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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO HUMAN SERVICES-HOMELESS SHELTERS

Introduced By: Senators Crowley, Jabour, Sosnowski, Metts, and Pichardo

Date Introduced: January 22, 2015

Referred To: Senate Housing & Municipal Government

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 17.1

4 HOMELESS SHELTERS

5 **40-17.1-1. Legislative findings. --** The general assembly hereby finds:

6 (1) That all homeless persons have the right to homeless shelter services regardless of  
7 political or religious beliefs, immigration status, former geographic location of residence, ethno-  
8 cultural background, disability, gender identity, criminal background, and/or sexual orientation;

9 (2) That no shelter should charge a fee nor expect and/or require compensation from  
10 clients/residents for any services rendered;

11 (3) Homeless shelters should provide an atmosphere of dignity and respect for all shelter  
12 residents, and provide services in a non-judgmental manner;

13 (4) That shelter residents are capable of moving toward increasing levels of self-reliance  
14 and self-determination. Shelter staff should work with residents to assist them in achieving their  
15 goals;

16 (5) Homeless shelters should be sensitive to the ethno-specific and linguistic needs of  
17 residents;

18 (6) Service providers need to accept gender identity as defined by the individual rather  
19 than by the perception of staff and/or other residents;

1           (7) Protecting the privacy and confidentiality of shelter residents and their personal  
2 information is of the utmost importance and in accordance with the state's homeless bill of rights  
3 law as set forth in §34-37.1-3;

4           (8) That all people staying in homeless shelters should have access to safe, nutritious  
5 food;

6           (9) That the health and safety of shelter residents, volunteers, and staff is of the highest  
7 importance in each shelter;

8           (10) That issuing service restrictions in the shelter system must be done only as a last  
9 resort and in the most serious cases;

10           (11) That everyone is entitled to shelter service whether or not they use substances and  
11 policies should not be based on substance use alone, except for those shelters operating on an  
12 abstinence or recovery model basis;

13           (12) Shelter residents should be involved in service provision, program planning,  
14 development and evaluation, and policy development;

15           (13) Homeless shelters that include children and youth should provide supports and  
16 activities and ensure that the school related recreation and treatment needs of resident children are  
17 met on site or through community based services;

18           (14) Homeless shelters should afford an opportunity for children and youth with  
19 developmental and/or physical disabilities to develop to their full potential within an environment  
20 where they can interact and socialize with other children;

21           (15) That shelters are part of a larger network of homeless services and agencies and  
22 collaboration within this network is important to ensure effective and coordinated services;

23           (16) That notification of shelter closure (either emergency or permanent shelter) should  
24 be done as soon as the provider is aware of the potential closure and posted in a common area.  
25 Providers should notify their residents as well as the office of housing and community  
26 development (OHCD); and,

27           (17) That all shelters should utilize the Rhode Island Homeless Information Management  
28 System (HMIS) database, and make entries in a timely manner.

29           **40-17.1-2. Appointment of committee to establish regulations for homeless shelters-**  
30 **powers and duties. -- (a) The housing resources commission shall establish and promulgate**  
31 **regulations for the safe, effective, and proper operation of homeless shelters for individuals and**  
32 **families in the state. The chair of the housing resources commission shall appoint a committee to**  
33 **draft regulations for homeless shelters. Each member of the committee will be drawn from the**  
34 **following constituencies or communities of interest:**

- 1           (1) One homeless or formerly homeless person;
- 2           (2) Two (2) representatives of the Rhode Island Homeless Advocacy Project;
- 3           (3) One representative of the Rhode Island Coalition for the Homeless;
- 4           (4) Two (2) homeless shelter providers operating a shelter for individuals;
- 5           (5) Two (2) homeless shelter providers operating a shelter for families;
- 6           (6) One representative from the Rhode Island office of housing and community
- 7 development;
- 8           (7) One domestic violence shelter provider; and
- 9           (8) One resident or former resident of a domestic violence shelter. The committee will
- 10 elect a chair or co-chairs from among the membership.
- 11           (b) The committee will define the characteristics of a homeless shelter that will be subject
- 12 to the regulations and standards established by this chapter.
- 13           (c) The committee will be charged with the formulation of regulations and standards to
- 14 address the following topics and areas of concern:
- 15           (1) Baseline organizational standards that any agency operating a homeless shelter must
- 16 meet;
- 17           (2) Access to shelter guidelines, including admission and discharge, bed registration,
- 18 substance use, and service restrictions (barrings);
- 19           (3) Residents' rights and responsibilities, including resident input, complaints and
- 20 appeals, and grievance procedures;
- 21           (4) Program standards including the provision of essential services, counseling supports,
- 22 daytime access, confidentiality, sharing of resident information, safeguarding resident files, and
- 23 staff code of conduct;
- 24           (5) Health and safety standards including basic health and safety protocols, the safeguard
- 25 of, and access to, resident medication, a policy on weapons, and requirements for staff training on
- 26 health and safety issues;
- 27           (6) Emergency and winter shelter standards including the definition of inclement weather
- 28 events, in all seasons, that trigger requirements for homeless shelters to stay open for the
- 29 protection of residents.
- 30           (d) Draft regulations will be subject to the state's regulatory approval process.
- 31           (e) Except to the extent specifically required by statute, no shelter shall deny access to, or
- 32 otherwise impose additional restrictions upon individuals due to their being subject to community
- 33 notification requirements, nor shall any state or municipal agency request or require a shelter to
- 34 impose any such restrictions.

1            (f) Upon completion of the regulatory approval process, the HRC and/or the OHCD are  
2 hereby mandated to implement and enforce the approved regulations.

3            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-HOMELESS SHELTERS

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- 1           This act would establish and promulgate regulations for the safe, effective, and proper
- 2 operation of homeless shelters for individuals and families in the state.
- 3           This act would take effect upon passage.

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