



COMMONWEALTH OF MASSACHUSETTS  
**THE GENERAL COURT**  
STATE HOUSE, BOSTON 02133-1053

March 13, 2009

Commissioner Julia Kehoe  
Massachusetts Department of Transitional Assistance  
600 Washington Street  
Boston, MA 02111

Dear Commissioner Kehoe:

We write today to express our concern over proposed changes to 106 CMR 309 which seek to restrict eligibility to family shelters funded under the Department of Transitional Assistance (DTA), in line item 4403-2120.

Since 2005, the number of families in Emergency Assistance (EA) shelters has more than doubled. This fact, in concert with the economic crisis, has led to an unprecedented increase in the number of families in need of assistance. Now, more than ever, we must work to ensure that the basic needs of our most vulnerable and impoverished residents are met. In our estimation, the proposed eligibility restrictions run contrary to this goal. In light of a number of specific and general concerns, we urge you to withdraw the proposed regulations.

Among our concerns is the fact that throughout the proposed regulations, the term "good cause" is used, but not adequately defined to cover the conflicts faced by homeless families. Further, the question remains as to how the consistent interpretation of "good cause" would be enforced among the various offices. We must be sure that what constitutes "good cause" in Boston constitutes good cause in Brockton, and throughout the Commonwealth.

Second, the new requirement of a thirty hour work week will likely force families out of EA shelters through no fault of their own. An adult in an EA sheltered family may simply not be able to fulfill this requirement due to limited job, training, and educational opportunities, his or her most sincere efforts notwithstanding. Additionally, the requirement does not contain exemptions for families with very young or disabled children who require more care. While self-sufficiency is a critical goal, we must approach it in a fair and viable manner.

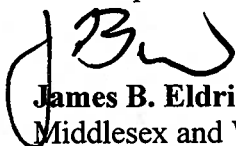
Third, the high rates of individuals with mental illness, both diagnosed and undiagnosed, as well as those suffering from addiction, are already of significant concern in terms of the Commonwealth's homeless population. Untreated mental illness and substance abuse can easily lead to disqualification under the proposed regulations. An individual who suffers from diabetes or cancer would not be deemed ineligible for EA shelter, nor should they be as a result of untreated mental illness.

Notwithstanding the content of the regulations, we are aware of DTA's obligation to amend the regulations if a deficiency cannot be remedied. However, given the passage of the American Recovery and Reinvestment Act, we urge the Department and the Administration to utilize federal funds in order to fill the projected deficit. A portion of additional TANF monies as well as funding specifically directed at homelessness services could be used to stabilize the account, thereby removing the statutory need for regulatory changes. This solution would allow Massachusetts to continue to work towards our goal of ending homelessness, and ensure that all those currently eligible to receive services can continue to do so. Thank you for your consideration of these comments, and we look forward to our continued collaboration with the Administration and DTA.

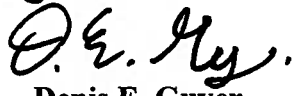
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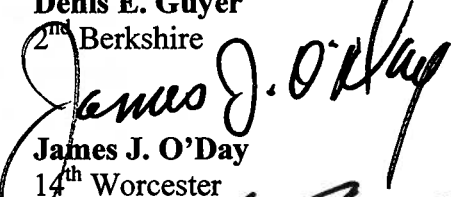
**Gale D. Candaras**  
1<sup>st</sup> Hampden and Hampshire



**James B. Eldridge**  
Middlesex and Worcester



**Denis E. Guyer**  
2<sup>nd</sup> Berkshire



**James J. O'Day**  
14<sup>th</sup> Worcester



**Jennifer M. Callahan**  
18<sup>th</sup> Worcester



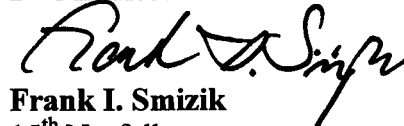
**Kenneth J. Donnelly**  
4<sup>th</sup> Middlesex



**Kay Khan**  
11<sup>th</sup> Middlesex



**Patricia D. Jehlen**  
2<sup>nd</sup> Middlesex



**Frank I. Smizik**  
15<sup>th</sup> Norfolk




**Barbara A. L'Italien**  
18<sup>th</sup> Essex

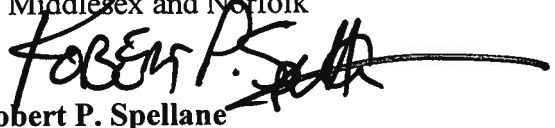


**Denise Provost**  
27<sup>th</sup> Middlesex



**Katherine Clark**  
32<sup>nd</sup> Middlesex

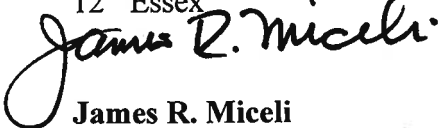
  
Cynthia Stone Creem  
1<sup>st</sup> Middlesex and Norfolk

  
Robert P. Spellane  
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Benjamin Swan  
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Jason M. Lewis  
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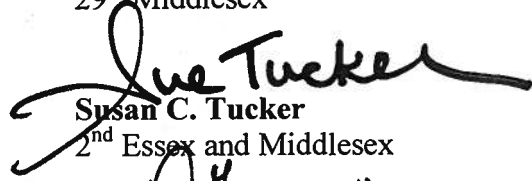
  
Joyce A. Spiliotis  
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Elizabeth A. Malia  
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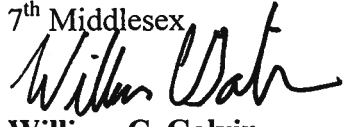
  
Jonathan Hecht  
29<sup>th</sup> Middlesex

  
Susan C. Tucker  
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Danielle W. Gregoire  
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Karen E. Spilka  
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Tom Sannicandro  
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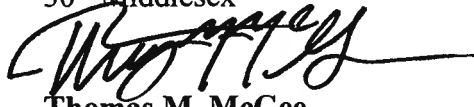
  
William C. Galvin  
6<sup>th</sup> Norfolk

  
Jennifer L. Flanagan  
Worcester and Middlesex

  
Carl M. Sciortino  
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Sonia Chang-Diaz  
2<sup>nd</sup> Suffolk

cc: Governor Deval L. Patrick  
Secretary Judy Ann Bigby, EOHHS  
Senate President Therese Murray  
Speaker Robert A. DeLeo