



# Homeless Emergency Assistance and Rapid Transition to Housing:

## Defining “Chronically Homeless” Final Rule



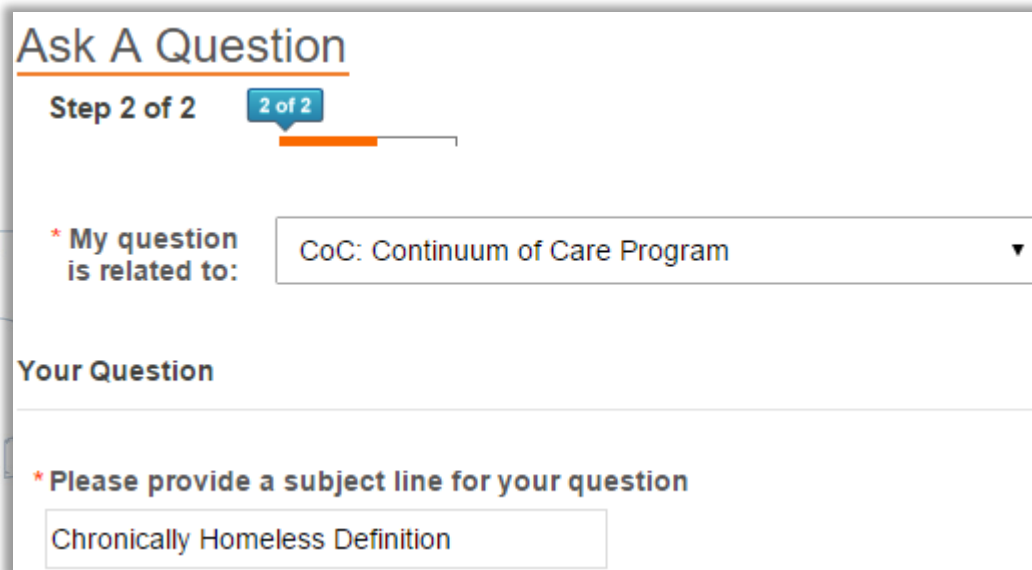
# Webinar Format

- At least 30 minutes will be reserved for Q&A
- Due to the high volume of participants, everyone will be muted
- Recording will be posted on the HUD Exchange
- If you have technical difficulty with the audio or video portions of this webcast, try:
  - ✓ Using your phone instead of the computer,
  - ✓ Logging off, then logging in again



# Submitting questions

- Submit questions at any time during the webinar via the “Questions” pane of Go-to-Webinar.
- A new help desk is now available for questions specific to the definition of chronically homeless. Those questions can be submitted through the HUD Exchange [Ask A Question \(AAQ\) Portal](#). Select “CoC: Continuum of Care Program” from the “My question is related to” drop down list on Step 2 of the question submission process and type “Chronically Homeless Definition” in the subject line.



**Ask A Question**

Step 2 of 2 2 of 2

\* My question is related to: CoC: Continuum of Care Program

**Your Question**

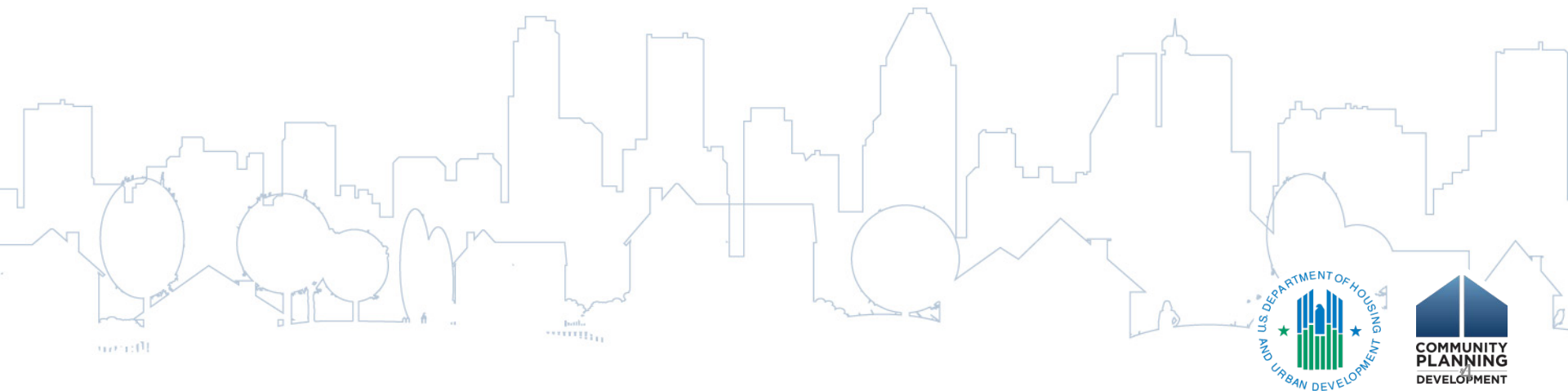
\* Please provide a subject line for your question

Chronically Homeless Definition



# Presenters

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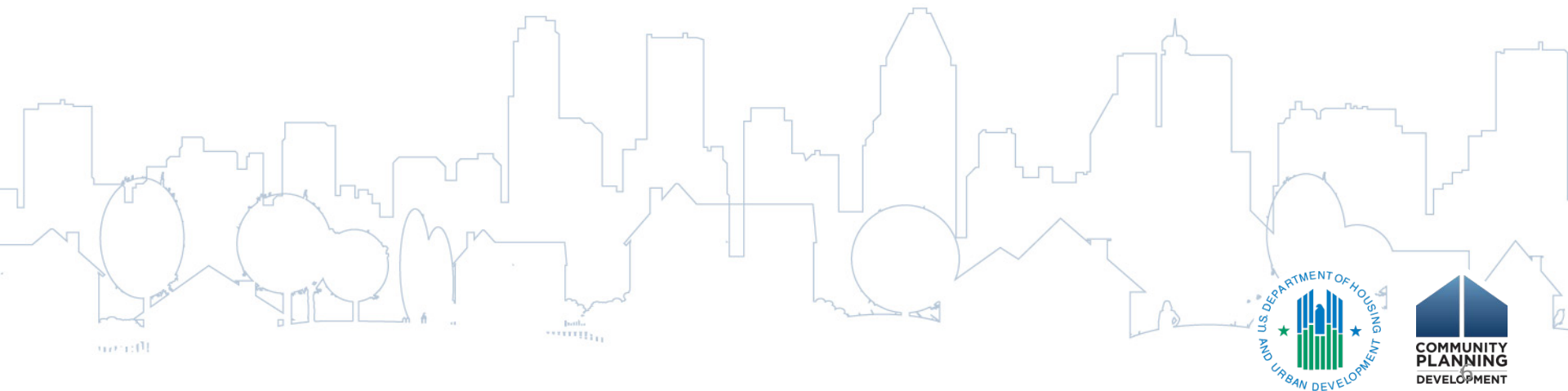
# Presentation Outline

- History of the definition of “chronically homeless”
- The Definition
- Summary of Major Changes
- Recordkeeping Requirements
- Applicability for Consolidated Submissions for CPD Programs
- HMIS Implications
- Implementation and Compliance
- Question and Answer



# History of Definition

- Definition of “chronically homeless” provides a way to prioritize people with longest histories of homelessness and most severe needs
- Seeks to ensure that persons with highest needs are prioritized for permanent supportive housing



# History of Definition

- First introduced in FY 2002 CoC NOFA
- Expanded to include families in FY 2010 CoC NOFA
- In 2009, the HEARTH Act codified a definition
- Published for public comment in 3 regulations:
  - Emergency Solutions Grants and Consolidated Plan Conforming Amendments interim rule
  - Continuum of Care Program interim rule
  - Rural Housing Stability Assistance Program proposed rule





# History of the Definition (cont.)

- In 2010, *Opening Doors* established a national goal of finishing the job of ending chronic homelessness by 2015
- Despite focus on chronic homelessness since 2002, only one-third of all PSH dedicated
- Following release of 2011 PIT data, analysis was done to better understand the population
  - More people meet definition based on occasions
  - Chronic homelessness is heavily concentrated
- May 2012: HUD hosted a convening of national experts to consider alternative definitions





# History of the Definition (cont.)

- The last proposed definition included a new requirement that the four occasions must total one-year
  - HUD received 177 comments during the final public comment process
- In July 2014, HUD published Notice-CPD-14-012
  - Highest priority—chronically homeless with 12 months continuous or cumulative homelessness over period of 4 occasions in 3 years
  - Established new recordkeeping requirements



# Final Definition of Chronically Homeless

(Amends 24 CFR 91.5 and 24 CFR 578.3)

## Chronically homeless means:

(1) A “homeless individual with a disability,” as defined in the Act, who:

- Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
- Has been homeless (as described above) continuously for at least 12 months or on at least 4 separate occasions in the last 3 years where the combined occasions must total at least 12 months
  - Occasions separated by a break of at least seven nights
  - Stays in institution of fewer than 90 days do not constitute a break

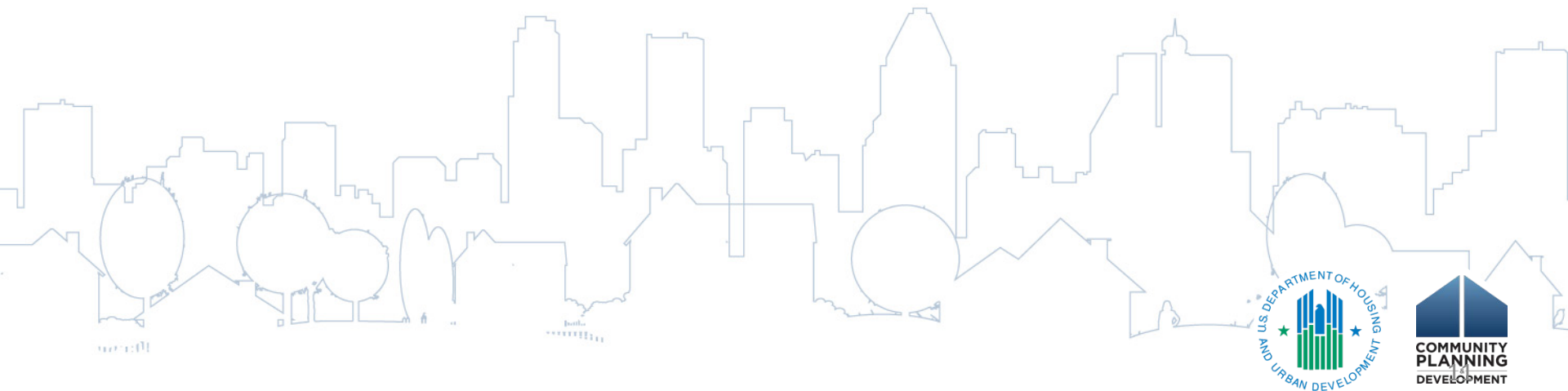


# Final Definition of Chronically Homeless

(Amends 24 CFR 91.5 and 24 CFR 578.3)

## Chronically homeless means (cont.):

(2) An individual who has been residing in an institutional care facility for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or

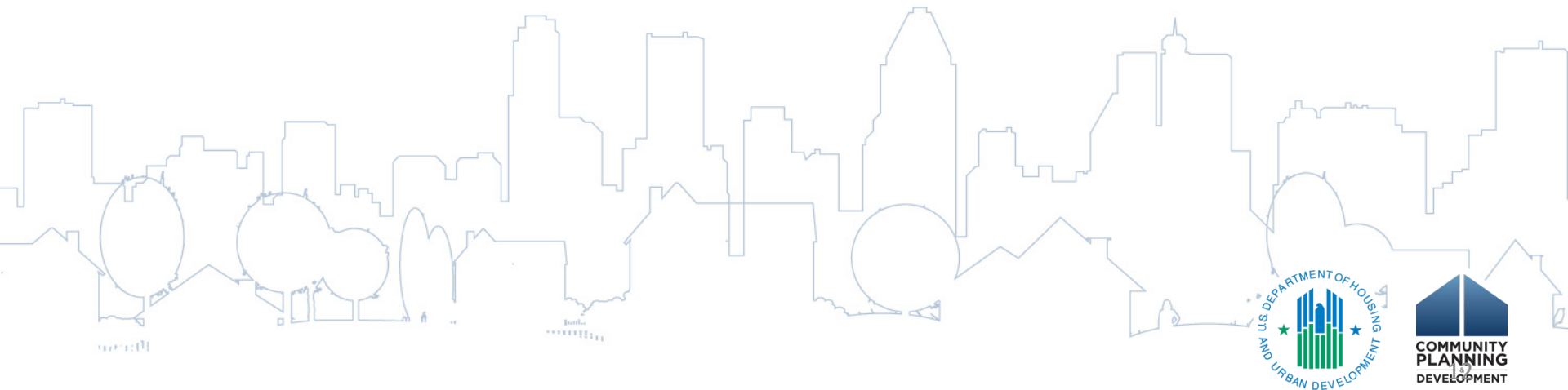


# Final Definition of Chronically Homeless

(Amends 24 CFR 91.5 and 24 CFR 578.3)

## Chronically homeless means (cont.):

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraphs (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.



# Summary of Major Changes

- Four occasions must total 12 months
- Replaced “disabling condition” with “homeless individual with a disability”
- Occasion is defined by a break of at least seven nights not residing in an emergency shelter, safe haven, or residing in a place meant for human habitation (e.g., staying with a friend, in a hotel/motel paid for by program participant)
- Stays in institution of fewer than 90 days do not constitute as a break and count toward total time homeless
- New Recordkeeping Requirements under CoC Program



# What does this mean, *really*?

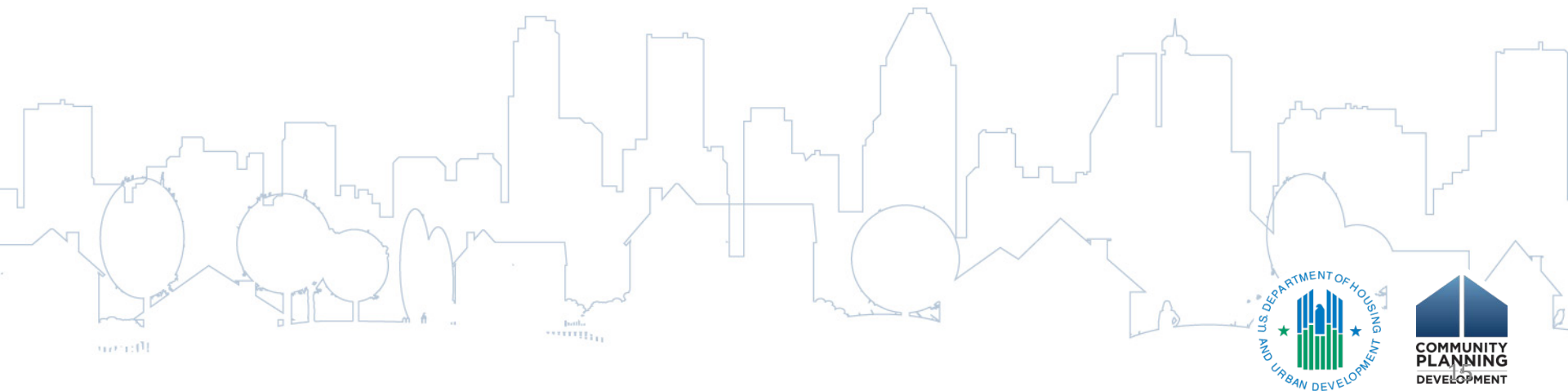
- A community must execute due diligence to identify and engage all persons experiencing chronic homelessness
- To the extent that there are no persons meeting this definition, prioritize other eligible and high need populations—do not hold beds vacant
  - Notice CPD-14-012
  - Will be updating prioritization guidance based on final rule
- Some people that were previously considered chronically homeless will no longer meet definition while some that did not previously meet definition will now meet it
  - Clarification on chronically homeless status in transitional housing and rapid re-housing





# Recordkeeping Requirements

- Applies to any CoC Program-funded PSH that is required to serve the chronically homeless
- Consistent with recordkeeping requirements established in Notice CPD-14-012
- Creates a reasonable, uniform standard to ensure consistency in how chronic homelessness is documented





# Documenting Chronically Homeless Status: Written Intake Procedures

- Required for all PSH projects that dedicate or prioritize beds for chronically homeless individuals or families
- The recipient must maintain and follow written intake procedures that:
  - Require documentation at intake of the evidence relied on to verify status
  - Establish the following order of priority for obtaining evidence:
    - Third-party
    - Intake worker observation
    - Certification from the person seeking assistance



# Documenting Chronically Homeless Status: Third Party Documentation

- Documenting an individual's time in a place not meant for human habitation, an emergency shelter, or a safe haven:
- Third party documentation is preferred; however:
  - For all clients, up to 3 months can be documented through self-certification
  - In limited circumstances, up to the full 12 months can be obtained through self-certification



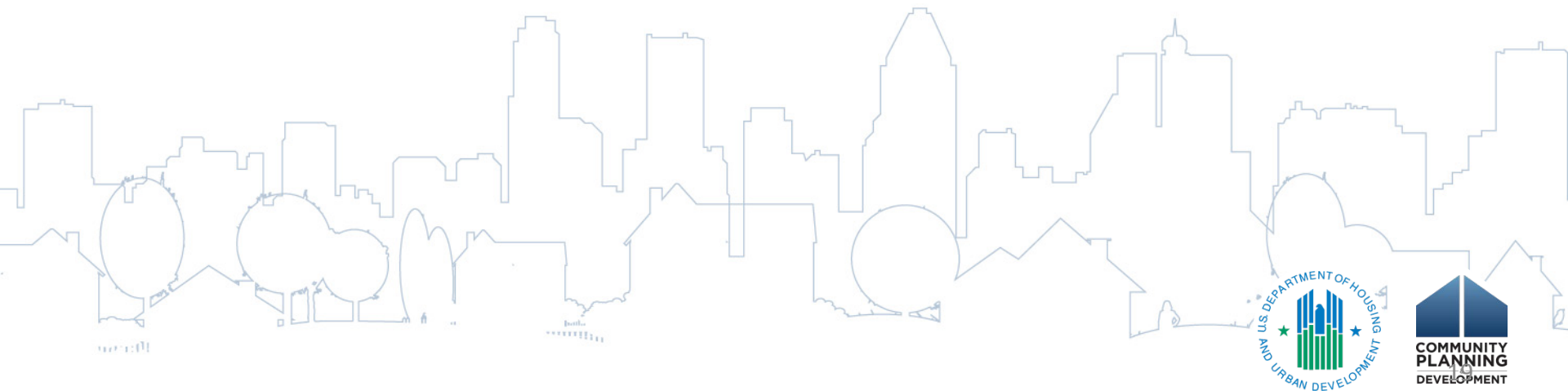
# Documenting Chronically Homeless Status: Third Party Documentation

- Documenting an individual's time in a place not meant for human habitation, an emergency shelter, or a safe haven (cont.):
  - Single encounter in a month is sufficient to consider household homeless for entire month unless evidence of a break
  - If third-party documentation cannot be obtained, a written record of intake workers due diligence to obtain, the intake worker's documentation of the living situation, AND the individual's self-certification of the living situation



# Documenting Chronically Homeless Status: Documenting Breaks

- Evidence of a break can be documented by:
  - Third party evidence
  - The self-report of the individual seeking assistance
  - 100% of the breaks can be documented by self-report



# Documenting Chronic Homeless Status: Institutional Stays

- Discharge paperwork or written or oral referral from a social worker, case manager, or other appropriate official stating the beginning and end dates of the time residing in the institutional care facility
- Where the above is not attainable, a written record of intake workers due diligence to obtain AND the individual's self-certification that he or she is exiting an institutional care facility where resided less than 90 days



# Documenting Chronically Homeless Status: A Homeless History

## 12 Months Continuous

- Start by looking in HMIS to determine if there are 12 months of continuous homelessness and no evidence of break (i.e., HMIS record of stay in transitional housing)
  - Ex. If there is evidence of at least one night in shelter each month for the last 12 months, it is not necessary to ask about breaks
- If there are not 12 months in HMIS but client reports that they have been homeless for the last 12 months with no breaks, identify other third-party sources (i.e., outreach worker, other professional source)
  - Ex. There are 8 months documented in HMIS over the last year but intake worker can obtain discharge paperwork or a written certification from mental health professional for at least one other month of a stay in an institution and self-certification for up to 3 months. It is not necessary to ask about breaks





# Documenting Chronically Homeless Status: A Homeless History (cont.)

## 12 Months Cumulative

- Start by looking in HMIS to determine if there are 12 months of cumulative homelessness over the last 3 years.
  - Ex. There is evidence of at least one night in shelter for 12 months over the last 18 months.
- If there are not 12 months in HMIS but client reports that they have been homeless for the last 12 months in the last three years, identify other third-party sources (i.e., outreach worker, other professional source)
- Next, identify any documented breaks in HMIS (i.e., stay in transitional housing).
- If there are fewer than 3 breaks found in HMIS, with client to identify breaks between four occasions (current experience counts as one occasion).





# Documenting Chronically Homeless Status: A Homeless History (cont.)

- If at least 9 months of homelessness (cumulative or continuous) cannot be obtained by third-party documentation, up to the full 12 months can be documented via self-certification only:
  - Must thoroughly document attempts to obtain third-party documentation and why third-party documentation was not obtained
  - Must obtain a written certification from individual or head of household of the living situation of the undocumented time period
  - Limited to rare and extreme cases and **no more than 25 percent of households served in an operating year**



# Documenting Chronic Homeless Status: Disability

- **Must be third party, and includes:**
  - Written verification from a professional licensed by the State to diagnose and treat the disability and certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently
  - Written verification from SSA
  - The receipt of a disability check
  - Intake staff-recorded observation of a disability that is confirmed and accompanied by evidence above within 45 days



# Applicability for Consolidated Submissions for CPD Programs

- The final definition of “chronically homeless” applies to all narrative prompts and data fields referring to individuals and families experiencing chronic homelessness as well as facilities and services meeting the needs of individuals and families experiencing chronic homelessness (see eCon Planning Suite screens: PR-10, NA-40, MA-30, SP-60, AP-65, CR-25).
- All data from HMIS and comparable databases used for the Consolidated Plan (Con Plan) and Consolidated Annual Performance and Evaluation Report (CAPER) will reflect the final definition of “chronically homeless”.



# HMIS Implications

- 2014 Revised Data Elements written anticipating new direction
- Two ways that HMIS data will be used:
  - Creating a flag in the system to identify persons as chronically homeless based on self-report
  - Documenting history of homelessness



# Implementation and Compliance

- The rule goes into effect on January 4, 2016 with a compliance date of January 15, 2016
- Program participants residing in PSH prior to January 15, 2016 are not impacted
  - Program participants that have been accepted into PSH and are in process of locating a unit prior to PSH ARE NOT impacted
  - Program participants that are on a waiting list for PSH but have not yet been offered and accepted available unit ARE impacted
- 2016 Point-In-Time Count will collect data on chronically homeless persons using definition in final rule



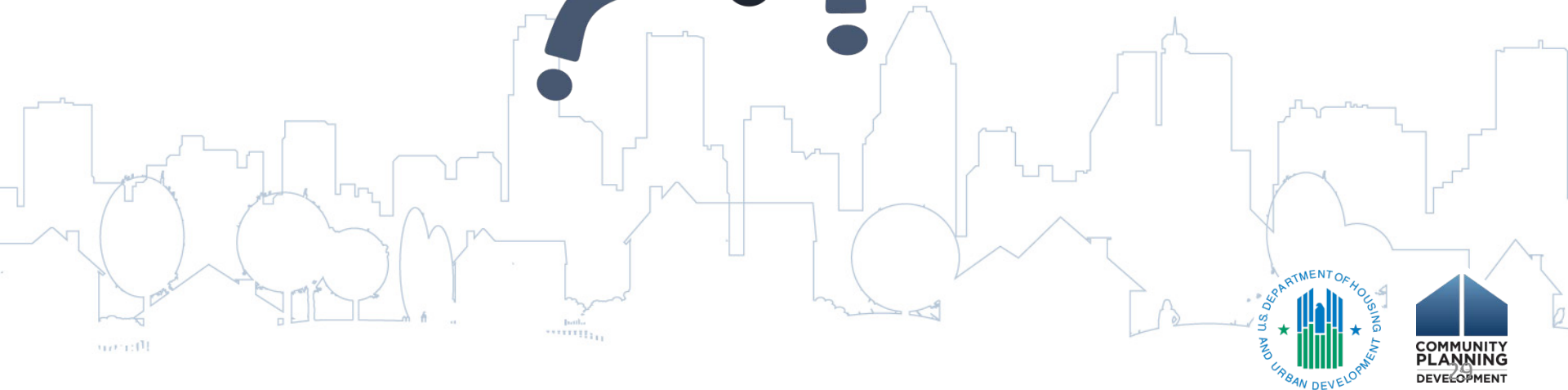
# Implementation and Compliance (cont.)

- Program participants admitted after January 15, 2016 in dedicated or prioritized PSH must meet definition included in final rule UNLESS:
  - There are no chronically homeless persons within specified subpopulation (if applicable) in the **CoC's geographic area** at the time in which vacancy is available (identified or willing to accept an offer of PSH).
  - Not an ongoing exception—upon turnover, must be used to serve chronically homeless persons unless there are still none in the CoC's geographic area
  - Must document due diligence to locate and engage chronically homeless persons.





# Questions and Answers





# Resources

- Up to date information regarding the McKinney-Vento Act programs and TA materials can be found at <http://www.hudexchange.info>
- Notification of the availability of future information will be released via the HUD Exchange Mailing List. To join the HUD Exchange mailing list, go <https://www.hudexchange.info/maillinglist> and click on the programs for which you would like more information
- Submit Questions to HUD Exchange's Ask-a-Question at: <https://www.hudexchange.info/get-assistance/>

