

115TH CONGRESS
1ST SESSION

H. R. 161

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 families, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2017

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

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 families, 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, on any given night, there are
2 approximately 83,000 people who are experiencing
3 chronic homelessness. Chronically homeless people
4 often live in shelters or on the streets for years at
5 a time, experience repeated episodes of homelessness
6 without achieving housing stability, or cycle between
7 homelessness, jails, mental health facilities, and hos-
8 pitals.

9 (2) In 2003, the New Freedom Commission on
10 Mental Health recommended the development and
11 implementation of a comprehensive plan designed to
12 facilitate access to 150,000 units of permanent sup-
13 portive housing for consumers and families who are
14 chronically homeless. The Commission found that af-
15 fordable housing alone is insufficient for many peo-
16 ple with severe mental illness, and that flexible, mo-
17 bile, individualized support services are also nec-
18 essary to support and sustain consumers in their
19 housing.

20 (3) The United States Interagency Council on
21 Homelessness (USICH), originally authorized by
22 title II of the McKinney-Vento Homeless Assistance
23 Act (42 U.S.C. 11311 et seq.) and reauthorized by
24 the Homeless Emergency Assistance and Rapid
25 Transition to Housing (HEARTH) Act of 2009 (di-

1 vision B of Public Law 111–22), is responsible for
2 coordinating the Federal response to homelessness in
3 cooperation with the Secretaries and senior leaders
4 of the 19 Federal member agencies. Since the
5 USICH’s implementation of “Opening Doors: Fed-
6 eral Strategic Plan to Prevent and End Homeless-
7 ness”, chronic homelessness in the United States
8 has been reduced by 22 percent, including a 13 per-
9 cent reduction in unsheltered chronic homelessness.

10 (4) Research indicates that permanent sup-
11 portive housing is a cost-effective solution to chronic
12 homelessness that leads to improved residential sta-
13 bility and reduction in psychiatric symptoms. Stud-
14 ies have also shown that supportive housing is asso-
15 ciated with significant reductions in costs for emer-
16 gency room visits, hospitalizations, shelters, sobering
17 centers, jails, and other public services used by peo-
18 ple experiencing homelessness.

19 (5) By implementing permanent supportive
20 housing, communities are making progress toward
21 ending chronic homelessness.

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) collaborate with Federal departments and
12 programs that are part of the United States Inter-
13 agency Council on Homelessness, particularly the
14 Department of Housing and Urban Development,
15 the Department of Labor, and the Department of
16 Veterans Affairs, and with other agencies within the
17 Department of Health and Human Services, particu-
18 larly the Health Resources and Services Administra-
19 tion, the Administration for Children and Families,
20 and the Centers for Medicare & Medicaid Services,
21 to design national strategies for providing services in
22 supportive housing that will assist in ending chronic
23 homelessness and to implement programs that ad-
24 dress chronic homelessness.”.

1 **SEC. 4. GRANTS FOR SERVICES FOR CHRONICALLY HOME-**
 2 **LESS INDIVIDUALS AND FAMILIES IN SUP-**
 3 **PORTIVE HOUSING.**

4 (a) IN GENERAL.—Title V of the Public Health Serv-
 5 ice Act (42 U.S.C. 290aa et seq.), as amended by sub-
 6 section (b), is amended by adding at the end the following:

7 **“PART K—GRANTS FOR SERVICES TO END**
 8 **CHRONIC HOMELESSNESS**

9 **“SEC. 597. GRANTS FOR SERVICES TO END CHRONIC HOME-**
 10 **LESSNESS.**

11 “(a) IN GENERAL.—

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

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

21 “(A) a State or political subdivision of a
 22 State, an Indian tribe or tribal organization, or
 23 a public or nonprofit private entity, including a
 24 community-based provider of homelessness serv-
 25 ices, health care, housing, or other services im-

1 portant to individuals and families who are
2 chronically homeless; or

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

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

13 “(1) target the services described in subsection
14 (d) and related funds to individuals or families
15 who—

16 “(A) have been homeless for longer periods
17 of time or have experienced more episodes of
18 homelessness than are required to be individ-
19 uals or families who are chronically homeless;

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

22 “(C) have a history of interactions with
23 law enforcement and the criminal justice sys-
24 tem;

1 “(2) have greater funding commitments from
2 State or local government agencies responsible for
3 overseeing mental health treatment, substance use
4 disorder treatment, medical care, and employment
5 (including commitments to provide Federal funds in
6 accordance with subsection (e)(2)(B)(ii));

7 “(3) will provide for an increase in the number
8 of units of permanent supportive housing that would
9 serve chronically homeless individuals and families in
10 the community as a result of an award of a grant
11 under subsection (a); and

12 “(4) have demonstrated experience providing
13 services to address the mental health and substance
14 use disorder problems of chronically homeless indi-
15 viduals and families living in permanent supportive
16 housing settings.

17 “(c) GEOGRAPHIC DISTRIBUTION.—The Secretary
18 shall ensure that consideration is given to geographic dis-
19 tribution (such as urban and rural areas) in the awarding
20 of grants under subsection (a).

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

23 “(1) Services provided by the grantee or by
24 qualified subcontractors that promote recovery and

1 self-sufficiency and address barriers to housing sta-
2 bility, including the following:

3 “(A) Mental health services, including
4 treatment and recovery support services.

5 “(B) Substance use disorder treatment and
6 recovery support services, including counseling,
7 treatment planning, recovery coaching, and re-
8 lapse prevention.

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

12 “(D) Health education, including referrals
13 for medical and dental care.

14 “(E) Services designed to help individuals
15 and families make progress toward self-suffi-
16 ciency and recovery, including benefits advo-
17 cacy, money management, life-skills training,
18 self-help programs, and engagement and moti-
19 vational interventions.

20 “(F) Parental skills and family support.

21 “(G) Case management.

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

24 “(I) Coordination or partnership with
25 other agencies, programs, or mainstream bene-

1 fits to maximize the availability of services and
2 resources to meet the needs of chronically
3 homeless individuals and families living in sup-
4 portive housing using cost-effective approaches
5 that avoid duplication.

6 “(J) Data collection and measuring per-
7 formance outcomes as specified in subsection
8 (k).

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

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

1 into housing that is responsive to their individual
2 needs and preferences.

3 “(e) MATCHING FUNDS.—

4 “(1) IN GENERAL.—A condition for the receipt
5 of a grant under subsection (a) is that, with respect
6 to the cost of the project to be carried out by an ap-
7 plicant pursuant to such subsection, the applicant
8 agrees as follows:

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

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

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

1 “(A) The contribution is made from funds
2 of the applicant or from donations from public
3 or private entities.

4 “(B) Of the contribution—

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

7 “(ii) not more than 20 percent is from
8 Federal funds provided under programs
9 that—

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

17 “(II) do not prohibit Federal
18 funds under the program from being
19 used to provide a contribution that is
20 required as a condition for obtaining
21 Federal funds.

22 “(3) DETERMINATION OF AMOUNT CONTRIB-
23 UTED.—Contributions required in paragraph (1)
24 may be in cash or in-kind equipment or services.
25 Amounts provided by the Federal Government, or

1 services assisted or subsidized to any significant ex-
2 tent by the Federal Government, may not be in-
3 cluded in determining the amount of non-Federal
4 contributions required in paragraph (2)(B)(i).

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

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

19 “(h) APPLICATION FOR GRANT.—A grant may be
20 made under subsection (a) only if an application for the
21 grant is submitted to the Secretary and the application
22 is in such form, is made in such manner, and contains
23 such agreements, assurances, and information as the Sec-
24 retary determines to be necessary to carry out this section.

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

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

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

13 “(B) A minimum of 2 years experience
14 providing comparable services that do not re-
15 quire licensing, accreditation, or certification.

16 “(C) Certification as a Medicaid service
17 provider, including health care for the homeless
18 programs and community health centers.

19 “(D) An executed agreement with a rel-
20 evant State or local government agency that
21 will provide oversight over the mental health,
22 substance use disorder, or other services that
23 will be delivered by the project.

24 “(2) There is a mechanism for determining
25 whether residents of permanent supportive housing

1 are chronically homeless individuals or families.
2 Such a mechanism may rely on local data systems
3 or records of shelter admission. If there are no
4 sources of data regarding the duration or number of
5 homeless episodes, or if such data are unreliable for
6 the purposes of this subsection, an applicant must
7 demonstrate that the project will implement appro-
8 priate procedures, taking into consideration the ca-
9 pacity of local homeless service providers to docu-
10 ment episodes of homelessness and the challenges of
11 engaging individuals and families who have been
12 chronically homeless, to verify that an individual or
13 family is chronically homeless.

14 “(3) The applicant participates in a local, re-
15 gional, or Statewide homeless management informa-
16 tion system.

17 “(j) 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:

24 “(A) In the case of the initial grant, the
25 period of payments shall be 5 years.

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

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

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

16 “(A) COMPLIANCE WITH MINIMUM STAND-
17 ARDS.—A renewal grant may be made by the
18 Secretary only if the Secretary determines that
19 the applicant involved has, in the project car-
20 ried out with the grant, maintained compliance
21 with minimum standards for quality and suc-
22 cessful outcomes for housing retention, as de-
23 termined by the Secretary.

24 “(B) AMOUNT.—The maximum amount of
25 a renewal grant under this subsection for an

1 applicant shall not exceed an amount equal to
2 75 percent of the amount of Federal funds pro-
3 vided to the applicant in the final year of the
4 initial grant period.

5 “(k) STRATEGIC PERFORMANCE OUTCOMES AND RE-
6 PORTS.—

7 “(1) IN GENERAL.—The Secretary shall, as a
8 condition of the receipt of grants under subsection
9 (a), require grantees to provide data regarding the
10 performance outcomes of the projects carried out
11 under the grants. Consistent with the requirements
12 and procedures established by the Secretary, each
13 grantee shall measure and report specific perform-
14 ance outcomes related to the long-term goals of in-
15 creasing stability within the community for individ-
16 uals and families who have been chronically home-
17 less, and decreasing the recurrence of periods of
18 homelessness.

19 “(2) PERFORMANCE OUTCOMES.—The perform-
20 ance outcomes described under paragraph (1) shall
21 include, with respect to individuals and families who
22 have been chronically homeless—

23 “(A) improvements in housing stability;

24 “(B) improvements in employment and
25 education;

1 “(C) reductions in problems related to sub-
2 stance use disorders;

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

5 “(E) other areas as the Secretary deter-
6 mines appropriate.

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

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

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

1 Secretary for assistance with data collection
2 and measurements activities.

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

5 “(A) identifies the grantee’s progress to-
6 ward achieving its strategic performance out-
7 comes; and

8 “(B) describes other activities conducted
9 by the grantee to increase the participation,
10 housing stability, and other improvements in
11 outcomes for individuals and families who have
12 been chronically homeless.

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

19 “(m) BIENNIAL REPORTS TO CONGRESS.—Not later
20 than 2 years after the date of the enactment of the Serv-
21 ices for Ending Long-Term Homelessness Act, and bienni-
22 ally thereafter, the Secretary shall submit to the appro-
23 priate committees of Congress a report on projects under
24 subsection (a) that—

1 “(1) includes a summary of information re-
2 ceived by the Secretary under subsection (k);

3 “(2) describes how the services provided under
4 each such project are coordinated with State and
5 local social service programs and homelessness as-
6 sistance programs, and services provided by the De-
7 partment of Veterans Affairs and other relevant
8 Federal agencies; and

9 “(3) includes an evaluation of the manner in
10 which funds are used under such projects, and the
11 effectiveness of such projects in ending long-term
12 homelessness and improving outcomes for individuals
13 with mental illness or substance use disorder prob-
14 lems.

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

16 “(1) CHRONICALLY HOMELESS.—

17 “(A) IN GENERAL.—The term ‘chronically
18 homeless’, used with respect to an individual or
19 family, means an individual or family who—

20 “(i) is homeless;

21 “(ii) has been homeless continuously
22 for at least 1 year or has been homeless on
23 at least 4 separate occasions in the last 3
24 years; and

1 “(iii) has an adult head of household
2 (or a minor head of household if no adult
3 is present in the household) with a
4 diagnosable substance use disorder, a seri-
5 ous mental illness, a developmental dis-
6 ability (as defined in section 102 of the
7 Developmental Disabilities Assistance and
8 Bill of Rights Act of 2000 (42 U.S.C.
9 15002)), post traumatic stress disorder, a
10 cognitive impairment resulting from a
11 brain injury, or a chronic physical illness
12 or disability or the co-occurrence of 2 or
13 more chronic physical illnesses or disabil-
14 ities.

15 “(B) RULE OF CONSTRUCTION.—An indi-
16 vidual shall be considered to be chronically
17 homeless if such individual—

18 “(i) resides in an institutional care fa-
19 cility, including a jail, substance use dis-
20 order or mental health treatment facility,
21 hospital, or other similar facility;

22 “(ii) has resided in a facility described
23 in clause (i) for fewer than 90 days; and

1 “(iii) met all of the requirements de-
2 scribed in subparagraph (A) prior to enter-
3 ing that facility.

4 “(2) HOMELESS.—The term ‘homeless’ means
5 living or residing in a place not meant for human
6 habitation, in a safe haven, or in an emergency
7 homeless shelter.

8 “(3) PERMANENT SUPPORTIVE HOUSING.—

9 “(A) IN GENERAL.—The term ‘permanent
10 supportive housing’ means permanent, afford-
11 able housing with flexible support services that
12 are available and designed to help the tenants
13 stay housed and build the necessary skills to
14 live as independently as possible. Such term
15 does not include housing that is time-limited.
16 Supportive housing offers residents assistance
17 in reaching their full potential, which may in-
18 clude opportunities to secure other housing that
19 meets their needs and preferences, based on in-
20 dividual choice instead of the requirements of
21 time-limited transitional programs. Under this
22 section, permanent affordable housing includes
23 permanent housing funded or assisted through
24 title IV of the McKinney-Vento Homeless As-
25 sistance Act (42 U.S.C. 11360 et seq.) and sec-

1 tion 8 of the United States Housing Act of
2 1937 (42 U.S.C. 1437f).

3 “(B) AFFORDABLE.—For purposes of sub-
4 paragraph (A), the term ‘affordable’ means
5 within the financial means of individuals who
6 are extremely low income, as defined by the
7 Secretary of Housing and Urban Development.

8 “(4) SUBSTANCE USE DISORDER SERVICES.—
9 The term ‘substance use disorder’, used with respect
10 to services, has the meaning given the term ‘sub-
11 stance abuse services’ in section 330(h)(5).

12 “(o) FUNDING.—

13 “(1) AUTHORIZATION OF APPROPRIATIONS.—
14 For the purpose of carrying out this section, there
15 are authorized to be appropriated such sums as may
16 be necessary for each of fiscal years 2018 through
17 2023.

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

23 (b) TECHNICAL AMENDMENTS TO PUBLIC HEALTH
24 SERVICE ACT.—Title V of the Public Health Service Act
25 (42 U.S.C. 290aa et seq.) is amended by—

1 (1) redesignating part G, as added by section
2 144 of the Community Renewal Tax Relief Act of
3 2000 (H.R. 5662, as enacted by section 1(a)(7) of
4 Public Law 106–554), as part J; and

5 (2) redesignating sections 581 through 584, as
6 added by section 144 of such Act, as sections 596
7 through 596C, respectively.

○