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March 3, 2021

The Honorable James Buck
200 W. Washington St.
Indianapolis, IN 46204
Via Email

Dear Chairman Buck:

The Indiana Chapter of the American Academy of Pediatrics urges the Senate Local Government Committee to support new amendments to HB 1541 that will be heard before your committee on Thursday March 4. We would like to highlight the impact of housing instability on the health and well-being of Indiana's children and to support the amendments being proposed highlighted at the end of this letter.

Homelessness and housing insecurity are well-defined social determinants of health in Indiana and across the United States. Youth experiencing homelessness are at significant risk for acute and chronic disease, poor growth and development, psychosocial distress, and educational disruption. As a pediatrician, I have encountered firsthand the clear relationship between unstable housing and negative health outcomes for children and youth in our state.

Children and families in unstable home environments have been shown to have difficulty accessing health care compared to their peers living in secure homes. These differences are likely due to unpredictable changes in living situations that result in inconsistent communication with healthcare providers, inadequate access to storage for medical supplies, and lack of establishment of a medical home. Many times I have seen families in these situations use the emergency department as their primary source of medical care, and there are often multiple barriers to appropriate follow-up and preventive measures.

Access to healthcare for these families is especially important when considering the higher rates of health problems in home-insecure youth. Studies have shown that homelessness and housing insecurity increase the risk for medical problems such as ear infections, respiratory infections and asthma, scabies, lice, dental caries, and accidental injuries in children. Furthermore, these families and children are more likely to experience food insecurity, which is independently associated with malnutrition, obesity, and chronic medical conditions.

While the effects of housing insecurity and homelessness on physical health are immense, the impacts on mental health, child development, and academic achievement are of equal magnitude. Toxic stress among caregivers leads to increased risk for abuse, exposure to violence, and emotional trauma among children in unstable living situations. Frequent moves related to insecure housing can result in difficulty maintaining employment for parents, and contributes to a lack of social support and sense of community for these families. Children who move homes often also

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experience interrupted educational and social experiences, often leading to poor academic achievement and mental health issues.

The impact of housing insecurity on mental health and education has become particularly evident in light of the COVID-19 pandemic and the introduction of virtual learning. Children and adolescents in unstable home environments have difficulty accessing a safe space with reliable connection to internet for schoolwork and online learning. School engagement and academic performance for these young people have been even more negatively impacted than housing secure students, and we have yet to see the full breadth of long-term consequences this will have on these children. I have also seen how the added stress of virtual learning in an unstable, often overcrowded home environment contribute to higher rates of anxiety, depression, and self-harming behaviors in home-insecure adolescents, compounding the risk of mental health conditions for which these children are already predisposed.

It is more important now than ever to ensure families have access to safe, affordable housing. By protecting families from being forced into unstable, crowded living situations, we are preventing negative long-term consequences on the physical and mental health, development, and education of children. Governmental investment in alleviating housing insecurity is a critical step in ensuring the basic needs of Indiana youth are met and to build safe, secure communities

As enacted on February 17, SEA 148 includes several provisions that will further increase evictions which spreads COVID-19 and threatens to undermine Indiana’s recovery. While two ‘trailer bills’ would remove the phrase preempting “all other aspects of the landlord tenant relationship” they do nothing to mitigate the other damages of SEA 148. These are the remaining issues with SEA 148 that have never been allowed to be addressed through committee or in floor amendments, and that threaten to stall Indiana’s public health and economic recovery if not remedied this session:

- Expands emergency possessory orders to include when the tenant is not at fault. In describing what evictions can take place and not be a retaliatory act, SEA 148 introduces 7 conditions when emergency possessions can result in expedited 3-day evictions. These go beyond the previous use (damage to the unit) and now include rent non-payment, and when compliance with code would require the tenant vacating the premises.
- Allows anti-retaliation protections to be waived away in leases. Form leases are generally take it or leave it and are not negotiated. And by law, unless a statute specifies it cannot be waived, contracts can waive statutory rights.
- Codifies other loopholes in anti-retaliation protections that leave renters vulnerable. o Tenants are now only protected from retaliation for reporting code violations that ‘materially’ affect health and safety – So a tenant could report code violation but if judge decides not “materially affecting” no protection o Tenants are only protected from retaliatory eviction if they provide a written complaint, even if may have verbally

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complained repeatedly or cannot reach an absentee landlord by writing. o Landlords are not allowed to increase rent in retaliation but can if the rent is increased to comparable market rent – however, this should only be non-retaliatory if rent is increase equally for all tenants. o Tenants are not protected for initiating or pursuing court or administrative proceedings unless they testify in those proceedings.

- Locks all communities in the lowest common denominator of housing standards contrary to local wishes. SEA 148 voided nearly all existing local housing ordinances, including regulation of screening process for rentals, disclosures concerning the property, lease, or rights and responsibilities of the parties in a landlord-tenant relationship. SEA 148 also preempts local housing discrimination ordinances, impacting many cities' Human Rights and human relations commissions. We respectfully ask that you work with other legislators to ensure these issues are addressed in amendments to legislation this session.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Stelzner'.

Sarah Stelzner, MD, FAAP
Advocacy Chair, Indiana Chapter
of the American Academy of Pediatrics