

Contra Costa County's Continuum of Care:
Homeless Management Information System (HMIS) PRIVACY NOTICE

Brief Summary

THIS PRIVACY NOTICE EXPLAINS UNDER WHAT CIRCUMSTANCES WE MAY SHARE AND DISCLOSE YOUR INFORMATION FROM CONTRA COSTA COUNTY'S HMIS. THIS NOTICE ALSO EXPLAINS YOUR RIGHTS REGARDING YOUR CONFIDENTIAL INFORMATION.

PLEASE REVIEW THIS CAREFULLY.

[Effective 8/18/2020]

[Version 2]

This notice describes the privacy policy of the [Name of Homeless Agency]. We may amend this policy at any time and amendments may affect information obtained by the covered homeless organization before the date of change. We collect personal information only when appropriate. We may use or disclose your information to provide you with services. We may also use or disclose it to comply with legal and other obligations. We assume that you agree to allow us to collect information and to use or disclose it as described in this notice, based on your consent provided in the CLIENT INFORMED CONSENT & RELEASE OF INFORMATION AUTHORIZATION. You can inspect personal information about you that we maintain. You can also ask us to correct inaccurate or incomplete information. You can ask us about our privacy policy or practices. We respond to questions and complaints. Read the full notice for more details. Anyone can have a copy of the full notice upon request.

Contra Costa County's Continuum of Care:
Homeless Management Information System PRIVACY NOTICE

Full Notice

[Effective 8/18/2020]

[Version 2]

Please review this notice carefully. If you have difficulty reading this notice, please ask for assistance.

A. What This Notice Covers

1. This notice describes the policy and practices of [Name of Homeless Agency]. Our main office is at [address, email/web address, telephone].
2. The policy and practices in this notice cover the process of protected personal information for clients of [Name of Homeless Agency].

Our organization collects and shares information about individuals who access our services. The information is confidentially stored in a local electronic database called the Contra Costa County Homeless Management Information System (CCC HMIS). The CCC HMIS securely records information (data) about persons accessing housing and homeless services in Contra Costa County. This Privacy Notice explains how we process confidential personal information that we collect about you and your family. This confidential information is referred to as Protected Personal Information (PPI). We are required to protect the privacy of your PPI by complying with the privacy practices described in this Privacy Notice.

B. Why We Collect and Share Information

When you request or receive services from this program, we ask for information about you. This information helps us continuously improve services to people experiencing homelessness by:

1. Efficiently coordinating the most effective services for you and your family;
2. Better understanding homelessness in your community;
3. Assessing the types of resources needed in your local area; and
4. Tracking whether needs are being met in your community.

By collecting your information for HMIS, we are able to generate aggregate statistical reports requested by the Department of Housing and Urban Development (HUD).

C. The Type of Information We Collect and Share in the HMIS

We collect and share PPI and general information obtained during your intake assessment, contact assessments while engaged with services, and exit assessments, including but not limited to:

1. Name and contact information
2. Social security number
3. Birthdate
4. Demographic information such as gender and race/ethnicity
5. History of homelessness and housing (including current housing status and where and when services have been accessed for both you and your family members)
6. Self-reported medical history including any mental health and substance use issues
7. Case notes and services
8. Case manager's contact information
9. Income sources and amounts; healthcare benefits; and non-cash benefits
10. Veteran status
11. Disability status
12. Household composition
13. Emergency contact information
14. Domestic violence history
15. Criminal history

D. How Your PPI Is Secured in the HMIS

The information you provide is entered into a computer program called the Homeless Management Information System (HMIS). This computer program operates over the Internet and is managed by the HMIS lead agency in Contra Costa County: the Health, Housing and Homeless Services Division of Contra Costa Health Services (H3). This agency is required by law to maintain the privacy of protected personal information and to provide you with notice of their legal duties and privacy practices with respect to protected personal information. The HMIS uses many security protections to ensure the safety and confidentiality of your information.

Your information is protected by passwords and encryption technology. Each HMIS user and participating organization must sign an agreement to maintain the security and privacy of your information and participate in training courses to ensure protection and security of your information. If an HMIS user or participating organization violates the agreement, their access rights may be terminated and may be subject to further penalties pursuant to applicable state and federal privacy laws.

E. How PPI May Be Shared and Disclosed

Unless restricted by other laws, the information we collect can be shared and disclosed under the following circumstances:

1. To provide or coordinate services to a client.
2. For payment or reimbursement of services for the participating organization.
3. For administrative purposes, including but not limited to HMIS system administrator(s) and developer(s), and for legal, audit, personnel, and oversight and management functions.
4. For creating de-identified PPI to disclose to a third party.
5. To cooperate with a law enforcement official for a legitimate law enforcement purpose, consistent with applicable law and standards of ethical conduct, provided that such disclosure should be only the minimum amount of information necessary for the law enforcement official's immediate purpose, and the law enforcement official provides a lawful justification for the request (such as a warrant).
6. As authorized by law, for victims of abuse, neglect, or domestic violence.
7. To prevent a serious threat to health or safety.
8. For academic research purposes but never published in an identifiable form.
9. Other uses and disclosures of your PPI can be made with your written consent.
10. A coroner, medical examiner or funeral director for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law.
11. Where disclosure is required by law.
12. To cooperate with legitimate requests for data from California State agencies that will be used for research, policy development, and/or creation of state-wide data warehouses.
13. For other purposes consistent with the ultimate goal of improving housing and homeless services that do not unduly burden the privacy rights of clients.

F. Providing Your Consent for Sharing PPI in the HMIS

In addition to providing you this Privacy Notice, we will also obtain your written consent through a Release of Information unless an exception applies. *Exception:* In a situation where we are gathering PPI from you during a phone screening, street outreach, or community access center sign-in, your verbal consent can be used to share your information in HMIS. If we obtain your verbal consent, you will be requested to provide written consent during your initial assessment. If you do not appear for your initial assessment, your information will remain in HMIS until you revoke your consent in writing.

You have the right **not** to provide protected personal information to an agency. You may exercise your right of privacy by not answering any or all of the personal questions asked by the agency. You will not be denied services for not answering questions regarding your protected personal information, unless federal statute requires that your data must be shared as a condition of program participation.

G. How to Revoke Your Consent for Sharing Information in the HMIS

You may revoke your consent at any time. Your revocation must be provided either in writing or by completing the *Client Revocation of Consent form*. You may receive help to complete this form. Upon receipt of your revocation, we will remove your PPI from the shared HMIS database and prevent further PPI from being added. The PPI that you previously authorized to be shared cannot be entirely removed from the HMIS database and will remain accessible to the limited

number of organization(s) that provided you with direct services.

Your Rights to Your Information in the HMIS

You have the right to receive the following, no later than five (5) business days of your written request:

1. A correction of inaccurate or incomplete PPI;
2. A copy of your consent form;
3. A copy of the full CCC HMIS Privacy Notice;
4. A copy of your HMIS records; and
5. A current list of participating organizations that have access to your HMIS data.

We are required to explain any information that you may not understand (HMIS Privacy and Security Standards §4.2.5). You can exercise these rights by making a written request, either written by yourself or by someone designated on your behalf. You can either email or mail your written request:

- Email written request to: H3REDteam@cchealth.org;

or

- Mail the request to: H3 Research, Evaluation, and Data Team
2400 Bisso Lane, Suite D, 2nd Floor
Concord, CA 94520

Your Privacy Rights Regarding Your Information in the HMIS

If you believe your privacy rights have been violated, you may send a written grievance, either written by yourself or someone you designated on your behalf, to **[Enter agency name, email address, and/or mailing address]**. This agency has the responsibility to notify the HMIS lead agency (H3) of the grievance within 3 business days of receipt. You will not be retaliated against for filing a grievance. If your grievance is not resolved to your satisfaction, you may send a written grievance appeal to the Research, Evaluation, and Data team at H3REDteam@cchealth.org. If there is a need to escalate the complaint/grievance, it will be taken to the Contra Costa Oversight Committee for further investigation. The Oversight Committee will review the complaint/grievance and provide recommendations on the solution. If a solution can be reached, the grievance is closed.

Amendments to this Privacy Notice

The policies in this notice may be amended by the HMIS lead agency at any time. These amendments may affect information obtained by this organization before the date of the change. Amendments regarding use or disclosure of PPI will apply to information (data) previously entered in HMIS, unless otherwise stated. All amendments to this privacy notice must be consistent with the requirements of the federal HMIS privacy standards. This organization must keep permanent documentation of all privacy notice amendments.