

# LEGAL SERVICES FOR THE ELDERLY, INC.

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April 4, 2023

Testimony of Leo J. Delicata, Esq., Legal Services for the Elderly, in support of the Sponsor's amendment to L.D. 2 titled An Act to End Chronic Homelessness by Creating the Housing First Fund before the Joint Select Committee On Housing

Senator Curry, Representative Roberts and members of the Joint Select Committee on Housing

On behalf of Legal Services for the Elderly I would like to offer a few words in support of the Sponsor's amendment to LD 2. Legal Services for the Elderly (LSE) is a nonprofit legal services organization and our mission is to provide free legal assistance to Maine's older adults when their basic human needs are at stake.

Speaker Talbot Ross's amendment describes an intelligent solution for the housing needs of chronically homeless adults. By definition they are the most "unhoused" members of our communities and by many measures the most disadvantaged. The key to this concept is the integration of housing and tenant services. This is an idea that finds both policy and financial support in the "housing-related activities and services" available through the federal Medicaid program. It is a proven model and it will be wonderful to see it implemented. It may be useful to more particularly describe what those terms of art mean.

The following is taken from a federal Department of Health and Human Services Centers for Medicare & Medicaid Services Information Bulletin. <https://www.medicaid.gov/federal-policy-guidance/downloads/CIB-06-26-2015.pdf>

The purpose of the guidance contained in the bulletin is: "... to assist states in designing Medicaid benefits, and to clarify the circumstances under which Medicaid reimburses for certain housing-related activities, with the goal of promoting community integration for individuals with disabilities, older adults needing long term services and supports (LTSS), **and those experiencing chronic homelessness.**"(emphasis added).

The bulletin describes the types of services available using State dollars matched with federal Medicaid funding. "Individual Housing Transition Services": and "Individual Housing & Tenancy Sustaining Services" are services particularly germane to the projects envisioned in this proposed legislation. Using the words in the bulletin this is what those terms mean:

**"Individual Housing Transition Services":**

- Conducting a tenant screening and housing assessment that identifies the participant's preferences and barriers related to successful tenancy. The assessment may include collecting information on potential housing transition barriers, and identification of housing retention barriers.
- Developing an individualized housing support plan based upon the housing assessment that addresses identified barriers, includes short and long-term measurable goals for each issue, establishes the participant's approach to meeting the goal, and identifies when other providers or services, both reimbursed and not reimbursed by Medicaid, may be required to meet the goal.
- Assisting with the housing application process. Assisting with the housing search process.
- Identifying resources to cover expenses such as security deposit, moving costs, furnishings, adaptive aids, environmental modifications, moving costs and other one-time expenses.
- Ensuring that the living environment is safe and ready for move-in.
- Assisting in arranging for and supporting the details of the move.
- Developing a housing support crisis plan that includes prevention and early intervention services when housing is jeopardized.

**2. Individual Housing & Tenancy Sustaining Services**

This service is made available to support individuals to maintain tenancy once housing is secured. The availability of ongoing housing-related services in addition to other long term services and supports promotes housing success, fosters community integration and inclusion, and develops natural support networks.

These tenancy support services are:

- Providing early identification and intervention for behaviors that may jeopardize housing, such as late rental payment and other lease violations.
- Education and training on the role, rights and responsibilities of the tenant and landlord.
- Coaching on developing and maintaining key relationships with landlords/property managers with a goal of fostering successful tenancy.
- Assistance in resolving disputes with landlords and/or neighbors to reduce risk of eviction or other adverse action.
- Advocacy and linkage with community resources to prevent eviction when housing is or may potentially become jeopardized.
- Assistance with the housing recertification process.
- Coordinating with the tenant to review, update and modify their housing support and crisis plan on a regular basis to reflect current needs and address existing or recurring housing retention barriers.
- Continuing training in being a good tenant and lease compliance, including ongoing support with activities related to household management.

Some Section 8 Housing for low income adults has long provided similar but less intense services in the form of tenant service coordinators and the assistance that these individuals provide has allowed many older tenants avoid higher levels of long term care health related services. From our experience defending older adults in eviction actions, it's our judgement that the availability of "Individual Housing & Tenancy Sustaining Services " would have made a large percentage of those eviction cases unnecessary and prevented homelessness that sometimes results when individuals are evicted.

We strongly support this legislation. Thank you for letting us share our thoughts with you and we hope that you vote in favor of passage.