

Housing Administration DEFINITIONS

- **ACC-RBHA:** Arizona Complete Care and Regional Behavioral Health Authority
- **AHCCCS:** The Arizona Health Care Cost Containment System – A managed health care program which pertains to health care services provided pursuant to A.R.S. 36-2903 et seq., and is also the name of the State agency
- **ACOM:** AHCCCS Contractor Operations Manual
- **DBHS:** Arizona Department of Behavioral Health Services
- **AHCCCS Housing Administrator:**
- **AHP:** AHCCCS Housing Program(s) are those funded by Arizona NXIX/XXI State SMI General Housing and Supported Housing funds
- **AMPM:** AHCCCS Medical Policy Manual
- **Arizona Residential Landlord Tenant Act (ARLTA):** (ARS §33-1301 *et seq.*) Arizona statutes governing residential leasing and Landlord and Tenant rights and obligations.
- **Community Living Program (CLP):** Fixed Site Housing for SMI members. Properties are purchased or rehabilitated with Arizona State SMI Housing Trust Funds on behalf of a provider owner/operator with a requirement for the property to provide PSH for persons determined SMI. AHP often provides rental support or subsidies for program participants residing in CLP units.
- **Dependent:** A family member who is under 18 years of age or an individual of any age who has a disability or is a full-time student. The following individuals can never be dependents: the head of household, spouse, co-head, foster children/adults, and live-in aides.
- **Family:** A Family includes but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:
 - A single person;
 - A group of persons residing together. This includes, but is not limited to:
 - A married member and their spouse;
 - A family with or without dependent(s);
 - A child who is temporarily away from the home because of placement in foster care is considered a member of the family;
 - Unborn children and children in the process of being adopted are considered family members for purposes of determining bedroom size;
 - Child (a minor) by: birth, adoption, a court order establishing custody, or a legal order from the social service agency (e.g., Child Protective Services, DES).
 - A family does not include:
 - A housekeeper or live-in aide;
 - Foster children and/or foster adults;
 - A group of unrelated persons living together (e.g., friends, etc.);
 - Aunt, uncle, sister, brother, cousin, friend, etc.; or
 - An additional family to the household, (e.g., a sister and her children, etc.)
 - Each family must identify the individuals to be included in the household at the time of application, and must notify the AHCCCS Housing Administrator if the family's composition changes any time after an AHP application has been submitted or the individual is participating in AHP.

- **Foster Children and Foster Adults:** Foster adults are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609(c)(2)]. Foster children and foster adults that are living with an applicant or resident family are considered household members but not family members. The income of foster children/adults is not counted in family annual income and foster children/adults do not qualify for a dependent deduction [24 CFR 5.603 and HUD-50058 IB, pp. 13-14].
- **FFS:** Fee for Service
- **Gender Identity:** Actual or perceived gender characteristics
- **GMH/SUD:** General Mental Health/Substance Abuse Disorder
- **Guest:** For the purposes of AHP A guest is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.
- **Head of Household:** The family may designate any qualified adult family member as the head of household. The head of household must have the legal capacity to enter into a lease under state and local law and is responsible for ensuring that all household members comply with the duties of the tenancy. A minor who is emancipated under state law may be designated as head of household.
- **Household:** includes the individual and all family members if any. A family may have a spouse or co-head but not both. The co-head is an individual in the household who is equally responsible for the lease with the head of household. A co-head never qualifies as a dependent. The co-head must have legal capacity to enter into a lease and must also meet AHCCCS eligibility requirements.
- **Homeless(ness):** For AHCCCS purposes, an individual or family is homeless if they: do not have a fixed, sustainable or appropriate nighttime residence including: a) the primary nighttime residence is a public or private place not meant for human habitation; b) is living in a shelter designated to provide temporary living (including homeless shelters, transitional housing, hotels paid for by charitable organization or government program); or 3) is being discharged from an institution, such as a residential treatment or similar facility, a behavioral health inpatient stay, physical health hospitalization, and they were admitted as homeless and/or whose discharge may result in returning to the street or shelter as described in a) or b); d) persons formerly experiencing homelessness under a, b, or c above but who currently reside in Permanent Supportive Housing for SMI or GMH/SU members.
- **Independent Community Housing:** A setting where participant can live in a home, apartment, or allowable housing without on-going daily supervision from behavioral health providers. Independent community housing is the primary housing type for Permanent Supportive Housing and subsidy programs in the AHP.
- **Institution (or Mainstream Institution):** Shelter, room and board or housing provided by mainstream entities or their contractors related to treatment or incarceration. Examples include but are not limited to jail or prison, inpatient or residential behavioral health or substance abuse treatment programs, hospitalization or foster care settings. For purposes of AHP eligibility, AHCCCS will consider Flexcare and other behavioral health transitional or substance abuse programs with average stays of less than 90 days as “institutions.”
- **Institutional Releases:** Includes individuals exiting an institution as defined above and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution and who lack a safe, sustainable housing destination for discharge.;
- **Live-In Aide:** Live-in aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: 1) is determined to be essential to the

care and well-being of the persons, 2) is not obligated for the support of the persons, and 3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

- The AHP must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR 8, to make the program accessible to and usable by a family member with disabilities.
- A live-in aide is a member of the household, not the family, and the income of the aide is not considered in income calculations [24 CFR 5.609(c)(5)]. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.
- **MCO:** Managed Care Organizations
- **Member:** An individual who is enrolled in an AHCCCS MCO. For AHP purposes, participants do not have to be members as long as they meet the program eligibility requirements (ex: Determined SMI)
- **Non-Title XIX/XXI:** State and other funding not related to Medicare (Title XIX of the Social Security Act) or the Children’s Health Insurance Program (CHIP)(Title XXI of the Social Security Act). For AHP, Non-Title XIX/XXI funding is primarily State General SMI Housing and Supported Housing funds.
- **Participant:** For AHP, a participant is any individual who may be eligible for, applied for, or who is currently in the AHP program including those on waiting lists, searching for housing or currently receiving AHP subsidies or housing services.
- **Permanent Supportive Housing (PSH):** Supportive housing links decent, safe, affordable, community-based housing with flexible, voluntary support services designed to help the individual or family stay housed and live a more productive life in the community. There is no time limitation, and tenants may live in their homes as long as they meet the basic obligations of tenancy. While participation in services is encouraged, it is not a condition of living in the housing. Housing affordability is ensured either through a rent subsidy or by setting rents at affordable levels.
- **Person(s) with a Disability: [24 CFR Part 8.3 and 100.201]**

For the purposes of this Guide, AHCCCS utilizes the Federal Civil Rights law definition of an individual with disability. A person with a disability is any person who:

 - Has a physical or mental impairment that substantially limits one or more of the major life activities of an individual, or
 - Has a record of such impairment, or
 - Is regarded as having such impairment

Disability Sub-Definitions:

 - The phrase “physical or mental impairment” includes but is not limited to:
 - Any physiological disorder or condition, cosmetic or disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
 - Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to: such diseases and conditions as orthopedic, visual, speech and hearing impairments,

cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.

- Major Life Activities includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, and/or working.
- Impairment (or has a record of impairment) means having a physical or mental impairment that does not substantially limit one or more major life activities but is treated by a public entity (such as the PHA) as constituting such a limitation; has none of the impairments defined in this section but is treated by a public entity as having such an impairment; or has a physical or mental impairment that substantially limits one or more major life activities, only as a result of the attitudes of others toward that impairment.
- The definition of a person with disabilities does not include:
 - Current illegal drug users;
 - People whose alcohol use interferes with the rights of others;
 - Persons who objectively pose a direct threat or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the HCV program.

The above definition of disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

- **Public Housing Authority (PHA):** a government entity authorized to administer HUD housing programs
- **Transitional Housing (TH):** a shelter or housing program that is designed to provide housing and appropriate supportive services to homeless persons or other designated populations to facilitate movement to independent living. The housing is short-term, typically less than 24 months. In addition to providing safe housing for those in need, other services are available to help participants become self-sufficient.
- **Provider:** For purposes of AHP, any AHCCCS Contracted Managed Care Organization (MCO), TRBHA or AHCCCS Registered Provider responsible for completing referrals or providing services to an AHCCCS enrolled member.
- **Qualified Representative:** for the purposes of these policies, a qualified representative may be: 1) any licensed health or behavioral health worker; or 2) a non-licensed health or behavioral health worker with direct support, oversight and or knowledge of the member's circumstances which includes their housing needs and situation, individualized service plan and history, service needs or discharge status from an inpatient, jail or treatment institutional setting.
- **Scattered Site:** A program in which the tenant identifies and leases housing in any property in the community. The tenant is directly responsible to the owner of the property and AHP provides a monthly subsidy to pay for the unit rent. This program is comparable to the HUD Section 8/Housing Choice Voucher Program, but with modifications to meet the needs of adults determined to have a Serious Mental Illness.
- **Sexual Orientation:** A person's sexual identity or self-identification as homosexual, heterosexual, bisexual, pansexual, etc.
- **Serious Mental Illness (SMI):** A condition as defined in A.R.S. §36-550 diagnosed in persons 18 years and older.

- **Supportive Housing Services:** Services, as defined in the AHCCCS Behavioral Health Services Guide, that are provided to assist individuals or families to obtain and maintain housing in an independent community setting including the person's own home or apartments and homes that are owned or leased by a subcontracted provider. These services may include but are not limited to case management, assistance with housing search and lease up processes, assistance with understanding lease and housing documents, daily living skills, employment and income assistance, budgeting, connection to natural supports, transportation, crisis planning, and substance abuse treatment, behavioral health services and assistance with accessing community resources. Many of these services are Medicaid reimbursable for eligible members. Many of these services may also be provided in the participant's housing setting.
- **Transition Requiring Housing Placement:** Discharge from an institution, program, or facility that is required to provide or arrange housing upon release (e.g., crisis stabilization unit, detox facility) and without adequate long-term sustainable safe housing.
- **Medical Necessity:** For purposes of AHP eligibility, a member may have a "housing need," if a physician or licensed practitioner of the health arts within the scope of practice, determines that housing would, "prevent disease, disability or other adverse conditions of progression, or to prolong life" (ACC R 22-101). For the purposes of identifying "housing need" based on "medical necessity," a qualified representative must be "physicians or licensed practitioners of the health arts within the scope of practice."
- **Qualified Representative:** For the purposes of these policies, a qualified representative may be: 1) any licensed health or behavioral health worker; or 2) a non-licensed health or behavioral health worker with direct knowledge of the member's circumstances including their housing situation, service plan and history, service needs or discharge status from an institutional setting.