

116TH CONGRESS
1ST SESSION

H. R. 3272

To amend the Public Health Service Act to establish a grant program to place in permanent supportive housing, and provide supportive services, to individuals who have physical or mental health conditions or substance use disorders and are chronically homeless or at risk of becoming chronically homeless, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2019

Mr. HASTINGS (for himself, Ms. LEE of California, Ms. JACKSON LEE, Mr. MCGOVERN, Mr. COHEN, Ms. NORTON, and Mr. GOMEZ) 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 place in permanent supportive housing, and provide supportive services, to individuals who have physical or mental health conditions or substance use disorders and are chronically homeless or at risk of becoming chronically homeless, 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. FINDINGS.**

2 Congress makes the following findings:

3 (1) Point-in-time data collected by the Depart-
4 ment of Housing and Urban Development in 2018
5 found that, nationally, on any given night, there are
6 approximately 96,913 people who are experiencing
7 chronic homelessness. Chronically homeless people
8 often live in shelters or on the streets for years at
9 a time, experience repeated episodes of homelessness
10 without achieving housing stability, or cycle between
11 homelessness, jails, mental health facilities, and hos-
12 pitals.

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

24 (3) The United States Interagency Council on
25 Homelessness (USICH), originally authorized by
26 title II of the McKinney-Vento Homeless Assistance

1 Act (42 U.S.C. 11311 et seq.) and reauthorized by
2 the Homeless Emergency Assistance and Rapid
3 Transition to Housing (HEARTH) Act of 2009 (di-
4 vision B of Public Law 111–22), is responsible for
5 coordinating the Federal response to homelessness in
6 cooperation with the Secretaries and senior leaders
7 of the 19 Federal member agencies. Since the
8 USICH’s implementation of “Opening Doors: Fed-
9 eral Strategic Plan to Prevent and End Homeless-
10 ness”, chronic homelessness in the United States
11 has been reduced by 18 percent.

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

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

1 **SEC. 3. DUTIES OF ASSISTANT SECRETARY FOR MENTAL**
2 **HEALTH AND SUBSTANCE USE.**

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

5 (1) in paragraph (24), by striking “and” at the
6 end;

7 (2) in paragraph (25), by striking the period
8 and inserting “; and”; and

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

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

8 **“PART L—GRANTS FOR SERVICES TO END**
 9 **CHRONIC HOMELESSNESS**

10 **“SEC. 598. GRANTS FOR SERVICES TO END CHRONIC HOME-**
 11 **LESSNESS.**

12 “(a) IN GENERAL.—

13 “(1) GRANTS.—The Secretary shall make
 14 grants to entities described in paragraph (2) for
 15 projects—

16 “(A) to place in permanent supportive
 17 housing—

18 “(i) individuals who have physical or
 19 mental health conditions or substance use
 20 disorders and are chronically homeless or
 21 at risk of becoming chronically homeless;
 22 and

23 “(ii) their families; and

24 “(B) to provide the supportive services de-
 25 scribed in subsection (d) to such individuals and
 26 their families.

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 and families who are
10 chronically homeless; 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 fiscal management, project man-
16 agement, and coordinating the activities of the
17 consortium.

18 “(b) PRIORITIES.—

19 “(1) IN SELECTING GRANTEES.—In making
20 grants under subsection (a), the Secretary shall give
21 priority to applicants demonstrating that the appli-
22 cants—

23 “(A) prioritize the services described in
24 subsection (d) and related funds to individuals
25 or families who—

1 “(i) have been homeless for longer pe-
2 riods of time or have experienced more epi-
3 sodes of homelessness than are required to
4 be individuals or families who are chron-
5 ically homeless;

6 “(ii) have high rates of utilization of
7 emergency public systems of care; or

8 “(iii) have a history of interactions
9 with law enforcement and the criminal jus-
10 tice system;

11 “(B) have greater funding commitments
12 from State or local government agencies respon-
13 sible for overseeing mental health treatment,
14 substance use disorder treatment, medical care,
15 and employment (including commitments to
16 provide Federal funds in accordance with sub-
17 section (e)(2)(B)(ii));

18 “(C) will provide for an increase in the
19 number of units of permanent supportive hous-
20 ing that would serve chronically homeless indi-
21 viduals and families in the community as a re-
22 sult of an award of a grant under subsection
23 (a); and

24 “(D) have demonstrated experience pro-
25 viding services to address the mental health and

1 substance use disorder problems of chronically
2 homeless individuals and families living in per-
3 manent supportive housing settings.

4 “(2) IN PROVIDING SUPPORTIVE SERVICES.—A
5 condition for the receipt of a grant under subsection
6 (a) is that the applicant agrees that, in using the
7 grant to place individuals and their families in per-
8 manent supportive housing, and to provide sup-
9 portive services described in subsection (d), the ap-
10 plicant will give priority to individuals and families
11 described in subsection (a)(1) who, at the time of
12 their placement in permanent supportive housing,
13 are chronically homeless.

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

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

20 “(1) Services provided by the grantee or by
21 qualified subcontractors that promote recovery and
22 self-sufficiency and address barriers to housing sta-
23 bility, including the following:

24 “(A) Mental health services, including
25 treatment and recovery support services.

1 “(B) Substance use disorder treatment and
2 recovery support services, including counseling,
3 treatment planning, recovery coaching, peer
4 support, and relapse prevention.

5 “(C) Integrated, coordinated treatment
6 and recovery support services for co-occurring
7 disorders.

8 “(D) Health education, including referrals
9 for medical and dental care.

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

16 “(F) Services designed to help individuals
17 obtain employment.

18 “(G) Parental skills and family support.

19 “(H) Case management.

20 “(I) Other supportive services that pro-
21 mote an end to chronic homelessness.

22 “(J) Coordination or partnership with
23 other agencies, programs, or mainstream bene-
24 fits to maximize the availability of services and
25 resources to meet the needs of chronically

1 homeless individuals and families living in sup-
2 portive housing using cost-effective approaches
3 that avoid duplication.

4 “(K) Data collection and measuring per-
5 formance outcomes as specified in subsection
6 (k).

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

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

25 “(e) MATCHING FUNDS.—

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

6 “(A) In the case of the initial grant pursu-
7 ant to subsection (j)(1)(A), the applicant will,
8 in accordance with paragraphs (2) and (3),
9 make available contributions toward such costs
10 in an amount that is not less than \$1 for each
11 \$4 of Federal funds provided in the grant.

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

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

22 “(A) The contribution is made from funds
23 of the applicant or from donations from public
24 or private entities.

25 “(B) Of the contribution—

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

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

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

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

18 “(3) DETERMINATION OF AMOUNT CONTRIB-
19 UTED.—Contributions required in paragraph (1)
20 may be in cash or in-kind equipment or services.
21 Amounts provided by the Federal Government, or
22 services assisted or subsidized to any significant ex-
23 tent by the Federal Government, may not be in-
24 cluded in determining the amount of non-Federal
25 contributions required in 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 agrees that not more than 10 percent of
4 the grant will be expended for administrative expenses
5 with respect to the grant. Expenses for data collection and
6 measuring performance outcomes as specified in sub-
7 section (k) shall not be considered as administrative ex-
8 penses subject to the limitation in this subsection.

9 “(g) CERTAIN USES OF FUNDS.—Notwithstanding
10 other provisions of this section, a grantee under subsection
11 (a) may expend not more than 20 percent of the grant
12 to provide supportive services as described in subsection
13 (a)(1)(B).

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

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

23 “(1) The applicant and all direct providers of
24 services have the experience, infrastructure, and ex-
25 pertise needed to ensure the quality and effective-

1 ness of services, which may be demonstrated by any
2 of the following:

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

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

10 “(C) Certification as a Medicaid service
11 provider, including health care for the homeless
12 programs and community health centers.

13 “(D) An executed agreement with a rel-
14 evant State or local government agency that
15 will provide oversight over the mental health,
16 substance use disorder, or other services that
17 will be delivered by the project.

18 “(2) There is a mechanism for determining
19 whether residents of permanent supportive housing
20 are, at the time of being placed in such housing,
21 chronically homeless or at risk of becoming chron-
22 ically homeless. Such a mechanism may rely on local
23 data systems or records of shelter admission. If
24 there are no sources of data regarding the duration
25 or number of homeless episodes, or if such data are

1 unreliable for the purposes of this subsection, an ap-
 2 plicant must demonstrate that the project will imple-
 3 ment appropriate procedures, taking into consider-
 4 ation the capacity of local homeless service providers
 5 to document episodes of homelessness and the chal-
 6 lenges of engaging individuals and families who have
 7 been chronically homeless, to verify that an indi-
 8 vidual or family is chronically homeless or at risk of
 9 becoming chronically homeless.

10 “(3) The applicant participates in a local, re-
 11 gional, or Statewide homeless management informa-
 12 tion system.

13 “(j) DURATION OF INITIAL AND RENEWAL GRANTS;
 14 ADDITIONAL PROVISIONS REGARDING RENEWAL
 15 GRANTS.—

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

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

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

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

10 “(3) ADDITIONAL PROVISIONS REGARDING RE-
11 NEWAL GRANTS.—

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

20 “(B) AMOUNT.—The maximum amount of
21 a renewal grant under this subsection for an
22 applicant shall not exceed an amount equal to
23 75 percent of the amount of Federal funds pro-
24 vided to the applicant in the final year of the
25 initial grant period.

1 “(k) STRATEGIC PERFORMANCE OUTCOMES AND RE-
2 PORTS.—

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

15 “(2) PERFORMANCE OUTCOMES.—The perform-
16 ance outcomes described under paragraph (1) shall
17 include, with respect to individuals and families who
18 have been chronically homeless—

19 “(A) improvements in housing stability;

20 “(B) improvements in employment and
21 education;

22 “(C) reductions in problems related to sub-
23 stance use disorders;

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

1 “(E) other areas as the Secretary deter-
2 mines appropriate.

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

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

15 “(B) APPLICANT COORDINATION.—Appli-
16 cants under this section shall coordinate with
17 community stakeholders, including participants
18 in the local homeless management information
19 system, concerning the development of systems
20 to measure performance outcomes and with the
21 Secretary for assistance with data collection
22 and measurements activities.

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

1 “(A) identifies the grantee’s progress to-
2 ward achieving its strategic performance out-
3 comes; and

4 “(B) describes other activities conducted
5 by the grantee to increase the participation,
6 housing stability, and other improvements in
7 outcomes for individuals and families who have
8 been chronically homeless.

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

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

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

23 “(2) describes how the services provided under
24 each such project are coordinated with State and
25 local social service programs and homelessness as-

1 sistance programs, and services provided by the De-
2 partment of Veterans Affairs and other relevant
3 Federal agencies; and

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

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

11 “(1) CHRONICALLY HOMELESS.—

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

15 “(i) is homeless;

16 “(ii) has been homeless continuously
17 for at least 1 year or has been homeless on
18 at least 4 separate occasions, totaling 12
19 months in one year in the last 3 years; and

20 “(iii) has an adult head of household
21 (or a minor head of household if no adult
22 is present in the household) with a
23 diagnosable substance use disorder, a seri-
24 ous mental illness, a developmental dis-
25 ability (as defined in section 102 of the

1 Developmental Disabilities Assistance and
2 Bill of Rights Act of 2000 (42 U.S.C.
3 15002)), post traumatic stress disorder, a
4 cognitive impairment resulting from a
5 brain injury, or a chronic physical illness
6 or disability or the co-occurrence of 2 or
7 more chronic physical illnesses or disabili-
8 ties.

9 “(B) RULE OF CONSTRUCTION.—An indi-
10 vidual shall be considered to be chronically
11 homeless if such individual—

12 “(i) resides in an institutional care fa-
13 cility, including a jail, substance use dis-
14 order or mental health treatment facility,
15 hospital, or other similar facility;

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

18 “(iii) met all of the requirements de-
19 scribed in subparagraph (A) prior to enter-
20 ing that facility.

21 “(2) HOMELESS.—The term ‘homeless’ means
22 living or residing in a place not meant for human
23 habitation, in a safe haven, or in an emergency
24 homeless shelter.

25 “(3) PERMANENT SUPPORTIVE HOUSING.—

1 “(A) IN GENERAL.—The term ‘permanent
2 supportive housing’ means permanent, afford-
3 able housing with flexible support services that
4 are available and designed to help the tenants
5 stay housed and build the necessary skills to
6 live as independently as possible. Such term
7 does not include housing that is time-limited.
8 Supportive housing offers residents assistance
9 in reaching their full potential, which may in-
10 clude opportunities to secure other housing that
11 meets their needs and preferences, based on in-
12 dividual choice instead of the requirements of
13 time-limited transitional programs. Under this
14 section, permanent affordable housing includes
15 permanent housing funded or assisted through
16 title IV of the McKinney-Vento Homeless As-
17 sistance Act (42 U.S.C. 11360 et seq.) and sec-
18 tion 8 of the United States Housing Act of
19 1937 (42 U.S.C. 1437f).

20 “(B) AFFORDABLE.—For purposes of sub-
21 paragraph (A), the term ‘affordable’ means
22 within the financial means of individuals who
23 are extremely low income, as defined by the
24 Secretary of Housing and Urban Development.

1 “(4) SUBSTANCE USE DISORDER SERVICES.—

2 The term ‘substance use disorder’, used with respect
3 to services, has the meaning given the term ‘sub-
4 stance abuse services’ in section 330(h)(5).

5 “(o) FUNDING.—

6 “(1) AUTHORIZATION OF APPROPRIATIONS.—

7 For the purpose of carrying out this section, there
8 are authorized to be appropriated such sums as may
9 be necessary for each of fiscal years 2020 through
10 2025.

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

16 (b) TECHNICAL AMENDMENTS TO PUBLIC HEALTH
17 SERVICE ACT.—Title V of the Public Health Service Act
18 (42 U.S.C. 290aa et seq.) is amended by—

19 (1) redesignating the second part G (42 U.S.C.
20 290kk et seq.), as added by section 144 of the Com-
21 munity Renewal Tax Relief Act of 2000, as part J;

22 (2) redesignating sections 581, 582, 583, and
23 584 (42 U.S.C. 290kk, 290kk–1, 290kk–2, 290kk–
24 3), as added by such section 144, as sections 596,
25 596A, 596B, and 596C, respectively; and

1 (3) redesignating the second section 550 (42
2 U.S.C. 290ee–10), as added by section 8214 of the
3 SUPPORT for Patients and Communities Act, as
4 section 553 and moving such section 553, as so re-
5 designated, so it follows section 552.

○