

CONTINUUM OF CARE POLICIES

SUBJECT: PROHIBITION OF USE OF COC FUNDS FOR DRUG CONSUMPTION SITES (INCLUDES INJECTION, SMOKING, INHALATION, ETC.), SAFE CONSUMPTION SITES, OR ANY FACILITY WHERE ILLEGAL CONTROLLED SUBSTANCES ARE USED.

Effective Date: 09/25/2026

Revised: -

I. PURPOSE

This policy establishes the Miami-Dade County Homeless Trust's compliance with applicable federal statutes, regulations, Executive Orders as implemented by federal agencies, HUD Notices, grant agreements, and other federal requirements governing the use of Continuum of Care (CoC) funds. The policy ensures that CoC-funded activities in the Miami-Dade County CoC do not support, operate, facilitate, or permit, or knowingly allow the operation of Drug Consumption Sites, Safe Consumption Sites, Supervised Consumption Facilities (includes injection, smoking, inhalation, etc.) or any facilities where illegal controlled substances are consumed in violation of federal law.

II. SCOPE

This policy applies to:

- A. All Miami-Dade County Continuum of Care (CoC) program recipients, subrecipients and partner agencies that are funded by the Miami Dade County CoC to provide services in the CoC.
- B. All programs, projects, and activities funded by the Miami-Dade County CoC to provide services in the Miami-Dade County CoC.
- C. All employees, contractors, volunteers, and partner agencies operating in the Miami-Dade County CoC under Miami-Dade County CoC-funded agreements.
- D. All facilities owned, leased, or operated by Miami-Dade County CoC-funded agencies in the Miami-Dade County CoC.

III. DEFINITIONS

Miami-Dade County Homeless Trust (MDCHT): unit of local government that serves as the coordinating entity for the local homeless Continuum of Care system, and in this capacity oversees the use of the local Food and Beverage Tax and other state and federal funding.

Continuum of Care (CoC): The local system of housing and services envisioned by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (24 CFR part 578) that promotes a community-wide commitment to the goal of ending homelessness through the development of coordinated services that are designed to quickly rehouse homeless individuals, families, persons fleeing domestic violence, dating violence, sexual assault, and stalking, while minimizing the trauma and dislocation caused by homelessness; the expansion of housing options for persons transitioning out of homelessness; access to and effective utilization of mainstream programs by homeless individuals and families; and the optimization of self-sufficiency among those experiencing homelessness.

Miami-Dade County CoC (MDC CoC): Encompasses the system of housing and services envisioned by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (24 CFR part 578) as defined above that operates within the physical boundaries of Miami-Dade County, recognized by U.S. HUD as FL-600.

Sub-Recipient: Refers to a private nonprofit organization, State or local government, or instrumentality of a State or local government that receives funding, including U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) MDC CoC Funds, under a contract with the Miami-Dade County Homeless Trust to operate a project with funds that have been awarded to the MDCHT, when the MDCHT serves as the pass-through entity for those funds. The definition of “subrecipient” is consistent with the definition of “project sponsor” found in Section 401 of the McKinney-Vento Act. Contractual, compliance and regulatory requirements imposed on MDCHT by the funders are likewise imposed by the MDCHT on the sub-recipient selected to receive the pass-through funds.

General Participant, or Participant, or Client:

A general participant, also “client”, is a general term used to describe a person and/or household at any stage of engagement, enrollment, or exit from an MDC CoC project such as emergency shelter, rapid rehousing, TH, TH-RRH, and permanent supportive housing. A general participant is distinct from a project participant in that a general participant of the homelessness system need not be enrolled (with an entry date) in an MDC CoC homelessness assistance project, whereas a project participant describes a person’s status only while actively enrolled in a homelessness assistance project.

Drug Consumption Site (Safe Consumption Site or Supervised Consumption Facility):

A Drug Consumption Site, Safe Consumption Site, or Supervised Consumption Facility is any room, area, mobile unit, outdoor space, or designated location operated by the organization where individuals are permitted, enabled, encouraged, or supervised in the consumption, injection, inhalation, or administration of illegal drugs they possess, regardless of the terminology used or the harm reduction purpose claimed.

IV. LEGAL AUTHORITY

- A. McKinney-Vento Homeless Assistance Act
- B. 24 CFR Part 578
- C. Uniform Guidance (2 CFR Part 200)
- D. Applicable HUD Notices and grant agreements
- E. Controlled Substances Act
- F. Executive Orders and federal directives, where applicable to HUD funding

V. PROHIBITED ACTIVITIES TO BE FUNDED WITH COC FUNDS

An MDC CoC-funded agency shall not permit, facilitate, or knowingly allow, support, or operate any drug consumption site (includes injection, smoking, inhalation, etc.), safe consumption site, supervised consumption facility, or any space — temporary or permanent — where individuals may use illegal controlled substances. The MDC CoC further prohibits MDC CoC-funded agencies from:

- A. Allowing clients to inject, smoke, inhale, or otherwise consume illegal controlled substances on the premises of any MDC CoC-funded project.
- B. Providing sterile injection equipment, drug paraphernalia, or supplies intended for the consumption of illegal substances.
- C. Designating any room, area, or outdoor space for the purpose of drug use.
- D. Partnering with or subcontracting to any entity in the MDC CoC that operates or promotes drug consumption sites in the MDC CoC.

VI. PERMITTED ACTIVITIES

Agencies are expected to take reasonable and appropriate steps to prevent illegal drug use on MDC CoC-funded premises. The occurrence of isolated unauthorized drug use by a participant does not, by itself, constitute operation or permission of a drug consumption

site when staff respond promptly in accordance with agency policies. This policy does not restrict evidence-based health-promotion activities that are allowed under federal law and HUD guidance, including:

- A. Distribution of naloxone or other overdose-reversal medications.
- B. Provision of fentanyl test strips where permitted by state law.
- C. Substance use disorder treatment, recovery support, and case management.
- D. Outreach, engagement, and referral to medical or behavioral health services.
- E. Education on safer practices that does not involve facilitating drug use.

All permitted activities must be delivered in a manner that does not create, imply, or function as a safe consumption site. Nothing in this policy prohibits evidence-based overdose prevention, emergency response practices that are expressly authorized under federal law, HUD guidance, applicable state law, or the terms and conditions of the applicable award, provided such activities do not facilitate, encourage, supervise, or Permit, facilitate, or knowingly allow the use of illegal controlled substances on MDC CoC-funded property.

F. Nothing in this policy shall discourage or prohibit staff from:

- administering naloxone;
- calling 911;
- providing first aid;
- taking reasonable actions necessary to preserve life.

VII. MDC COC FUNDED AGENCY EXPECTATIONS

All MDC CoC-funded agencies must:

- A. Maintain drug-free premises in their MDC CoC-funded programs consistent with local, state and federal requirements.
- B. Ensure clients in their MDC CoC-funded programs are informed of the prohibition against illegal drug use on the premises during intake and orientation to their programs.
- C. Post signage indicating in their MDC CoC-funded programs that illegal drug use on the premises is prohibited.
- D. Staff in MDC CoC-funded programs shall respond promptly and safely to observed illegal drug use using agency-approved protocols, which may include verbal intervention,

overdose response, emergency medical assistance, referral to treatment, documentation, and notification of supervisors, as appropriate. Avoid providing any materials or guidance that could be construed as facilitating drug use.

VIII. MDCHT RESPONSIBILITIES AND COMPLIANCE MONITORING

The MDCHT will:

- A. Provide training and technical assistance to MDC CoC-funded agencies on compliance expectations.
- B. Incorporate compliance monitoring of this policy in the existing grant management process.
- C. Include this policy in all solicitations for MDC CoC subrecipients.
- D. Include this policy in all CoC-funded subrecipient and contractor agreements, including certifying compliance with all applicable federal laws for their MDC CoC-funded programs.
- E. Report any violations as may be required and take corrective action, which may include retraining, disciplinary measures, or termination of partnerships.
- F. Monitoring of MDC CoC -funded programs should include review of:
 - Policies and procedures
 - Staff training records
 - Incident reporting
 - Participant orientation materials
 - Participant interviews
 - Corrective action implementation

IX. CONSEQUENCES OF NON-COMPLIANCE

Violations of this policy may result in:

- A. Internal disciplinary action.
- B. Termination of MDC CoC contracts or funding.
- C. HUD monitoring findings, repayment of funds, or loss of eligibility for future funding.

Prior to termination of funding, the MDCHT may require corrective action plans, technical assistance, additional monitoring, or staff retraining, except where immediate action is required to protect federal funding or public safety.

Nothing in this policy shall be interpreted to conflict with applicable federal, state, or local law. If any provision of this policy conflicts with a federal grant condition or statutory requirement, the federal requirement shall control.