grams, and engagement and motivational inter-
17 ventions.

18 “(F) Parental skills and family support.

19 “(G) Case management.

20 “(H) Other supportive services that pro-
21 mote an end to chronic homelessness.

22 “(2) Services, as described in paragraph (1),
23 that are delivered to individuals and families who
24 are chronically homeless and who are scheduled to
25 become residents of permanent supportive housing

1 within 90 days pending the location or development
 2 of an appropriate unit of housing.

3 “(3) For individuals and families who are oth-
 4 erwise eligible, and who have voluntarily chosen to
 5 seek other housing opportunities after a period of
 6 tenancy in supportive housing, services, as described
 7 in paragraph (1), that are delivered, for a period of
 8 90 days after exiting permanent supportive housing
 9 or until the individuals have transitioned to com-
 10 prehensive services adequate to meet their current
 11 needs, provided that the purpose of the services is to
 12 support the individuals in their choice to transition
 13 into housing that is responsive to their individual
 14 needs and preferences.

15 “(d) MATCHING FUNDS.—

16 “(1) IN GENERAL.—A condition for the receipt
 17 of a grant under subsection (a) is that, with respect
 18 to the cost of the project to be carried out by an ap-
 19 plicant pursuant to such subsection, the applicant
 20 agree as follows:

21 “(A) In the case of the initial grant pursu-
 22 ant to subsection (i)(1)(A), the applicant will,
 23 in accordance with paragraphs (2) and (3),
 24 make available contributions toward such costs

1 in an amount that is not less than \$1 for each
 2 \$3 of Federal funds provided in the grant.

3 “(B) In the case of a renewal grant pursu-
 4 ant to subsection (i)(1)(B), the applicant will,
 5 in accordance with paragraphs (2) and (3),
 6 make available contributions toward such costs
 7 in an amount that is not less than \$1 for each
 8 \$1 of Federal funds provided in the grant.

9 “(2) SOURCE OF CONTRIBUTION.—For pur-
 10 poses of paragraph (1), contributions made by an
 11 applicant are in accordance with this paragraph if
 12 made as follows:

13 “(A) The contribution is made from funds
 14 of the applicant or from donations from public
 15 or private entities.

16 “(B) Of the contribution—

17 “(i) not less than 80 percent is from
 18 non-Federal funds; and

19 “(ii) not more than 20 percent is from
 20 Federal funds provided under programs
 21 that—

22 “(I) are not expressly directed at
 23 services for homeless individuals, but
 24 whose purposes are broad enough to
 25 include the provision of a service or

1 services described in subsection (c) as
2 authorized expenditures under such
3 program; and

4 “(II) do not prohibit Federal
5 funds under the program from being
6 used to provide a contribution that is
7 required as a condition for obtaining
8 Federal funds.

9 “(3) DETERMINATION OF AMOUNT CONTRIB-
10 UTED.—Contributions required in paragraph (1)
11 may be in cash or in kind, fairly evaluated, including
12 plant, equipment, or services. Amounts provided by
13 the Federal Government, or services assisted or sub-
14 sidized to any significant extent by the Federal Gov-
15 ernment, may not be included in determining the
16 amount of non-Federal contributions required in
17 paragraph (2)(B)(i).

18 “(e) ADMINISTRATIVE EXPENSES.—A condition for
19 the receipt of a grant under subsection (a) is that the ap-
20 plicant involved agree that not more than 6 percent of the
21 grant will be expended for administrative expenses with
22 respect to the grant.

23 “(f) CERTAIN USES OF FUNDS.—Notwithstanding
24 other provisions of this section, a grantee under subsection
25 (a) may expend not more than 20 percent of the grant

1 to provide the services described in subsection (c) to home-
2 less individuals who are not chronically homeless.

3 “(g) APPLICATION FOR GRANT.—A grant may be
4 made under subsection (a) only if an application for the
5 grant is submitted to the Secretary and the application
6 is in such form, is made in such manner, and contains
7 such agreements, assurances, and information as the Sec-
8 retary determines to be necessary to carry out this section.

9 “(h) CERTAIN REQUIREMENTS.—A condition for the
10 receipt of a grant under subsection (a) is that the appli-
11 cant involved demonstrate the following:

12 “(1) The applicant and all direct providers of
13 services have the experience, infrastructure, and ex-
14 pertise needed to ensure the quality and effective-
15 ness of services, which may be demonstrated by any
16 of the following:

17 “(A) Compliance with all local, city, coun-
18 ty, or State requirements for licensing, accredi-
19 tation, or certification (if any) which are appli-
20 cable to the proposed project.

21 “(B) A minimum of two years experience
22 providing comparable services that do not re-
23 quire licensing, accreditation, or certification.

1 “(C) Certification as a Medicaid service
2 provider, including health care for the homeless
3 programs and community health centers.

4 “(D) An executed agreement with a rel-
5 evant State or local government agency that
6 will provide oversight over the mental health,
7 substance abuse, or other services that will be
8 delivered by the project.

9 “(2) There is a mechanism for determining
10 whether residents are chronically homeless. Such a
11 mechanism may rely on local data systems or
12 records of shelter admission. If there are no sources
13 of data regarding the duration or number of home-
14 less episodes, or if such data are unreliable for the
15 purposes of this subsection, an applicant must dem-
16 onstrate that the project will implement appropriate
17 procedures, taking into consideration the capacity of
18 local homeless service providers to document epi-
19 sodes of homelessness and the challenges of engag-
20 ing persons who have been chronically homeless, to
21 verify that an individual or family meets the defini-
22 tion for being chronically homeless under this sec-
23 tion.

1 “(3) The applicant participates in a local, re-
 2 gional, or statewide homeless management informa-
 3 tion system.

4 “(i) DURATION OF INITIAL AND RENEWAL GRANTS;
 5 ADDITIONAL PROVISIONS REGARDING RENEWAL
 6 GRANTS.—

7 “(1) IN GENERAL.—Subject to paragraphs (2)
 8 and (3), the period during which payments are made
 9 to a grantee under subsection (a) shall be in accord-
 10 ance with the following:

11 “(A) In the case of the initial grant, the
 12 period of payments shall be not less than three
 13 years and not more than five years.

14 “(B) In the case of a subsequent grant (re-
 15 ferred to in this subsection as a ‘renewal
 16 grant’), the period of payments shall be not
 17 more than five years.

18 “(2) ANNUAL APPROVAL; AVAILABILITY OF AP-
 19 PROPRIATIONS; NUMBER OF GRANTS.—The provision
 20 of payments under an initial or renewal grant is sub-
 21 ject to annual approval by the Secretary of the pay-
 22 ments and to the availability of appropriations for
 23 the fiscal year involved to make the payments. This
 24 subsection may not be construed as establishing a

1 limitation on the number of grants under subsection
2 (a) that may be made to an entity.

3 “(3) ADDITIONAL PROVISIONS REGARDING RE-
4 NEWAL GRANTS.—

5 “(A) PRIORITY IN MAKING GRANTS.—In
6 making grants under subsection (a), the Sec-
7 retary shall give priority to renewal grants.

8 “(B) COMPLIANCE WITH MINIMUM STAND-
9 ARDS.—A renewal grant may be made by the
10 Secretary only if the Secretary determines that
11 the applicant involved has, in the project car-
12 ried out with the grant, maintained compliance
13 with minimum standards for quality and suc-
14 cessful outcomes for housing retention, as de-
15 termined by the Secretary.

16 “(C) AMOUNT.—The maximum amount of
17 a renewal grant under this subsection shall not
18 exceed an amount equal to—

19 “(i) 75 percent of the amount of Fed-
20 eral funds provided in the final year of the
21 initial grant period; or

22 “(ii) 50 percent of the total costs of
23 sustaining the program funded under the
24 grant at the level provided for in the year

1 preceding the year for which the renewal
 2 grant is being awarded;
 3 as determined by the Secretary.

4 “(j) STRATEGIC PERFORMANCE OUTCOMES AND RE-
 5 PORTS.—

6 “(1) IN GENERAL.—The Secretary shall, as a
 7 condition of the receipt of grants under subsection
 8 (a), require grantees to report data regarding the
 9 performance outcomes of the projects carried out
 10 pursuant to such subsection. Consistent with the re-
 11 quirement of the preceding sentence, each applicant
 12 shall measure and report specific performance out-
 13 comes related to the long-term goals of increasing
 14 stability within the community for individuals who
 15 have been chronically homeless, and decreasing re-
 16 currence of periods of homelessness.

17 “(2) PERFORMANCE OUTCOMES.—The perform-
 18 ance outcomes identified by a grantee under para-
 19 graph (1) shall include, with respect to individuals
 20 who have been chronically homeless, improvements
 21 in—

22 “(A) housing stability;

23 “(B) employment and education;

24 “(C) problems related to substance abuse;

1 “(D) participation in mental health serv-
2 ices; and

3 “(E) other areas as the Secretary deter-
4 mines appropriate.

5 “(3) COORDINATION AND CONSISTENCY WITH
6 OTHER HOMELESS ASSISTANCE PROGRAMS.—

7 “(A) PROCEDURES.—In establishing stra-
8 tegic performance outcomes and reporting re-
9 quirements under paragraph (1), the Secretary
10 shall develop and implement procedures that
11 minimize the costs and burdens to grantees and
12 program participants, and that are practical,
13 streamlined, and designed for consistency with
14 the requirements of the homeless assistance
15 programs administered by the Secretary of
16 Housing and Urban Development.

17 “(B) APPLICANT COORDINATION.—Appli-
18 cants under this section shall coordinate with
19 community stakeholders, including participants
20 in the local homeless management information
21 system, concerning the development of systems
22 to measure performance outcomes and with the
23 Secretary for assistance with data collection
24 and measurements activities.

1 “(4) REPORT.—A grantee shall submit an an-
2 nual report to the Secretary that—

3 “(A) identifies the grantee’s progress to-
4 wards achieving its strategic performance out-
5 comes; and

6 “(B) describes other activities conducted
7 by the grantee to increase the participation,
8 housing stability, and other improvements in
9 outcomes for individuals who have been chron-
10 ically homeless.

11 “(k) TRAINING AND TECHNICAL ASSISTANCE.—The
12 Secretary, directly or through awards of grants or con-
13 tracts to public or nonprofit private entities, shall provide
14 training and technical assistance regarding the planning,
15 development, and provision of services in projects under
16 subsection (a).

17 “(l) BIENNIAL REPORTS TO CONGRESS.—Not later
18 than two years after the date of the enactment of the Serv-
19 ices for Ending Long-Term Homelessness Act, and bienni-
20 ally thereafter, the Secretary shall submit to the Congress
21 a report on projects under subsection (a) that includes a
22 summary of information received by the Secretary under
23 subsection (j), and that describes the impact of the pro-
24 gram under subsection (a) as part of a comprehensive
25 strategy for ending long term homelessness and improving

1 outcomes for individuals with mental illness and substance
 2 abuse problems.

3 “(m) DEFINITIONS.—For purposes of this section:

4 “(1) The term ‘chronically homeless’ means an
 5 individual or family who—

6 “(A) is currently homeless;

7 “(B) has been homeless continuously for at
 8 least one year or has been homeless on at least
 9 four separate occasions in the last three years;
 10 and

11 “(C) has an adult head of household with
 12 a disabling condition, defined as a diagnosable
 13 substance use disorder, serious mental illness,
 14 developmental disability, or chronic physical ill-
 15 ness or disability, including the co-occurrence of
 16 two or more of these conditions.

17 “(2) The term ‘disabling condition’ means a
 18 condition that limits an individual’s ability to work
 19 or perform one or more activities of daily living.

20 “(3) The term ‘homeless’ means sleeping in a
 21 place not meant for human habitation or in an emer-
 22 gency homeless shelter.

23 “(4)(A) The term ‘permanent supportive hous-
 24 ing’ means permanent, affordable housing with flexi-
 25 ble support services that are available and designed

1 to help the tenants stay housed and build the nec-
 2 essary skills to live as independently as possible.
 3 Such term does not include housing that is time-lim-
 4 ited. Supportive housing offers residents assistance
 5 in reaching their full potential, which may include
 6 opportunities to secure other housing that meets
 7 their needs and preferences, based on individual
 8 choice instead of the requirements of time-limited
 9 transitional programs. Under this section, perma-
 10 nent affordable housing includes but is not limited
 11 to permanent housing funded or assisted through
 12 title IV of the McKinney-Vento Homeless Assistance
 13 Act and section (8) of the United States Housing
 14 Act of 1937.

15 “(B) For purposes of subparagraph (A), the
 16 term ‘affordable’ means within the financial means
 17 of individuals who are extremely low income, as de-
 18 fined by the Secretary of Housing and Urban Devel-
 19 opment.

20 “(n) FUNDING.—

21 “(1) AUTHORIZATION OF APPROPRIATIONS.—

22 For the purpose of carrying out this section, there
 23 are authorized to be appropriated such sums as may
 24 be necessary for each of the fiscal years 2005
 25 through 2009.

1 “(2) ALLOCATION FOR TRAINING AND TECH-
2 NICAL ASSISTANCE.—Of the amount appropriated
3 under paragraph (1) for a fiscal year, the Secretary
4 may reserve not more than 3 percent for carrying
5 out subsection (k).”.

○