

**HSRA Regulations Subcommittee on
Enforcement: Monitoring Programs and Grievance Procedures**

**Tuesday, December 11, 2007
9:30 – 11:30 AM**

MINUTES

Moderator: Andrew Graziani, Hogan & Hartson, LLP

Secretary: Ellen Chung and Chris Rowan, Hogan & Hartson, LLP

Attendees: See Appendix

Location: Catholic Charities, 925 G Street, NW

Background

Sakina Thompson and Dallas Williams of the D.C. Department of Human Services (DHS) provided background information about the Shelter Monitoring and Emergency Assistance Amendment Act of 2006 (Monitoring Act).

- The Monitoring Act amended the Homeless Services Reform Act of 2005 to establish an Office of Shelter Monitoring (the “Office”), which will inspect and monitor the conditions, services, and practices at shelters, and receive and investigate grievances about shelters in a confidential manner. The findings of each inspection or investigation will be summarized and made available upon request.
- The DHS drafted procedures for shelter monitoring and follow-up. Sakina will share a copy of the current draft.
- Under the newly established Office, Dallas Williams will supervise shelter monitoring activities and develop procedures for the Office. To date, the DHS has hired and trained four inspectors, with the goal of hiring a total of 10 inspectors.

Topical Issues

The subcommittee raised the following topical issues that will be addressed in more detail during the next subcommittee meeting:

1. **Grievance Process.** The subcommittee determined that the Office’s procedures for receiving and handling grievances should address the following matters:
 - Clarify that the DHS grievance procedures operates hand-in-hand with the providers’ internal grievance procedures. The DHS grievance process is another route for clients to provide complaints about providers.

- Develop procedures for maintaining confidentiality of submitted grievances and investigations to prevent retribution or retaliation against the client. [DHS noted that there will be a dedicated phone line for grievances and that this number will be posted at all shelters]
- Determine whether a centralized system is needed to funnel and consolidate all complaints for investigation by the Office.
- Develop procedures for the Office to investigate grievances and publicize those procedures for clients in an accessible way (e.g., email, shelter posting, paper copies, Spanish translation, and/or small focus groups with clients).
- Develop a toll-free number and/or email address for grievances.
- Develop procedures for enforcement actions.

2. Shelter Monitoring. The subcommittee raised the following issues with regard to shelter monitoring by the DHS:

- Clarify the scope of shelter monitoring by the Office. For instance, under the Monitoring Act, the Office is authorized to monitor “shelters.” Programs that do not fall under the definition of “shelter,” such as transitional housing, will still be inspected under the HRSA, under which DHS is required to inspect and monitor all types of housing in the Continuum of Care.
- Expand the meaning of headings in section 27b(a) of the Monitoring Act.
- Specify procedures for shelter monitoring generally, with the understanding that rules may differ depending on the program.
- Clarify when sanctions (i.e., non-renewal of contracts) will be enforced. For instance, what if the provider continuously fails to take corrective actions? What if the provider has a substantial number of safety-related deficiencies?
- Provide input to DHS about how to monitor programs that provide only supportive services (e.g., Central Kitchen).
- Develop guidance for providers about the frequency of inspections (both announced and unannounced). One option is for DHS to adopt a risk assessment approach to target providers for inspection, by inspecting “low risk” providers annually and “high risk” providers more often. [This is an HUD-implemented practice; Tamara Upchurch will provide information about this risk-based approach].
- Develop guidance for providers to clarify expectations during an inspection. For instance, what documents/records, programs, and issues will the monitor expect to review during the inspection? What type of clients will the monitor expect to interview? Will the monitor expect to speak only with seasoned staff members?
- Develop procedures for the DHS and the provider to follow-up and ensure that inspection observations have been corrected in a timely manner. [DHS has drafted monitoring and follow-up procedures and will share them with the Work Group]
- Consider a framework for providers to provide feedback to DHS regarding shelter monitoring issues (e.g., status of the correction action plan; failure of building owner to comply with corrective action plan).

3. Federally-funded and private programs. The subcommittee also discussed the DHS’ inspection authority under the HRSA to certain programs that receive both federal and D.C. funds, and raised concerns that the HRSA does not authorize DHS to monitor privately-funded programs.

APPENDIX

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List of Attendees

<u>Name</u>	<u>Organization</u>	<u>E-mail</u>
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