

109TH CONGRESS
1ST SESSION

S. 709

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

APRIL 5, 2005

Mr. DEWINE (for himself, Mr. REED, Mr. BURR, and Mr. DODD) 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-

1 less people with mental illness in New York City re-
 2 sulted in public savings of \$16,281 per year in sys-
 3 tems of care such as mental health, human services,
 4 health care, veterans' affairs, and corrections.

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

12 **SEC. 3. DUTIES OF ADMINISTRATOR OF SUBSTANCE ABUSE**
 13 **AND MENTAL HEALTH SERVICES ADMINIS-**
 14 **TRATION.**

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

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

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

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

22 “(19) collaborate with Federal departments and
 23 programs that are part of the President’s Inter-
 24 agency Council on Homelessness, particularly the
 25 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 (d) 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 (e)(2)(B)(ii));

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); and

19 “(4) have demonstrated experience providing
20 services to address the mental health and substance
21 abuse problems of chronically homeless individuals
22 living in permanent supportive housing settings.

23 “(c) GEOGRAPHIC DISTRIBUTION.—The Secretary
24 shall ensure that consideration is given to geographic dis-

1 tribution (such as urban and rural areas) in the awarding
2 of grants under subsection (a).

3 “(d) SERVICES.—The services referred to in sub-
4 section (a) are the following:

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

9 “(A) Mental health services, including
10 treatment and recovery support services.

11 “(B) Substance abuse treatment and re-
12 covery support services, including counseling,
13 treatment planning, recovery coaching, and re-
14 lapse prevention.

15 “(C) Integrated, coordinated treatment
16 and recovery support services for co-occurring
17 disorders.

18 “(D) Health education, including referrals
19 for medical and dental care.

20 “(E) Services designed to help individuals
21 make progress toward self-sufficiency and re-
22 covery, including benefits advocacy, money
23 management, life-skills training, self-help pro-
24 grams, and engagement and motivational inter-
25 ventions.

1 “(F) Parental skills and family support.

2 “(G) Case management.

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

5 “(I) Coordination or partnership with
6 other agencies, programs, or mainstream bene-
7 fits to maximize the availability of services and
8 resources to meet the needs of chronically
9 homeless persons living in supportive housing
10 using cost-effective approaches that avoid dupli-
11 cation.

12 “(J) Data collection and measuring per-
13 formance outcomes as specified in subsection
14 (k).

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

21 “(3) For individuals and families who are oth-
22 erwise eligible, and who have voluntarily chosen to
23 seek other housing opportunities after a period of
24 tenancy in supportive housing, services, as described
25 in paragraph (1), that are delivered, for a period of

1 90 days after exiting permanent supportive housing
2 or until the individuals have transitioned to com-
3 prehensive services adequate to meet their current
4 needs, provided that the purpose of the services is to
5 support the individuals in their choice to transition
6 into housing that is responsive to their individual
7 needs and preferences.

8 “(e) MATCHING FUNDS.—

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

14 “(A) In the case of the initial grant pursu-
15 ant to subsection (j)(1)(A), the applicant will,
16 in accordance with paragraphs (2) and (3),
17 make available contributions toward such costs
18 in an amount that is not less than \$1 for each
19 \$3 of Federal funds provided in the grant.

20 “(B) In the case of a renewal grant pursu-
21 ant to subsection (j)(1)(B), the applicant will,
22 in accordance with paragraphs (2) and (3),
23 make available contributions toward such costs
24 in an amount that is not less than \$1 for each
25 \$1 of Federal funds provided in the grant.

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

5 “(A) The contribution is made from funds
6 of the applicant or from donations from public
7 or private entities.

8 “(B) Of the contribution—

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

11 “(ii) not more than 20 percent is from
12 Federal funds provided under programs
13 that—

14 “(I) are not expressly directed at
15 services for homeless individuals, but
16 whose purposes are broad enough to
17 include the provision of a service or
18 services described in subsection (d) as
19 authorized expenditures under such
20 program; and

21 “(II) do not prohibit Federal
22 funds under the program from being
23 used to provide a contribution that is
24 required as a condition for obtaining
25 Federal funds.

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

10 “(f) ADMINISTRATIVE EXPENSES.—A condition for
11 the receipt of a grant under subsection (a) is that the ap-
12 plicant involved agree that not more than 10 percent of
13 the grant will be expended for administrative expenses
14 with respect to the grant. Expenses for data collection and
15 measuring performance outcomes as specified in sub-
16 section (k) shall not be considered as administrative ex-
17 penses subject to the limitation in this subsection.

18 “(g) CERTAIN USES OF FUNDS.—Notwithstanding
19 other provisions of this section, a grantee under subsection
20 (a) may expend not more than 20 percent of the grant
21 to provide the services described in subsection (d) to home-
22 less individuals who are not chronically homeless.

23 “(h) APPLICATION FOR GRANT.—A grant may be
24 made under subsection (a) only if an application for the
25 grant is submitted to the Secretary and the application

1 is in such form, is made in such manner, and contains
2 such agreements, assurances, and information as the Sec-
3 retary determines to be necessary to carry out this section.

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

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

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

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

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

22 “(D) An executed agreement with a rel-
23 evant State or local government agency that
24 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 “(j) DURATION OF INITIAL AND RENEWAL GRANTS;
22 ADDITIONAL PROVISIONS REGARDING RENEWAL
23 GRANTS.—

24 “(1) IN GENERAL.—Subject to paragraphs (2)
25 and (3), the period during which payments are made

1 to a grantee under subsection (a) shall be in accord-
2 ance with the following:

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

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

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

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

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

1 with minimum standards for quality and suc-
 2 cessful outcomes for housing retention, as de-
 3 termined by the Secretary.

4 “(B) AMOUNT.—The maximum amount of
 5 a renewal grant under this subsection shall not
 6 exceed an amount equal to—

7 “(i) 75 percent of the amount of Fed-
 8 eral funds provided in the final year of the
 9 initial grant period; or

10 “(ii) 50 percent of the total costs of
 11 sustaining the program funded under the
 12 grant at the level provided for in the year
 13 preceding the year for which the renewal
 14 grant is being awarded;

15 as determined by the Secretary.

16 “(k) STRATEGIC PERFORMANCE OUTCOMES AND RE-
 17 PORTS.—

18 “(1) IN GENERAL.—The Secretary shall, as a
 19 condition of the receipt of grants under subsection
 20 (a), require grantees to provide data regarding the
 21 performance outcomes of the projects carried out
 22 under the grants. Consistent with the requirements
 23 and procedures established by the Secretary, each
 24 grantee shall measure and report specific perform-
 25 ance outcomes related to the long-term goals of in-

creasing stability within the community for people who have been chronically homeless, and decreasing the recurrence of periods of homelessness.

“(2) PERFORMANCE OUTCOMES.—The performance outcomes described under paragraph (1) shall include, with respect to individuals who have been chronically homeless—

“(A) improvements in housing stability;

“(B) improvements in employment and education;

“(C) reductions in problems related to substance abuse;

“(D) reductions in problems related to mental health disorders; and

“(E) other areas as the Secretary determines appropriate.

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

“(A) PROCEDURES.—In establishing strategic performance outcomes and reporting requirements under paragraph (1), the Secretary shall develop and implement procedures that minimize the costs and burdens to grantees and program participants, and that are practical, streamlined, and designed for consistency with

1 the requirements of the homeless assistance
 2 programs administered by the Secretary of
 3 Housing and Urban Development.

4 “(B) APPLICANT COORDINATION.—Appli-
 5 cants under this section shall coordinate with
 6 community stakeholders, including participants
 7 in the local homeless management information
 8 system, concerning the development of systems
 9 to measure performance outcomes and with the
 10 Secretary for assistance with data collection
 11 and measurements activities.

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

14 “(A) identifies the grantee’s progress to-
 15 wards achieving its strategic performance out-
 16 comes; and

17 “(B) describes other activities conducted
 18 by the grantee to increase the participation,
 19 housing stability, and other improvements in
 20 outcomes for individuals who have been chron-
 21 ically homeless.

22 “(l) TRAINING AND TECHNICAL ASSISTANCE.—The
 23 Secretary, directly or through awards of grants or con-
 24 tracts to public or nonprofit private entities, shall provide
 25 training and technical assistance regarding the planning,

1 development, and provision of services in projects under
 2 subsection (a).

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

14 “(n) DEFINITIONS.—For purposes of this section:

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

17 “(A) is currently homeless;

18 “(B) has been homeless continuously for at
 19 least one year or has been homeless on at least
 20 four separate occasions in the last three years;
 21 and

22 “(C) has an adult head of household with
 23 a disabling condition, defined as a diagnosable
 24 substance use disorder, serious mental illness,
 25 developmental disability, or chronic physical ill-

1 ness or disability, including the co-occurrence of
2 two or more of these conditions.

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

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

9 “(4)(A) The term ‘permanent supportive hous-
10 ing’ means permanent, affordable housing with flexi-
11 ble support services that are available and designed
12 to help the tenants stay housed and build the nec-
13 essary skills to live as independently as possible.
14 Such term does not include housing that is time-lim-
15 ited. Supportive housing offers residents assistance
16 in reaching their full potential, which may include
17 opportunities to secure other housing that meets
18 their needs and preferences, based on individual
19 choice instead of the requirements of time-limited
20 transitional programs. Under this section, perma-
21 nent affordable housing includes but is not limited
22 to permanent housing funded or assisted through
23 title IV of the McKinney-Vento Homeless Assistance
24 Act and section (8) of the United States Housing
25 Act of 1937.

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

6 “(o) FUNDING.—

7 “(1) AUTHORIZATION OF APPROPRIATIONS.—
 8 For the purpose of carrying out this section, there
 9 are authorized to be appropriated such sums as may
 10 be necessary for each of the fiscal years 2006
 11 through 2010.

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

○