

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

February 2, 2018

TO: The Honorable Representative John M. Mizuno, Chair
House Committee on Health and Human Services

The Honorable Representative Tom Brower, Chair
House Committee on Housing

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

SUBJECT: HB 2037 – RELATING TO HOMELESS SHELTERS

Hearing: Friday, February 2, 2018, 11:35 a.m.
Conference Room 329, State Capitol

POSITION: The Governor's Coordinator on Homelessness appreciates the intent of this measure, and offers comments. The Coordinator defers to the Department of Health relating to State health and sanitation provisions, and to the Department of Human Services regarding implications for the contracting and monitoring of shelter services and other programs to address homelessness.

PURPOSE: The purpose of the bill is to exempt temporary homeless shelters from state and county health and sanitation provisions, and from county zoning provisions, from July 1, 2018 to July 1, 2028.

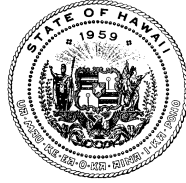
Homelessness remains one of the most pressing challenges facing Hawaii, and the State has adopted a comprehensive framework to address homelessness that focuses on three primary leverage points – affordable housing, health and human services, and public safety. A key focus of the State's efforts in regard to health and human services has been the implementation of new requirements for emergency shelters in compliance with Act 234, Session Laws of Hawaii 2016. The new requirements mandated by Act 234 address bathroom and shower facilities, partitioned spaces for homeless individuals and families, and the

provision of storage for personal possessions. In February 2017, DHS executed new contracts for homeless shelter that included these new requirements, as well as an emphasis on specific performance measures targeting increased placement in permanent housing and a reduced length of stay in shelter facilities.

The Coordinator notes that Act 234, Session Laws of Hawaii 2016, also authorizes DHS to “require an emergency shelter to comply with any other requirements that the department deems appropriate or necessary.” Accordingly, DHS contracted emergency shelters may be subject to additional health and sanitation requirements beyond what is specified in County ordinances or zoning regulations.

The Coordinator further notes that Hawaii is beginning to make progress in reducing the number of homeless individuals statewide. In 2017, the statewide Point in Time (PIT) count found that the number of homeless people in Hawaii had decreased for the first time in eight years – a decrease of 701 people between 2016 and 2017. In part, a coordinated effort by the State, Counties, and private sector to increase permanent housing resources for the homeless population has contributed to this decrease. Between 2015 and 2017, the number of permanent housing beds for homeless individuals statewide increased by 1,986 – an increase of 146%, more than doubling the supply of permanent beds for homeless individuals and families. While the Coordinator appreciates the Legislature’s efforts to increase shelter resources for the homeless population, equal emphasis should also be focused on continuing to increase the supply of permanent affordable housing options.

Thank you for the opportunity to testify on this bill.



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Honolulu, HI 96801-3378
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**WRITTEN
TESTIMONY ONLY**

**Testimony COMMENTING on HB2037
RELATING TO HOMELESS SHELTERS.**

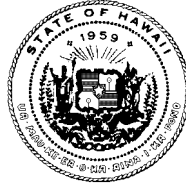
REP. JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES

REP. TOM BROWER, CHAIR
HOUSE COMMITTEE ON HOUSING

Hearing Date: February 2, 2018

Room Number: 329

- 1 **Fiscal Implications:** N/A.
- 2 **Department Testimony:** The Department of Health is unaware of specific Hawaii
- 3 Administrative Rules, particularly those relating to sanitation, that may apply to a temporary
- 4 homeless shelter as proposed in HB2037.
- 5 The department will continue to research other rules which may relate to housing (for example
- 6 health care facility regulations, clean and sober homes, tuberculosis and communicable diseases,
- 7 and developmentally disabled domiciles), for potential applicability and commits to engaging in
- 8 this important policy discussion.
- 9 **Offered Amendments:** N/A.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

February 2, 2018

TO: The Honorable Representative John M. Mizuno, Chair
House Committee on Health and Human Services

The Honorable Representative Tom Brower, Chair
House Committee on Housing

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2037 – RELATING TO HOMELESSNESS SHELTERS**

Hearing: Friday, February 2, 2018, 10:30 a.m.
Conference Room 329, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill. However, DHS respectfully opposes this measure. Health and safety remains a priority for DHS. Moreover, DHS is unclear if this measure will exempt existing and/or new emergency shelters.

PURPOSE: Exempts temporary homeless shelters from state and county health and sanitation provisions, and from county zoning provisions, from 7/1/2018, to 7/1/2028.

Emergency shelters play a critical role when it comes to ending homelessness. DHS recognizes the intention to quickly build facilities to address homelessness. However, in a previous administration, several shelters, some temporary, were built under an emergency proclamation. The emergency proclamation quickly brought homeless shelters online bypassing health and safety, procurement regulations, and building codes.

Consequently, items such as fire sprinkler systems were overlooked and state departments had to work together with stakeholders to mitigate these issues. The emergency shelters were intended to be in use for 10 years or less, but they still exist today. This bill may

create unintentional consequences by providing temporary exemption. DHS defers additional questions and comments to the Department of Health and each County's Department of Planning or Permitting for their expertise.

DHS's current state contracts for shelters were implemented to comply with the requirements of Act 234, Session Laws of Hawaii (SLH) 2016. Act 234 also allows DHS to potentially impose additional requirements upon emergency shelters, even if they are exempted from certain County zoning regulations.

DHS no longer has homeless shelter stipend payments first identified on page 8, lines 14 – 19, then on page 10, lines 20 and 21. DHS homeless shelters are paid by a combination of quarterly base payments and performance measures based on outcomes.

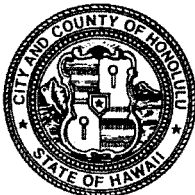
DHS is currently revising Administrative Rules to reflect the shelter requirement changes made through Act 234, SLH 2016.

Thank you for the opportunity to testify on this bill.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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DEPUTY DIRECTOR

February 2, 2018

The Honorable John M. Mizuno
and Members of the Committee on Health and Human Services
The Honorable Tom Brower, Chair
and Members of the Committee on Housing
Hawaii House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Mizuno and Brower and Committee Members:

Subject: House Bill No. 2037
Relating to Homeless Shelters

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 2037, which would exempt temporary homeless shelters being built by various nonprofit organizations from county zoning, as well as rules pertaining to health or sanitation.

We are aware of the tremendous need to house our homeless and we are not opposed to temporary shelters. We are not opposed to nonprofit organizations, religious and educational institutions, and other entities providing such shelter or encampments. In fact, we just approved such a facility sponsored by a church in Kahaluu that will benefit 10 families. Our zoning code already allows them in residential areas.

However, we are deeply concerned that this Bill will not allow us to assure that minimum health and safety standards will be met. This creates a potentially hazardous situation, not only for the shelter occupants, but their neighbors as well. Under the zoning code, we are able to review each proposal to ensure that safety concerns are adequately being addressed. It also allows neighbors to provide comment. While this may be viewed as a disincentive to providing shelters, this process can bring up legitimate concerns and opportunities that can improve the project.

Accordingly, we ask that you hold House Bill No. 2037. Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink that reads "Kathy K. Sokugawa".

Kathy K. Sokugawa
Acting Director

HB-2037

Submitted on: 1/31/2018 2:17:51 PM

Testimony for HHS on 2/2/2018 11:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Foster		Support	No

Comments:

Submitted by Scott Foster, Chair, for The Kupuna Caucus of the Democratic Party of Hawaii

Mahalo.

HB-2037

Submitted on: 1/31/2018 6:15:03 PM

Testimony for HHS on 2/2/2018 11:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall		Oppose	No

Comments: