



# **AMERICAN RESCUE PLAN ACT POLICY AND OPERATIONS MANUAL**

## **CHAPTER 1: INTRODUCTION AND UNIVERSAL POLICIES**

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# CHAPTER 1: INTRODUCTION AND UNIVERSAL POLICIES

## 1.1 OVERVIEW

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This Policy and Operations Manual is designed to provide policy guidance and written standards for the applicable components of the Homeless Crisis Response System (HCRS) that utilize American Rescue Plan Act (ARPA) funding. This guidance is applicable to all Pierce County Human Service's Homeless Housing Program service provider partners awarded ARPA funding.

The Manual supports Pierce County's vision of a service delivery system in which all participants utilize best practices, comply with funding requirements, and collaborate to achieve the prevention and elimination of homelessness in Pierce County.

For each component, the Manual includes the following:

1. **Overview of the Component**, including its definition, goals and objectives, and relation to Coordinated Entry.
2. **Eligibility and Typical Service Flow**
3. **Policies and Standards**
4. **Performance Measurement Expectations**, including data collection requirements and metrics.
5. **Eligible Activities**, including eligible expenses.
6. **Additional Resources** such as required forms, template form content, and resource links.

This manual utilizes the Homeless Housing Program Policy and Operations Manual Appendix, which is available here: <https://www.piercecountywa.gov/7587/Homeless-Program-Policies>. A glossary of common terms and acronyms that appear throughout this Policy and Operations Manual may be found in Appendix A-1.

Service providers should also reference the following companion documents for additional policies and procedures applicable to agencies within the HCRS:

- **Homeless Management Information System (HMIS) Policy & Procedure Manual**: Policies and procedures related to HMIS and data input
- **Pierce County Homeless Programs Monitoring Guide**: Policies and procedures for service provider monitoring

### 1.1.1 PROGRAM OVERVIEW

On March 11, 2021, the American Rescue Plan Act was signed into law, and established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund, which together make up the Coronavirus State and Local Fiscal Recovery Funds program. This program is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health

impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses. In Pierce County, this program and its funding is referred to as American Rescue Plan Act (ARPA) funds.

### 1.1.2 ADDITIONAL REGULATIONS & GUIDELINES

To support providers in complying with the final rule<sup>1</sup>, this guidance reflects the final rule and provides additional detail and clarification for each provider’s compliance and reporting responsibilities under the ARPA program, and should be read in concert with the contract, the authorizing statute, the final rule, and other regulatory and statutory requirements, including regulatory requirements under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance” or [2 CRF Part 200](#)), and the Compliance Supplement. Please see the Assistance Listing in SAM.gov under assistance listing number (formerly known as CFDA number), 21.027 for more information.

### 1.1.3 ANNUAL MONITORING

All service providers funded with ARPA funds are subject to annual monitoring by the Pierce County Human Services Department (PCHS) for compliance with the written standards, policies, and procedures in this Operations and Standards Manual. Service providers should also reference The Pierce County Homeless Programs Monitoring Guide for related policy and procedure requirements.

Service providers will be notified 30 days in advance, in writing, of an upcoming monitoring visit. Any findings or concerns will be provided to the agency, in writing, and the agency will have 30 days to provide written feedback which must include a plan to address any findings or concerns.

### 1.1.4 REVISIONS AND AMENDMENTS

Pierce County Human Services may change applicable program requirements, policies, and guidance from time to time to meet program objectives, maximize achievement of system outcomes, and maintain alignment with funder requirements. PCHS is responsible for the review and revision of all policies and standards within the Policy and Standards Manual.

The latest version of the Policy and Standards Manual is publicly viewable by visiting <https://www.piercecountywa.gov/7587/Homeless-Program-Policies>. A history of revisions to the Manual are listed in the table below.

Revision Date	Document Section Name	Revision Description

<sup>1</sup> <https://www.federalregister.gov/documents/2022/01/27/2022-00292/coronavirus-state-and-local-fiscal-recovery-funds>

## 1.2 UNIVERSAL POLICIES AND STANDARDS

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The following principles, policies, and standards apply to all programs in HCRS, regardless of program type.

### 1.2.1 CORE SYSTEM APPROACHES

#### **Person-Centered**

People experiencing homelessness are centered in the design and implementation of the HCRS and its programs. The design of the system and its components should reflect the input of people with lived experience of homelessness.

#### **Equity-Informed**

The CoC's guiding principles include a commitment to exercising racial equity, diversity and inclusion – with shared power and vision in all decisions and practices by the CoC Committee and all funding entities – to create an equitable service delivery system to prevent and eliminate homelessness in Pierce County.

#### **Housing First**

In Housing First approaches, all people are assumed to be “housing ready” and are not required to participate in services or agree to treatment as a condition of receiving service. All HCRS partner programs must operate using a Housing First philosophy where barriers to program entry are reduced, minimal eligibility criteria are utilized, and service participation requirements as a condition of entering housing are avoided. Under this approach, only eligibility criteria imposed by a funding source are permitted.

#### **Trauma-Informed**

Programs within the HCRS are committed to utilizing trauma-informed, strengths-based approaches to create safe, supportive, and respectful relationships with, or environments for, people experiencing homelessness. Trauma-informed approaches focus on safety, empowerment, transparency, and collaboration.

#### **Progressive Engagement**

A nationally recognized best practice, progressive engagement provides tailored levels of assistance. Services are initially offered at a low (or light) intensity, adapting as needed, to a level and intensity responsive to each person's or household's individual needs.

#### **Harm Reduction**

Principles of harm reduction are applied throughout services offered to people experiencing homelessness. Service providers understand the value in a reduction of negative health behaviors, even in the absence of complete elimination or abstinence of the behavior and employ strategies to meet people “where they are.”

### 1.2.2 POLICIES AND STANDARDS

Programs are governed by an array of federal, state, and local regulations. While all agencies are expected to comply with the following regulations in the table below, this is not an exhaustive list; it is the responsibility of each individual service provider to ensure they are in compliance with all applicable

federal, state, and local regulations. In instances where regulations overlap, service providers must comply with the more stringent of the applicable regulations.

Regulation	Title
ARPA Final Rule	<a href="#">Federal Register: Coronavirus State and Local Fiscal Recovery Funds</a>
2 CFR 200	<a href="#">Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards</a>
24 CFR 5	<a href="#">Equal Access in Accordance with an Individual’s Gender Identity in Community Planning and Development Programs</a>
24 CFR 84	<a href="#">Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations</a>
24 CFR 100	<a href="#">Discriminatory Conduct Under the Fair Housing Act</a>
42 U.S.C. 11381-11389	<a href="#">McKinney-Vento Homeless Assistance Act, as amended by the HEARTH Act</a>
HUD Prioritization Notice CPD-16-11	<a href="#">Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing</a>
HUD Coordinated Entry Notice CPD-17-01	<a href="#">Notice Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System</a>
Notice H 2017-05	<a href="#">Violence Against Women Act Reauthorization of 2013</a>

Service providers must have policies and procedures in place for all funded programs and must be in alignment with all published Pierce County Human Services’ policies. When there is a conflict between the service provider policy and the PCHS policies, the PCHS policy will prevail.

### 1.2.3 CONFLICTS OF INTEREST

Service providers must avoid any conflict of interest in carrying out activities funded by PCHS.

#### 1.2.3.1 AVOIDANCE OF ORGANIZATIONAL AND INDIVIDUAL CONFLICTS

##### **ORGANIZATIONAL CONFLICTS OF INTEREST**

The provision of any type or amount of assistance may not be conditioned on an individual’s or family’s acceptance or occupancy of Emergency Shelter or housing owned by the service provider, or a parent or subsidiary of the service provider.

Service providers must not conduct initial evaluation or provide Homelessness Prevention Assistance to persons living in property owned by the service provider or parent/subsidiary of the service provider.

##### **INDIVIDUAL CONFLICTS OF INTEREST**

For procurement of goods and services, service providers must comply with HUD’s Administrative Requirements regulations. For all other transactions and activities:

- Restrictions on financial interests and benefits apply to employees, agents, consultants, officers, and elected or appointed officials of the service provider if they have certain types of responsible positions.
- Restrictions pertain to financial gain for self, family, or those with business ties.

### 1.2.3.2 REQUEST FOR EXCEPTIONS

HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in HUD’s Factors to be Considered for Exceptions ([24 CFR 576.404\(b\)\(3\)\(ii\)](#)), provided that the County has satisfactorily met the threshold requirements. To seek an exception, contact the County in writing, to discuss whether your agency/situation may be eligible. For more information on HUD’s Conflict of Interest policy, please see [24 CFR 576.404](#).

### 1.2.4 REQUIRED PROGRAM POLICIES

#### 1.2.4.1 REQUIRED ENTRY AND ELIGIBILITY CRITERIA

To ensure that all projects are available to adopt Housing First approaches and serve higher need households to the maximum extent possible, all PCHS-funded projects are required to remove barriers to entry. This includes ensuring program eligibility criteria do not restrict participation based on disallowed criteria. The table below highlights disallowed eligibility criteria.

Criteria Type	Service Provider Eligibility Expectations
Household type and composition	May not restrict based on: <ul style="list-style-type: none"> <li>• Gender of adults or children (except if required based on facility configuration)</li> <li>• Age of children in household with adults and children</li> <li>• Gender identity or orientation</li> <li>• Any other protected class</li> </ul>
Homeless Status	May not screen out people experiencing literal homelessness
Residency	For projects serving HUD’s Homeless Categories 1 and 4, unless funder required, may not restrict admission to last known address in Pierce County or last known address in particular area of the County. For projects serving At-Risk of Homelessness, residency may be restricted to Pierce County or according to funder requirements.
Disability	May not deny admission based on having a disability (e.g., “not employable”).
Domestic Violence	May not deny admission based on experience of Domestic Violence.
Income	May not restrict based on minimum income or income source.
Employment	May not restrict admission based on current employment status, employability or history of employment, or willingness to pursue employment.
Education	May not restrict admission based on being a current full-time or part-time student or willingness to pursue education.
Criminal Background	May not restrict based on any criminal background except those specifically required by funder.
Sobriety	May not restrict based on current sobriety, length of sobriety, or results of UI test.
Rental and Credit History	May not restrict based on past evictions, having no rental history, or poor credit history.
Service Participation	May not restrict based on willingness to participate in: case management; mental health services or counseling; substance abuse treatment or counseling; goal setting or service planning; or any other mandated services.
Pets	Housing projects (non-congregate) may not restrict pets unless they receive a waiver.

Imposed eligibility criteria beyond those criteria specified for each program component in this Manual must be funder required or in alignment with the allowable criteria outlined in the table below. Note that these allowable criteria should only be considered in instances in which it is required to best serve participants (e.g., restricting admission to victims of domestic violence to preserve safety and confidentiality) and/or required by the funder. All service providers should align with Housing First and low barrier entry criteria to the maximum extent possible.



3. A household’s right to review a decision made by either the service provider or Pierce County and a process by which they may do so

#### 1.2.4.4 HOUSEHOLD AUTONOMY

Service providers must have written household autonomy policies and/or procedures. The policies and/or procedures should be readily available to households either in written format or by posting the policy in a public place. It is important to effectively communicate these policies and/or procedures to households and ensure that they are fully understood.

To ensure household choice and autonomy, households are allowed to refuse to answer any question asked of them and/or any form of assistance offered by a program. Program staff must not require that any person accept unsolicited services or housing assistance and must not require that households unwillingly provide information as a prerequisite for receiving assistance, unless specifically required by a funder.

#### 1.2.4.5 GRIEVANCE/APEAL POLICY

Service providers must have written grievance/appeal policies and/or procedures. The policies and/or procedures should be readily available to households either in written format or by posting the policy in a public place. It is important to effectively communicate these policies and/or procedures to households and ensure that they are fully understood.

Should a household or another service provider have an unsatisfactory experience with a service provider, or a decision made by a service provider related to their level of assistance, that household and/or service provider is entitled to file a grievance/appeal. All grievances/appeals must be filed in writing.

A three-tiered grievances/appeals process must be in place to facilitate the review and ruling on a grievance an unsatisfactory decision. Grievances and appeals can be lodged within 14 days of the grievance or unsatisfactory decision.

Required Levels of Appeal	
Tier One	Review by a Program Manager or designee from the service provider agency who was not involved in the original decision-making process within two business days.
Tier Two	Review by an Executive Director or designee of the service provider agency within three business days.
Tier Three	Review completed by a designated representative from PCHS within three business days.

Households who submit a grievance or appeal must be notified of the outcome in writing within three business days of the final decision.

#### 1.2.4.6 HABITABILITY STANDARDS

Federal regulations establish two different standards for assessing housing quality and ensuring a given unit meets a minimum level of safety and decency: Housing Habitability Standards and Housing Quality Standards. Housing Quality Standards established through the CoC program are more stringent than the Habitability Standard. All programs must adhere to one of these two standards.

Additional information regarding which Housing Habitability Standards, Housing Quality Standards, and Lead-Based Visual Assessment policies applicable to each program component can be found in their corresponding sections of the Manual.

## **1.2.5 REQUIRED DATA COLLECTION AND DOCUMENTATION**

### **1.2.5.1 HOMELESS MANAGEMENT INFORMATION SYSTEM UTILIZATION**

All service providers are required to collect and enter program data into The Road Home CoC's Homeless Management Information System (HMIS). Data collection must be compliant with HUD's HMIS Data and Technical Standards Final Notice<sup>2</sup> and in accordance with the Pierce County HMIS Policies and Procedures Manual.

Additionally, all documentation for participants who consent to have their information entered into HMIS should be scanned and uploaded into HMIS. Service providers may elect to store participant files as electronic records only. If a participant is non-consenting, documentation shall be maintained in hard copy only and kept in a locked drawer behind a locked door. Non-personally identifying information for non-consenting participants may be entered into HMIS and the participant record should indicate staff name and contact information.

#### **EXCEPTIONS**

Domestic Violence service providers are specifically prohibited by the Violence Against Women's Act (VAWA) from disclosing, revealing, or releasing any personally identifying information about their participant. Therefore, such Domestic Violence service providers must enter all program information (including personally identifying information) into a separate, but comparable data system and not HMIS. This data system must be able to meet all HMIS Data Standards and the minimum standards of HMIS privacy and security requirements, including HUD's most recent reporting standards and comma separated value format specifications.

### **1.2.5.2 PRIVACY AND DATA SECURITY**

Service providers must have policies and/or procedures to ensure that participant records are maintained in a confidential manner. Written records or files pertaining to households must be kept under lock and key with designated personnel granted access to those files<sup>3</sup>.

All service providers must comply with HUD's HMIS Data and Technical Standards Final Notice<sup>4</sup> HMIS Privacy Standards 4.1 and in accordance with the Pierce County HMIS Policies and Procedures Manual. HMIS Lead Agency staff or designees will periodically monitor service provider compliance to ensure system-wide adherence to Governing Principles and Policies and Procedures of the Countywide Pierce County HMIS system.

### **1.2.5.3 HMIS RELEASES OF INFORMATION**

Participants have the right to specify whether their personal information may be shared in the Pierce County HMIS system (or comparable database for Domestic Violence service providers). Participants

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<sup>2</sup> <https://www.hudexchange.info/resource/1318/2004-hmis-data-and-technical-standards-final-notice/>

<sup>3</sup> CHG Requirement

<sup>4</sup> <https://www.hudexchange.info/resource/1318/2004-hmis-data-and-technical-standards-final-notice/>

may revoke, revise, and/or amend their levels of data sharing at any time during the course of service. Participants cannot be refused services if they do not consent to information sharing or choose to modify their participation in Pierce County HMIS (or comparable database for Domestic Violence service providers).

Further, participants in the following situations should not consent to release their information:

- Participating in a Domestic Violence agency program or Shelter
- Currently fleeing or in danger from a domestic violence, dating violence, sexual assault, or stalking situation
- Being served in a program that requires disclosure of HIV/AIDS status (i.e., HOPWA)
- Under 13 years of age with no parent/guardian available to consent to sharing the minor's information in HMIS.

### **WRITTEN RELEASES OF INFORMATION**

The standard expectation within HCRS is that service providers will collect written Releases of Information (ROI) forms from participating persons or households. ROIs should be obtained in writing when service providers meet with persons or households in person for services. Electronic signatures are also acceptable when meeting with the participant electronically or over the phone. For participants who consent to share their information, the signed ROI should be uploaded to the Participant Profile in HMIS.

A copy of the Participant Release of Information and Informed Consent Form is included in Appendix C-1. All participants must be provided with a copy of the Participant ROI and Informed Consent for their records.

### **VERBAL RELEASE OF INFORMATION**

Exceptions to the Written Release of Information expectation may be made to allow collection of a verbal ROI, in exceptional and time-limited instances. In these instances, an entity may collect a verbal ROI by phone. The first time the service provider meets with the participant in-person, efforts must be made to collect a written ROI. If the service provider and participant do not meet in-person following the initial verbal ROI, the verbal ROI is sufficient; however, efforts should be made to collect an electronic signature, if possible.

#### **1.2.5.4 DOCUMENTATION OF HOMELESSNESS**

All service providers are required to document housing status eligibility for HCRS services. When documenting homelessness, staff should use the following methods, listed in HUD's preferred order:

- 1) Third-Party Verification**
  - a. Written
  - b. Oral
- 2) Intake Staff Observations**
- 3) Self-Certification**

A Third-Party Verification form and Self-Declaration form are provided by the State for use with CHG funds and are included in Appendix C-4 and C-5, respectively. These forms may be used as a template

document for use with any other fund source. The following table outlines standards for this documentation, based on the housing status of the participant.

Category	Definition	Documentation Standards
Category 1	Literally Homeless	<ul style="list-style-type: none"> <li>• Written observation by the Outreach worker; <u>or</u></li> <li>• Written referral by another housing or service provider; <u>or</u></li> <li>• Certification by the individual or head of household seeking assistance stating that (s)he/they was living on the streets or in Shelter</li>   <li>• For individuals exiting an institution – one of the forms of evidence above, <u>and</u>:               <ul style="list-style-type: none"> <li>○ Discharge paperwork <u>or</u> written/oral referral; <u>or</u></li> <li>○ Written record of intake worker’s due diligence to obtain evidence <u>and</u> certification by individual that they exited institution</li> </ul> </li> </ul>
Category 2	Imminent Risk of Homelessness	<ul style="list-style-type: none"> <li>• A court order resulting from an eviction action notifying the individual or family that they must leave; <u>or</u></li> <li>• For individual and families leaving a hotel or motel – evidence that they lack the financial resources to stay; <u>or</u></li> <li>• A documented and verified oral statement; <u>and</u> <ul style="list-style-type: none"> <li>○ Certification that no subsequent residence has been identified; <u>and</u></li> <li>○ Self-certification or other written documentation that the individual or family lack the financial resources and support necessary to obtain permanent housing</li> </ul> </li> </ul>
Category 4	Fleeing/ Attempting to Flee Domestic Violence	<ul style="list-style-type: none"> <li>• For victim service providers:               <ul style="list-style-type: none"> <li>○ An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residents; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker.</li> </ul> </li> <li>• For non-victim service providers:               <ul style="list-style-type: none"> <li>○ Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; <u>and</u></li> <li>○ Certification by the individual or head of household that no subsequent residence has been identified; <u>and</u></li> <li>○ Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.</li> </ul> </li> </ul>

### **1.2.6 REPORTING AND EVALUATION**

Service Providers are expected to comply with the policies and standards included within this Manual, as well as specific terms outlined in contracts. This includes regular and accurate data collection and documentation related to program services and outcomes. PCHS conducts regular and ongoing monitoring and evaluations of service providers including quarterly reviews of program data, on-site monitoring, and administration of participant feedback surveys.

Service providers are expected to provide information as required by PCHS that demonstrates compliance with regulations, eligibility, and performance outcomes, including submission of any reports. Service providers are expected to collect data and seek opportunities to engage leadership in discussion to improve outcomes.

## 1.3 ADDITIONAL RESOURCES

This manual utilizes the Homeless Housing Program Policy and Operations Manual Appendix, which is available here: <https://www.piercecountywa.gov/7587/Homeless-Program-Policies>.

### 1.3.1 RELATED MANUALS OR RESOURCES

Resource Name	Resource Link
Pierce County HMIS Systems Policy and Procedure Manual	<a href="https://www.piercecountywa.gov/4805/Homeless-Management-Information-System-H">https://www.piercecountywa.gov/4805/Homeless-Management-Information-System-H</a>
Pierce County Homeless Programs Monitoring Guide	<a href="https://www.piercecountywa.gov/4812/Reports-Plans-and-Policies">https://www.piercecountywa.gov/4812/Reports-Plans-and-Policies</a>
ARPA Final Rule	<a href="#">Federal Register: Coronavirus State and Local Fiscal Recovery Funds</a>
2 CFR 200	<a href="#">Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards</a>
24 CFR 5	<a href="#">Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs</a>
24 CFR 84	<a href="#">Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations</a>
24 CFR 100	<a href="#">Discriminatory Conduct Under the Fair Housing Act</a>
24 CFR 576	<a href="#">Emergency Solution Grants Interim Rule</a>
24 CFR 578	<a href="#">Continuum of Care (CoC) Program Interim Rule</a>
42 U.S.C. 11381-11389	<a href="#">McKinney-Vento Homeless Assistance Act, as amended by the HEARTH Act</a>
HUD Prioritization Notice CPD-16-11	<a href="#">Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing</a>
HUD Coordinated Entry Notice CPD-17-01	<a href="#">Notice Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System</a>
Notice H 2017-05	<a href="#">Violence Against Women Act Reauthorization of 2013</a>

### 1.3.2 FORMS

Form	Appendix Item
Participant Release of Information and Informed Consent Form	C-1
CHG Third Party Verification Form (template)	C-4
CHG Self-Declaration Form (template)	C-5

### 1.3.3 REFERENCED APPENDICES

Item	Appendix Item
Glossary of Terms	A-1