By Mr. Berry, a petition (accompanied by bill, Senate, No. 494) of Frederick E. Berry and William R. Keating for legislation to establish an adaptive housing program. Housing and Urban Development.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT ESTABLISHING AN ADAPTIVE HOUSING PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 121B, as appearing in the 1986 Official Edition of the Massachusetts General Laws, is hereby amended by adding after section forty the following section: —

Section 40A. Adaptive Housing Program for Elderly and Handicapped Persons of Low and Moderate Income.

Declaration of Policy — It is hereby declared that accessible housing is essential for the full participation of elderly and disabled individuals in community life. Accessible housing can increase independence, reduce physical and emotional strains for individuals and their families, avoid or postpone institutionalization, and reduce housing care needs as well as provide easier access and greater safety. Currently, the Commonwealth’s primary strategy for meeting accessible housing needs is new construction and therefore requires the relocation of elderly and disabled individuals and their families. The objective of this Chapter is to increase the production of affordable, accessible housing in the Commonwealth by also promoting a cost effective alternative—home adaptation or modification—to new construction which converts existing housing stock to accessible use and enables elderly and disabled citizens to remain in their present homes.
There is hereby established within the Executive Office of Communities and Developments (EOCD) a program of adaptive housing for elderly and disabled residents of the Commonwealth.

a) Said program may consist of grants and low interest loan assistance to low and moderate income disabled and elderly persons in need of accessible housing, and may be administered, with reasonable program support from EOCD, including training and technical assistance, through existing EOCD contractors experienced in home modification work or home improvement financing and in cooperation with local organizations of disabled or elderly persons.

b) Subject to the approval of the Accessible Housing Advisory Committee as described below, the Secretary shall promulgate regulations pursuant to MGL Chapter 30A defining eligibility of low and moderate income households for said adaptive housing program, provided, however, priority shall be given to eligible elderly or disabled individuals who are returning home from an institution, or more expensive setting of care, who would enter an institutional, or more expensive, setting without accessible home features, and individuals who require home adaptations in order to obtain or sustain employment; and, provided further that financial eligibility standards for said program shall not be more restrictive than the standards of financial eligibility under Section 1619 of the Social Acts for disabled persons.

c) With the approval of the Accessible Housing Advisory Committee as described below, the Secretary shall develop guidelines to determine eligible work under this Chapter and defining the priority of work to be performed on eligible dwellings.

d) The secretary shall, in conjunction with said adaptive housing program, provide for a program of system development, including but not limited to consumer education, interagency networking, evaluation and cataloging of products technology, and development and maintenance of design specifications; for a quality assurance program for an independent, third party, evaluation, the first report of which shall be submitted to the legislative Committee on Housing and Urban Development not later than the third year after the date of enactment of this Chapter.
e) There is hereby established the Accessible Housing Advisory Committee to be comprised of the director of Office of Handicapped Affairs, the secretary of the Executive Office of Elder Affairs, the director of Massachusetts Housing Finance Authority, the chairperson of the Architectural Access Board, and three members each selected by the secretary from lists provided by the Office of Handicapped Affairs and Executive Office of Elder Affairs. The purpose of the Committee shall be to advise the secretary on coordination and integration as well as operations of the various accessible housing production programs conducted in whole or in part with public funds, including the adaptive housing program established herein. The committee shall review and comment on the recommendations of EOCD for capital and operating appropriations to assure the adequate and efficient allocation of resources among housing production alternatives to accessible housing needs.
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