

HOUSE No. 135

By Representative O'Day of West Boylston and Senator Clark, a joint petition (accompanied by bill, House, No. 135) of James J. O'Day and others relative to housing and support services to unaccompanied homeless youth. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act providing housing and support services to unaccompanied homeless youth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 (1) Notwithstanding any general or special law to the contrary, the Executive Office of
2 Health and Human Services shall enter into performance-based contracts with organizations and
3 agencies to provide housing and support services to address the needs of unaccompanied
4 homeless youth. In entering into such contracts, the Executive Office of Health and Human
5 Services shall take into consideration the recommendations of the special commission on
6 unaccompanied youth homelessness on identifying, connecting, and serving unaccompanied
7 youth in general, as well as unaccompanied youth under the age of 18 and youth who are lesbian,
8 gay, bisexual, or transgender, in particular. Programs funded under this Act shall provide a
9 continuum of housing options for this population provided on a voluntary basis in conjunction
10 with wraparound support services, which shall include but not be limited to: emergency shelter,
11 "kinship" home placements, short term housing and "Transition to Independent Living"
12 programs. The funded programs shall provide unaccompanied homeless youth with a stable out-
13 of-home placement and help to reunite the youth with the youth's parent or legal guardian if
14 family reunification is in the youth's best interest, and help to create educational and residential
15 stability. Additional support services funded through these contracts may include but are not
16 limited to: individual, family and group counseling; access to medical, dental and mental health
17 care; education and employment services; case management, advocacy and referral services;
18 independent living skills training; and provision of basic needs.

19 (2) As used in this Act, "unaccompanied homeless youth" means a person 24 years of age
20 or younger who is not in the physical custody or care of a parent or legal guardian and who lacks
21 a fixed, regular and adequate nighttime residence. "Fixed, regular and adequate nighttime
22 residence" means a dwelling at which a person resides on a regular basis that adequately

23 provides safe shelter, sufficient for meeting both the physical and psychological needs typically
24 met in home environments. "Fixed, regular and adequate nighttime residence" does not include a
25 publicly or privately operated institutional shelter designed to provide temporary living
26 accommodations; transitional housing; a temporary placement with a peer, friend, or family
27 member who has not offered a permanent residence, residential lease or temporary lodging for
28 more than 30 days; or a public or private place not designed for, nor ordinarily used as, a regular
29 sleeping accommodation for human beings. "Homeless youth" does not include a person
30 incarcerated or otherwise detained under federal or state law.

31 (3) The Executive Office of Health and Human Services shall establish requirements and
32 shall contract for programs that ensure that services, as specified by this Act, are provided to
33 homeless youth in all urban, suburban and rural areas of the state in an appropriate and
34 responsible manner.

35 (4) The Executive Office of Health and Human Services shall monitor organizations
36 receiving funds under this Act to ensure that appropriate and high-quality services are being
37 delivered to homeless youth, shall collect common data and outcome measures from these
38 organizations, and shall file reports with the Clerks of the House of Representatives and the
39 Senate, the Joint Committee on Children, Families, and Persons with Disabilities, the House and
40 Senate Committees on Ways and Means and the Office of the Child Advocate by December 31
41 of each year regarding the data collected from the organizations and agencies, the incidence of
42 youth homelessness in Massachusetts, and the status of and any change in housing, residential
43 stability, educational stability and outcomes and well-being of homeless youth in the
44 Commonwealth.