

HB1098 HD2

Measure Title: RELATING TO HOMELESS SHELTERS.

Report Title: Homeless Shelters; Requirements

Description: Provides that emergency shelters may have partitioned space for homeless persons or families based on Department of Human Services (DHS) guidelines. Extends the emergency or transitional shelter compliance requirements per Act 234, Session Laws of Hawaii (SLH) 2016, for contracts between DHS and emergency or transitional shelter provider agencies for one year. Extends the effective date of Act 234, SLH 2016. (HB1098 HD2)

Current Referral: HMS/HOU, WAM

Companion: [SB964](#)

Introducer(s): SOUKI (Introduced by request of another party)

DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

BRIDGET HOLTHUS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 17, 2017

TO: The Honorable Senator Josh Green, Chair
Senate Committee on Human Services

The Honorable Senator Will Espero, Chair
Senate Committee on Housing

FROM: Pankaj Bhanot, Director

SUBJECT: **HB1098 HD2 – RELATING TO HOMELESS SHELTER**

Hearing: Friday, March 17, 2017, 2:45 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this administration bill to address shelter requirements. This measure addresses concerns raised by homeless service providers that the requirement of Act 234, Session Laws of Hawaii (SLH) 2016, for partitioned sleeping areas in homeless shelters is resulting in a reduction of emergency shelter bed spaces.

PURPOSE: The purpose of the measure is to allow DHS the flexibility to determine the appropriate standard for partitioned space, based upon guidelines established by DHS, and ensure that shelter beds are not lost to the requirements of Act 234, Session Laws of Hawaii 2016. In addition, the measure extends the effective date to give DHS time to implement the act.

Act 234, SLH 2016, established minimum standards for every homeless shelter to make shelters more amenable to homeless clients. Act 234, SLH 2016, also required that payments be based off of performance measures and audit requirements to ensure that the State is receiving the most value and the best services.

Giving DHS discretion and the flexibility to determine which shelters will or will not have partitions may prevent the unintended consequence of reducing the amount of bed space available to homeless people.

The extension of the effective date of the Act, will provide DHS with more time to respond to feedback from affected service providers, and draft administrative rules on new shelter standards that will benefit homeless individuals and families, service providers, and the State.

The Administration's proposed amendments to Act 234, SLH 2016, are part of a comprehensive framework to address homelessness, which seeks to transition homeless individuals and families into permanent housing as quickly as possible. The framework includes a focus on three primary leverage points – affordable housing, health and human services, and public safety. All three of these leverage points must be addressed to continue forward momentum in addressing the complex issue of homelessness.

Thank you for the opportunity to testify on this measure.



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

March 17, 2017

TO: The Honorable Senator Josh Green, Chair
Senate Committee on Human Services

The Honorable Senator Will Espero, Chair
Senate Committee on Housing

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: HB 1098 HD2 – RELATING TO HOMELESS SHELTERS

Hearing: Friday, March 17, 2017, 2:45 p.m.
Conference Room 016, State Capitol

POSITION: The Governor's Coordinator on Homelessness supports this Administration bill, and respectfully requests amendments related to the bill's effective date. The Coordinator notes this bill addresses concerns raised by homeless service providers that the requirement in Act 234, Session Laws of Hawaii (SLH) 2016, for partitioned sleeping areas in homeless shelters, may result in a reduction of emergency shelter bed spaces.

PURPOSE: The purpose of the bill is to amend provisions of Act 234, SLH 2016, to provide emergency shelters with the flexibility to provide partitioned sleeping spaces for homeless persons or families based upon guidelines determined by the Department of Human Services (DHS). The bill also extends the effective date of Act 234, SLH 2016.

Act 234, SLH 2016, established minimum requirements for every homeless emergency shelter operated by a provider agency that is under contract with DHS. In an attempt to make the system of homeless shelters more cost effective and more appealing to families and individuals, the Act directed that payments be conditioned on performance measures and established audit provisions.

The Coordinator notes that providing the option to implement partitions will provide needed flexibility to emergency shelter providers. Without this flexibility, the requirement to mandate partitioned space may have the unintended consequence of adversely impacting bed space at certain shelters, especially those located on the neighbor islands. Emergency shelter bed space is especially limited on the neighbor islands, which have seen the largest percentage increase in unsheltered homeless persons according to the 2016 statewide homeless point in time count.

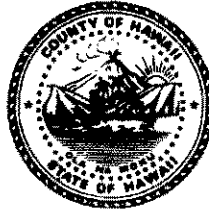
The amendment to provide flexibility in regard to partitioned bed space will also impact bed spaces for shelters partially funded by other departments, such as the Department of Health (DOH). For example, mental health group homes are sometimes funded as emergency shelters by both DOH and DHS. If partitioned spaces are mandated, rather than optional, this may adversely impact limited bed space in some mental health group homes.

The Coordinator further notes that additional time is needed for DHS to obtain feedback from homeless service providers prior to the formal adoption of administrative rules to implement new shelter standards required by Act 234, SLH 2016.

Finally, the Coordinator respectfully requests two amendments for clarity. In the current version of the bill, the Act is effective upon approval and section 8 of Act 234, SLH 2016 takes effect on July 1, 2018, provided that section 6 shall take effect on July 1, 2016. However, the Coordinator requests that the bill be amended to take effect on July 1, 2017, and indicate that only subsection 6(c) of Act 234, SLH 2016 will take effect on July 1, 2016, while the remainder of section 6 of the Act taking effect on July 1, 2018.

Thank you for the opportunity to testify on this bill.

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i
Office of the Mayor

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March 15, 2017

Senator Josh Green, Chair
Committee on Human Services
Hawai'i State Capitol
Honolulu, HI 96813

Senator Will Espero, Chair
Committee on Housing
Hawai'i State Capitol
Honolulu, HI 96813

Dear Chairs Green, Espero, and Committee members:

**RE: Homelessness: HB 527, HD1; HB 1195, HD 1; HB 1281, HD 1
HB 83, HD1; HB 1240, HD2; HB1098, HD2; SCR 56**

Between your two committees, all the above bills dealing with homelessness will be heard. It is difficult for me to pick and choose among them, and I will defer to your good judgment as to which approaches should move forward and be funded. But I would be remiss if I did not thank you for the attention that you are giving to the issue, and express my hope that you and your fellow legislators will continue to strive to ease this burden and deal humanely with the pain that homelessness afflicts, both on those without shelter and on the community at large.

I should put in a special word for SCR 56. Using Medicaid funds to treat homelessness seems to be such an innovative approach; it deserves extra kudos.

Homelessness is an obvious failure of our society to meet the basic needs of all our people. We cannot hesitate to search for solutions.

Respectfully submitted,

Harry Kim
Mayor

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 17, 2017 8:02 AM
To: HMS Testimony
Cc: kimoc@ihs-hawaii.org
Subject: *Submitted testimony for HB1098 on Mar 17, 2017 14:45PM*

HB1098

Submitted on: 3/17/2017

Testimony for HMS/HOU on Mar 17, 2017 14:45PM in Conference Room 016

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------------------------|---------------------------|---------------------------|
| Kimo K. Carvalho | IHS, The Institute for Human Services | Support | Yes |

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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CATHOLIC CHARITIES HAWAII

TESTIMONY IN SUPPORT OF HB 1098 HD2: RELATING TO HOMELESS SHELTERS

TO: Senator Josh Green, Chair; Senator Will Espero, Chair; and Members, Committees on Human Services and Housing

FROM: Terrence L. Walsh, Jr., President and Chief Executive Officer

Hearing: Friday, 3/17/17; 2:45 pm; CR 016

Chair Green, Chair, Espero, and Members of the Committees on Human Services and Housing:

Thank you for the opportunity to provide testimony **in support** of HB 1098 HD1, which provides that emergency shelters may have partitioned space for homeless persons/families based on guidelines from the Department of Human Services. It further extends the emergency and transitional shelter compliance requirements for Act 234 for contracts with DHS for one year. I am Terry Walsh, with Catholic Charities Hawai'i. We are also a member of Partners in Care.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 60 years. CCH has programs serving elders, children, developmentally disabled, homeless and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i. Ending homelessness is a top priority for 2017.

Catholic Charities Hawai'i strongly believes in the dignity of the individual. We understand the intent of Act 234 to set standards for emergency and transitional shelters. However, this has led to unintended consequences. We support this bill since it addresses some of these unintended consequences as well as giving time for the Department of Human Services to get feedback from homeless service providers before the Department creates and adopts administrative rules to implement the new shelter standards set forth in Act 234, SLH 2016.

The issue of mandating partitions for all emergency shelters has been particularly troublesome. This bill would provide the option to install partitions and give needed flexibility to the many various types of emergency shelters. Without this flexibility, shelters may be adversely impacted and lose bed spaces. Neighbor Island shelter space is especially limited, having seen the largest percentage increase in unsheltered homeless per the 2016 statewide Point in Time Count.

We know we have a crisis. We know we are #1 rate in the nation for homelessness per capita. We need to give shelters flexibility to serve the homeless.

We urge you to support this bill to work towards our goal of ending homelessness in Hawaii. Please contact our Legislative Liaison, Betty Lou Larson, at 373-0356, or at bettylou.larson@catholiccharitieshawaii.org, if you have any questions.



From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 10:56 AM
To: HMS Testimony
Cc: gavin@hiappleseed.org
Subject: Submitted testimony for HB1098 on Mar 17, 2017 14:45PM

HB1098

Submitted on: 3/15/2017

Testimony for HMS/HOU on Mar 17, 2017 14:45PM in Conference Room 016

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--|---------------------------|---------------------------|
| Gavin Thornton | Hawaii Appleseed Center for Law & Economic Justice | Support | No |

Comments: Hawaii Appleseed supports HB 1098, which addresses the Act 234's unintended consequence of reducing shelter space by requiring partitions. This bill provides an appropriate level of flexibility to ensure that decisions regarding partitions can take into account all the relevant factors and the unique circumstances of each shelter. Thank you for your consideration of this important bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 3:29 AM
To: HMS Testimony
Cc: kimoc@ihs-hawaii.org
Subject: *Submitted testimony for HB1098 on Mar 17, 2017 14:45PM*

HB1098

Submitted on: 3/15/2017

Testimony for HMS/HOU on Mar 17, 2017 14:45PM in Conference Room 016

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kimo K. Carvalho | Individual | Support | Yes |

Comments:

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