

## CONFLICT OF INTEREST

### **What is the conflict-of-interest rule for Housing Stabilization Services and are there exceptions?**

Information related to the conflict of interest rule and its exceptions is located on [DHS' Housing Stabilization Services Policy](#) website.

### **If a person currently receives targeted case management at Agency A, and gets the assessment and person-centered plan through Agency B, can Agency A provide housing transition/sustaining services as well as targeted case management if selected by the person?**

A person who has targeted case management cannot have their person-centered plan developed by another agency. If Agency A is their targeted case management provider, Agency A must complete the plan and therefore cannot provide housing transition/sustaining services for that same person without a conflict of-interest exception. If a person comes to Agency A after a person-centered plan is completed with Agency B, Agency A could provide targeted case management and Housing Stabilization Services until the plan renewal, when Agency A's targeted case manager would be required to complete the updated person-centered plan, creating a conflict with HSS-transition/sustaining services going forward.

### **Can I own two different HSS agencies and have one agency do Housing Consultation and the other do Transition/Sustaining services for the same person?**

No, you cannot own two different Housing Stabilization Services agencies and have one agency provide Housing Consultation while the other provides Transition/Sustaining services for the same person. According to federal rules, the agency responsible for creating the person-centered plan or assessment cannot also be the provider of State plan HCBS (Home and Community-Based Services) for that individual, nor can they have any financial interest or employment with such an agency.

If you own multiple HSS agencies, a separate agency that **you do not own** must handle either the Housing Consultation or the HSS-Transition/Sustaining services for the same person to avoid any conflict of interest.

### **Can a family member's Housing Stabilization Service do Housing Consultation and my agency do the Transition/Sustaining services?**

No, if the family member is your spouse or if you and the family member live together, it is not allowed for their Housing Stabilization Service to handle Housing Consultation while your agency provides Transition/Sustaining services. This is because there would be a financial interest involved between the two agencies, creating a conflict of interest.

However, if the family member doesn't live with you and isn't your spouse, you can work with them. But it's important to ensure that your agencies don't always work with the same individuals or give the appearance of exclusively working with each other. People who are connected to either of your agencies must have the freedom to choose their HSS-Transition/Sustaining provider through Housing Consultation, without any limitations or biases.

**Can a Housing Consultant always refer to the same agency for Transition/Sustaining services?**

No, a Housing Consultant cannot always refer people to the same agency for Transition/Sustaining services. The role of a Housing Consultant is not to directly refer individuals to specific HSS transition/sustaining service providers. Instead, they assist individuals in the planning process and help them choose their own Transition/Sustaining service provider. Housing Consultants have the responsibility of helping individuals understand the different HSS transition/sustaining providers available in their area. They provide guidance and support in selecting the provider that best suits their needs and has availability. The goal is to empower individuals to make their own informed decisions rather than being limited to a single agency for their Transition/Sustaining services.

**If I have a Geographic Exception can my agency provide both Housing Consultation and HSS transition/sustaining services to people who live in a non-geographic exception area?**

No. Geographic exceptions are only valid for people you are serving who live in a county that is a geographic shortage area. If you are providing services to a person in a non-shortage county, a different provider must provide Housing Consultation than provides HSS-transition/sustaining services.

**The assessed need areas are asked of every person who completes a Coordinated Entry Assessment, regardless if the person requests Housing Stabilization Services. Due to federal conflict of interest provisions, does this mean that any housing agency offering a Coordinated Entry Assessment is prohibited from providing housing transition/sustaining services to the person assessed?**

DHS considers the assessment pathway to be whichever document (Professional Statement of Need, MnCHOICES Assessment/Long-term Care Consultation, or Coordinated Entry Assessment) is uploaded into its online eligibility system. A person who completes a Coordinated Entry Assessment will still need to obtain proof of disability or disabling condition, which could occur through the Professional Statement of Need, the primary pathway onto the services. Therefore, it is possible that a person may have both a Coordinated Entry Assessment and a Professional Statement of Need.

If the Professional Statement of Need is the assessment document uploaded into the eligibility system, the agency completing the Professional Statement of Need would be excluded from providing housing transition/sustaining services, but the agency providing the Coordinated Entry Assessment would not and could provide housing transition/sustaining services. If the Coordinated Entry Assessment is submitted as the HSS assessment the assessment the housing agency who completed it could not also provide housing transition/sustaining services.

If a person has both a Professional Statement of Need and a Coordinated Entry Assessment and other proof of disability, either document can be submitted as the Housing Stabilization Service assessment. The agency that completed the assessment submitted cannot also provide housing transition/sustaining services.