

Initial Policy Suggestions from Housing Expert Panel

Presented to Housing Work Group – June 23, 2016

1. Proactive approach to Olmstead compliance

The Olmstead decision requires public entities to provide community-based services to persons with disabilities when (1) such services are appropriate; (2) the affected persons do not oppose community-based treatment; and (3) community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability services from the entity.

The Commonwealth's settlement with the DOJ has led to increased community integration for those individuals with intellectual or developmental disabilities (ID/DD). In order to minimize the risk of federal action regarding other disabled populations Virginia should decrease the likelihood of further federal intervention by taking action to ensure that other disabled populations, particularly individuals with serious mental illness, are appropriately served in their communities.

2. Amending the Virginia Housing Trust Fund

Under current law, The Department of Housing and Community Development is required to use at least 80 percent the Virginia Housing Trust Fund to provide flexible financing for low-interest loans through eligible organizations. The remaining funds (up to 20 percent) may be used for (a) temporary rental assistance, not to exceed one year; (b) housing stabilization services in permanent supportive housing for homeless individuals and homeless families; (c) mortgage foreclosure counseling targeted at localities with the highest incidence of foreclosure activity; and (d) predevelopment assistance for permanent supportive housing and other long-term housing options for the homeless.

The expert panel proposed amending § 36-142 to eliminate the mortgage foreclosure counseling as a permissible use of such funds and to require the Department to use the full 20 percent of the VHTA for (a) temporary rental assistance; (b) housing stabilization services in permanent supportive housing for homeless individuals and homeless families; and (c) predevelopment assistance for permanent supportive housing and other long-term housing options for the homeless.

3. Prioritizing individuals with serious mental illness

Charging the Department of Housing and Community Development to develop strategies for housing individuals with serious mental illness and to include such strategies in its Comprehensive Plan.

4. Tax-credits/ Housing Choice Vouchers

Explore using the Federal Low-Income Housing Tax Credit and establishing a housing voucher program to incentivize creation of affordable housing for individuals with serious mental illness. Such credits and vouchers are currently available for the ID/DD population.

5. Medicaid funding

Explore opportunities to maximize the use of Medicaid to be more effectively utilized for services in permanent supportive housing which may include applying to CMS for relevant waivers.

6. Discharge Assistance Program (DAP) Pilot

DAP funds are used to respond to barriers preventing an individual from discharged from a state hospital who has been determined to be clinically ready for such discharge. The funds are used to support individualized community services and supports that enable individuals to transition to communities where they can recover in the least restrictive and most integrated settings possible. However the individuals served by the DAP have typically been placed into other institutions such as assisted living facilities or group homes. The pilot program would use DAP funds for long-term rental assistance to provide permanent supportive housing and related services for the individuals with barriers to discharge.

7. Frequent Users System Engagement (FUSE) Pilot

People with serious mental illness often cycle in and out of jails, the health care system, and homelessness - at great public expense and with limited positive human outcomes. Through use of emergency rooms, jails, and other institutions, frequent users are a high cost to local government, state government, and federal government. A FUSE program targets these frequent users and provides them with permanent supportive housing. This can lead to decreased usage of systems and an improved quality of life. The City of Richmond has an existing FUSE program.

8. Capacity Building Training

Utilize existing state and nonprofit technical assistance resources to develop the capacity of providers to operate and fund permanent supportive housing.