



## **Public Comments from the American Association of Service Coordinators**

### **Proposed Rule – Supportive Housing and Services for the Elderly and Persons With Disabilities: Implementing Statutory Reforms**

§ 892: AASC recommends all definitions pertaining to the service coordinator program be contained in the service coordinator-specific sections – Part 892.

With regard to the proposed ADLs, IADLs and “functional limitations” definitions, it appears that HUD has provided itself with leeway to consider “other such activities” it deems essential for maintaining independent living. It would be more transparent if HUD indicated that it would be basing its consideration of “other such activities” on current and relevant research regarding functioning abilities of elderly persons.

§ 891.205, page 60616, column 3: Definitions. **Remove (6)** – “Other such activities as HUD deems essential for maintaining independent living.” HUD is not an “expert” in the area of determining what constitutes “independent living” and as such should not include this as part of the definition of “Activities of Daily Living.”

§ 891.205, page 60616, column 3: Definitions. **Amend definition of “Functional Limitations”** to strike the phrase: “...and/or other thresholds as established by HUD through publication of notice.” Again, HUD is not an “expert” in the area of determining what constitutes “independent living” or thresholds for limitations that would prevent independent living and, as such, should not include this as part of the definition of “Functional Limitations.”

§ 892.105, page 60627, column 3: Definitions. **Add definition** for “available project funds”

§ 892.115, page 60628, column 2: (c) Most Integrated Setting Appropriate: include in formal definitions in either § 892.105, § 892.205 or § 891.205

§ 892.205, page 60629, column 1: There is no definition in § 892.105, as indicated in § 892.205, for “...available project funds”

§ 891.205, page 60616, column 3: Definitions. **Amend the definition of “Instrumental Activities of Daily Living”** to strike the following: “...or other such activities as HUD deems essential for maintaining independent living.” Again, HUD is not an “expert” in the area of determining what constitutes “independent living” and, as such, should not include this as part of the definition of “Instrumental Activities of Daily Living.”

§ 892.205, page 60628, column 3: Definitions. “At-risk elderly person” should reference **§ 891.205 rather than §892.205.**

§ 892.205, page 60628, column 3: Definitions. **Add a definition** for “Quality Assurance Review: that is an impartial evaluation by a third party that provides checks and balances to assure a consistent and

competent program is effectively implemented. A service coordination Quality Assurance (QA) program is systematic monitoring and evaluating of specific aspects of the activities conducted by a service coordinator to ensure that standards of quality are being met. It is a planned pattern of all actions necessary to provide adequate confidence that the service coordinator is optimally fulfilling the expectations of the residents they serve, the management/owner that employs them and all regulatory or accrediting bodies.”

§ 892.210, page 60629, column 1: Sources of funding. (a) Project rent and other income references “...in accordance with § 891.250(b)...” **There is no § 891.250 and seems that it should reference §892.250 (b) Eligible costs. Is this a typographical error?**

§ 892.220, page 60630, column 1: Duties. **Amend (1)** to: “Perform an initial needs, ADLs and functional limitations screenings, with subsequent annual reviews to identify service needs. If a more comprehensive or clinical assessment is required, service coordinators must refer tenant to a qualified professional.” This rewrite of (1) serves to include all of the screenings that should be done by a service coordinator and provides clarification that an “assessment” should be performed by a qualified professional.

§ 892.220, page 60629, column 1: Duties. “Provide advocacy as appropriate” is a distinct and separate duty from (5) “Provide case management...”

§ 892.220, page 60629, column 1: Duties. **A new (14) or earlier in the section, should be added** to include: “Develop and/or arrange for preventive activities programs that reduce risk factors for chronic medical conditions, mental health conditions, isolation and/or functional life skills. These programs could include, but are not limited to: physical fitness, smoking cessation, nutrition, end-of-life planning, depression, socialization activities that establish or build on informal support networks, financial management, etc.”

§ 892.220, page 60629, column 3: Duties. **A new (b)(3) should be added** to include as prohibited duties: “provide property management or administrative functions at the property.”

§ 892.240, page 60630, column 1: (c): **language should be added** that allows for the collection of data that is more relevant than the “...performance reports completed by the service coordinator...” This is referring to the Semi-Annual Performance Report form (Form HUD 92456 2/2014)

§ 892.240 and § 892.245, page 60630, column 2: Confidentiality: current proposed regulations do not have a provision for service coordinators’ files to be accessible to Quality Assurance professionals or HUD staff for the specific purposes of a Quality Assurance/third party oversight/review or HUD audit of the service coordinator program. **Language must be added** to this section to accommodate these types of reviews.

§ 892.250, page 60630, column 1: (b) Eligible costs: **§ 892.250 (b)(1) should be amended** to specifically include: “Quality Assurance oversight costs”

§ 892.225, page 60629, column 3: Qualifications. **Amend (a) to read:** “A bachelor’s degree; or. **Amend (b) to read:** “Experience in social service delivery...and.” **Amend (c) to read:** “Demonstrated working knowledge of supportive services...and.” **Amend (e) to read:** “HUD may allow **owners of eligible housing projects to substitute** a bachelor’s degree based on the extent of qualifications in paragraphs (b) through...” **Amend (e) to strike:** “The extent of qualifications will be determined by HUD through a NOFA.” In the event that there are no federal appropriations for new grants in the service coordinator

program, HUD will not issue a NOFA. Additionally, allowances for the hiring of a service coordinator without a bachelor's degree is addressed in paragraphs (b) through (d).

§ 892.235, page 60629, column 3: Training. **Amend section to include additional training areas** related to:

- (g) The Role of the Service Coordinator
- (h) Documentation
- (i) Developing and Measuring Outcomes
- (j) Effective Communication and Interviewing Techniques
- (k) Service Coordinator/Property Management Teambuilding
- (l) Other relevant topics

§ 892.235, page 60629, column 3: Training. **Comment/Question** – there is no mention of the current training hour requirements for new (36 hours in first 12 months as a service coordinator) and veteran (12 hours/year) service coordinators. Was this an oversight or is HUD now eliminating the yearly training hour requirement? If not being eliminated, this requirement should be incorporated into this section. AASC recommends that these training hour requirements be included in the regulations.

§ 892.250, page 60629, column 2: Program Costs. **Amend (b) Eligible Costs** to include new (vi) Quality Assurance. This component of the service coordinator program needs to be specified in this section.

§ 892.260, page 60629, columns 2 and 3: Sanctions. **Amend (a) to provide specificity** with regards to what determinants HUD will use in its determination "...that an owner has not complied with the requirements..." of the service coordinator regulations. Through what means will this determination be made? Will owners have the opportunity to appeal the determination? Will owners have the opportunity to make corrections/improvements and, will there be a reasonable amount of time to do so before adverse financial actions are taken?