

2022 -- S 2079 SUBSTITUTE A

LC003772/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO HUMAN SERVICES -- RHODE ISLAND PATHWAYS PROJECT

Introduced By: Senators Miller, Valverde, Murray, DiMario, Zurier, and Seveney

Date Introduced: January 25, 2022

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 40 of the General Laws entitled "HUMAN SERVICES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 23

4 RHODE ISLAND PATHWAYS PROJECT

5 **40-23-1. Short title.**

6 This chapter shall be known and may be cited as the "Rhode Island pathways project."

7 **40-23-2. Definitions.**

8 (a) For the purposes of this chapter, and consistent with 42 U.S.C. § 11360(2) et seq.,
9 "chronically homeless" means, with respect to an individual or family, that the individual or family:

10 (1) Is homeless and lives or resides in a place not meant for human habitation, a safe haven,
11 or in an emergency shelter;

12 (2) Has been homeless and living or residing in a place not meant for human habitation, a
13 safe haven, or in an emergency shelter continuously for at least one year or on at least four (4)
14 separate occasions in the last three (3) years; and

15 (3) Has an adult head of household (or a minor head of household if no adult is present in
16 the household) with a diagnosable substance use disorder, serious mental illness, developmental
17 disability, post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or
18 chronic physical illness or disability, including the co-occurrence of two (2) or more of those
19 conditions.

1 (b) A person who currently lives or resides in an institutional care facility, including a jail,
2 substance abuse or mental health treatment facility, hospital or other similar facility, and has resided
3 there for fewer than ninety (90) days shall be considered chronically homeless if such person met
4 all of the requirements described in subsections (a)(1) through (a)(3) of this section prior to entering
5 that facility.

6 (c) For purposes of this chapter, "Medicaid-expansion population" means any individual
7 who became newly eligible to receive Medicaid-funded health coverage as of January 1, 2014 as
8 defined under the federal Social Security Act, 1902(a)(10)(A)(i)(VIII), and enrolled in such
9 Medicaid-funded health coverage.

10 **40-23-3. Purpose.**

11 The purpose of this chapter is to require the executive office of health and human services
12 (EOHHS) to conduct a study to assess the impact of using Medicaid funds to provide coverage for
13 the treatment of underlying conditions that contribute to homelessness.

14 **40-23-4. Establishment of the Rhode Island pathways project pilot study.**

15 (a) EOHHS shall conduct a study to assess the impact of using Medicaid funds to provide
16 coverage for the treatment of underlying conditions that contribute to homelessness, including the
17 costs to provide coverage for the chronically homeless population in the state; provided, that for
18 the purposes of this chapter, "treatment" or "treatment of underlying conditions that contribute to
19 homelessness" includes:

20 (1) Behavioral health services, including mental health and substance abuse services;

21 (2) Case management;

22 (3) Personal care and personal assistance services;

23 (4) Home and community-based services; and

24 (5) Housing support services, including rental payment assistance.

25 (b) EOHHS shall submit findings and recommendations, including any proposed
26 legislation, to the general assembly no later than January 1, 2023, and annually on or before January
27 1 thereafter.

28 **40-23-5. Duties and responsibilities.**

29 (a) The executive office of health and human services (EOHHS) will have the authority to
30 utilize Medicaid waiver funds to provide coverage for supportive housing for the chronically
31 homeless population in the state.

32 (b) In planning for the expansion of supportive housing services provided through
33 Medicaid managed care plans, EOHHS shall consider the following:

34 (1) Benefit eligibility, including criteria related to:

1 (i) Health conditions;
2 (ii) Housing status; and
3 (iii) Current or potential system costs;
4 (2) Supportive housing services including, but not limited to:
5 (i) Outreach and engagement;
6 (ii) Housing search assistance;
7 (iii) Tenancy rights and responsibilities education;
8 (iv) Eviction prevention;
9 (v) Rental payment assistance;
10 (vi) Service plan development;
11 (vii) Coordination with primary care and health homes;
12 (viii) Coordination with substance use treatment providers;
13 (ix) Coordination with mental health providers;
14 (x) Coordination of vision and dental providers;
15 (xi) Coordination with hospitals and emergency departments;
16 (xii) Crisis intervention and critical time intervention;
17 (xiii) Independent living skills coaching; and
18 (xiv) Linkages to education, job skills training, and employment;
19 (3) Pursuant to § 40-8-17, EOHHS is directed and authorized to apply for and obtain any
20 necessary waiver(s), waiver amendment(s) and/or state plan amendment(s) from the Secretary of
21 the United States Department of Health and Human Services, that will ensure that individuals who
22 are chronically homeless have access to housing and supportive housing services;
23 (4) Financing and reinvestment strategies, including:
24 (i) Health care costs and housing status of current Medicaid-funded populations;
25 (ii) The degree to which accurate and up-to-date information on housing status is available
26 for current Medicaid-funded populations;
27 (iii) Health care costs of current residents of supportive housing;
28 (iv) Health care costs of the Medicaid-expansion population;
29 (v) Potential impact on costs to other systems, such as jails, long-term care, and treatment
30 facilities;
31 (vi) Affordable housing investments that can be leveraged to create new units of supportive
32 housing; and
33 (vii) Amount of flexible service dollars available to cover the costs that Medicaid cannot;
34 and

- 1 (5) Administration of the benefit, including:
- 2 (i) The role of managed care;
- 3 (ii) The role of supportive housing service providers; and
- 4 (iii) Coordination with existing and emerging systems.
- 5 (c) EOHHS shall submit a report to the legislature regarding the status of its efforts,
- 6 including any proposed legislation, no later than January 1, 2023, and annually on or before January
- 7 1 thereafter. The report shall include:
- 8 (1) The status of proposed amendment(s) to expand Medicaid waivers pursuant to § 40-8-
- 9 17;
- 10 (2) A description of housing and/or supportive housing services currently being provided
- 11 to the chronically homeless population in the state;
- 12 (3) An analysis of the effectiveness of providing housing and/or supportive housing
- 13 services at current levels in the state;
- 14 (4) Estimates of the cost and potential savings of expanding the program(s) to meet the
- 15 needs of the chronically homeless in the state; and
- 16 (5) Proposed eligibility criteria to qualify for supportive housing services.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- RHODE ISLAND PATHWAYS PROJECT

1 This act would require the executive office of health and human services (EOHHS) to
2 conduct a study to assess the impact of using Medicaid funds to provide coverage for the treatment
3 of the chronically homeless.

4 This act would take effect upon passage.

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