



*working together to advance the quality of  
life of older New Yorkers*

## **TOPIC: ASSISTED LIVING**

The Congressional Declaration of Objectives in the Older Americans Act affirms that all levels of government have the responsibility to work to provide our older people with "(3)...suitable housing, independently selected, designed and located with reference to special needs and available at costs which older citizens can afford" and "(8) Efficient community services...which provide a choice in supported living arrangements and social assistance in a coordinated manner...."

In reviewing reports and our own members' experiences, the New York Citizens' Committee on Aging finds that in New York City and State there are a variety of residential facilities with on-site services owned by proprietary and not-for-profit sponsors. However, we also find that few facilities are affordable by persons of low and moderate income; there is no common terminology, confusing those seeking supportive housing; and inadequate attention is paid to quality of care and residents' rights.

To address these deficits and achieve desirable, affordable assisted living as envisioned by the Congress, the NY Citizens' Committee on Aging recommends that

1. The federal government:

- Provide states and localities with additional funding, through such means as
  - Increasing funding of the Housing and Urban Development's (HUD) Service Providers Program for all public and non-profit housing
  - Earmarking a percentage of Community Development Block Grant funds for assisted living programs
  - Establishing a Housing Trust Fund with an assisted housing component
  - Increasing funding of Congregate Housing grants to housing sponsors to partner with local service providers
- Amend existing financing programs of all agencies (HUD, DHHS, etc.) to maximize flexibility in order to reduce costs and thereby increase housing production and health services coverage.
- Establish closer coordination between currently disconnected housing and health service systems for the elderly and encourage linking of housing and services by HUD to promote aging in place.
- Create and test new housing and service models and demonstration projects at the state and local levels.

## 2. New York State enact Assisted Living legislation and promulgate regulations providing

- **A Common Definition:** An assisted living and care facility is a congregate residential setting that provides or coordinates personal services, 24 hour supervision and assistance (scheduled and unscheduled), activities, and health related services.
- **Oversight:** All facilities should be under the surveillance of the appropriate state agency in a manner that promotes protection, affordability and flexibility.
- **Residents' Rights:** All regulations should encourage individual self-direction, maintain consumer choice, promote flexibility of services, and protect against unwarranted discharge.
- **Dissemination of Information:** All contracts and documents amending services, fees or procedures should be in non-legal language understandable by the general public. All marketing materials should also disclose admission policies, fees, services, and house rules for residents and staff.
- **Quality of Care:** The appropriate state agencies should ensure code enforcement and actively monitor for compliance with all laws and regulations.
- **Affordability:** The state must also make assisted living facilities more affordable. We suggest some combination of a low cost mortgage program, a Medicaid waiver for the service package, service subsidies, promoting Long Term Care insurance, and tax relief for moderate income residents.

### 3. New York City

- Modify land use and disposition policies to provide unused land to not-for-profit sponsors at nominal cost.
- Revise zoning regulations and streamline approval procedures
- Coordinate code enforcement with corresponding state agencies
- Establish a program to provide consistent funding for assisted housing

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