

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2017

Mr. HASTINGS 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 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.

○