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Agency of Human Services

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Chair Wood and Representatives,

We appreciate and recognize the commitment of the House Committee on Human Services to gather information and input from key stakeholders to address homelessness in Vermont. This is a shared goal, and we look forward to continuing to partner with you in developing solutions.

This is a limited response given the short time frame for reviewing this proposal and, unfortunately, not an exhaustive response. That said, as drafted the Department for Children and Families (DCF) would not be able to implement this law given the need for extensive additional clarification of terminology and intent. Additionally, the budgetary and staffing implications are very significant, not yet fully assessed, not in the Governor's SFY25 proposed budget, and not addressed in this language.

In reviewing the proposed Emergency Temporary Shelter Program language, the Agency of Human Services believes that without significant changes to spur the creation of housing units in Vermont this proposal does not significantly change the trajectory for Vermonters experiencing homelessness. Additionally, the Agency believes that the issues and priorities raised in the proposed program could be addressed by the Task Force within the context of the General Assistance Emergency Housing Program. The Agency would recommend that the Definitions, Household Eligibility, Maximum Days of Eligibility, Applications, Notices, Appeals, and Annual Report be shifted to items for the Task Force to act on as part of their body of work with more time and the opportunity for greater input.

The Agency looks forward to being on and collaborating with the Task Force.

The Governor's recommended SFY '25 budget contains \$8.3M of base funding, \$7.5M for emergency housing and \$839K for security. The estimated cost of this bill is \$49M-\$51M depending on clarification of intent. Additionally, further clarity is needed on the intended SFY '25 eligibility in order to assess the budgetary impact.

The Agency recognizes that the Committee is still working through the language but below is a list of some identified specific concerns:



- “disruptions in housing stability be eliminated” - The Agency recommends “disruptions in shelter stability.”
- “Housing First” - The Agency is seeking additional guidance on how the Committee is using this term. Is the intent to prioritize efforts to connect people to permanent housing instead of shelter? Is the intent to ensure that permanent housing projects for people exiting homelessness would incorporate Housing First principles? Is this instead meant to indicate low-barrier practices at emergency shelters?
- “Vermont increase the supply of shelter that is geographically and physically accessible to individuals with a disability and that addresses the range of needs among individuals with a disability.” The Agency would like clarity on who is responsible for increasing the supply of shelter. Additionally, is the intent for shelter supply to be increased only for individuals with a disability?
- Census Bureau Quarterly Data – Please provide a link to the data to ensure that the Agency is referencing the accurate data point. Also, this data is published with a margin of error, should that be incorporated in determining the percentage?
- “include temporary shelter provided by housing and shelter operators, including shelters for designated populations” - A suggestion for alternative language is “leverage existing emergency shelter provided by the network of emergency shelters throughout Vermont.” Most shelters do not exist for only designated populations and not all shelters in Vermont are funded by DCF.
- “is a child under 18 years of age, or 18 or 19 years of age and attending secondary school on a full-time basis or an equivalent level of vocational or technical training” - The Agency has received guidance that a school requirement may have a disparate racial impact. An alternative proposal is to extend eligibility to all kids 19 and under regardless of school enrollment.
- “Maximum Days of Eligibility” – The Agency is seeking additional clarity on how to manage the two different periods of eligibility. Households do not use all of their nights at one time. If a household is first assessed at a time when they are eligible for 90 days, exits the program, and reenters when the eligibility is changed to 45, how should eligibility be determined?
- “Period of Ineligibility” – The Agency is concerned with the complete removal of the period of ineligibility. If there are no consequences for violent, life-threatening behavior it puts other guests at risk and motels will not participate in the program.
- “Appeal Process” – The Agency has concerns as sometimes the fair hearing process goes beyond 45 days and other programs administered by the Agency do not allow for continued benefits during a period of appeal.
- “participate in the coordinated entry and case management processes if temporary emergency shelter in excess of 14 days is required, including cooperating with the Department and services providers on screening and care planning” – The Agency suggests simplifying this requirement to “complete the coordinated entry assessment.” This ensures a connection with services





that are only accessible through coordinated entry while minimizing the requirements for shelter in the spirit of the initial legislative intent.

- “unless the household can provide evidence of saving towards permanent housing” - The Agency has concerns about how this could be documented.
- “Reporting by eligibility category” – The Agency would need additional clarification. Household composition is not static. Households are often eligible for multiple categories and can change throughout the year.
- “the number of beds available for emergency housing in each Agency of Human Services district in the State, with separate reporting on the number of beds available ...” - The Agency requests that the Committee provide additional details, clarification, and definition on each type of number of beds described in this section. The Agency is not clear on some of the data being requested in this section.
- “types” - The Agency requests clarification on how the Committee is defining “types” of shelter beds.
- “low-barrier shelters” - The Agency requests guidance on how the Committee is defining low-barrier.”
- “Housing and Homelessness Coalition of Vermont” - The Agency believes this is referring to the “Housing and Homelessness Alliance of Vermont.
- The Agency recommends a representative from each HUD-recognized Continuum of Care as Task Force members as the Continua would be the entities to ultimately make decisions regarding Coordinated Entry.
- “consistent lead agency” - The Agency would recommend clarity on this or suggest an alternative term to “lead agency,” there are currently Coordinated Entry Lead Agencies in each local Continuum of Care.
- Sunset of the GA rules – the GA rules govern several benefits other than emergency housing (rental assistance, personal needs, emergency medical needs, etc.). The rules governing these benefits should not be repealed. Only sections 2652.2, 2652.3, 2652.4 and all references to those sections should be repealed. In addition, section 2852.2 of the Emergency Assistance rules governs a TANF-funded emergency housing benefit that is identical to catastrophic emergency housing under section 2652.2 of the GA Rules. Section 2852.2 should also be repealed.

Thank you for your consideration.

Sincerely,

Chris Winters
Commissioner for the Department for Children and Families

