



A Division of the New York Legal Assistance Group

**LegalHealth**  
Professional Partnership to Promote Well Being

*This is general information, not legal advice. Patients should consult an attorney for specific guidance.*

## Navigating the Shelter System: the Disabled & Medically Needy

Many homeless individuals also have health issues or physical disabilities. Some common questions that arise are:

- ◆ My patient is physically disabled or has ongoing medical needs. Is s/he allowed in the shelter system?
  - Homeless individuals who have physical disabilities or ongoing medical issues can live in Department of Homeless Services (DHS) shelters and can request reasonable accommodations in the shelter, such as:
    - *transfer to be closer to care*
    - *placement in a shelter without stairs*
    - *service animal*
    - *accessible bathroom, sleeping accommodations and shelter appointments*
    - *access to electrical outlets to charge or operate disability related equipment.*
    - *access to a refrigerator for medication*
    - *access to cooking facilities to accommodate special dietary needs, or the provision of meals that conform to special dietary needs*
    - *day pass to allow for rest or convalescence in sleeping quarters*
    - *twice/day visiting nurse to allow for medicine management or wound care*
    - *homecare if residing in a family shelter*
    - *use of air conditioning*
    - *Use of oxygen concentrator (NOT canister/tank)*
    - *raised bed or chair to allow for safe physical transfer from wheelchair or walker*
    - *shorter wait time for appointments*
  
- ◆ Are there patients for whom shelter is NOT appropriate?
  - Yes, individuals must be able to perform activities of daily living (Bartel index score of 100). Additionally, individuals may not pose a health risk to others, e.g., seeping wounds or other uncontrollable hygiene risks
  
- ◆ How can a reasonable accommodation in DHS be requested for a patient
  - If a patient is living in a shelter or applying: the treating physician can write a letter detailing the medical condition or disability and the needed accommodation to live independently in the shelter.
  - If a patient is currently in-patient in a hospital, the discharge planner must complete the DHS hospitals to shelter discharge forms available at [www.nyc.gov/DHS](http://www.nyc.gov/DHS). As part of these forms, the discharge planner will be requested to document:
    - *proof of efforts to confirm no other housing options are available*
    - *medical history and needed follow-up care plan*
    - *reasonable accommodation needed*
  
- ◆ What can my patient do if the request for reasonable accommodation is denied?
  - Seek legal services to determine if there is a basis to appeal.

More questions? Refer patients for an appointment with a LegalHealth attorney

[www.legalhealth.org](http://www.legalhealth.org)

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