

**HOUSING AND HEALTH SERVICES COORDINATION COUNCIL
COUNCIL MEETING**

**Meeting Minutes
December 5, 2011, 10:00 am**

Meeting began: 10:04am

CALL TO ORDER, ROLL CALL

Tim Irvine, Chair

The quarterly meeting of the Housing and Health Services Coordination Council (HHSCC) on December 5, 2011 was called to order by Chair Tim Irvine at 10:04am. It was held at the Brown Heatly Building, Rooms 1420 & 1430, at 4900 N Lamar Blvd, Austin, TX 78751.

Members Present:

Tim Irvine, Chair
Paula Margeson, Vice Chair
Sherri Gothart-Barron, Member
Doni Van Ryswyk, Member
Amy Granberry, Member
Kenneth Darden, Member
Paige McGilloway, Member
Jonas Schwartz, Member
Mike Goodwin, Member
Mark Wyatt, Member
Jean Langendorf, Member
Jim Hanophy, Member
Marc Gold, Member
Bill Carpenter, Member

Members Absent:

Felix Briones, Member

TDHCA Staff Present:

Elizabeth Yevich, Director of Housing Resource Center
Ashley Schweickart, Coordinator of HHSCC

AGENDA

Public Testimony on 2012-2013 Biennial Plan

Jason Howell of SoberHood testified regarding the inclusion of group homes in the spectrum of service-enriched housing options. Mr. Howell also spoke of HB 216, passed during the 81st Legislative Session, which directs HHSC to develop and publish model standards for the operation of boarding home facilities and allows local counties and municipalities to adopt the model standards developed by HHSC and require permit holders to comply with these standards. Mr. Howell stated that group home regulation amounts to discrimination against persons with disabilities and could be a violation of the Fair Housing Act.

HOUSING AND HEALTH SERVICES COORDINATION COUNCIL
September 14, 2011 Council Meeting

Chair Tim Irvine spoke about HUD's publishing of a proposed rule regarding the Fair Housing Act and how the federal government will treat actions taken by local or state entities which are intentionally or unintentionally discriminatory. He urged the public to weigh in on this draft rule. The Council then discussed the congregate nature of group homes and whether or not these living arrangements would be considered temporary, transitional housing or permanent housing. The Council asked staff to conduct an analysis of HB 216 to better understand the enforcement mechanism granted to local municipalities.

The Council then discussed the differing definitions of integration as they relate to this Council's definition of service-enriched housing and to the state's Medicaid waiver programs. Particularly, relocation contractors for persons with intellectual or developmental disabilities have noted that this population requests assisted living housing arrangements when transitioning out of institutional settings. Public participant Robin LeoGrande also urged the Council to understand the importance of including assisted living among the options of community based living for persons with intellectual or developmental disabilities.

Approval of September 14th Meeting Minutes

There were no changes made to the September 14th meeting minutes. Approval was motioned by Paige McGilloway and seconded by Sherri Gothart-Barron. Minutes were approved unanimously.

Presentation on FY2012-2013 Council Budget

Council staff member Ashley Schweickart presented on the budgeted and unbudgeted portions of the Council budget. Budgeted costs include salaries, travel, printing and supplies, and costs associated with hosting public hearings later in FY2012. The unbudgeted amount for fiscal years 2012 and 2013 is approximately \$100,000 per year. Ms. Schweickart stated that this meeting was a time to solicit ideas from Council members for possible projects or activities that would utilize this unbudgeted funding. Ms. Schweickart provided two possible ideas: contracting with an outside vendor to (1) develop an online inventory of all service-enriched housing projects in Texas and (2) create an interactive online map of these properties.

Council members requested that staff provide a line item budget for the next Council meeting. Council member Jim Hanophy provided two recommendations: (1) Funding towards public forums and outreach, and (2) Funding towards researching state legislation that is at cross-purposes with the mission of the Council and creation of service-enriched housing. No decisions were made on staff's budget recommendations or Mr. Hanophy's budget recommendations, nor were further budget recommendations made by any other Council members. Chair Irvine suggested that at the next Council meeting, member's draft budget items be presented to TDHCA.

Council members also discussed including information in the 2012-2013 Biennial Plan regarding how funding was utilized and how it assisted in implementation of the recommendations in the previous Plan. The Council also discussed including the state's efforts on the CMS Real Choice Systems Change grant into the 2012-2013 Biennial Plan as well. Finally, Council member Marc Gold announced that the Money Follows the Person (MFP) Demonstration Program was just awarded a second round of administrative funding from CMS, which will be used for activities that further the mission of this Council.

HOUSING AND HEALTH SERVICES COORDINATION COUNCIL
September 14, 2011 Council Meeting

Update on Medicaid 1115 Waiver

The 82nd Legislature passed SB7, which directed HHSC to seek a waiver under Section 1115 of the federal Social Security Act to the state Medicaid Plan. Council member Jonas Schwartz presented on HHSC's Medicaid 1115 waiver proposal, which was submitted to CMS in the spring of 2011. This waiver would accomplish two main goals: (1) Permit the State of Texas to allow hospitals to become managed care providers, and (2) Expand managed care services to the Rio Grande Valley. Managed care is a delivery option for the provision of Medicaid services, as opposed to the "fee for service" option. A benefit of this transition is that the managed care entity assists in the coordination of services for the Medicaid waiver participant. SB7 also required the creation of the Medicaid Reform Waiver Legislative Oversight Committee to facilitate the state's Medicaid reform efforts; however this Committee has not yet convened. Mr. Schwartz expects CMS approval of the 1115 waiver in the coming weeks.

Mr. Schwartz also presented on the possible changes to long term service provisions included in federal healthcare reform, including: (1) Extension of the Money Follows the Person Program, (2) Creating a state option for the Community First Choice, which would provide for personal attendant services for persons with intellectual or developmental disabilities through a Medicaid waiver, and (3) Creation of the Balancing Incentives Program, which provides states with additional funding for transitioning persons with disabilities into community based service options. Currently HHSC is conducting a cost projection for implementing these features of healthcare reform.

Mr. Schwartz and Mr. Gold stated that Medicaid is going through a huge change right now and the state is trying to figure out how to sustain the Medicaid system. Mr. Schwartz stated that HHSC has only proposed one 1115 waiver so far, but is considering proposing changes to long term services and supports. These changes would go through a public input process before being sent to CMS for approval.

Update on CMS Real Choice Grant

Council staff member Ashley Schweickart gave a presentation on the current status of the CMS Real Choice Systems Change Grant: Building Sustainable Partnerships for Housing. Ms. Schweickart gave a summary of the three grant activities: (1) Application for newly authorized Section 811 Project-based Rental Assistance (PRA) funds, to create integrated supportive housing units for extremely low income persons with disabilities, (2) Creation of a Housing and Services Partnership Academy to educate local communities about funding opportunities to provide housing and services to persons with disabilities, and (3) Building and maintaining a Housing and Services for People with Disabilities Online Clearinghouse, which creates a directory of housing and service resources for persons with disabilities on the 211 Texas website.

Ms. Schweickart then presented on the grant advisory team, called the 811 Team, which will provide support and feedback on grant implementation. Several members of the Council have been asked to sit on the 811 Team, either as representatives of their respective state agencies or as members of state advisory bodies. Council members inquired on the timing of HUD's NOFA release and Ms. Schweickart stated that HUD's most recently stated date is December 2011. This NOFA will be released prior to HUD releasing or finalizing rules on this program.

The Council also discussed how Project-based Rental Assistance (PRA) funds are not meant for the construction of affordable housing, but to be paired with TDHCA's existing capital financing resources, providing a rent subsidy to a portion of units constructed with those resources. The Melville Act, which

HOUSING AND HEALTH SERVICES COORDINATION COUNCIL
September 14, 2011 Council Meeting

establishes the new Section 811 program, prioritizes integration of Section 811 units into larger properties by mandating that no greater than 25% of a property's units can received Section 811 PRA funding.

Discussion of HHSCC Online Discussion Forum Feedback & 2012-2013 Biennial Plan Creation

Council staff member Ashley Schweickart presented the feedback gathered from the HHSCC Online Discussion Forum which was open for one month, from Friday, October 21st, 2011 until Friday, November 18th, 2011. The Council generated thirteen questions to be posed to the public regarding on-going barriers to service-enriched housing, including legislative, administrative, financial, and cross-agency coordination related barriers. The Discussion Forum yielded 31 responses. Based on public feedback, Ms. Schweickart also made recommendations as to the potential formation of two new committees to assist in the creation of the 2012-2013 Biennial Plan – the Housing Issues Committee and the Service Issues Committee. The Council approved the creation of these Committees.

The Council also decided that the best approach for responding to input generated by the Discussion Forum was to discuss the input within their respective Committees and generate policy recommendations for the Biennial Plan. Chair Irvine also suggested that the Council work with TDHCA on the update to the Analysis of Impediments to Fair Housing Choice, in order to better address issues of housing discrimination. The Council also discussed the need for specific, concrete policy recommendations for this upcoming Biennial Plan and the need to focus Council efforts on meeting the requirements of governing statute.

Discussion of Next Steps & Staff Assignments

The Council discussed holding public forums to generate feedback on the draft 2012-2013 Biennial Plan. These forums will likely take place in early June. Chair Irvine suggested that the Council partner with a large locally based organization for each forum. A next step for Council staff will be to schedule the dates and locations for these public forums.

The next quarterly meeting of the Council will take place on Monday, March 5th, 2012 at the Texas State Affordable Housing Corporation offices.

ADJOURN

There being no further business before the Council, the meeting was adjourned at 12:05pm.