



Senior Housing Weekly

September 17, 2021

Housing member town hall: Help LeadingAge identify policy priorities for the coming year.

On Monday, September 20 at 12:30 PM ET, part of the Housing Advisory Group meeting will be used for a town hall to discuss ideas for LeadingAge's 2022 affordable senior housing priorities. We will review LeadingAge's process for setting 2022 priorities and brainstorm ideas and issues for next year's policy priorities. We want to hear from affordable housing members on what we should work on next year and the kinds of tools that will help members do their work more easily and impactfully, as well as how members can engage in policy activities. The townhall will take place during our regular Monday Housing Advisory Group Meeting when we'll also discuss the new CSP (see below) and staffing issues; please email Linda (LCouch@LeadingAge.org) or Juliana (JBilowich@LeadingAge.org) to join.

LeadingAge Coronavirus Update Calls: Another COVID media star sharing epidemiological and infectious disease information in plain English and interpreting what it means for aging services providers, and some help getting the ball rolling to hold vaccine clinics on site for your residents/service users and staff. **On Monday, September 20, at 3:30 PM ET**, we will talk with **Katelyn Jetelina**, who is known as "your local epidemiologist." She is from the University of Texas and is a frequent commentator and explainer of all things COVID in the media. She'll talk about what's going on with the current surge, what it means for schools, hospitalizations and deaths, and what we can expect in coming months. **On Wednesday, September 22, at 3:30 PM ET, Bri Morrison** of the National Community Pharmacists Association will join the call to provide hands on help for providers looking to connect with local pharmacies for onsite booster clinics (once boosters are available) and generally getting residents and staff vaccinated. If you haven't registered for LeadingAge Update Calls, [you can do so here.](#)

HUD Announces Fourth Round of COVID-19 Supplemental Payments. This week, HUD announced the fourth round of COVID-19 Supplemental Payments (CSPs) for Multifamily housing providers. The funds are available to help Section 8, Section 202, and Section 811 properties prepare for and respond to COVID-19. **Requests are due to the agency by November 19, 2021, and can cover expenses incurred between April 1, 2021 and October 31, 2021.**

HUD has implemented several changes to the fourth round of CSPs, some of which were specifically requested by LeadingAge:

- Extended timeframe for eligible expenses from four months to seven months (funds can be used to cover expenses incurred between April 1, 2021, and October 31, 2021), and extended time to request the funds;
- Expanded eligible reimbursements to include limited types of capital investments made in direct response to COVID-19, such as improvements in ventilation and air filtration in common areas, emergency generators, and installation of broadband Wi-Fi infrastructure;
- Minimum expected funding levels for each property, so that owners can be certain that reimbursement will occur at no less than established levels; and

- Streamlined prioritization schedule for approval of requests for reimbursements that exceed minimum payment amounts.

This is the fourth and anticipated final round of CSP funds from the CARES Act to help housing providers prevent and respond to COVID-19. In the new round, HUD has replaced the previous "Tier I and Tier II" system with a standard payment, based on a property size and composition formula, that all requesting providers with eligible expenses will receive with little need for documentation. (Providers can also request reimbursement for amounts higher than the standard amount with supporting documentation of higher need.) Elderly-designated properties and properties with budget-driven Service Coordination programs are calculated to receive a higher standard payment amount.

HUD has also added several key eligible categories for COVID-19 expenses, including capital costs to improve ventilation and airflow at properties; install emergency generators to help older adult residents shelter in place during emergencies and avoid congregate shelters; and install broadband Wi-Fi infrastructure in units and common areas. Costs related to vaccine clinics (including transportation to off-site vaccine access), office technology and equipment, and increased staffing levels also remain eligible uses of the funds.

In the fourth round, HUD has also waived some of the financial need criteria for smaller requests. Providers can request CSPs for each of the four CSP operating periods starting March 27, 2020, and can amend previous requests to include additional expenses now made eligible. Requests must be submitted using the new form HUD 52671-E, which will be made available by the end of September.

LeadingAge strongly supports these submission changes, and we encourage housing providers to complete any purchases or capital costs and submit them for reimbursement. Costs must be incurred by October 31, and CSP requests are due to HUD or the contract administrator by November 19.

More information is available [here](#), and please join our Housing Advisory Group call on Monday, September 20, at 12:30pm ET for a member discussion on the CSPs. Members can also email Juliana at jbilowich@leadingage.org with any questions about CSPs.

Feedback Requested: Outstanding Service Coordinator, CARES Act Payments. Are you a housing provider who is still missing a Calendar Year 2021 Notice of Award for a grant-funded Service Coordinator? If so, please contact Juliana (jbilowich@leadingage.org) or Linda (lcouch@leadingage.org) as soon as possible so that we can help HUD track down missing payments or information. With the end of the fiscal year looming and the grant payments already significantly late, HUD reported to LeadingAge that it has processed most Service Coordinator grants, with less than 100 still outstanding and only a couple weeks left before a temporary HUD system shutdown will result in much longer delays. HUD also recommended that grantees regularly check GrantSolutions for any communications and make sure that grantee contact information, DUNS numbers, and SAM registrations are all up-to-date in the system. The same applies to a handful of still outstanding CARES Act payments for Service Coordinators.

House Committee Supports \$322B for Housing Programs. On September 14, the House Committee on Financial Services passed its piece of the \$3.5 trillion Build Back Better reconciliation bill. The Committee's bill passed on a partisan 30 -24 vote. The Committee's bill would provide \$2.4 billion for 37,500 new Section 202 homes, funding for more Service Coordinators, \$15 million for a technical assistance center for states to improve housing + services for older adults, and \$125 million to improve

the administration of the Section 202 program. The bill funds new Section 8 Project-Based Rental Assistance contracts, invests in the greatest number of new housing choice vouchers in decades and increases the share of these that can be project-based if used for senior housing, and has massive investments in the Housing Trust Fund and HOME program, among others. “For the first time in decades, Congress is taking decisive action toward remaking our nation’s housing to be safer, greener, more inclusive and affordable,” Committee Chairwoman Maxine Waters (D-CA) said, adding that the bill would “set our country on a path to ending homelessness.” House Committees have until September 15 to deliver their respective reconciliation pieces to the House Committee on the Budget, which will compile them into one package for a full House vote. For more details on what’s in the Financial Services bill, see this [article](#).

Housing Credit: Increase 60%, Fix Right of First Refusal & More. On September 14, the House Ways and Means Committee released piece of the \$3.5 trillion reconciliation bill related to Low Income Housing Tax Credits and bonds. The bill increases state Housing Credit allocations by 60%, phased in over four years; lowers of the 50% bond financing threshold to 25% for seven years; provides a 50% basis boost and set-aside for serving extremely low income households; authorizes states to provide a 30% basis boost for 4% credit properties, in addition to a 30% basis boost for rural and Native communities if needed for financial feasibility. The bill also addresses an extremely troubling issue for Housing Credit properties: right of first refusal threats to nonprofit owners. More about these housing provisions, which LeadingAge enthusiastically supports, is in this [article](#).

Court Affirms Nonprofit Housing Credit Ownership; Congress Takes Action. This week, the Third District Court of Appeals for the State of Florida affirmed a Florida nonprofit’s ownership of housing financed with Low Income Housing Tax Credits. In May, LeadingAge had [joined an amicus brief](#) in support of the Opa-locka Community Development Corporation, a Florida nonprofit struggling in court to retain its rightful ownership of affordable housing that is home to about 500 residents. Meanwhile, the House Committee on Ways and Means passed its bill, which would address Housing Credit Right of First Refusal issues, on September 15. More in this LeadingAge [article](#).

Connecting to Pharmacies for Booster Shots. LeadingAge is working with GeriMed, an association of 1300 independent pharmacies in every state except New Hampshire and Delaware, to connect pharmacies to settings in need of on-site booster shot clinics. We are asking affordable senior housing providers to fill out a form to express interest in being partnered with a local pharmacy. Filling out this form does not guarantee you’ll be matched with a pharmacy for an onsite clinic and nor does it mean you must partner with any pharmacy you are matched with. This effort is an attempt to introduce aging services providers to pharmacies. Here is the form: <https://survey.alchemer.com/s3/6523530/Booster-Clinics-Pharmacy-Partnerships>

LeadingAge Applauds Committees' Housing Proposals. In a September 15 letter to House Speaker Nancy Pelosi, LeadingAge President and CEO applauded affordable housing components of the House Financial Services Committee and House Ways and Means Committees bills. The Financial Services bill alone, according to LeadingAge estimates, would produce and preserve 894,984 affordable homes for older adults with low incomes. “There is a dire need to expand the supply of affordable senior housing across the United States. Nationally, 4.9 million 65+ owner and renter households spend more than half

of their incomes for their housing. Such severe housing cost burdens impact the lowest income households the most, resulting in older adults with the lowest incomes spending 50% less than their non-housing cost burdened peers on food and healthcare,” Ms. Sloan said. Read the letter [here](#).

Questions on Biden’s Vaccination or Testing Mandate for Private Businesses. As part of President Biden’s “Path Out of the Pandemic” plan, he has ordered that employers with over 100 employees ensure their workforce is fully vaccinated or require those that are unvaccinated produce a negative COVID test to enter the workplace. The President has directed OSHA to issue an emergency temporary standard (ETS) to implement this requirement. The administration estimates that this will cover over 80 million workers in private sector businesses. We are following how this will coincide with the upcoming CMS vaccine mandate for healthcare providers that are covered by Medicare and Medicaid reimbursement. There are some providers that do not accept Medicare or Medicaid, but may be subject to the upcoming OSHA ETS on vaccine mandates or testing.

There are many outstanding questions on the forthcoming OSHA ETS including how the Department of Labor will calculate the 100-employee threshold (indications are that they will apply it on a company-wide basis rather than a per location basis), how to address remote workers, what types of testing is allowed, and who pays for testing. There are additional questions on the timelines for implementation, how this interacts with existing union contracts, and more. We anticipate that the OSHA ETS will be issued in the coming “weeks” rather than “days” and will pass along additional information once it is received. The existing OSHA COVID-19 ETS for healthcare providers that was issued in June 2021 remains unchanged and in effect.

E&C Approves Historic Medicaid HCBS Allocations. On September 14, the Energy and Commerce Committee advanced the first three of its six health care reconciliation proposals that is part of the \$3.5 trillion budget reconciliation package.

The health sections are the last of 16 subtitles in the committee's package that it considered after already approving provisions on issues such as energy, the environment, technology and others. The committee will wrapped up its work on September 15. The committee’s a subtitle regarding Medicaid, approved, 30-27, allocates \$190 billion to expand HCBS services for older adults and people with disabilities, as specified in the *Better Care Better Jobs Act*. Although LeadingAge continues to advocate for a budget closer to the \$400 Billion the President requested in the American Jobs Plan, this E&C provision represents a historic investment in Medicaid home and community-based services (HCBS) and strengthens the HCBS workforce.

The Energy and Commerce Committee bill would permanently extend the Medicaid protections against Spousal Impoverishment for recipients of HCBS and provides a permanent extension of the Money Follows the Person Rebalancing Demonstration. More details on the *Better Care Better Jobs Act’s* implications on the HCBS workforce is available in an article, [here](#).

Arizona State Partners Meet with Senator Sinema’s staff – great response. As the House congressional committees wrap up their work on the infrastructure reconciliation bills, it is important that we keep pressure on congressional leaders to keep the numbers in place. This week, LeadingAge Arizona members met with Sen. Sinema and heard that there is not agreement yet on the final numbers and

that there is still many things to be decided. Thanks to the leadership from Pam Koester and her members in LeadingAge Arizona we got some good feedback on our policy priorities but nothing is guaranteed yet. Joe is going to be reaching out tomorrow to key state partners to send some specific messages to congressional leaders to maintain the proposed funding levels and avoid any further cuts.

Annual Meeting Sessions: Highlights for Affordable Senior Housing Providers. Join Linda, Juliana, and the rest of the LeadingAge team at our Annual Meeting in Atlanta starting on October 24th! Sessions include bold visions for the future of Service Coordination, new approaches to senior housing preservation, and a primer on equity, diversity and inclusion in the aging services field. To top it off, we'll host networking receptions, movie screenings, a 5k run, and an "affordable housing huddle" – view the highlights for affordable housing providers [here](#) and register for the meeting [here](#).

Virtual Update on Addressing Vaccine Mandates and Exemption Requests. We have posted a virtual update for members titled [Addressing Vaccine Mandates and Exemption Requests](#). In this virtual update, attorneys from Lane Powell addresses key legal and operational issues related to mandatory vaccination policies, including medical and religious exemption requests.

New 202 Awards. HUD is expected to publicly announce the latest round of recipients from the Section 202 Notice of Funding Opportunity. HUD announced the \$150 million NOFO in January; applications were due in May. Congressional offices traditionally share news of an award with their successful constituents before HUD publicly announces the full list of awardees. Congressional offices began announcing some awards on September 15. We expect to see HUD's full list on September 22.