

Housing Services Office (HSO) Newsletter

Alameda County Behavioral Health Care Services (BHCS)

June 2008
Summer Quarter



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Housing Services Office
2000 Embarcadero Cove,
Ste. 400
Oakland, CA 94606

Phone:

(510) 567-8124 Director
(510) 777-2112 Coordinator

Fax:

(510) 567-8124

E-mail:

rratner@acbhcs.org
aalbury@acbhcs.org
lleungflores@acbhcs.org

For housing availability
information contact
Eden I & R by dialing:
2-1-1 or
(888) 886-9660

Message from the HSO

National Report on Housing for People with Psychiatric Disabilities – Olmstead Decision

In 2006, the federal government released a report entitled “Transforming Housing for People with Psychiatric Disabilities.” A copy of this report can be found on our website at: <http://www.acbhcs.org/Housing/>. Click on “Resources” and then scroll down to “References” to find the report.

This report provides a national, historical overview of “board and care” housing and has a series of recommendations to improve housing for people with psychiatric disabilities.

One of the 10 recommendations provided in this report is to: “1. Incorporate the needs of residents into State *Olmstead plans* and establish reform coalitions.—Adjust State *Olmstead plans* to ensure that board and care residents are being served in the “most integrated” setting. Also, encourage the formation of State-based reform coalitions in every State—to include residents, resident councils, ombudsman programs, legal advocates, board and care home operators, and other stakeholders—to make comprehensive reviews and recommend housing options.”

What is an “Olmstead” plan?

Olmstead is used here to describe the 1999 Supreme Court judgment in the case *Olmstead v. L.C.* (US Supreme Court 1999). The case was brought

against the Georgia State Commissioner of Human Resources (Tommy Olmstead) on behalf of two women with developmental disabilities (known as L.C. and E.W.) that were diagnosed with mental illness (schizophrenia and personality disorder respectively). They were voluntarily admitted to Georgia Regional Hospital for treatment in a psychiatric unit (Atlanta Legal Aid Society 2004). After some time, they indicated their preference for discharge and the professionals working with them assessed that they were ready to move into a community setting with appropriate support.

However, they were not successfully discharged from hospital and in 1995 the Atlanta Legal Aid Society brought this lawsuit and it was eventually heard by the Supreme Court. The Supreme Court ruled that under Title II of the Americans with Disabilities Act (ADA, 1990) the women had the right to receive care in the most integrated setting appropriate and that their unnecessary institutionalization was discriminatory and violated the ADA.

As a result of this decision, States are required to work toward transforming their policies, practices, and resource allocations to promote housing in the most integrated setting for people with disabilities and these efforts must be contained in written Plans often referred to as Olmstead Plans. (*continued on p. 2*)

Resource Links

Center for Personal Assistant Services -
<http://www.pascenter.org/olmstead/index.php>

California Health Care Foundation -
<http://www.chcf.org/topics/view.cfm?itemID=21620>

California Department of Health and Human Services –
<http://www.chhs.ca.gov/initiatives/Olmstead/Pages/default.aspx>

Info of the Quarter:

Only 21 out of 239 adult residential facilities in Alameda County (Board and Cares) licensed by the California Department of Social Services focus on serving individuals with mental disabilities. These facilities have 313 beds.

Alameda County has 4 licensed psychosocial rehabilitation facilities:
 Bonita House – Berkeley – Licensed for 15 beds

Casa de la Vida – Oakland – Licensed for 13 beds

Woodroe Place- Hayward – Licensed for 15 beds

Casa Phoenix – Hayward – Licensed for 6 beds

Olmstead Plans (cont.)

Mental health providers and systems have an opportunity to become more active partners in California's Olmstead Plan and efforts to improve housing and services for people with disabilities throughout the state. To learn more about California's Olmstead Plan and how you can get involved visit the websites listed in the "Resource Links" box.

The Housing Services Office will also be sponsoring events in the future related to the federal report and California's Olmstead Plan. To receive information related to these events, please sign-up for our newsletter subscription on our website:
<http://www.acbhcs.org/Housing/newsletter.htm>

or by calling (510) 777-2112.

MHSA Housing Program

Alameda County Behavioral Health Care Services (BHCS) and Berkeley Mental Health (BMH) are now accepting proposals for affordable housing projects that contain apartments set aside for people with serious mental illness. Proposed projects must at a minimum meet the guidelines established by the California Department of Mental Health:
http://www.dmh.ca.gov/Prop_63/MHSA/Housing/default.asp

Proposals will be considered on a rolling, first-come, first-served basis. The MHSA Housing Program Review Committee reviews project proposals on the 3rd Tuesday of every month. If you are interested in applying and have a project that meets the Program guidelines, please contact the Housing Services Office for more details on how to apply.

Housing Vocabulary: Words of Caution

The term "**unlicensed board and care**" is often used to refer to group housing arrangements where housing, meals, and some activities are provided for tenants for a fixed monthly fee. The term "unlicensed" is used when these types of arrangements are NOT licensed by the California Department of Social Services. This term implies that the housing provider may be providing "**care and supervision**" in violation of current California licensing regulations. A housing provider that offers some or all of the elements of "care and supervision" as outlined by state regulations should consult with legal or licensing experts to determine if they are operating a facility that violates state law and regulations.

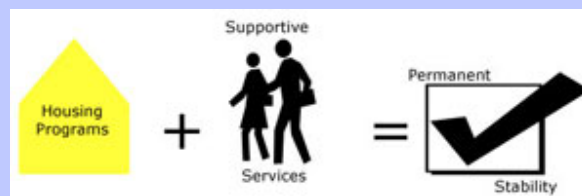
According to licensing regulations, "**care and supervision**" means any one or more of the following activities provided by a person or facility to meet the needs of the clients: (A) Assistance in dressing, grooming, bathing and other personal hygiene; (B) Assistance with taking medication, as specified in Section 80075; (C) Central storing and/or distribution of medications, as specified in Section 80075; (D) Arrangement of and assistance with medical and dental care; (E) Maintenance of house rules for the protection of clients; (F) Supervision of client schedules and activities; (G) Maintenance and/or supervision of client cash resources or property; (H) Monitoring food intake or special diets; (I) Providing basic services as defined in Section 80001b.(2).

A more appropriate term for these types of housing arrangements that do not provide "care and supervision" would be "**room and board.**"

SUPPORTIVE HOUSING FOR TRANSITION AGE YOUTH (STAY)

Fred Finch Youth Center (Services) & Tri-City Homeless Coalition (Housing)

The Supportive Housing for Transition Age Youth (STAY) program provides a comprehensive range of support services and housing options in Alameda County for transition age young adults between the ages of 18 and 24 years old that have significant mental health disabilities. STAY is one of several new programs funded with Mental Health Services Act (MHSA) resources. The STAY Partnership is a formal partnership between Tri-City Homeless Coalition (TCHC) and Fred Finch Youth Center (FFYC). TCHC administers the housing component and FFYC provides the mental health services component of this new Alameda County program. The primary goals for the STAY program are to ensure that program participants have safe and permanent housing; are able to achieve their individualized, recovery-focused goals; and are able to function as independently as possible within their homes and communities. The program seeks to provide participants with the skills and stability necessary to make choices that will maximize their chances of success and self-efficacy.



STAY Program participants live in independent housing throughout Alameda County. These units are leased and paid for using MHSA funds through TCHC. A Housing Specialist works closely with landlords and participants to ensure a safe and successful housing experience. FFYC, as part of the STAY Team, assist participants in developing independent living skills, while in-home staff visits allow for individualized support that includes a range of integrated services including mental health, alcohol/drug, vocational, benefits advocacy, and others.

STAY operates a master leasing program, in which private landlords lease rental units directly with TCHC. TCHC then enters into a sublease agreement with program participants. Through these sublease agreements, TCHC takes on some “landlord” responsibilities for master-leased apartments.

This master-leasing strategy provides flexibility for the resident in a few important ways. The STAY participant has an expanded range of housing options and the flexibility to work with TCHC property management staff if he/she needs to move. Rent is paid directly to TCHC not directly to the owner of the master-leased unit so if there are issues with late or non-payment of rent the participant will not be immediately evicted. With this type of arrangement, private landlords are often more willing to participate in the program.

Since this may be the first experience of independent living for most of the STAY participants, this master-leasing arrangement allows FFYC supportive services staff to work with them in their progression of taking on more responsibilities.

The STAY Program was originally designed to serve at least 30 young adults. Using additional funds from a Housing and Urban Development (HUD) grant, all the project partners involved with STAY plan on working to expand the number of youth served by the program.

To initiate a referral, please contact the STAY Program Director, Roger Daniels (510-482-2244 ext. 243). Youth must be Alameda County residents who have severe and persistent mental health disabilities that seriously impair their functioning in community living and who are homeless or at risk for homelessness.

Tri-City Homeless Coalition: <http://www.tricityhomeless.org/index.html>
Fred Finch Youth Center: <http://www.fredfinch.org/>



Did You Know? Rights of B & C Residents

Calendar of Events
June 30, 2008: All one-time local MHSA housing funds (\$4M) committed, under contract, and approved by BOS.
July 1, 2008, 1-3 pm: EveryOne Home Research & Evaluation Committee Meeting
August 3-5, 2008: 11th Annual CiMH Housing and Homelessness Conference

"Home Sweet Home
Mid pleasures and palaces
though we may roam,
Be it ever so humble,
there's no place like home."
John Howard Payne (1791 - 1852)

We're on the Web!
www.acbhcs.org/Housing/housing_default.htm

The starting place for your rights in a Residential Care Facility (commonly called Board and Care Homes for Adults) begins with the *manual* of your rights. "You have the right to receive information about your legal and human rights in a way you can understand." This includes the right to have the manual read to you if you can't read, or translated for you into a language you can read. You also have a right to receive a copy of your Admissions Agreement.

Moreover, you have the right to receive services that enhance your ability to live productively with dignity and independence. When necessary, you have a right to get *prompt* first-aid or other medical/dental services including arrangement for transportation to the nearest such service. You also have a right to have a written "Needs and Services Plan" which can be developed with you and your authorized representative or relative. You have a right to privacy and to control your own money and personal property and to have freedom of self-expression and association including access to Advocates and Community Organizations who provide free legal services. It is your right to be treated with dignity and respect free of abuse, threats or discrimination of any kind.

Regarding employment, you are not obligated to work at the B & C Home and if you do, you are entitled to receive fair compensation. Lastly, you have a right to not be evicted from the home without documented evidence of a "good cause."

In short, Board and Care residents have all the rights guaranteed by the **Constitution** of the United States and by the State of California.

- Sources:**
- Protection & Advocacy, Inc. – Office of Patients' Rights – "Your Rights in Residential Care Facilities" Section 5025.01
 - State of California Welfare and Institutions Code – Section 5000
 - California Code of Regulations (Title 22, Division 6, Section 80000 et seq.)

Housing Services Office
Alameda County BHCS
2000 Embarcadero Cove, Ste. 400
Oakland, CA 94606



RECIPIENT NAME
STREET ADDRESS
ADDRESS 2
CITY, ST ZIP CODE