

VERMONT LEGAL AID, INC.

POVERTY LAW PROJECT

264 NORTH WINOOSKI AVE.
BURLINGTON, VERMONT 05401
(802) 863-5620 (VOICE AND TTY)
FAX (802) 863-7152
(800) 747-5022

OFFICES:

BURLINGTON
RUTLAND
ST. JOHNSBURY

OFFICES:

MONTPELIER
SPRINGFIELD

April 15, 2020

VERMONT POVERTY LAW FELLOWSHIP Mental Health and Housing

SIXTH QUARTER REPORT January 21, 2020 – April 15, 2020

I. Overview

Jill's fellowship focuses on housing-related problems experienced by low-income Vermonters with mental health concerns.

Prior to the arrival of the COVID-19 pandemic, Jill began this quarter resolving a majority of her housing and mental health cases, and further researching strategies to improve access to DMH housing supports. This included exploring rules for DMH's Community Rehabilitation and Treatment, Housing Support Fund, and Subsidy Plus Care programs. This also included research on DMH's progress with implementing Medicaid's conflict-free case management rules. She provided input on DAIL's long term care regulations revisions, and provided comment on how the HUD Consolidated Plan 2020-24 can promote more equal access to housing for Vermonters with mental disabilities.

However, in recognition of the disparate risk posed by the pandemic on Jill's population, and the global shift toward pandemic relief, Jill has turned her focus to COVID-19. She plans to focus the remainder of her fellowship on relief and recovery efforts through the lens of housing and mental health.

II. COVID-19 Advocacy this Quarter

To help stem the spread of COVID-19, particularly among at-risk people with disabilities and those experiencing housing instability, Jill contributed to several projects:

- Lead author of letters to the Chittenden County Superior Court, the Supreme Court of Vermont, and the City of Burlington advocating for an eviction and foreclosure moratorium. Chittenden County Superior Court was the first to declare a moratorium, and that order is being adopted by courts statewide.
- Researched and co-authored a proposed moratorium Executive Order for the office of Governor Scott. This work informed VLA's proposed moratorium bill that became S.333, An Act Relating to Establishing a Moratorium on Ejectment and Foreclosure Actions During the COVID-19 Emergency, which the Senate passed on April 10 and is pending a House vote.
- Authored a letter to the office of Governor Scott advocating for a Major Disaster Declaration for Vermont. Vermont has since requested and received such a Declaration from the Federal Government, unlocking access to necessary FEMA relief including mental health funding.
- Monitored measures being undertaken by DAIL to protect long-term care facility residents and staff, and to mitigate disparate harm for residents with mental disabilities. Researched and co-drafted advocacy letters to DAIL and VDH to ensure facility staff have access to sufficient protective equipment and sick leave.

- Consulted with VLA, LSV, DRVT, and mental health agency colleagues on housing and benefits cases arising under COVID-19, to troubleshoot emerging legal needs and identify opportunities for systems-level advocacy.
- Coordinated outreach on and media coverage of low-income housing needs, and documented Vermont's housing and mental health relief efforts to create an evidence base for future advocacy.
- Researched national responses to COVID-related housing and mental health challenges, and attended calls and webinars provided by federal agencies and national and state advocacy organizations, to inform relief efforts in Vermont.

III. COVID-19 Advocacy Work Expected for Next Quarter

Next quarter, Jill will continue contributing to COVID-19 relief efforts with a focus on housing and mental health.

She will continue to participate in the VLA and LSV COVID-19 Advocacy Group, and will represent the Access to Justice Coalition on the VBA COVID-19 Committee.

She will continue consulting with clients, case managers, mental health agency administrators, and other service providers to track how the community mental health system is responding to COVID-19. She plans to translate federal and state changes to community mental health services into Know Your Rights materials for distribution among VLA and LSV advocates and the Vermont Law Help website. As she shores up stories from the ground, she plans to take on agency and state advocacy projects as needs are identified.

Questions Jill is considering include: How are mental health agencies providing in-person housing supports while also social distancing, services that many tenants need in order to remain stably housed? How are agencies ensuring access to telehealth services for low-income clients without home computers or internet access? How are they keeping people safe in agency-provided housing and crisis care facilities? Once the state of emergency is lifted, will tenants with disabilities face even more disproportionate rates of lease violations and for-cause eviction, as a result of isolation and reduced services during the pandemic? Will Vermont evict to homelessness the 1,400 people it is currently housing in motels and camper vans, who were previously staying in congregate shelters? What protections can be put in place now?

Jill plans to research and address these concerns, and more, and take up necessary advocacy projects as the pandemic response unfolds.