

2014 -- S 2552

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - HOMELESS SHELTERS

Introduced By: Senators Crowley, Goldin, Cool Rumsey, Metts, and Pichardo

Date Introduced: February 27, 2014

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 128.3

4 HOMELESS SHELTERS

5 42-128.3-1. Findings. – The general assembly hereby finds and declares: (1) That all
6 homeless persons have the right to homeless shelter services regardless of political or religious
7 beliefs, immigration status, former geographic location of residence, ethno-cultural background,
8 (dis)ability, gender identity, criminal background, and/or sexual orientation;

9 (2) That no shelter should charge a fee nor expect and/or require compensation from
10 clients/residents for any services rendered;

11 (3) That homeless shelters should provide an atmosphere of dignity and respect for all
12 shelter residents, and provide services in a non-judgmental manner;

13 (4) That shelter residents are capable of moving toward increasing levels of self-reliance
14 and self-determination, and shelter staff should work with residents to assist them in achieving
15 their goals;

16 (5) That homeless shelters should be sensitive to the ethno-specific and linguistic needs
17 of residents;

18 (6) That service providers need to accept gender identity as defined by the individual
19 rather than by the perception of staff and/or other residents;

1 (7) That protecting the privacy and confidentiality of shelter residents and their personal
2 information is of the utmost importance and in accordance with the state's Homeless Bill of
3 Rights law;

4 (8) That all people staying in homeless shelters should have access to safe, nutritious
5 food;

6 (9) That the health and safety of shelter residents, volunteers, and staff is of the highest
7 importance in each shelter;

8 (10) That issuing service restrictions in the shelter system must be done only as a last
9 resort and in the most serious cases;

10 (11) That everyone is entitled to shelter services whether or not they use controlled and/or
11 addictive substances, and service policies should not be based on controlled and/or addictive
12 substance use alone, except for those shelters operating on an abstinence or recovery model basis;

13 (12) That shelter residents should be involved in service provision, program planning,
14 development and evaluation, and policy development;

15 (13) That homeless shelters that include children and youth should provide supports and
16 activities, and ensure that the school-related recreation and treatment needs of resident children
17 are met on site or through community-based services;

18 (14) That homeless shelters should afford an opportunity for children and youth with
19 developmental and/or physical disabilities to develop to their full potential within an environment
20 where they can interact and socialize with other children;

21 (15) That shelters are part of a larger network of homeless services and agencies and
22 collaboration within this network is important to ensure effective and coordinated services;

23 (16) That notification of shelter closure (either emergency or permanent shelter) should
24 be done as soon as the provider is aware of the potential closure and posted in a common area.
25 The provider should notify their residents as well as the office of housing and community
26 development; and

27 (17) That all shelters should utilize the Rhode Island homeless information management
28 system (HMIS) database, and make entries in a timely manner.

29 **42-128.3-2. Rule making.** – The housing resources commission shall establish and
30 promulgate rules, regulations, and standards for the safe, effective, and proper operation of
31 homeless shelters for individuals and families in the state pursuant to the provisions of chapter
32 42-35 (the "Administrative Procedures Act").

33 **42-128.3-3. Committee - Membership.** – To fulfill the mandate in § 42-128.3-2, the
34 chairperson of the housing resources commission shall appoint a nine (9) member committee to

1 draft rules, regulations, and standards for homeless shelters. Members of the committee will be
2 drawn from the following constituencies or communities of interest: One homeless or formerly
3 homeless person; two (2) representatives of the Rhode Island homeless advocacy project; One
4 representative of the Rhode Island coalition for the homeless; Four (4) homeless shelter providers
5 operating a shelter for individuals or families; and One representative from the Rhode Island
6 office of housing and community development. The committee shall elect a chairperson or co-
7 chairpersons from among its membership.

8 **42-128.3-4. Powers and duties.** – (a) The committee shall define the characteristics of a
9 homeless shelter that will be subject to the rules, regulations, and standards established pursuant
10 to this chapter.

11 (b) The committee will be charged with the formulation of rules, regulations, and
12 standards to address the following topics and areas of concern:

13 (1) Baseline organizational standards that any agency operating a homeless shelter must
14 meet;

15 (2) Access to shelter guidelines, including admission and discharge, bed registration,
16 substance use, and service restrictions (barrings);

17 (3) Resident's rights and responsibilities, including resident input, complaints and
18 appeals, and grievance procedures;

19 (4) Program standards including the provision of essential services, counseling supports,
20 daytime access, confidentiality, sharing of resident information, safeguarding resident files, and
21 staff code of conduct;

22 (5) Health and safety standards including basic health and safety protocols, the safeguard
23 of, and access to, resident medication, a policy on weapons, and requirements for staff training on
24 health and safety issues; and

25 (6) Emergency and winter shelter standards including the definition of inclement weather
26 events, in all seasons, that trigger requirements for homeless shelters to stay open for the
27 protection of residents.

28 (c) Any proposed rules, regulations, or standards shall be subject to the approval process
29 set forth in § 42-128.3-2.

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO STATE AFFAIRS AND GOVERNMENT - HOMELESS SHELTERS

1 This act would direct the chairperson of the housing resources commission to appoint a
2 nine (9) member committee to formulate rules, regulations, and standards for the operation and
3 condition of homeless shelters for consideration and/or adoption by the commissioner.

4 This act would take effect upon passage.

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