



Report to the Disability Commission

Disability Commission
Housing Workgroup
10/08/2008

DCHWG Meeting: 9/18/2008

Workgroup members reviewed:

- ◆ MFP Housing Action Plan
- ◆ Housing Section of the Cross Governmental Strategic Plan

The Workgroup has 5 recommendations to bring to the Commission based on its review of the above and substantive discussion. Additional recommendations will/may be forthcoming.

Recommendations cont...

1. Re-introduce House Bill 1085:
Include "source of income" as a protected category. (additional detail in handout)

Recommendations cont...

2. The Workgroup encourages the Disability Commission to write a letter to the Senate members of our Congressional Delegation asking for their support of the Frank Melville Supportive Housing Investment Act of 2008 (H.R. 5772) (passed in the House on Sept. 17)

(additional detail in handout)

Recommendations cont...

3. Change the per unit cap for the Livable Homes Tax Credit from \$500 to \$1,000.

Recommendations cont...

4. Support a Joint Resolution encouraging the use of the THA Toolkit with the development of local comprehensive plans.

Recommendations cont...

5. Support portability of the Auxiliary Grant.

Michael Shank, DCHWG member and staff with DMHMRSAS, will provide greater detail about this recommendation momentarily

Continued Work & Discussion

The Workgroup may have additional recommendations in November.

What we're discussing:

- ◆ Possible amendment to the Virginia Fair Housing Law relevant to the statute of limitations to file design and construction complaints and the precedent setting case of *Moseke, et al., Plaintiffs, v. Miller and Smith, Inc., et al., Defendants.*

(additional information in packet)

Continued Work & Discussion

- ◆ Incentive Opportunities: 529 Plan model for parents of children with disabilities
- ◆ Self reporting of localities on meeting Comprehensive Plans requirements

Things to keep on your radar

- ◆ Housing Trust Fund
- ◆ The need for a community living supplement pilot program in Virginia

Thank you

- ◆ Michael Shank will now provide additional information on the portability of the Auxiliary Grant

Auxiliary Grant Portability

- ◆ Item 282 D of the 2008 Appropriations Act
 - *The Secretary of Health and Human Resources and the State Board of Social Services shall develop a plan to allow for the portability of Auxiliary Grants (AG) to pay for housing of consumers who receive case management services from a community services board or behavioral health authority.*

AG Portability: Feasibility Study

- ◆ Item 282 D of the 2008 Appropriations Act
 - *The plan shall include a description of individualized services and housing supports based on Report Document 30 (2008) – “Auxiliary Grant Portability: A Report on the Feasibility of Restructuring Auxiliary Grants for Certain CSB Case Management Consumers.”*

AG Portability: Rationale

- ◆ *Report Document 30 (2008)* –
 - Concluded that restructuring the AG program is incrementally feasible within existing resources
 - Adults with mental disabilities may have the ability to live in more independent settings than ALFs with appropriate supportive services.
 - Certain ALF residents could be afforded the opportunity to choose alternative living arrangements supplemented with “portable auxiliary grants” used for rental assistance.

AG Portability: Supportive Housing

- ◆ *Affordable Housing with Individual Services*
 - Adding the standard AG amount to 30% of their standard SSI monthly income would make studio and one bedroom apartments in many localities affordable for a single AG recipient and two bedroom apartments in every locality affordable for two residents to share.
 - Individualized services would be provided as defined in the Medicaid State Plan Option services of Mental Health Case Management and Mental Health Support or Intensive Community Treatment (PACT Team services).

AG Portability Plan - Eligibility

Eligible participants would be limited to those ALF residents who:

- ◆ Meet the Residential Assisted Living level of care criteria
 - ◆ Are receiving an AG and have been as an ALF resident for at least the last six months;
 - ◆ Are receiving Medicaid funded Case Management services from a CSB; and
 - ◆ Meet the Department of Medical Assistance Services (DMAS) eligibility criteria for Mental Health Support or Intensive Community Treatment services.
- ◆ (Priority would be given to those meeting all of the above who reside in facilities that have given notice of closure or of discontinuing acceptance of AG recipients.)

AG Portability - # to be served

- ◆ In State Fiscal Year 2007, there were approximately 1,500 ALF residents who met the Residential Assisted Living level of care criteria and who received an AG and Medicaid funded Case Management services from a CSB.
- ◆ Approximately 300 of those also received Mental Health Support Services at some point during the year.
- ◆ The number of consumers to be served in a Portable AG program therefore is estimated to be approximately **300 the first year and 500 the second year.**

AG Portability – State Agency Roles

- ◆ **VDSS** – would incorporate the portable AG project into its normal administration of the AG program, develop operating policies and procedures for local departments of social services;
- ◆ **DMAS** – would incorporate the portable AG project into its normal administration of the AG-related Medicaid coverage;
- ◆ **DMHMRSAS** – would provide oversight and monitoring of the portable AG services component and would evaluate the extent to which the services and housing supports lead to reductions in higher-cost institutional care and impact on portable AG participants.

AG Portability – Local Agency Roles

- ◆ **CSBs** – would identify eligible ALF residents and assist them in locating alternative decent and affordable housing, planning for individual services, and referring to the local for transfer to the portable AG.
 - Once approved, the CSB would assist the individual in
 - ◆ establishing tenancy,
 - ◆ provide ongoing individualized case management and other support services,
 - ◆ maintain communication with the local DSS and
 - ◆ reassess the participant at least annually using the Uniform Assessment Instrument.

AG Portability – Local Agency Roles

- ◆ **DSS** – would incorporate the portable AG project into their normal administration of the AG program, including approving applications and annual re-applications and ensuring that the AG payment is sent to the participant.
- ◆ **Local Governments** – would continue to provide financial support to the portable AG payments through local matching funds.

AG Portability – Additional Items

The plan will be submitted to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Joint Commission on Health Care, by November 1, 2008.

- ◆ If approved, operational changes could be further defined by the State Board of Social Services in regulation Details that would require further clarification include:
 - How to ensure housing quality standards, and
 - Identify other benefits that may be required to support the person living in the community (e.g., food stamps and rental and utility deposits), and
 - The process for completing annual participant reassessments, ongoing monitoring, and case management responsibilities.