

HEALTH **IMPACT**
PROJECT
ADVANCING SMARTER POLICIES FOR HEALTHIER COMMUNITIES
www.healthimpactproject.org

**DESIGNATED HOUSING RULE
HEALTH IMPACT ASSESSMENT**

*2nd Annual National
Health Impact Assessment Meeting*

Washington, D.C.
September 25, 2013

A collaboration between Robert Wood Johnson Foundation and The Pew Charitable Trusts.

Name: position- Health impact project is a collaboration of the RWJF and Pew Charitable trusts

Thanks for the opportunity to talk about the collaborative work we are doing to inform HUD's rulemaking for designated housing.

Roadmap: background on the decision, who are the team players, where we are and where we're going

Note: This federal-level HIA differs from the other two in that it intends to inform a regulatory policy, not legislation – so there will be differences in the opportunities and challenges, but we are also trying to learn from the legislative experiences as we conduct this federal level HIA on a regulatory policy

Designated Housing Rule HIA

Purpose: Pilot the use of HIA as a part of the National Prevention Strategy within a HUD rulemaking process on proposed regulatory changes to HUD's designated housing rule for elderly and disabled families (24 CFR 945).

Background: HUD's Office of Public and Indian Housing (PIH) is developing regulations to clarify and streamline the procedures through which Public Housing Agencies (PHAs) designate housing for elderly and disabled families. With the National Prevention Council and the Centers for Disease Control and Prevention, HUD staff identified this rulemaking as an opportunity to pilot the use of HIA. PIH is collaborating with the HIA team to carry out this pilot.

Timeline: August 2013 – August 2014

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This project is an exciting opportunity because it developed out of the work of the National Prevention Council.

Purpose: to pilot the use of HIA as part of the NPS in collaboration with HUD in their rulemaking process

The Health Impact Project began working with HUD through the National Prevention Council

HUD's Office of Public and Indian Housing came forward with a designated housing rule as a possible application for HIA

PIH is developing regulations to clarify and streamline the procedures through which public housing authorities designate housing for elderly and disabled families

Timeline: This collaborative HIA was officially kicked off in August with outreach and assessment activity over the next year

Designated Housing Rule

24 CFR 945: PHAs can designate a housing development or a portion thereof as elderly-only, disabled-only, or mixed elderly and disabled.

PHAs apply to HUD : Develop an allocation plan that aligns with the Comprehensive Plan goals to meet the needs of the low-income population in the jurisdiction. PHAs must also include, e.g., access to supportive services, how services and design will meet population needs



Designations in effect for 5 years,
renewals granted in 2-year increments

More than 130 PHAs actively using this regulation,
more than 60,000 units

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Public Housing Authorities (PHAs) can designate a housing development or a portion thereof as elderly-only, disabled-only, or mixed elderly and disabled according to 24 CFR 945.

PHAs can submit applications to HUD to obtain designation status. In the application, they must present a plan for how they plan to serve the needs of low-income elderly and disabled individuals in their jurisdiction, including an allocation plan aligned with their Comprehensive plan, access to supportive services – defined as housing linked with social services such as job training, life skills training, substance abuse programs, community support services (e.g., child care and educational programs), and case management for populations in need of assistance

PHAs can designate for 5 yrs and renew in 2yr increments

Roughly 130 PHAs are actively using this rule – this is the equivalent of 60,000 units = ~ 5% of the public housing stock

Goals of the Rule Revisions



The proposed rule revisions seek to:

- implement public housing's streamlining efforts in Federal Regulations;
- reduce administrative burden through new forms for submission of designated housing plans; and
- clarify and amend the requirements for designated housing.

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In revision this rule, HUD intends to streamline federal regulations, reduce administrative burden, and ultimately implement a new DH application process and data requirements for PHAs

- Better information for both PHA and PIH for assessing needs and allocating resources – including consideration of health

HIA Project Goals

1. Pilot the use of HIA as a part of the National Prevention Strategy within a HUD rulemaking process
2. Identify and analyze potential health implications of the proposed changes and the distribution of the effects
3. Incorporate key health considerations into the HUD designated housing rulemaking process
4. Provide HUD with evidence-based recommendations

HIA Project Team and Advisory Committee

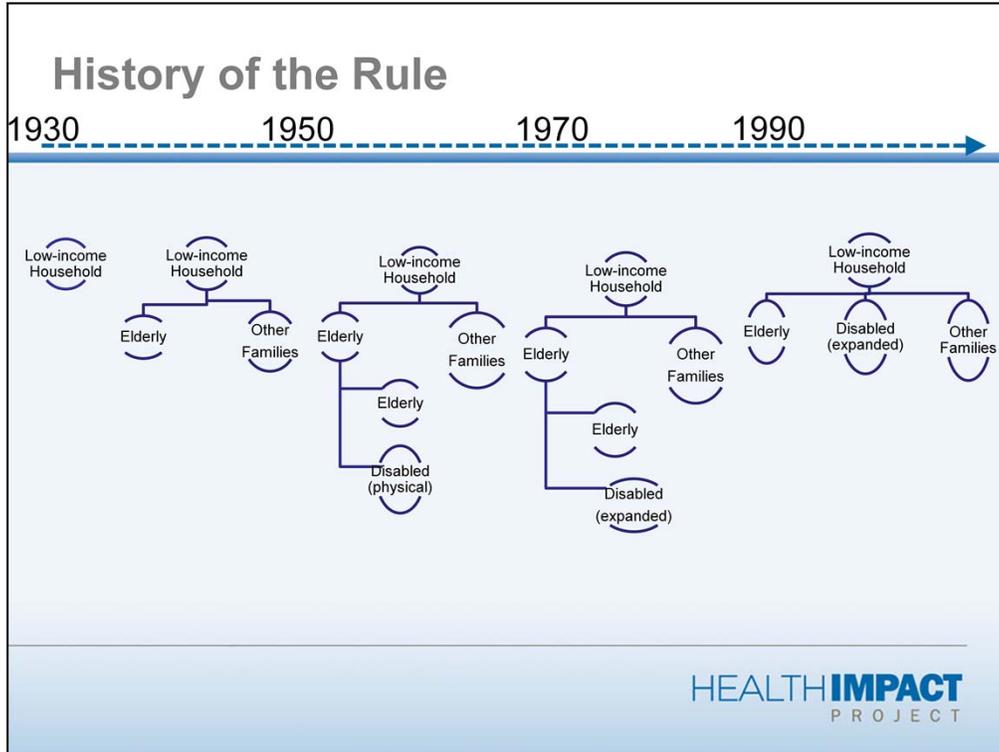
Team



Advisory Committee

- Corporation for Supportive Housing
- Council of Large Public Housing Authorities
- Enterprise Community Partners
- National Alliance on Mental Illness / Consortium for Citizens with Disabilities
- National Alliance to End Homelessness
- National Center for Healthy Housing
- National Fair Housing Alliance
- National Low Income Housing Coalition
- Public Housing Authorities Directors Association
- Technical Assistance Collaborative





HUD's definition of family has changed over time. Initially, the statute was comprehensive for PHAs submitting applications and HUD had more oversight. In the 1996 Housing Opportunity Program Extension Act, Congress substantially amended the statute, reducing PHAs' responsibility with respect to the requirements for submission to HUD and the local review process. The HOPE Act also reduced HUD's role in the approval process and limited HUD's ability to enforce its existing regulations.

These modifications were intended to simplify the process for designating housing. HUD has not changed the published regulations, though it has issued a series of notices (most recently Notice 2010-28) that effectively override the regulatory requirements of 24 CFR 945 until they are revised.

Key issues being considered (Preliminary Scope)



Adequate, safe, affordable, and accessible housing



Alignment of housing and supportive services



Community integration and choice



Administration and planning for Public Housing Agencies and HUD



Real estate financial drivers and market forces

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Safe, affordable, and accessible housing:

Proximity to neighborhood resources (transit, food stores, clinics and pharmacies, etc.) is critical to residents; there is a critical shortage of affordable housing for both elderly and disabled individuals; majority of designated housing plans designate units for elderly-only

Alignment of Housing and Supportive Services: Coordination of housing and supportive services varies, but is a priority for all public housing authorities; service coordinators play a critical role; for housing authorities that use the designated housing rule, the rule has improved the effectiveness of service coordinators by grouping populations with similar needs

Access to Housing of Choice: 40-50% of discrimination complaints received by HUD's Office of Fair Housing and Equal Opportunity include an allegation of disability; some public housing authority staff indicated that service needs are similar, but lifestyle differences can cause conflict between elderly and non-elderly disabled residents, as well as high turnover rates

Conflicts addressed in a variety of ways: Two housing authorities stated the designated housing rule helped reduce conflicts and turnover rates. Aging in place is a primary concern and goal of public housing authorities; the designated housing rule is generally used to reserve more public housing units for elderly applicants, as opposed to non-elderly disabled

Financing: Financing drivers play an important role in jurisdictions' decisions, particularly tax credit-financed properties ; medicaid financing present challenges in supporting home and community-based services, although new drivers are accelerating movement toward services in these settings; Budget flexibility key in addressing population needs; One housing authority indicated that the rule helped jurisdictions receive more grants because it provided clarity about who would be served

Application Process: Cumbersome—a lot of back and forth with additional data requests; Does not work well for small housing authorities; Lack of clarity about eligibility/appropriateness for small housing authorities

Process Evaluation – Improving Practice

- Engaging stakeholders, informants and advisors in federal decisions
 - ✓ Early on identify and bring aboard experts in the policy and content
 - ✓ Develop a stakeholder engagement plan with direct outreach to impacted populations
- Project management
 - ✓ Less planning more doing, start research/writing early (a rapid HIA)
 - ✓ Team sense of humor
- ? Does a regulatory process provide a more predictable timeline?
- ? Are those making the decisions more easily discerned?
- ? Is the scoping process more predictable?

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Where are we now – where are we going?

- August 20th, 2013: First Advisory Committee (AC) meeting
- Developing strategies for stakeholder engagement
- Identifying needs and opportunities for technical expertise
- Developing a research plan
- Spring: Preparation of a draft impact assessment

We've tried to gather a few take-home lessons from our federal HIA on a legislative decision (ie SNAP) and apply these lessons towards our HIA on a regulatory decision

There may be differences between conducting an HIA on legislation vs rulemaking...

What remains to be seen is whether there are differences – such as....