HOUSE DOCKET, NO. 2361 FILED ON: 1/20/2011

HOUSE . . . . . No. 1862

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act providing housing and support services for unaccompanied homeless youth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James J. O'Day	*14th Worcester*
James B. Eldridge	☐ *[District]* ☐
Thomas P. Conroy	*13th Middlesex*
Linda Dorcena Forry	*12th Suffolk*
Steven M. Walsh	*11th Essex*
Ellen Story	*3rd Hampshire*
Carl M. Sciortino, Jr.	*34th Middlesex*
Kay Khan	*11th Middlesex*
Gloria L. Fox	*7th Suffolk*
Alice K. Wolf	*25th Middlesex*
William N. Brownsberger	☐ *[District]* ☐
David B. Sullivan	*6th Bristol*
Peter V. Kocot	*1st Hampshire*
Stephen Kulik	*1st Franklin*

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HOUSE . . . . . No. 1862

By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 1862) of James J. O'Day and others relative to housing and support services for unaccompanied homeless youth. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

An Act providing housing and support services for unaccompanied homeless youth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Department of Elementary and Secondary Education estimates that nearly 6,000 high school students are homeless and on their own. Thousands more homeless youth are not reflected in these numbers because they have already dropped out of school. There is a desperate need for increased shelter and housing options for youth living without their parents. Youth homelessness takes its toll in both human and economic dimensions. Youth who are homeless as adolescents face bleak outcomes and can perpetuate a cycle of dependence on public systems that have extreme costs to the individual and communities. While many children are resilient and are able to overcome the ravages of homelessness, homelessness often leads to poor health outcomes including: increased risk of death, exposure to violence, susceptibility to exploitation and high risk behaviors, poor academic performance, and a lack of positive social interactions. The purpose of this Act is to reduce youth homelessness and its adverse effects by funding a continuum of housing and support services geared specifically toward unaccompanied homeless youth with the goal of improving housing and residential stability, reducing harm and the level of risk faced by youth and improving educational, physical and mental health outcomes for this population. Programs funded under this Act shall be administered by the Executive Office of Health and Human Services.

SECTION 2. (1) Notwithstanding any general or special law to the contrary, the Executive Office of Health and Human Services shall enter into performance-based contracts with organizations and agencies to provide housing and support services to address the needs of unaccompanied homeless youth. Programs funded under this Act shall provide a continuum of housing options for this population provided on a voluntary basis in conjunction with wraparound support services, which shall include but not be limited to: emergency shelter, “kinship” home placements, short term housing and “Transition to Independent Living” programs. The funded programs shall provide unaccompanied homeless youth with a stable out-of-home placement and help to reunite the youth with the youth’s parent or legal guardian if

26 family reunification is in the youth's best interest, and help to create educational and residential
27 stability. Additional support services funded through these contracts may include but are not
28 limited to: individual, family and group counseling; access to medical, dental and mental health
29 care; education and employment services; case management, advocacy and referral services;
30 independent living skills training; and provision of basic needs.

31 (2) As used in this Act, "unaccompanied homeless youth" means a person 22 years of age
32 or younger who is unaccompanied by a parent or guardian and is without shelter where
33 appropriate care and supervision are available, whose parent or legal guardian is unable or
34 unwilling to provide shelter and care or who lacks a fixed, regular and adequate nighttime
35 residence. "Fixed, regular and adequate nighttime residence" means a dwelling at which a person
36 resides on a regular basis that adequately provides safe shelter. "Fixed, regular and adequate
37 nighttime residence" does not include a publicly or privately operated institutional shelter
38 designed to provide temporary living accommodations; transitional housing; a temporary
39 placement with a peer, friend, or family member who has not offered a permanent residence,
40 residential lease or temporary lodging for more than 30 days; or a public or private place not
41 designed for, nor ordinarily used as, a regular sleeping accommodation for human beings.
42 "Homeless youth" does not include a person incarcerated or otherwise detained under federal or
43 state law.

44 (3) The Executive Office of Health and Human Services shall establish requirements and
45 shall contract for programs that ensure that services, as specified by this Act, are provided to
46 homeless youth in the State in an appropriate and responsible manner.

47 (4) The Executive Office of Health and Human Services shall monitor organizations
48 receiving funds under this Act to ensure that appropriate and high-quality services are being
49 delivered to homeless youth, shall collect common data and outcome measures from these
50 organizations, and shall file reports with Joint Committee on Children, Families, and Persons
51 with Disabilities and the House and Senate Committees on Ways and Means by December 31 of
52 each year regarding the data collected from the organizations, the incidence of youth
53 homelessness in Massachusetts, and the status of and any change in housing, residential stability,
54 educational stability and outcomes and well-being of homeless youth in the Commonwealth.

55 SECTION 3. The sums set forth in this section are hereby appropriated from the General
56 Fund for the purpose of funding the programs specified in Section 2 of this Act subject to laws
57 regulating the disbursement of public funds for the fiscal year ending June 30, 2012. Up to four
58 percent of funds appropriated herein may be used for the administration of this funding including
59 monitoring and evaluating programs that receive monies under this Act. Funding shall be
60 directed to meet the greatest need with a significant share of the funding focused on housing,
61 education and services provided through experienced homeless youth providers. Not less than
62 twenty percent of the funds appropriated herein shall be used for housing and support services

63 targeted to unaccompanied homeless youth enrolled in and attending high school or alternative
64 educational programs to assist them in completing their education.

65 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

66 4300-XXXX $5,000,000

67 SECTION 4. Notwithstanding any general or special law to the contrary, there shall be a
68 special commission for the purpose of studying and making recommendations concerning
69 services for unaccompanied homeless youth under eighteen years of age with the goal of
70 ensuring a comprehensive and effective response to the unique needs of this population. The
71 focus of the commission's study shall include, but not be limited to, an analysis of the barriers to
72 serving unaccompanied youth under eighteen years of age; an assessment of the impact of
73 mandated reporting requirements on unaccompanied youths' access to services and the state's
74 ability to identify and connect with unaccompanied youth; and proposals to reduce identified
75 barriers to serving this population, including but not limited to extending the time for certain
76 categories of mandated reporters to file reports and/or establishing special licensure provisions to
77 allow service providers to serve homeless youth under eighteen years of age. The commission, in
78 formulating its recommendations, shall take account of the best policies and practices in other
79 states and jurisdictions.

80 The commission shall include the Secretary of the Executive Office of Health and Human
81 services or her designee, the Commissioner of Department of Children and Families or his
82 designee, the Commissioner of the Department of Elementary and Secondary Education or his
83 designee, the Commissioner of the Department of Early Education and Care or her designee, the
84 Undersecretary for the Department of Housing and Community Development or her designee,
85 two members of the Senate, two members of the House of Representatives, three youth who have
86 experienced homelessness, a representative from each of the following organizations:
87 Massachusetts Coalition for the Homeless, Children's League of Massachusetts, Task Force on
88 Youth Aging Out of Department of Children and Families Care, Massachusetts Appleseed
89 Center for Law and Education, the Massachusetts Commission on Gay, Lesbian, Bisexual and
90 Transgender Youth, and the Massachusetts Housing and Shelter Alliance, and seven persons to
91 be appointed by the Governor, five of whom shall be unaccompanied youth service providers.

92 The commission shall submit a report to the Governor, the Speaker of the House of
93 Representative and the President of the Senate, the Joint Committee on Children, Families and
94 Persons with Disabilities no later than 9 months after the passage of this Act setting forth the
95 commission's conclusions on how to improve access to services for unaccompanied homeless
96 youth under 18 years of age, together with any recommendations for regulatory or legislative
97 action with a timeline for implementation, cost estimates and finance mechanisms. Thereafter,
98 the commission submit a report annually by December 31 of each year to the Governor, the
99 Speaker of the House of Representative and the President of the Senate, the Joint Committee on

100 Children, Families and Persons with Disabilities detailing the extent of homelessness among
101 unaccompanied youth within the Commonwealth and the progress made toward implementing
102 the commission's recommendations along with other efforts to address the needs of this
103 population.

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