

**Department of Children and Families
Department of Housing and Community Development**

**Health and Safety Assessment Initiative
Administrative Plan**

A. BACKGROUND:

The Department of Housing and Community Development (DHCD) has contracted with the Department of Children and Families (DCF) pursuant to an Interagency Service Agreement (ISA) dated September 9, 2009, as amended, to provide HAS Assessments for families who present at the local DHCD Division of Housing Stabilization (DHS) Field Offices asserting that they are eligible for Emergency Assistance (EA) emergency shelter on the basis that they are in a housing situation that raises substantial health and safety (HAS) risks to the members of the applicant family. In the case of families who are requesting emergency shelter on this basis—760 C.M.R. § 67.06 (1) (a) 4., (e) 3.-4., (f) 6.-9.—this initiative also serves to provide verification of EA eligibility criteria. This HAS Administrative Plan supersedes and replaces the 2009 HAS Administrative Plan and the August 6, 2012, Administrative Plan in order to implement programmatic changes introduced in EA in Fiscal Year 2013 (FY13) Budget line item 7004-0101 and new EA regulation provision number re-assignments.

Alternative feasible housing, if available, is a superior option to emergency shelter for the potentially homeless children who are the core focus of the DHS's EA program mission. Particularly in difficult financial times of limited resources, but also because empirical research demonstrates the clear advantage of families remaining in permanent housing, DHS aspires to leverage available alternative feasible housing resources through the intervention and involvement made possible through the HAS process. For example, the mature influence of the older generations present in multi-generational residential settings is often an important guide for families made up of young parents. Nevertheless, when such settings pose substantial health and safety risks for the children because of a likelihood of significant harm, the children's physical needs become paramount, potentially warranting emergency shelter placement. Because nontechnical reports of "health and safety concerns" often mask other risk factors, DCF social workers have the skills and background to negotiate this difficult balance. Therefore, they are well placed to assess an EA applicant family's prior housing to determine whether it poses a substantial health and safety risk and whether other alternative feasible housing might be available to them.

The use of DCF risk assessments under this administrative plan to ascertain the existence of substantial health and safety risks is authorized by FY13 line item 7004-0101. The DCF is in the unique position to perform these assessments because its core mission is the care and protection of children. Its charge is to assure the safety of children, similar to the EA Program's charge to reduce homelessness in families with children. DCF's professional employees, trained in social work, strengthen families and prevent abuse and neglect of children. In the best interests of the children, DCF workers have unique training that complements and enhances DHCD's efforts to provide skills necessary for homeless families to make the successful transition to permanent housing and more stable home environments for at-risk children. DCF personnel are trained to determine whether circumstances present in a home constitute a danger to the health and safety of children resident there. They are also trained in negotiation and mediation skills to support and

encourage family reunification. In light of the stumbling block that lack of a permanent home places before households in crisis, DCF workers will be able to encourage family members and friends of newly homeless households to reunify their families in existing or available permanent housing.

The purpose of DCF assessments of substantial health and safety risk is to provide verification of a likelihood of significant harm to a child or children that warrant an immediate emergency shelter placement pursuant to DHS regulations—760 C.M.R. § 67.06 (1) (a) 4., (e) 3.-4., (f) 6.-9.—and to verify that it is not possible to keep the household out of homelessness by maintaining its members in their current housing, restoring them to their most recent permanent housing, or locating alternative feasible housing with friends, families, neighbors, community institutions, or social service agencies. HAS assessments will target households who are in housing situations where the head of household is not the primary tenant and housing situations not intended for habitation and where there appears to be a substantial health and safety risk present that qualifies for emergency shelter placement. If emergency shelter placement is not necessary, either because DCF determines that there is not a substantial health and safety risk to the child(ren) or otherwise, DCF will connect families with other needed services provided by community partners, including the Interagency Council on Housing and Homelessness (ICHH) network and Regional Non-Profit Housing Agencies that administer the Residential Assistance to Families in Transition (RAFT) Program through Housing Consumer Education Centers. In addition, DCF will be able to provide eligible families with services and financial assistance which it has at its disposal.

The DCF program does not alter the applicability of presumptive eligibility (760 CMR § 67.06 (1) (c)). Households should be placed presumptively during the assessment process when an applicant orally describes to the homeless coordinator, by clear and convincing evidence, with accuracy and credibility, conditions in the current overnight sleeping arrangements of the children in the household that would qualify as substantial health and safety risks likely to result in significant harm to the members of the applicant household, if verified by DCF HAS assessment. If the children in the applicant household have feasible alternative housing on a temporary basis, where they can wait for the completion of a DCF HAS assessment, the household can await completion of the DCF HAS assessment and final determination of eligibility before placement. If the children in the applicant household are sleeping overnight in a housing situation not meant for human habitation, DCF will prioritize the HAS assessment.

B. DEFINITION OF SUBSTANTIAL RISK AND SIGNIFICANT HARM:

For purposes of this administrative plan, *substantial risk* and *significant harm* shall be as defined in 760 C.M.R. § 67.06 (1) (f) (6). The brief descriptions below of situations presenting substantial risk of significant harm are summaries of the regulatory definition of substantial risk of significant harm. The regulation should be reviewed in detail for further explanation.

- Exposure to felony or misdemeanor crimes or violent conduct, other than domestic violence, perpetrated by the primary tenant, a co-tenant, and/or a regular guest or member of the primary tenant or co-tenant's household who is not a member of the applicant household
- Exposure to mental health issues exhibited by the primary tenant, a co-tenant, and/or a regular guest or member of the primary tenant or co-tenant's household who is not a member of the applicant household
- Exposure to on-going substance abuse by the primary tenant, a co-tenant, and/or a regular guest or member of primary tenant or co-tenant's household who is not a member of the applicant household

- Condemnation for safety violations of the housing situation of an applicant other than a primary tenant or co-tenant
- Presence in the housing situation of an applicant other than a primary tenant or co-tenant of the following physical conditions:
 - * Lack of a supply of hot and cold water or inability to access hot or cold water for personal use.
 - * Lack of heat from September 16 through June 14.
 - * Lack of electricity, inability to access electricity for personal use, lack of lighting, or inability to access lighting for daytime use and to minimize the same for evening sleeping purposes.
 - * Lack of toilet and/or operable sewage disposal system.
 - * Unsanitary conditions in unit that result in an accumulation of garbage or elsewhere in the building that result in unsanitary conditions in the unit
- Irregular sleeping situation for the children of the applicant household

C. HEALTH AND SAFETY ASSESSMENT FOCUS:

The revised DCF HAS Assessment Form will be used by DCF to determine the level of risk a family is being exposed to in a housing situation where the head of the applicant household is not the primary tenant or is a co-tenant. There is recognition that, while the living situations of most referred families may not be ideal, there are better ways to assist families with housing issues than placement into emergency shelter. Emergency shelter placement is, therefore, only necessary if there is a demonstrated substantial health and safety risk to the applicant family that would likely result in a significant harm should the family remain in the housing situation.

The HAS Assessment Form will be used to verify significant risk factors that can be either the physical condition of a housing situation or the behavior(s) of people residing in the unit, or both. The DCF HAS assessor will then determine if the significant risk factors would likely result in a significant harm to the applicant family members if they remain in the housing situation.

The DCF HAS assessor will in most instances go to the location where the family is currently residing to perform the assessment. The assessment will include an interview with the referred family and the host household. The physical condition of the unit will also be noted. Every effort will be made to obtain 3rd party documentation to verify any significant health and safety concern(s).

Through this process, the DCF HAS assessor will assess the nature and severity of the substantial health and safety risk that the visited living arrangement presents and make a recommendation as to whether the substantial risk, if present, will likely result in significant harm to the children in the applicant family if they were to remain in the housing situation.

After the assessment has been completed, the DCF HAS assessor will make a recommendation as to the family's need for emergency shelter placement. The recommendation will fall into one of three (3) levels of health and safety concerns:

- (1) There is a substantial health and safety risk to the family that is likely to result in a significant detriment to the referred family if they remain in the housing situation. Recommend emergency shelter placement, if otherwise EA eligible and no feasible alternative housing elsewhere is available to the family. The possible availability of alternative feasible housing with other family members, friends, neighbors, community

programs or service providers should be inquired into and reported on by the DCF HAS assessor whenever a determination under (1) is made.

- (2) A possible substantial health and safety risk to the referred family exists but DCF is requesting time to mitigate these issues. Family can maintain current housing situation for a period of time. Recommend no immediate emergency shelter placement. Depending, however, on availability of resources, the HAS assessor will work with the applicant household with a goal of resolution within 14 days of outstanding issues in current housing. The case will then be reassessed for possible redetermination that may require emergency shelter placement as a level (1) health and safety concern or result in reassessment as a level (3) health and safety concern.
- (3) There is no substantial health and safety risk to the referred family in the current living situation. Recommend no emergency shelter placement at this time.

Upon completion of a DCF HAS coded (2), the DCF HAS assessor will notify the DHS homeless coordinator that the family has been assessed as currently posing a level (2) health and safety concern and will provide a plan of action identified and written in the assessment form. The DCF HAS assessor will have a goal, depending on availability of resources of working with the family to secure necessary services or financial assistance from community partners for the purpose of stabilizing the family in their current housing within 14 days of the HAS assessment home visit. The DCF HAS assessor will report on any progress made to the DHS homeless coordinator. If the goal of stabilizing the family in place is not met within the 14-day time period, an updated assessment form coding the family as a level (1) health and safety concern should be submitted to the DHS homeless coordinator. If no such revised assessment is timely received, the homeless coordinator should first attempt to contact the DCF HAS assessor. If the homeless coordinator is unsuccessful after several attempts, and the family continues to request EA services, the homeless coordinator may upgrade the assessment to a level (1) based upon all information available to him or her, including the original HAS assessment. If the goal of stabilizing the family in place is met within the 14-day time period, an updated assessment coded as a level (3) health and safety concern will be submitted to the DHS homeless coordinator by the DCF assessor. Families who are given an assessment recommendation of (2) or (3) will be referred to Housing Consumer Education Centers administered by a local Regional Non-Profit Housing Agencies for possible assistance through the RAFT Program.

In applications based on reasons for eligibility other than substantial health and safety risk—domestic violence; flood, fire, and natural disaster; and “no fault” and excused fault evictions, 106 760 C.M.R. § 67.06 (1) (a) 1.-3.—the homeless coordinator may request DCF to assess the availability of feasible alternative housing.

D. PROGRAM OPERATION

1. ASSIGNMENT OF DCF (HAS) SOCIAL WORKER STAFF

Assignment of DCF Staff shall be as agreed to by DCF in consultation with DHS.

2. DHS HOMELESS COORDINATOR'S RESPONSIBILITIES

- The DHS homeless coordinator or his/her supervisor will continue the practice of determining if a HAS Assessment is necessary in each application, but an assessment will be requested from DCF whenever a household is applying for Emergency Assistance because it is in a housing situation where:
 - * the family is applying on the basis of a substantial health and safety risk to the children that is likely to result in a significant harm to the children if they remain in this housing situation; and either
 - * the applicant family head of household is not the primary tenant or, in the case of adverse conduct, if a primary tenant, is a co-tenant, or
 - * the children in the applicant family are sleeping in an irregular sleeping situation or a housing situation not meant for human habitation; and
- The Homeless Coordinator will complete an EA intake and once the financial and pertinent categorical eligibility has been established, households that present on the basis of qualifying for EA benefits on the basis of a substantial health and safety risk will be informed that a DCF HAS Assessment will be required as part of the verification process to establish the household's eligibility for emergency shelter under EA requirements.
- The Homeless Coordinator will access the **DCF HomeVisit/Health and Safety Referral Form**. After completing the form and having the family sign the authorization at the bottom of the form, it will then be e-mailed to the HAS Screener at DCF's Central Office in Boston.
- After forwarding the DCF HAS referral form and receiving the DCF HAS assessor assignment, the Homeless Coordinator will provide the head of household of the applicant household with the contact information for the assigned DCF HAS assessor.
- The HAS Screener will review the referral and contact the Homeless Coordinator if further information is needed in order to process the referral. The Homeless Coordinator will inform that applicant family head of household that a DCF HAS assessor will make contact with him or her within 24 hours to arrange for the assessment.
- If the head of the applicant household reports that the children in the household are sleeping overnight in a housing situation not meant for human habitation, the Homeless Coordinator should alert the DCF HAS assessor to prioritize the HAS assessment for the household and make all reasonable efforts to complete the assessment on the day of application or, if not possible because of the late hour of the request, on the following business day.

- In the event that an applicant household refuses to cooperate with a DCF HAS at the point of intake and fails to sign any appropriate waivers required to complete verification, a referral form should still be completed, and the check-off box at the top of the form, indicating “Refused HAS Assessment,” must be checked off. The referral form must still be faxed to the HAS Screener for tracking purposes.
- Similarly, if the applicant household refuses to cooperate with the DCF HAS assessment process and the DCF HAS assessor should return to the Homeless Coordinator through the HAS Screener an assessment marked to indicate that the applicant household has failed to cooperate.
- In either case, the Homeless Coordinator must then issue an NFL-9-AD denial letter to the applicant household marked, “you did not complete required verifications.” The remaining portion of that line, referring to presumptive eligibility, should be struck through. By refusing to cooperate with the DCF HAS process, the applicant household is failing to provide sufficient information upon which the Homeless Coordinator could reasonably review the probability that the verbal assertions of the applicant household are credible, so as to warrant presumptive placement. The Homeless Coordinator must then enter an effort in ASIST indicating that the family refused to cooperate with the DCF HAS assessment and detail the reason for this refusal.
- Once the assessment has been completed by the DCF HAS Assessor, the assessment results will be e-mailed to the HAS Screener who will forward them on to the appropriate Homeless Coordinator and his/her supervisor. In the event that the assessment recommendation indicates a substantial health and safety risk to the children that qualifies for immediate emergency shelter placement, the Homeless Coordinator will issue an NFL-9-AD approving EA benefits and submit the necessary paperwork to the DHS Central Office's Placement Unit.
- If DCF is unable to verify a substantial health and safety risk likely to result in significant harm to the children in the applicant household, then the HAS assessment is a basis for determining that applicant failed to provide adequate and timely verification of this category of EA eligibility. The Homeless Coordinator should then issue an NFL-9-AD denial letter to the applicant household, with the line checked to indicate, “You did not become homeless due to one of the following qualifying reasons.” Last, the Homeless Coordinator must enter then enter an effort in ASIST indicating that the applicant was unable to provide verification of a qualifying substantial health and safety risk.
- The Homeless Coordinator, in consultation with the applicable Area Supervisor and Regional Assistant Director of Field Operations, is the ultimate reviewer of the DCF HAS assessor’s recommendation. The Homeless Coordinator, upon review of the DCF HAS assessment, may request the DCF HAS assessor to obtain additional information. Further, the Homeless Coordinator can make a different determination as to the existence of a substantial health and safety risk from the DCF HAS recommendation, but any such different determination must be approved by the applicable Area Supervisor and Regional Assistant Director of Field Operations and based on review of the facts as reported in the DCF HAS assessment and such other credible and verifiable third-party documentation as has been obtained by the Homeless Coordinator during the application process.

- Upon request by the head of the applicant household, the Homeless Coordinator will provide a copy of the completed DCF HAS assessment to him or her.

3. DCF HEALTH AND SAFETY PROGRAM STAFF RESPONSIBILITIES:

- The DCF Housing Stabilization Unit, located at DCF Central Office in Boston, is responsible for the management of the HAS assessments, including home visits and outcome reporting. DCF staffing includes a Health and Safety Program Manager who works closely with DHCD to ensure on-going contract performance and oversee the day-to-day operation of the HAS initiative, two supervisors who oversee five of the HAS assessors who perform the HAS assessments, and one screener who manages the HAS referrals, the assignment of HAS Assessors conducting the assessments, and coordinates the reporting assessment outcomes to the DHS Homeless Coordinator and appropriate DCF staff.
- The DCF Screener role is to act promptly on all HAS Referrals received from DCF Field Offices. Once a referral is received, the screener will log the referral into a HAS database for tracking purposes. The screener will then check into DCF's **FAMILYnet** to see if the referred family is already a recipient of DCF services and/or has recently aged out of foster care. If the family is currently receiving DCF services and/or has recently aged out of foster care, the screener will report this information to the assigned HAS worker.
- Based on the DHS Office that the referral came from, the screener will then assign one of the social workers in the relevant geographic area to perform the assessment. The screener will e-mail the name of the assigned worker and contact information to the DHS Homeless Coordinator and his/her direct supervisor, in addition to the appropriate DCF supervisor. It is expected that all assessments will be done within 48 hours of the assignment.
- If the head of the applicant household reports that the children in the household are sleeping overnight in a housing situation not meant for human habitation, the DCF HAS assessor will prioritize the assessment and make all reasonable efforts to complete the assessment on the day of application or, if not possible because of the late hour of the request, on the following business day. In these and other urgent situations where an assessment must be done in less than 48 hours, the screener will consult with the DCF supervisor(s) and Program Manager to determine how this will be accomplished.
- Homeless coordinators will be informed of the anticipated assessment time, date, and location, and make a determination as to whether presumptive placement is warranted based upon the availability of feasible alternative housing, in place or otherwise, during the period until completion of the assessment.
- The social worker assigned to perform the assessment will be provided with a copy of the DHS referral forms. It is the social worker's responsibility to contact the applicant family to arrange for the date and time of the assessment and to verify the address or other location where the home visit will take place, as well as to arrange (with the cooperation of the family) meetings or other

communication with any landlords, primary tenants, and members of the primary tenant's household, for the location where the applicant family is staying to arrange access for site visits and interviews, as well as to contact friends, family, neighbors, community institutions, and/or social service agencies who might be able to offer feasible alternative housing to the family.

- In addition to the case assignment, the HAS screener will follow-up on a daily basis with the DCF HAS supervisor to insure that assigned workers have done the assessments and address any issues around re-scheduling.
- If the primary tenant with whom the children in the applicant household are residing refuses to participate by way of a face-to-face meeting with the HAS assessor in the unit to verify health and safety risks posed by physical conditions in the unit, 760 CMR § 67.06 (1) (f) 6. d. (i)–(ii), the application may be verified by the DCF HAS assessor's review of code violation reports by a building inspector, code enforcement official, or other applicable state or municipal code inspector.
- If the primary tenant or co-tenant with whom the children in the applicant household are residing refuses to participate by way of a face-to-face meeting with the HAS assessor in the unit to verify health and safety risks posed by conduct of the primary tenant or co-tenant or his or her regular guests or household members who are not part of the applicant household, 760 CMR § 67.06 (1) (f) (6) a.–c., the application may be verified by the DCF HAS assessor's interviews with neighbors, friends, and relatives of the primary tenant or co-tenant's household and review of police and social service agency reports regarding the conduct of the primary tenant or co-tenant and his or her regular guests and household members.
- If the primary tenant with whom the children in the applicant household are residing refuses to participate by way of a face-to-face meeting with the HAS Assessor in the unit, the HAS assessor should make all reasonable efforts to verify the conditions in the unit by contacting and talking with the primary tenant to verify the refusal to permit access and by contacting and talking with the landlord to determine whether access to the unit through the permission of the landlord is possible.
- To find a substantial health and safety risk, the DCF HAS assessor must find by clear and convincing evidence that any risk relied upon for the determination is a clear and immediate risk to the members of the applicant household.
- Once the assessments have been completed, the HAS assessor will e-mail the completed assessment form to his/her supervisor, the screener, the referring Homeless Coordinator and Homeless Coordinator supervisor, and the DHS Assistant Director of Policy and Special initiatives. The DHCD Homeless Coordinator will review the completed assessment and take the appropriate action based on the assessment results.
- The HAS screener will enter all assessment outcomes into the HAS tracking database on a daily basis. This data will be reviewed by the Program Manager on

a routine basis for quality control purposes and to report to DHCD on outcomes and trends.

- DCF workers are extensively educated in regard to the privacy rights of the recipients of their services. They shall at all times abide by agreements, including the applicable ISA, and legal requirements, including G.L. c. 66A and G.L. c. 93H, relating to the security, confidentiality, and privacy of personal information of applicant households and individuals interviewed during the DCF HAS assessment process.

_____, for DCF
Dated: _____

_____, for DHCD DHS