

NYS 2025 Joint Legislative Budget Hearing on Human Services
Albany Damien Center Testimony
February 12, 2025

Thank you for the opportunity to present testimony to the Joint Budget Hearing on Human Services. My name is Perry Junjulas, and I am the Executive Director of The Albany Damien Center and a person living with AIDS. Our mission is to enhance the lives of people impacted by HIV, mental health challenges, and homelessness in a safe, inclusive environment. We serve the 17-county upstate NY region and have our main site in Albany where we provide permanent supportive housing, meals, mental health counseling, employment access, pharmacy, and a low-barrier drop-in living room.

The Albany Damien Center is part of the **End AIDS NY Community Coalition** (EtE Coalition), a group of over 90 healthcare centers, hospitals, and community-based organizations across the state. I was proud to serve as the Housing & Supportive Services Subcommittee Co-Chair of the State's Ending the Epidemic Task Force. The Albany Damien Center is fully committed to realizing the goals of our historic NYS Blueprint for Ending the Epidemic (EtE)—a set of concrete, evidence-based recommendations for ending AIDS as an epidemic.

While we have made significant progress implementing the 2015 [*Ending the Epidemic \(EtE\) Blueprint*](#) recommendations, we have failed to provide equal access to HIV housing assistance and HIV health care in every part of NYS. We are disappointed that, once again, the Executive Budget fails to include cost-saving provisions that would end homelessness among people with HIV across New York. Language included in this year's Executive Budget proposal is the same as in the previous six years, where there was certainly an intention to extend access to the same meaningful HIV housing supports across the state, but as written has failed to assist even a single low-income household living with HIV outside of NYC.

The *Blueprint's* housing recommendations have been fully implemented in New York City since 2016, where the local department of social services employs the longstanding NYS HIV Emergency Shelter Allowance program to offer every income-eligible person with HIV experiencing homelessness or housing instability access to a rental subsidy sufficient to ensure housing stability, as well as a 30% rent cap affordable housing protection for low-income persons with HIV.

Sadly, NYS has not created this level of assistance outside of NYC. In the FY26 Executive Budget, NYS continues to treat public-assistance eligible persons with HIV outside of NYC differently, ignoring the affordable housing needs of people with HIV upstate and on Long Island. NYS can remedy this inequity in the FY26 budget and save the lives of thousands of persons with HIV outside of NYC who desperately need this housing assistance.

Every low-income, public assistance-eligible New Yorker with HIV experiencing homelessness or housing instability must have equal access to NYS housing resources both to benefit their health and to stop HIV transmission. Failing to provide this benefit for people with HIV in communities outside NYC is fundamentally unfair, perpetuates HIV health inequities, undermines New York's ability to end the HIV epidemic, and costs the state money.

Outside of NYC there are approximately 2,700 households living with HIV who remain homeless or unstably housed because the 1980's NYS regulations governing the HIV Emergency Shelter Allowance (HIV ESA) set maximum rent for an individual at just \$480 per month, which is far too low to secure decent housing anywhere in the state, and local districts are not required to provide the 30% rent cap affordable housing protection. Only the NYC local Department of Social Services

works with NYS to approve “exceptions to policy” to provide meaningful HIV ESA rental subsidies in line with fair market rents and other low-income rental assistance programs.¹

OTDA’s own fiscal analysis clearly demonstrates the wisdom of such an investment of NYS funds. Housing assistance has been repeatedly shown to dramatically improve individual and public health outcomes, generating savings in public health spending on acute care and averted HIV infections that more than offset the cost of housing.² The incredibly modest cost of providing this housing assistance to all eligible households can also be readily managed within the current OTDA public assistance budget. The OTDA analysis forecasts additional public assistance costs to the State for this housing assistance of only \$3.5M in the first year of implementation and at most \$35-40M annually in out years, which amounts to a tiny fraction of the OTDA public assistance budget. This investment would be more than offset by estimated Medicaid savings and the avoidance of costs spent on sheltering public assistance eligible homeless persons with HIV.

To finally provide equitable Statewide access to HIV housing supports, we urge the Legislature and Governor to correct the relevant Aid to Localities language on public assistance benefits and enact Article VII legislation (as set out in the attachment to my testimony) necessary to:

- i) Provide equitable access to housing, transportation, and nutrition assistance for income eligible PWH (Persons with HIV) experiencing homelessness or housing instability in all social services districts across the State, including NYS HIV Emergency Shelter Allowance assistance up to 110% of HUD Fair Market Rates (FMR) for the locality and household size (the standard for Section 8 Housing Choice vouchers and other low-income rental assistance programs); and
- ii) Make the NYS HIV affordable housing protection available Statewide to cap the share of rent for extremely low-income PWH at 30% of disability or other income at or below 250% of the Federal Poverty Guidance; and
- iii) Notwithstanding other cost-sharing provisions, recognize the fiscal reality of communities outside NYC by providing NYS funding to support 100% of their public assistance costs for providing HIV Shelter Allowances and additional rental costs determined based on limiting rent contributions to 30% of income.

We have letters of support from County Executives in Albany, Monroe, and Westchester counties, all of which are heavily impacted by HIV and are requesting this change.

At the Damien Center, we have seen firsthand the healing power of safe, secure housing—especially for persons who face the most significant barriers to effective HIV treatment. Currently, over 96% of the residents of our HIV housing programs are virally suppressed. Every homeless or unstably housed New Yorker with HIV deserves equal access to life-saving housing supports, regardless of which part of New York State they call home.

Thank you for your time.

Sincerely,

Perry Junjulas
Executive Director

¹ The NYC Human Resources Administration’s current payment standard for HIV Emergency Shelter Allowance rental assistance is 108% of HUD FMR, in line with Section 8 Housing Choice Vouchers and other low-income housing assistance, to ensure that PWH are not disadvantaged in the housing market.

² See, e.g., Basu, et al. (2012). Comparative Cost Analysis of Housing and Case Management Program for Chronically Ill Homeless Adults Compared to Usual Care. *Health Services Research*, 47(1 Pt 2): 523-543.

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Attachment:

- Proposed EFLA Article VII language and changes needed to relevant Executive Budget proposal Aid to Localities provisions

FY26 Executive Budget

Below is the EFLA Article VII language and the changes to relevant Executive Budget Proposal Aid to Localities provisions required to extend equal statewide access to NYS HIV public assistance shelter allowances.

1) ELFA Article VII Language

FY 2026 NEW YORK STATE BUDGET EDUCATION, LABOR AND FAMILY ASSISTANCE ARTICLE VII LEGISLATION Proposed New Part XX

ELFA New Part **XX**

Short description: Provide equitable Statewide access to housing assistance to support effective treatment for low-income New Yorkers with HIV.

Description: Require local social services districts to provide access to enhanced shelter allowances, transportation, or nutrition payments which are necessary to establish or maintain independent living arrangements among persons living with medically diagnosed HIV infection as defined by the AIDS institute of the state department of health and who are homeless or facing homelessness and for whom no viable and less costly alternative to housing is available, including emergency shelter payments not exceeding an amount reasonably approximate to 110 percent of fair market rent as determined by the federal department of housing and urban development, and an affordable housing protection limiting a person's earned and/or unearned income contributions to 30 percent.

Section 1. Section 131-a of the social services law is amended by adding a new subdivision 16 to read as follows:

16. Notwithstanding the provisions of this chapter or of any other law or regulation to the contrary, in determining the amount of aid provided pursuant to public assistance programs, social service districts shall, upon application, provide access to emergency shelter, transportation, or nutrition payments which the district determines are necessary to establish or maintain independent living arrangements among persons living with medically diagnosed HIV infection as defined by the AIDS institute of the

state department of health and who are homeless or facing homelessness and for whom no viable and less costly alternative to housing is available, including emergency shelter payments not exceeding an amount reasonably approximate to 110 percent of fair market rent as determined by the federal department of housing and urban development.

Section 2. Subdivision 14 of section 131-a of the social services law, as amended by section 1 of part ZZ of chapter 59 of the laws of 2018, is amended to read as follows:

14. In determining the [need for] **amount of** aid provided pursuant to public assistance programs, each person living with medically diagnosed HIV infection [as defined by the AIDS institute of the department of health in social services districts with a population over five million] who applies for or is receiving [services through such district's administrative unit providing HIV/AIDS services,] public assistance and **has** earned and/or unearned income **up to two hundred fifty percent of the federal poverty guidelines**, shall not be required to pay more than thirty percent of his or her monthly earned and/or unearned income toward the cost of rent that such person has a direct obligation to pay; this provision shall not apply to **the amount of payment obligations for** room and board arrangements **attributable to the provision of goods and services other than living space**.

Section 3. Subdivision 15 of section 131-a of the social services law is REPEALED.

Section 4. Subdivision 1 of Section 153 of the Social Services Law is amended by adding a new paragraph **xx** to read as follows:

xx. notwithstanding any inconsistent provision of law, 100 percentum of safety net or family assistance, in social services districts with a population of five million or fewer, for emergency shelter payments not exceeding an amount reasonably approximate to 110 percent of fair market rent as determined by the federal department of housing and urban development, and for transportation or nutrition payments, which the district determines are necessary to establish or maintain independent living arrangements among persons living with medically diagnosed HIV infection as defined by the AIDS institute of the State department of health and who are homeless or facing homelessness and for whom no viable and less costly alternative to housing is available, after first deducting therefrom any federal funds properly received or to be received on account thereof.

Section 5: This act shall take effect immediately.

2) FY26 Aid to Localities Executive Budget Proposal

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

General Fund

Local Assistance Account - 10000

For state reimbursement of the safety net assistance program as established pursuant to chapter 436 of the laws of 1997.

Replacing language on page 519, line 27, through page 521, line 47, in the Executive Budget Proposal

Notwithstanding section 153 of the social services law or any other inconsistent provision of law, funds appropriated herein shall also reimburse 100 percent of safety net assistance expenditures, in social services districts with a population of five million or fewer, for emergency shelter, transportation, or nutrition payments which the district determines are necessary to establish or maintain independent living arrangements among persons living with medically diagnosed HIV infection as defined by the AIDS institute of the State department of health and who are homeless or facing homelessness and for whom no viable and less costly alternative to housing is available, including emergency shelter not exceeding an amount reasonably approximate to 110 percent of fair market rent as determined by the federal department of housing and urban development; provided, however, that funds appropriated herein may only be used for such purposes if the cost of such allowances are not eligible for reimbursement under medical assistance or other programs.

For persons living with medically diagnosed HIV infection as defined by the AIDS institute of the state department of health living in social service districts with a population over five million who are receiving or applying for public assistance and has earned and/or unearned income up to two hundred fifty percent of the federal poverty guidelines, funds appropriated herein shall be used to reimburse 29 percent of the additional rental costs determined based on limiting such person's earned and/or unearned income contribution to 30 percent.

For persons living with medically diagnosed HIV infection as defined by the AIDS institute of the state department of health living in social services districts with a population of five million or fewer who are receiving or applying for public assistance and has earned and/or unearned income up to two hundred fifty percent of the federal poverty guidelines, funds appropriated herein shall be used to reimburse 100 percent of the additional rental costs determined based on limiting such person's earned and/or unearned income contribution to 30 percent.

Special Revenue Funds - Federal

Federal Health and Human Services Fund
Temporary Assistance for Needy Families Account - 25178

Replacing language on page 526, lines 42 through 59, in the Executive Budget Proposal

Funds appropriated herein shall also reimburse for family assistance expenditures for emergency shelter, transportation, or nutrition payments which the district determines are necessary to establish or maintain independent living arrangements among persons living with medically diagnosed HIV infection as defined by the AIDS institute of the State department of health and who are homeless or facing homelessness and for whom no viable and less costly alternative to housing is available, including emergency shelter payments not exceeding an amount reasonably approximate to 110 percent of fair market rent as determined by the federal department of housing and urban development; provided, however, that funds appropriated herein may only be used for such purposes if the cost of such allowances are not eligible for reimbursement under medical assistance or other programs.