

108TH CONGRESS  
1ST SESSION

# S. 1697

To establish the elderly housing plus health support demonstration program to modernize public housing for elderly and disabled persons.

---

## IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2003

Mr. DODD (for himself, Mr. SARBANES, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

---

## A BILL

To establish the elderly housing plus health support demonstration program to modernize public housing for elderly and disabled persons.

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 “Elderly Housing Plus  
5 Health Support Demonstration Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) there are at least 34,100,000 Americans  
9 who are 65 years of age and older, and persons who

1 are 85 years of age or older comprise almost one-  
2 quarter of that population;

3 (2) the Bureau of the Census of the Depart-  
4 ment of Commerce estimates that, by 2030, the el-  
5 derly population will double to 70,000,000 persons;

6 (3) according to the Department of Housing  
7 and Urban Development report “Housing Our El-  
8 ders—A Report Card on the Housing Conditions  
9 and Needs of Older Americans”, the largest and  
10 fastest growing segments of the older population in-  
11 clude many people who have historically been vulner-  
12 able economically and in the housing market—  
13 women, minorities, and people over the age of 85;

14 (4) many elderly persons are at significant risk  
15 with respect to the availability, stability, and accessi-  
16 bility of affordable housing;

17 (5) one-third of public housing residents are ap-  
18 proximately 62 years of age or older, making public  
19 housing the largest Federal housing program for  
20 senior citizens;

21 (6) the elderly population residing in public  
22 housing is older, poorer, frailer, and more racially  
23 diverse than the elderly population residing in other  
24 assisted housing;

1           (7) two-thirds of the public housing develop-  
2           ments for the elderly, including those that also serve  
3           the disabled, were constructed before 1970 and are  
4           in dire need of major rehabilitation and configura-  
5           tion, such as rehabilitation to provide new roofs, en-  
6           ergy-efficient heating, cooling, utility systems, acces-  
7           sible units, and up-to-date safety features;

8           (8) many of the dwelling units in public housing  
9           developments for elderly and disabled persons are  
10          undersized, are inaccessible to residents with phys-  
11          ical limitations, do not comply with the requirements  
12          under the Americans with Disabilities Act of 1990,  
13          or lack railings, grab bars, emergency call buttons,  
14          and wheelchair accessible ramps;

15          (9) a study conducted for the Department of  
16          Housing and Urban Development found that the  
17          cost of the basic modernization needs for public  
18          housing for elderly and disabled persons exceeds  
19          \$5,700,000,000;

20          (10) a growing number of elderly and disabled  
21          persons face unnecessary institutionalization because  
22          of the absence of appropriate supportive services and  
23          assisted living facilities in their residences;

24          (11) for many elderly and disabled persons,  
25          independent living in a non-institutionalization set-

1       ting is a preferable housing alternative to costly in-  
2       stitutionalization, and would allow public monies to  
3       be more effectively used to provide necessary services  
4       for such persons;

5           (12) congregate housing and supportive services  
6       coordinated by service coordinators is a proven and  
7       cost-effective means of enabling elderly and disabled  
8       persons to remain in place with dignity and inde-  
9       pendence;

10          (13) the effective provision of congregate serv-  
11       ices and assisted living in public housing develop-  
12       ments requires the redesign of units and buildings to  
13       accommodate independent living;

14          (14) most of the elderly who reside in public  
15       housing are eligible for Medicaid to pay for the cost  
16       of their being institutionalized in nursing homes;

17          (15) nursing home costs now exceed 42 percent  
18       of the entire Medicaid program; and

19          (16) by providing a nursing home resident the  
20       choice of assisted living in public housing instead,  
21       the Federal Government can save as much as three-  
22       quarters of the long term per capita Medicaid costs  
23       and at the same time allow a frail senior to age in  
24       place.

25       (b) PURPOSES.—The purposes of this Act are—

1           (1) to establish a demonstration program to  
2           make competitive grants to provide state-of-the-art,  
3           health-supportive housing with assisted living oppor-  
4           tunities for elderly and disabled persons;

5           (2) to provide funding to enhance, make safe  
6           and accessible, and extend the useful life of public  
7           housing developments for the elderly and disabled  
8           and to increase their accessibility to supportive serv-  
9           ices;

10          (3) to provide elderly and disabled public hous-  
11          ing residents a readily available choice in living ar-  
12          rangements by utilizing the services of service coor-  
13          dinators and providing a continuum of care that al-  
14          lows such residents to age in place;

15          (4) to incorporate congregate housing service  
16          programs more fully into public housing operations;  
17          and

18          (5) to accomplish such purposes and provide  
19          such funding under existing provisions of law that  
20          currently authorize all activities to be conducted  
21          under the program.

22 **SEC. 3. DEFINITIONS.**

23         In this Act:

24           (1) **ASSISTED LIVING FACILITY.**—The term  
25         “assisted living facility” means any public housing

1 project for the elderly, or for the elderly and the  
2 non-elderly disabled, that is operated in accordance  
3 with applicable laws and provides to the residents  
4 any combination of the following services:

5 (A) Meal service adequate to meet nutri-  
6 tional need.

7 (B) Housekeeping aid.

8 (C) Personal assistance.

9 (D) Transportation services.

10 (E) Health-related services.

11 (F) Such other services as are considered  
12 important for maintaining independent living.

13 (2) ELDERLY AND DISABLED FAMILIES.—The  
14 term “elderly and disabled families” means families  
15 in which 1 or more persons is an elderly person or  
16 a person with disabilities.

17 (3) ELDERLY PERSON.—The term “elderly per-  
18 son” means a person who is 62 years of age or  
19 older.

20 (4) PERSON WITH DISABILITIES.—The term  
21 “person with disabilities” has the same meaning as  
22 in section 3(b)(3)(E) of the United States Housing  
23 Act of 1937 (42 U.S.C. 1437a(b)(3)(E)).

24 (5) PUBLIC HOUSING AGENCY.—The term  
25 “public housing agency” has the same meaning as in

1 section 3(b)(6)(A) of the United States Housing Act  
2 of 1937 (42 U.S.C. 1437a(b)(6)(A)).

3 (6) SECRETARY.—The term “Secretary” means  
4 the Secretary of Housing and Urban Development.

5 **SEC. 4. AUTHORITY FOR ELDERLY HOUSING PLUS HEALTH**  
6 **SUPPORT PROGRAM.**

7 The Secretary shall establish an elderly housing plus  
8 health support demonstration program (referred to in this  
9 Act as the “demonstration program”) in accordance with  
10 this Act to provide coordinated funding to public housing  
11 projects for elderly and disabled families selected for par-  
12 ticipation under section 5, to be used for—

13 (1) rehabilitation or re-configuration of such  
14 projects or the acquisition and rehabilitation of an  
15 existing assisted living facility in cases where the  
16 public housing agency has no elderly housing stock  
17 suitable for conversion;

18 (2) the provision of space in such projects for  
19 supportive services and community and health facili-  
20 ties;

21 (3) the provision of service coordinators for  
22 such projects; and

23 (4) the provision of congregate services pro-  
24 grams in or near such projects.

1 **SEC. 5. PARTICIPATION IN PROGRAM.**

2 (a) APPLICATION AND PLAN.—To be eligible to be  
3 selected for participation in the demonstration program,  
4 a public housing agency shall submit to the Secretary—

5 (1) an application, in such form and manner as  
6 the Secretary shall require; and

7 (2) a plan for the agency that—

8 (A) identifies the public housing projects  
9 for which amounts provided under this Act will  
10 be used, limited to projects that are designated  
11 or otherwise used for occupancy—

12 (i) only by elderly families; or

13 (ii) by both elderly families and dis-  
14 abled families; and

15 (B) provides for local agencies or organiza-  
16 tions to establish or expand the provision of  
17 health-related services or other services that will  
18 enhance living conditions for residents of public  
19 housing projects of the agency, primarily in the  
20 project or projects to be assisted under the  
21 plan.

22 (b) SELECTION AND CRITERIA.—

23 (1) SELECTION.—The Secretary shall select  
24 public housing agencies for participation in the dem-  
25 onstration program based upon a competition among

1 public housing agencies that submit applications for  
2 participation.

3 (2) CRITERIA.—The competition referred to in  
4 paragraph (1) shall be based upon—

5 (A) the extent of the need for rehabilita-  
6 tion or re-configuration of the public housing  
7 projects of an agency that are identified in the  
8 plan of the agency pursuant to subsection  
9 (a)(2)(A);

10 (B) the past performance of an agency in  
11 serving the needs of elderly public housing resi-  
12 dents or non-elderly, disabled public housing  
13 residents given the opportunities in the locality;

14 (C) the past success of an agency in ob-  
15 taining non-public housing resources to assist  
16 such residents given the opportunities in the lo-  
17 cality; and

18 (D) the effectiveness of the plan of an  
19 agency in creating or expanding services de-  
20 scribed in subsection (a)(2)(B).

21 **SEC. 6. CONFIGURATION AND CAPITAL IMPROVEMENTS.**

22 (a) GRANTS.—

23 (1) IN GENERAL.—The Secretary shall make  
24 grants to public housing agencies selected for par-  
25 ticipation under section 5, to be used only—

1 (A) for capital improvements to rehabili-  
2 tate or configure public housing projects identi-  
3 fied in the plan submitted under section  
4 5(a)(2)(A);

5 (B) to provide space for supportive services  
6 and for community and health-related facilities  
7 primarily for the residents of projects identified  
8 in the plan submitted under section 5(a)(2)(A);  
9 and

10 (C) for the cost of acquisition by a public  
11 housing agency of an existing assisted living fa-  
12 cility that is in need of rehabilitation in cases  
13 where the public housing agency has no elderly  
14 housing stock suitable for conversion.

15 (2) SOURCE OF FUNDS.—Grants shall be made  
16 under this section from funds made available for the  
17 demonstration program in accordance with sub-  
18 section (c).

19 (3) INAPPLICABILITY OF OTHER PROVISIONS.—  
20 Section 9(c)(1) of the United States Housing Act of  
21 1937 (42 U.S.C. 1437g(c)(1)) does not apply to  
22 grants made under this section.

23 (b) ALLOCATION.—Grants funded in accordance with  
24 this section shall—

1           (1) be allocated among public housing agencies  
2           selected for participation under section 5 on the  
3           basis of the criteria established under section  
4           5(b)(2); and

5           (2) be made in such amounts and subject to  
6           such terms as the Secretary shall determine.

7           (c) **AUTHORIZATION OF APPROPRIATIONS.**—There  
8           are authorized to be appropriated for the demonstration  
9           program, to make grants in accordance with this section—

10           (1) \$100,000,000 for fiscal year 2004; and

11           (2) such sums as may be necessary for fiscal  
12           year 2005 and each subsequent fiscal year.

13 **SEC. 7. SERVICE COORDINATORS.**

14           (a) **GRANTS.**—

15           (1) **IN GENERAL.**—The Secretary shall make  
16           grants to public housing agencies selected for par-  
17           ticipation under section 5, to be used only—

18                   (A) for public housing projects for elderly  
19                   and disabled families for whom capital assist-  
20                   ance is provided under section 6; and

21                   (B) to provide service coordinators and re-  
22                   lated activities identified in the plan of the  
23                   agency pursuant to section 5(a)(2), so that the  
24                   residents of such public housing projects will  
25                   have improved and more economical access to

1 services that support the health and well-being  
2 of the residents.

3 (2) SOURCE OF FUNDS.—Grants shall be made  
4 under this section from funds made available for the  
5 demonstration program in accordance with sub-  
6 section (c).

7 (3) INAPPLICABILITY OF OTHER PROVISIONS.—  
8 Section 9(c)(1) of the United States Housing Act of  
9 1937 (42 U.S.C. 1437g(c)(1)) does not apply to  
10 grants made under this section.

11 (b) ALLOCATION.—The Secretary shall provide a  
12 grant pursuant to this section, in an amount not to exceed  
13 \$100,000, to each public housing agency that is selected  
14 for participation under section 5.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
16 are authorized to be appropriated for the demonstration  
17 program, to make grants in accordance with this section—

18 (1) \$2,000,000 for fiscal year 2004; and

19 (2) such sums as may be necessary for fiscal  
20 year 2005 and each subsequent fiscal year.

21 **SEC. 8. CONGREGATE HOUSING SERVICES PROGRAMS.**

22 (a) GRANTS.—

23 (1) IN GENERAL.—The Secretary shall make  
24 grants to public housing agencies selected for par-  
25 ticipation under section 5, to be used only—

1 (A) in connection with public housing  
2 projects for elderly and disabled families for  
3 which capital assistance is provided under sec-  
4 tion 6; and

5 (B) to carry out a congregate housing  
6 service program identified in the plan of the  
7 agency pursuant to section 5(a)(2) that pro-  
8 vides services as described in section 202(g)(1)  
9 of the Housing Act of 1959 (12 U.S.C.  
10 1701q(g)(1)).

11 (2) SOURCE OF FUNDS.—Grants shall be made  
12 under this section from funds made available for the  
13 demonstration program in accordance with sub-  
14 section (c).

15 (3) INAPPLICABILITY OF OTHER PROVISIONS.—  
16 Other than as specifically provided in this section—

17 (A) section 9(c)(1) of the United States  
18 Housing Act of 1937 (42 U.S.C. 1437g(c)(1))  
19 does not apply to grants made under this sec-  
20 tion; and

21 (B) section 202 of the Housing Act of  
22 1959 (12 U.S.C. 1701q) does not apply to  
23 grants made under this section.

24 (b) ALLOCATION.—The Secretary shall provide a  
25 grant pursuant to this section, in an amount not to exceed

1 \$150,000, to each public housing agency that is selected  
2 for participation under section 5.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
4 are authorized to be appropriated for the demonstration  
5 program, to make grants in accordance with this section—

6 (1) \$3,000,000 for fiscal year 2004; and

7 (2) such sums as may be necessary for fiscal  
8 year 2005 and each subsequent fiscal year.

9 **SEC. 9. SAFEGUARDING OTHER APPROPRIATIONS.**

10 Amounts authorized to be appropriated under this  
11 Act to carry out this Act are in addition to any amounts  
12 authorized to be appropriated under any other provision  
13 of law, or otherwise made available in appropriations Acts,  
14 for rehabilitation of public housing projects, for service co-  
15 ordinators for public housing projects, or for congregate  
16 housing services programs.

○