

109TH CONGRESS
1ST SESSION

H. R. 3516

To amend the Public Health Service Act with respect to the participation of the public in governmental decisions regarding the location of group homes established pursuant to the program of block grants for the prevention and treatment of substance abuse.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act with respect to the participation of the public in governmental decisions regarding the location of group homes established pursuant to the program of block grants for the prevention and treatment of substance abuse.

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 “Substance Abuse
5 Group Homes Amendments of 2005”.

1 **SEC. 2. PARTICIPATION OF PUBLIC IN GOVERNMENTAL DE-**
2 **CISIONS REGARDING LOCATION OF CERTAIN**
3 **GROUP HOMES.**

4 Section 1925 of the Public Health Service Act (42
5 U.S.C. 300x-25) is amended by adding at the end the fol-
6 lowing subsection:

7 “(d) LOCATION OF HOMES; MONITORING.—

8 “(1) IN GENERAL.—A funding agreement for a
9 grant under section 1921 is that the State involved,
10 in providing for the establishment and operation of
11 housing pursuant to the revolving fund under sub-
12 section (a), will ensure that the State or local offi-
13 cials involved comply with the following:

14 “(A) In developing and administering gov-
15 ernmental policies for the location of such hous-
16 ing (referred to in this subsection as ‘des-
17 ignated group homes’), the officials provide the
18 public with opportunities to consult with the of-
19 ficials on proposed and existing policies.

20 “(B) Before making a decision to permit
21 the establishment of a designated group home
22 in a community:

23 “(i) The officials notify members of
24 the community that the community is
25 under consideration as a proposed site for
26 such a home.

1 “(ii) The officials provide to the mem-
2 bers an opportunity to consult with the of-
3 ficials on the proposal.

4 “(C) After the establishment of a des-
5 ignated group home in a community:

6 “(i) The officials monitor the group
7 home in order to determine whether the
8 residents of the home are in compliance
9 with the conditions upon which the permis-
10 sion to establish the home was granted.

11 “(ii) The officials provide to the mem-
12 bers of the community, including the resi-
13 dents of the group home, opportunities to
14 consult with the officials on the effects of
15 the group home on the community.

16 “(2) DEFINITIONS.—For purposes of this sub-
17 section:

18 “(A) The term ‘community’, with respect
19 to a designated group home, means all areas
20 that are 10 miles or less from such home.

21 “(B) The term ‘member’, with respect to a
22 community, means an individual who resides in
23 the community or is an owner of a business in
24 the community, and an individual any of whose

1 children attends an elementary or secondary
2 school in the community.”.

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