



## **DISCHARGE POLICY**

Adopted on December 5, 2011, revised on June 3, 2013, and further revised January 6, 2019

### **POLICY**

This policy addresses discharge planning for a variety of populations in the eight continua in Missouri, including: St. Louis City, St. Louis County, St Charles (St. Charles, Lincoln, and Warren Counties), Springfield (Greene, Christian, and Webster Counties), Joplin (Jasper and Newton Counties), St. Joseph (Andrew, Buchanan, and DeKalb Counties), Kansas City (Jackson County) and Balance of State (101 rural counties, not included in another continuum).

### **DEFINITIONS AND TERMINOLOGY**

#### **I. HUD Definition of "Homeless"**

According to the U.S. Department of Housing and Urban Development (HUD), a person is considered homeless if they meet one of the following four categories:

- **Category 1: Literally Homeless**
  - Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
    - Has a primary nighttime residence that is a public or private place not meant for human habitation;
    - Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or
    - Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
  
- **Category 2: Imminent Risk of Homelessness**
  - Individual or family who will imminently lose their primary nighttime residence, provided that:
    - Residence will be lost within 14 days of the date of application for homeless assistance;
    - No subsequent residence has been identified; and

- The individual or family lacks the resources or support networks needed to obtain other permanent housing
- Category 3: Homeless under other Federal Statutes
  - Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
    - Are defined as homeless under the other listed federal statutes;
    - Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;
    - Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and
    - Can be expected to continue in such status for an extended period of time due to special needs or barriers
- Category 4: Fleeing or Attempting to flee domestic violence
  - Any individual or family who:
    - Is fleeing, or is attempting to flee, domestic violence;
    - Has no other residence; and
    - Lacks the resources or support networks to obtain other permanent housing

## II. Violence Against Women Act (VAWA) 2005 and 2013

VAWA significantly expanded housing protections to victims of domestic violence, dating violence, sexual assault, and stalking across HUD's core housing and homelessness programs. VAWA applies regardless of sex, gender identity, or sexual orientation, and must be applied consistent with all nondiscrimination and fair housing requirements.

VAWA applies to the following HUD funds:

- Public housing;
- Section 8 Housing Choice Vouchers;
- Section 8 project-based housing;
- Section 202 housing for the elderly;
- Section 811 housing for the disabled;
- Section 236 multifamily rental housing;
- Section 221(d)(3) Below Market Interest Rate (BMIR);
- HOME;
- Housing Opportunities for People with Aids (HOPWA);
- McKinney-Vento Act programs;
- Rural Development multifamily housing; and
- Low-Income Housing Tax Credit (LIHTC) housing.

This is not an exhaustive explanation of VAWA and its housing protections. Refer to HUD's Final Rule for more details or contact MCADSV for technical assistance (<http://www.mocadsv.org/>).

1. If a Continuum of Care (CoC), agency or landlord receives one of the designated HUD funds then VAWA must be followed or a HUD complaint should be filed.
2. VAWA Housing Protections include:
  - a. Victims cannot be denied assistance or evicted due to having been a victim of the designated crimes;
  - b. Victims have the option to bifurcate a lease;
  - c. Victims have the right to an emergency transfer when there is a safe and available unit;
  - d. There should be a low barrier certification process for victims including self-certification; and
  - e. Victims cannot be denied or evicted due to issues related to the victimization (i.e. abusive partner destroys property and victim cannot pay repair fee, abusive partner ruined victim credit history, etc.).
3. Individuals must be notified of their VAWA Notice of Occupancy Rights at time of application, eviction and termination.
4. For more information refer to HUD's Final Rule on VAWA:  
<https://www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs>

## **GUIDING PRINCIPLES**

In order to develop recommendations for this discharge policy, the following guiding principles were developed:

1. Homelessness is unacceptable in Missouri.
2. Efforts to secure permanent housing shall be made prior to being discharged from a federal, state or, public facility, such as a mental health facility, substance use treatment facility,, jail/prison, skilled nursing facility, assisted living, hospital, or being released from state custody.
3. If "temporary" shelter placement is unavoidable, the reasons for this should be documented.
4. If after having exhausted efforts to engage the client in a discharge plan or if the client continues to refuse services, the efforts should be documented..
5. If a client is experiencing homelessness or is at imminent risk of homelessness, then refer to the Coordinated Entry System (CES) of their Continuum of Care (CoC) to seek available community resources for suitable housing solutions. CES directory:  
<https://dmh.mo.gov/housing/housingunit/shelterpluscare.html#CE>.

## **PROCEDURES**

Adoption of Guiding Principles: All agencies and institutions serving the homeless population in Missouri shall adopt the guiding principles outlined above.

Agency Adoption of Discharge Policy: All agencies and institutions within Missouri shall develop and implement a discharge policy that includes the following:

1. Individual Discharge Plan: Where applicable or feasible, begin planning an individual discharge plan that includes client involvement and buy-in.
2. Adequate information systems and tracking: Agencies receiving McKinney-Vento HUD funding and other state homelessness assistance funding are required to participate in the Continuum of Care Homeless Management Information System (HMIS). For agencies not required, HMIS is preferred, but not mandatory, in order to improve communication, facilitate access to resources, and track completion of the discharge plan. Please note that Domestic Violence agencies are exempt from the HMIS requirement.
3. Integration of Community Resources: Agencies shall collaborate to reduce the duplication of services. Effective discharge planning procedures and policies should be supported by all relevant community planning documents.
4. Collaboration and partnerships: A variety of forms of partnerships and collaborations are needed to achieve an effective discharge planning system. It is the responsibility of each agency to partner and collaborate with other agencies in their CoC and CES to ensure the best outcome for Missouri residents.
5. Agreement: As part of discharge, agencies, CoCs and landlords receiving designated Housing and Urban Development (HUD) federal dollars will adhere to the Violence Against Women Act (VAWA) 2005 and 2013 housing protections for victims of domestic violence, sexual assault, dating violence and stalking.

**Memorandum of Agreement**  
**Governor's Committee to End Homelessness**  
**Discharge Policy**

I, \_\_\_\_\_, hereby attest that I am authorized by my Agency/ Organization, and/or Continuum of Care (CoC), \_\_\_\_\_ to commit that my agency, Organization, and/or CoC has reviewed the Governor's Committee to End Homelessness Discharge Policy, and that my Agency, Organization, and/ or CoC will comply with this Discharge Policy, and that any policies and procedures developed, adopted, and implemented by my Agency, Organization, and/ or CoC, will conform with this Discharge Policy. The Discharge Policy will be reviewed regularly and updates will be communicated by the Governor's Committee to End Homelessness.

For: \_\_\_\_\_  
(Printed Name of Agency/ Organization, CoC)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_