

108TH CONGRESS  
2D SESSION

# H. R. 4866

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.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2004

Mr. BURR (for himself, Ms. ESHOO, Mr. SIMMONS, Mr. RAMSTAD, Mrs. MYRICK, Ms. ROS-LEHTINEN, Ms. PRYCE of Ohio, Ms. KAPTUR, Mr. ROGERS of Michigan, and Mr. PRICE of North Carolina) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## 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”.

1 **SEC. 2. DUTIES OF CENTER FOR MENTAL HEALTH SERV-**  
2 **ICES.**

3 Section 520(b) of the Public Health Service Act (42  
4 U.S.C. 290bb–31(b)) is amended—

5 (1) in paragraph (14), by striking “and” at the  
6 end;

7 (2) in paragraph (15), by striking the period  
8 and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(16) administer the program under part J in  
11 consultation with the Director of the Center for Sub-  
12 stance Abuse Treatment;

13 “(17) provide technical assistance, in consulta-  
14 tion with the Director of the Center for Substance  
15 Abuse Treatment, to public and private entities that  
16 are providers of permanent supportive housing that  
17 includes individuals who are chronically homeless as  
18 defined in section 596(m); and

19 “(18) implement a comprehensive approach to  
20 support the widespread dissemination of information  
21 about services in permanent supportive housing tar-  
22 geted to individuals who have been homeless for long  
23 periods of time and have disabilities, including the  
24 use of existing clearinghouses, toolkits, and reg-  
25 istries of promising practices.”.

1 **SEC. 3. DUTIES OF ADMINISTRATOR OF SUBSTANCE ABUSE**  
2 **AND MENTAL HEALTH SERVICES ADMINIS-**  
3 **TRATION.**

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

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

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

10 (3) by adding at the end the following:

11 “(19) design national strategies for providing  
12 services in supportive housing that will assist in end-  
13 ing chronic homelessness;

14 “(20) collaborate with Federal departments and  
15 programs that are part of the President’s Inter-  
16 agency Council on Homelessness, particularly the  
17 Department of Housing and Urban Development,  
18 the Department of Labor, and the Department of  
19 Veterans Affairs, and with other agencies within the  
20 Department of Health and Human Services, particu-  
21 larly the Health Resources and Services Administra-  
22 tion, the Administration on Children and Families,  
23 and the Centers for Medicare and Medicaid Services,  
24 to implement programs that address chronic home-  
25 lessness;

1           “(21) develop improved methods of serving indi-  
2           viduals with mental illness, physical illness, disabil-  
3           ities, substance abuse, or co-occurring disorders, to  
4           ensure that they remain stably housed;

5           “(22) promote collaboration between Federal,  
6           State and local agencies that are responsible for  
7           criminal justice, mental health, substance abuse  
8           treatment, medical care, employment training, and  
9           other systems of care that serve individuals who are  
10          chronically homeless to ensure that services are de-  
11          livered in a coordinated manner that promotes hous-  
12          ing stability; and

13          “(23) collaborate with the Department of Hous-  
14          ing and Urban Development and the Health Re-  
15          sources and Services Administration to develop a  
16          streamlined set of data collection, reporting, and  
17          performance measurements for programs that pro-  
18          vide housing and services to homeless persons, and  
19          recommend to the Office of Management and Budg-  
20          et a consistent set of performance standards for  
21          these programs consistent with the requirements of  
22          the Government Performance and Results Act.”.

1 **SEC. 4. GRANTS FOR SERVICES FOR CHRONICALLY HOME-**  
 2 **LESS INDIVIDUALS IN SUPPORTIVE HOUSING.**

3 Title V of the Public Health Service Act (42 U.S.C.  
 4 290aa et seq.) is amended by adding at the end the fol-  
 5 lowing:

6 **“PART J—GRANTS FOR SERVICES TO END**  
 7 **CHRONIC HOMELESSNESS**

8 **“SEC. 596. GRANTS FOR SERVICES TO END CHRONIC HOME-**  
 9 **LESSNESS.**

10 “(a) IN GENERAL.—

11 “(1) GRANTS.—The Secretary shall make  
 12 grants to entities described in paragraph (2) for the  
 13 purpose of carrying out projects to provide the serv-  
 14 ices described in subsection (c) to chronically home-  
 15 less individuals in permanent supportive housing.

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

19 “(A) a State or political subdivision of a  
 20 State, an Indian tribe or tribal organization, or  
 21 a public or nonprofit private entity, including a  
 22 community-based or faith-based provider of  
 23 homelessness services, health care, housing, or  
 24 other services important to individuals experi-  
 25 encing chronic homelessness; or

1           “(B) a consortium composed of entities de-  
2           scribed in subparagraph (A), which consortium  
3           includes a public or nonprofit private entity  
4           that serves as the lead applicant and has re-  
5           sponsibility for coordinating the activities of the  
6           consortium.

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

10           “(1) target funds to individuals or families  
11           who—

12           “(A) have been homeless for longer periods  
13           of time or have experienced more episodes of  
14           homelessness than are required to meet the def-  
15           inition of chronic homelessness under this sec-  
16           tion;

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

19           “(C) have a history of interactions with  
20           law enforcement and the criminal justice sys-  
21           tem;

22           “(2) have greater funding commitments from  
23           State or local government agencies responsible for  
24           overseeing mental health treatment, substance abuse  
25           treatment, medical care, and employment (including

1 commitments to provide Federal funds in accordance  
2 with subsection (e)(2)(B)(ii)); and

3 “(3) will provide for an increase in the number  
4 of units of permanent supportive housing that would  
5 serve chronically homeless individuals in the commu-  
6 nity as a result of an award of a grant under sub-  
7 section (a).

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

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

14 “(A) Mental health services, including  
15 treatment and recovery support services.

16 “(B) Substance abuse treatment and re-  
17 covery support services, including counseling,  
18 treatment planning, recovery coaching, and re-  
19 lapse prevention.

20 “(C) Integrated, coordinated treatment  
21 and recovery support services for co-occurring  
22 disorders.

23 “(D) Health education.

24 “(E) Referrals for medical and dental care.

1                   “(F) Benefits advocacy, and money man-  
2                   agement.

3                   “(G) Life skills training.

4                   “(H) Parental skills training and family  
5                   support.

6                   “(I) Self-help programs.

7                   “(J) Engagement and motivational inter-  
8                   ventions.

9                   “(K) Case management.

10                  “(L) Other supportive services that pro-  
11                  mote an end to chronic homelessness.

12                  “(2) Services, as described in paragraph (1),  
13                  that are delivered to individuals and families who  
14                  are chronically homeless and who are scheduled to  
15                  become residents of permanent supportive housing  
16                  within 90 days pending the location or development  
17                  of an appropriate unit of housing.

18                  “(3) For individuals and families who are oth-  
19                  erwise eligible, and who have voluntarily chosen to  
20                  seek other housing opportunities after a period of  
21                  tenancy in supportive housing, services, as described  
22                  in paragraph (1), that are delivered, for a period of  
23                  90 days after exiting permanent supportive housing  
24                  or until the individuals have transitioned to com-  
25                  prehensive services adequate to meet their current



1 needs, provided that the purpose of the services is to  
2 support the individuals in their choice to transition  
3 into housing that is responsive to their individual  
4 needs and preferences.

5 “(d) CERTAIN REQUIREMENTS.—A condition for the  
6 receipt of a grant under subsection (a) is that the appli-  
7 cant involved demonstrate the following:

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

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

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

20 “(C) Certification as a Medicaid service  
21 provider, including health care for the homeless  
22 programs and community health centers.

23 “(D) An executed agreement with a rel-  
24 evant State or local government agency that  
25 will provide oversight over the mental health,

1 substance abuse, or other services that will be  
2 delivered by the project.

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

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

21 “(e) MATCHING FUNDS.—

22 “(1) IN GENERAL.—A condition for the receipt  
23 of a grant under subsection (a) is that, with respect  
24 to the cost of the project to be carried out by an ap-

1       plicant pursuant to such subsection, the applicant  
2       agree as follows:

3               “(A) In the case of the initial grant pursu-  
4               ant to subsection (i)(1)(A), 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               \$3 of Federal funds provided in the grant.

9               “(B) In the case of a renewal grant pursu-  
10              ant to subsection (i)(1)(B), the applicant will,  
11              in accordance with paragraphs (2) and (3),  
12              make available contributions toward such costs  
13              in an amount that is not less than \$1 for each  
14              \$1 of Federal funds provided in the grant.

15             “(2) SOURCE OF CONTRIBUTION.—For pur-  
16             poses of paragraph (1), contributions made by an  
17             applicant are in accordance with this paragraph if  
18             made as follows:

19               “(A) The contribution is made from funds  
20               of the applicant or from donations from public  
21               or private entities.

22               “(B) Of the contribution—

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

1 “(ii) not more than 20 percent is from  
2 Federal funds provided under programs  
3 that—

4 “(I) are not expressly directed at  
5 services for homeless individuals, but  
6 whose purposes are broad enough to  
7 include the provision of a service or  
8 services described in subsection (c) as  
9 authorized expenditures under such  
10 program; and

11 “(II) do not prohibit Federal  
12 funds under the program from being  
13 used to provide a contribution that is  
14 required as a condition for obtaining  
15 Federal funds.

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

1       “(f) ADMINISTRATIVE EXPENSES.—A condition for  
2 the receipt of a grant under subsection (a) is that the ap-  
3 plicant involved agree that not more than 6 percent of the  
4 grant will be expended for administrative expenses with  
5 respect to the grant.

6       “(g) CERTAIN USES OF FUNDS.—Notwithstanding  
7 other provisions of this section, a grantee under subsection  
8 (a) may expend not more than 20 percent of the grant  
9 to provide the services described in subsection (c) to home-  
10 less individuals who are not chronically homeless.

11       “(h) APPLICATION FOR GRANT.—A grant may be  
12 made under subsection (a) only if an application for the  
13 grant is submitted to the Secretary and the application  
14 is in such form, is made in such manner, and contains  
15 such agreements, assurances, and information as the Sec-  
16 retary determines to be necessary to carry out this section.

17       “(i) DURATION OF INITIAL AND RENEWAL GRANTS;  
18 ADDITIONAL PROVISIONS REGARDING RENEWAL  
19 GRANTS.—

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

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

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

8           “(2) ANNUAL APPROVAL; AVAILABILITY OF AP-  
9           PROPRIATIONS; NUMBER OF GRANTS.—The provision  
10          of payments under an initial or renewal grant is sub-  
11          ject to annual approval by the Secretary of the pay-  
12          ments and to the availability of appropriations for  
13          the fiscal year involved to make the payments. This  
14          subsection may not be construed as establishing a  
15          limitation on the number of grants under subsection  
16          (a) that may be made to an entity.

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

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

22                 “(B) COMPLIANCE WITH MINIMUM STAND-  
23                 ARDS.—A renewal grant may be made by the  
24                 Secretary only if the Secretary determines that  
25                 the applicant involved has, in the project car-

ried out with the grant, maintained compliance with minimum standards for quality and successful outcomes for housing retention, as determined by the Secretary.

“(C) EVALUATION OF APPLICANTS.—In evaluating an applicant for a renewal grant, the Secretary shall consider such applicant in relation to other applicants for renewal grants, and not in relation to applicants for initial grants.

“(j) DATA COLLECTION; EVALUATIONS.—

“(1) IN GENERAL.—The Secretary may, as a condition of the receipt of grants under subsection (a), require grantees to provide data to the Secretary regarding the projects carried out pursuant to such subsection, and may require evaluations of the projects. The purpose of such requirements shall be to assist the Secretary in—

“(A) determining whether grantees are meeting the standards referred to in subsection (i)(3)(B); and

“(B) determining the extent to which individuals served by projects under subsection (a) are avoiding homelessness and achieving housing stability.

1           “(2) CONSISTENCY WITH OTHER HOMELESS AS-  
2           SISTANCE PROGRAMS.—In establishing requirements  
3           under paragraph (1), the Secretary shall develop and  
4           implement an approach that is practical, stream-  
5           lined, and designed for consistency with the require-  
6           ments of the homeless assistance programs adminis-  
7           tered by the Secretary of Housing and Urban Devel-  
8           opment.

9           “(3) USE OF GRANT.—A grantee under sub-  
10          section (a) may expend the grant to comply with re-  
11          quirements established by the Secretary under para-  
12          graph (1). For purposes of subsection (f), such ex-  
13          penditures of the grant shall not be included in de-  
14          termining the portion of the grant that has been ex-  
15          pended for administrative expenses.

16          “(4) AVAILABILITY OF GRANT FOR DIRECT  
17          SERVICES.—In order to maximize the proportion of  
18          grant funds that are available directly for the provi-  
19          sion of services described in subsection (c), the Sec-  
20          retary shall ensure that requirements under para-  
21          graph (1) minimize the cost and burdens imposed on  
22          grantees by using a coordinated and streamlined  
23          methodology. Such methodology may rely on appro-  
24          priate sampling techniques.



1       “(k) TRAINING AND TECHNICAL ASSISTANCE.—The  
2 Secretary, directly or through awards of grants or con-  
3 tracts to public or nonprofit private entities, shall provide  
4 training and technical assistance regarding the planning,  
5 development, and provision of services in projects under  
6 subsection (a).

7       “(l) BIENNIAL REPORTS TO CONGRESS.—Not later  
8 than two years after the date of the enactment of the Serv-  
9 ices for Ending Long-Term Homelessness Act, and bienni-  
10 ally thereafter, the Secretary shall submit to the Congress  
11 a report on projects under subsection (a) that includes a  
12 summary of information received by the Secretary under  
13 subsection (j), and that describes the impact of the pro-  
14 gram under subsection (a) as part of a comprehensive  
15 strategy for ending long term homelessness and improving  
16 outcomes for individuals with mental illness and substance  
17 abuse problems.

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

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

21                       “(A) is currently homeless;

22                       “(B) has been homeless continuously for at  
23 least one year or has been homeless on at least  
24 four separate occasions in the last three years;  
25 and

1           “(C) has an adult head of household with  
2           a disabling condition, defined as a diagnosable  
3           substance use disorder, serious mental illness,  
4           developmental disability, or chronic physical ill-  
5           ness or disability, including the co-occurrence of  
6           two or more of these conditions.

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

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

13          “(4)(A) The term ‘permanent supportive hous-  
14          ing’ means permanent, affordable housing with flexi-  
15          ble support services that are available and designed  
16          to help the tenants stay housed and build the nec-  
17          essary skills to live as independently as possible.  
18          Such term does not include housing that is time-lim-  
19          ited. Supportive housing offers residents assistance  
20          in reaching their full potential, which may include  
21          opportunities to secure other housing that meets  
22          their needs and preferences, based on individual  
23          choice instead of the requirements of time-limited  
24          transitional programs. Under this section, perma-  
25          nent affordable housing includes but is not limited

1 to permanent housing funded or assisted through  
2 title IV of the McKinney-Vento Homeless Assistance  
3 Act and section (8) of the United States Housing  
4 Act of 1937.

5 “(B) For purposes of subparagraph (A), the  
6 term ‘affordable’ means within the financial means  
7 of individuals who are extremely low income, as de-  
8 fined by the Secretary of Housing and Urban Devel-  
9 opment.

10 “(n) FUNDING.—

11 “(1) AUTHORIZATION OF APPROPRIATIONS.—  
12 For the purpose of carrying out this section, there  
13 are authorized to be appropriated such sums as may  
14 be necessary for each of the fiscal years 2005  
15 through 2009.

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

○