

2021 -- H 5804

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING RESOURCES --
HOMELESS SHELTERS

Introduced By: Representative John J. Lombardi

Date Introduced: February 24, 2021

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-128 of the General Laws entitled "Rhode Island Housing
2 Resources Act of 1998" is hereby amended by adding thereto the following section:

3 **42-128-18. Homeless shelter standard.**

4 (a) Findings. The general assembly finds and declares as follows:

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

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

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

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

15 (5) That homeless shelters should be sensitive to the ethno-specific and linguistic needs of
16 residents;

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

- 1 (7) That protecting the privacy and confidentiality of shelter residents and their personal
2 information is of the utmost importance;
- 3 (8) That all people staying in homeless shelters should have access to safe, nutritious food;
- 4 (9) That the health and safety of shelter residents, volunteers, and staff is of the highest
5 importance in each shelter;
- 6 (10) That issuing service restrictions in the shelter system must be done only as a last resort
7 and in the most serious cases;
- 8 (11) That everyone is entitled to shelter service whether or not they use substances and
9 service policies should not be based on substance use alone, except for those shelters operating on
10 an abstinence or recovery model basis;
- 11 (12) That shelter residents should be involved in service provision, program planning,
12 development and evaluation, and policy development;
- 13 (13) That homeless shelters that include children and youth should provide support and
14 activities and ensure that the school-related recreation and treatment needs of resident children are
15 met on site through community based services;
- 16 (14) That homeless shelters should afford an opportunity for children and youth with
17 developmental and/or physical disabilities to develop to their full potential within an environment
18 where they can interact and socialize with other children;
- 19 (15) That shelters are part of a larger network of homeless services and agencies and
20 collaboration within this network is important to ensure effective and coordinated services;
- 21 (16) That notification of shelter closure (either emergency or permanent shelter) should be
22 done as soon as the provider is aware of the potential closure and posted in a common area. The
23 provider should notify their residents, and the office of housing and community development within
24 the division of planning of the department of administration; and
- 25 (17) That all shelters should utilize the Rhode Island homeless information management
26 system (HMIS) database, and make entries in a timely manner.
- 27 (b) To further the purpose of this section, the chair of the Rhode Island housing resources
28 commission shall appoint a committee to draft regulations for homeless shelters. Each member of
29 the committee will be drawn from the following constituencies or communities of interest:
- 30 (1) One homeless or formerly homeless person;
- 31 (2) Two (2) representatives of the Rhode Island Homeless Advocacy Project;
- 32 (3) One representative of the Rhode Island Coalition for the Homeless;
- 33 (4) Two (2) homeless shelter providers operating a shelter for individuals;
- 34 (5) Two (2) homeless shelter providers operating a shelter for families;

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING RESOURCES --
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- 1 This act would create a commission to establish homeless shelter standards through
- 2 regulations.
- 3 This act would take effect upon passage.

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