

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1471

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2005

Ms. PRYCE of Ohio (for herself, Ms. ESHOO, Mr. GILLMOR, Mr. SIMMONS, Ms. ROYBAL-ALLARD, Mr. NEY, Ms. ROS-LEHTINEN, Mr. RAMSTAD, Mr. ROGERS of Michigan, Mr. TIBERI, Mr. WAXMAN, Mr. SHAYS, Mr. STRICKLAND, Mrs. MYRICK, Mr. DOYLE, Mr. FARR, Ms. KAPTUR, Mr. RYAN of Ohio, Mr. McDERMOTT, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. TOWNS, Mrs. JONES of Ohio, Mr. VAN HOLLEN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ISSA, and Mr. MARIO DIAZ-BALART of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## 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”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Nationally, there are approximately 200,000  
4 to 250,000 people who experience chronic homeless-  
5 ness, including some families with children. Chron-  
6 ically homeless people often live in shelters or on the  
7 streets for years at a time, experience repeated epi-  
8 sodes of homelessness without achieving housing sta-  
9 bility, or cycle between homelessness, jails, mental  
10 health facilities, and hospitals.

11 (2) The President's New Freedom Commission  
12 on Mental Health recommended the development  
13 and implementation of a comprehensive plan de-  
14 signed to facilitate access to 150,000 units of per-  
15 manent supportive housing for consumers and fami-  
16 lies who are chronically homeless. The Commission  
17 found that affordable housing alone is insufficient  
18 for many people with severe mental illness, and that  
19 flexible, mobile, individualized support services are  
20 also necessary to support and sustain consumers in  
21 their housing.

22 (3) Congress and the President have set a goal  
23 of ending chronic homelessness in 10 years.

24 (4) Permanent supportive housing is a proven  
25 and cost effective solution to chronic homelessness.  
26 A recent study by the University of Pennsylvania

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

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

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

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

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

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

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

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

1 Department of Housing and Urban Development,  
2 the Department of Labor, and the Department of  
3 Veterans Affairs, and with other agencies within the  
4 Department of Health and Human Services, particu-  
5 larly the Health Resources and Services Administra-  
6 tion, the Administration on Children and Families,  
7 and the Centers for Medicare and Medicaid Services,  
8 to design national strategies for providing services in  
9 supportive housing that will assist in ending chronic  
10 homelessness and to implement programs that ad-  
11 dress chronic homelessness.”.

12 **SEC. 4. GRANTS FOR SERVICES FOR CHRONICALLY HOME-**  
13 **LESS INDIVIDUALS IN SUPPORTIVE HOUSING.**

14 Title V of the Public Health Service Act (42 U.S.C.  
15 290aa et seq.) is amended by adding at the end the fol-  
16 lowing:

17 **“PART J—GRANTS FOR SERVICES TO END**  
18 **CHRONIC HOMELESSNESS**

19 **“SEC. 596. GRANTS FOR SERVICES TO END CHRONIC HOME-**  
20 **LESSNESS.**

21 **“(a) IN GENERAL.—**

22 **“(1) GRANTS.—**The Secretary shall make  
23 grants to entities described in paragraph (2) for the  
24 purpose of carrying out projects to provide the serv-

1       ices described in subsection (d) to chronically home-  
2       less individuals in permanent supportive housing.

3           “(2) ELIGIBLE ENTITIES.—For purposes of  
4       paragraph (1), an entity described in this paragraph  
5       is—

6           “(A) a State or political subdivision of a  
7       State, an Indian tribe or tribal organization, or  
8       a public or nonprofit private entity, including a  
9       community-based provider of homelessness serv-  
10      ices, health care, housing, or other services im-  
11      portant to individuals experiencing chronic  
12      homelessness; or

13          “(B) a consortium composed of entities de-  
14      scribed in subparagraph (A), which consortium  
15      includes a public or nonprofit private entity  
16      that serves as the lead applicant and has re-  
17      sponsibility for coordinating the activities of the  
18      consortium.

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

22          “(1) target funds to individuals or families  
23      who—

24          “(A) have been homeless for longer periods  
25      of time or have experienced more episodes of

1 homelessness than are required to meet the def-  
2 inition of chronic homelessness under this sec-  
3 tion;

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

6 “(C) have a history of interactions with  
7 law enforcement and the criminal justice sys-  
8 tem;

9 “(2) have greater funding commitments from  
10 State or local government agencies responsible for  
11 overseeing mental health treatment, substance abuse  
12 treatment, medical care, and employment (including  
13 commitments to provide Federal funds in accordance  
14 with subsection (e)(2)(B)(ii));

15 “(3) will provide for an increase in the number  
16 of units of permanent supportive housing that would  
17 serve chronically homeless individuals in the commu-  
18 nity as a result of an award of a grant under sub-  
19 section (a); and

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

24 “(c) GEOGRAPHIC DISTRIBUTION.—The Secretary  
25 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-

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

4               “(2) PERFORMANCE OUTCOMES.—The perform-  
5       ance outcomes described under paragraph (1) shall  
6       include, with respect to individuals who have been  
7       chronically homeless—

8                       “(A) improvements in housing stability;

9                       “(B) improvements in employment and  
10       education;

11                      “(C) reductions in problems related to sub-  
12       stance abuse;

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

15                      “(E) other areas as the Secretary deter-  
16       mines appropriate.

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

19                      “(A) PROCEDURES.—In establishing stra-  
20       tegic performance outcomes and reporting re-  
21       quirements under paragraph (1), the Secretary  
22       shall develop and implement procedures that  
23       minimize the costs and burdens to grantees and  
24       program participants, and that are practical,  
25       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 “(1) 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).”.

○