


**MEMORANDUM**

**TO:** Mayor and City Council

**FROM:** Stephanie Hayden, Director 

**DATE:** August 12, 2019

**SUBJECT:** Response to Resolution 20181129-042-Housing and Domestic Care Services

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On November 29, 2018 Council passed Resolution 20181129-042, which directed the City Manager to explore options to improve the standard of care offered by providers of housing and domestic care services to clients with physical and mental health related issues who do not receive state-regulated services (“operators”). The resolution directed the exploration of the viability of licensing such individuals (and entities) who provide these services and offering an incentive program for these providers to improve the quality of life for their clients.

Since the initial response memorandum on April 17, 2019, Austin Public Health (APH) has obtained additional input from its non-profit partners and community stakeholders. This memorandum provides an update on the process to-date and includes items for Council consideration.

On June 4, APH staff held a stakeholder meeting attended by eleven operators; feedback provided by the operators is summarized below.

**Stakeholder Feedback: Operator Licenses**

During the June stakeholder meeting, operators expressed a common belief that they provide valuable services and help fill a critical need for affordable, low-barrier housing. They voiced support for requiring licenses for operators to ensure quality care. During the meeting there was discussion to help clarify the operator’s understanding of the difference between the licensing requirements mandated by the Austin Code Department for facilities and the operator license being proposed pertaining to services.

In both a telephone survey of operators conducted by Family Eldercare and the June 4<sup>th</sup> stakeholder meeting convened by APH, operators were asked about the services provided to their residents. Most operators provide 2-3 meals per day as part of the monthly rent. Many provide transportation to grocery stores, medication reminders, and access to laundry facilities. Some homes also employ staff to clean, cook meals, provide medication reminders, monitor guest access, and oversee overall safety and security.



The operators generally agreed that they need service agreements with each resident outlining the rental amount, services provided, room occupancy, rules, and reasons for termination of the agreement. Most operators already use a service contract.

Operators were also polled regarding the possibility of restricting City-funded rent payments to operators licensed by the City in the future. The operators generally supported this idea once such a program has been fully implemented and operators have had ample time to become licensed.

### **Stakeholder Feedback: Incentives and Additional Needed Support**

Communication and coordination were significant themes in the operators' feedback. Operators expressed the need for better communication and information about City of Austin services and regulatory requirements including but not limited to Austin Code, Emergency Medical Services (EMS) and Austin Police Department (APD). Operators identified a specific need for consistent information about building requirements and safety equipment.

Regarding emergency medical services, operators observed that they, their staff and their residents frequently call 911 due to high medical, mental health, and safety concerns. The operators indicated they do not always get assistance with their emergencies, and the residents and staff are therefore endangered. There were also reports of possible fees for a response when the calls are considered unnecessary.

Operators also expressed difficulty and frustration due to their lack of communication with the resident's service providers. For providers to discuss the residents with operators, the resident must sign a release of information to allow their medical and personal information to be shared. Frequently the operators and their staff cannot get information or reach case managers to provide information pertinent to providing care to the residents. They frequently experience problems with refilling medication prescriptions, which can result in otherwise avoidable jeopardies to mental health and physical safety.

The operators expressed an appreciation for the June 4<sup>th</sup> stakeholder's meeting because they do not have an existing forum to collaborate and share resources. They took the opportunity to share common concerns and discuss donations management. They expressed a common interest in having regular meetings and a method for communication and collaboration.

Providing healthy meals was also a concern for the operators. In the past they were able to purchase food from the Central Texas Food Bank in the same manner as food pantries, but they no longer have that access. They would like to regain more access to healthy foods in bulk.

Bed bugs are a significant problem in many homes. Mitigation is extremely expensive and short-lived due to the transient nature of the population of residents. The operators would like more



information about managing bed bug issues and assistance in mitigation, including access to the heaters used for extermination.

### **Social Service Provider Input**

In May, APH presented the Council resolution at the Ending Community Homelessness Coalition's (ECHO) Policy and Practice Committee meeting to obtain insight and feedback. The Committee is made up of providers and City staff who work in planning, shelter, outreach, navigation, Permanent Supportive Housing, Rapid Rehousing, Violence Against Women Act (VAWA), AIDS Service Organizations (ASO), and veterans. The Committee reported witnessing poor living conditions and learning about incidents of exploitation from their clients. Together they agreed they would like operators to be regulated by the City of Austin and for these housing arrangements to be added as a housing resource to Austin's Action Plan to End Homelessness.

In late June, APH staff presented the resolution at the Austin Homeless Advisory Council (AHAC) to obtain feedback. Most of the individuals had either stayed in a boarding home or knew someone who had. The descriptions of the care provided by operators were consistent with those reported at the ECHO Policy and Practice Committee meeting: that these homes were sometimes burdened with theft, violence, drug activity and uncleanness. Most members reported that they would not stay in this type of housing arrangement, but some reported they would if it were operated well. Two members reported that despite these issues, they would still live there because it would be better than living on the streets.

### **Items for City Council Consideration: License Operators**

- Adopt a mandatory license program. Requirements may include:
  - Apply and obtain a license (scope of applicability to be determined)
  - Operators pass criminal background check focused on violent crimes and financial fraud
  - Compliance with City regulations and certain operational standards
  - Service agreements for all residents
  - Appeal process for license denials, suspensions/revocations
  - Enforcement requirements using municipal court and administrative suspensions/revocations.
  - List of licensed operators published on City website
  - Optional: Complete training



### **Items for City Council Consideration: Related Housing Policies**

- Convene community partners and City-funded agencies that provide rental and housing assistance to determine the amount of leverage available to incentivize operators who obtain and maintain a license.
- Support amending Austin's Action Plan to End Homelessness to include this type of housing arrangement in the plan.

### **Item for City Council Consideration: Housing and Domestic Care Forums**

- Establish a forum for operators to convene regularly. Forums may include:
  - Training
  - City Department/Partner Agency Dialogue
  - Operator Coordination/Networking

### **Item for City Council Consideration: Training and Additional Supports**

- Offer relevant trainings at no cost to qualified operators and staff, with initial trainings to include Mental Health First Aid, CPR/First Aid, Bed Bug Consultation/Technical Assistance, Tenant and Landlord Rights, and Food Handler certification.
- Explore the feasibility of a loaner program where a heating machine is purchased and then rented to qualified operators, so they can effectively treat bedbug infestations.
- Explore options for operators to access healthy food options, donations management and coordination for clothing, toiletries, sheets and blankets.

### **Will Items for City Council Consideration Improve Clients' Health and Safety?**

Currently, there is no oversight for providing domestic care services to this vulnerable population. Incentivizing operators to take part in a licensing program through the City of Austin may improve clients' health and safety and would likely improve operator skills, knowledge and capacity.

Austin Public Health will convene other City departments or designees to discuss next steps with this resolution. If you have any questions, or if I can provide additional information, please contact me at (512) 972-5010 or via email at [Stephanie.Hayden@austintexas.gov](mailto:Stephanie.Hayden@austintexas.gov).

Cc: Spencer Cronk, City Manager  
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