

THIS NOTICE DESCRIBES HOW INFORMATION ENTERED INTO THE LONG BEACH HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) WITH CONSENT OF A PROGRAM PARTICIPANT MAY BE USED AND DISCLOSED, LEGAL LIMITATIONS AND PROGRAM PARTICIPANT RIGHTS. PLEASE REVIEW IT CAREFULLY.

Background

The HMIS is human services management database that is required by the Department of Housing and Urban Development (HUD) for all agencies receiving funding from the Long Beach Continuum of Care.

Long Beach Homeless Services utilize HMIS to streamline program participant intake, track service delivery and referrals, ensure coordination between service agencies and improve upon performance measurements and outcome reporting.

Participating Agencies

The Long Beach Continuum of Care (CoC) consists of non-profit agencies and other public and private entities that provide service and/or interact with homeless individuals or families in Long Beach. These entities, referred to as the CoC and the City of Long Beach Department of Health and Human Services, Homeless Services Division are working together to improve services to homeless individuals and families in the Long Beach community. When a program participant requests services from a CoC agency, that program participant's personal information will be collected, including information about the program participant's household, when applicable. CoC agencies are required to collect some personal demographic information by law, or by organizations that provide program funding. A program participant has the right to refuse to provide personal information and still obtain services. A program participant will not be denied services as a result of declining to share information.

This Privacy Notice is intended to inform program participants of the LB CoC's policies that protect program participant information. A program participant may request special assistance to read or understand the content of this notice.

Benefits of Participating in HMIS

- Participation will help streamline intake processes for program participants and improve service coordination between agencies.
- Sharing information via HMIS with other agencies can save program participants time and reduce the number of times a program participant is asked for the same information from different service agencies.
- Information will only be used to access services in an effort to improve the program participant's progress towards self-sufficiency.

Levels of Information Sharing

A program participant's information will be entered into a citywide human services management database. Only licensed HMIS users may have access to the program participant information for the uses described in this notice. Unless a program participant requests otherwise, personal identifiers will be disclosed to other participating CoC agencies in an effort to streamline intake processes. With the exception of domestic violence agencies, HUD mandates that all HUD McKinney-Vento funded programs that assist homeless individuals and families submit the HMIS Required Data Elements. The City of Long Beach has compiled a list of required data elements using HUD standards and local requirements (refer to the HMIS Required Data Elements and Attachments Policy).

Program Participant Rights

A program participant has certain rights, which protect the program participant and the program participant's information:

- The right to decline the entry of personal information within HMIS.

- Services shall not be denied based non-participation in HMIS.
- The right to view a copy of the information contained in the program participant's electronic file, upon request. The agency must provide a printed copy of the record in HMIS for the program participants review within five (5) business days of the request.
- The right to an explanation of any information that the program participant does not understand.
- The right to add a comment to the program participant's electronic file and/or hardcopy file clarifying, disputing, or amending information in the program participant file. The program participant also has the right to request that their electronic file be locked from information sharing.

Protection of Program Participant Information

The program participant's information is protected by many security measures within the HMIS:

- With the exception of the basic identifying information mentioned above, an agency will not share the program participant's other assessment information with other agencies unless the program participant gives specific written permission to do so. The program participant may remove permission to share at any time by completing a new HMIS form. However, this does not include any information that was provided between the time consent was give to the time consent was cancelled.
- All users in the system must have a user ID and alphanumeric password to access the system.
- The HMIS data is protected by 128 bit encryption between an agency's computer and HMIS servers, requires secure webpage access, and utilizes multiple firewall protections along with virus scan software.
- The HMIS data is also protected through the installation of a Public Key Infrastructure (PKI) certificate, which allows HMIS access only through authorized computers.

Data Use and Disclosure

A program participants data may be used or disclosed for delivery of supportive services, administrative purposes, including outcome reporting, grant oversight and policy development, and/or by legal requirement. "Use" involves sharing parts of the program participant information with persons within an agency. "Disclosure" involves sharing parts of a program participant's information with persons or organizations outside of an agency.

Supportive Services Uses and Disclosures:

An agency may use or disclose a program participant's information in the delivery of supportive services and coordination of resources on behalf of the program participant. Unless the program participant requests that the program participant's record remain hidden, personal identifiers will be disclosed to other HMIS agencies so they can easily locate the program participant record if the program participant goes to them for services and to avoid duplicating the intake and referral process. Beyond a program participant's identifiers, as described herein, an agency will only share information with other agencies with the program participant's written consent.

Administrative Uses and Disclosures:

An agency may use a program participant's information to carry out administrative functions, including, but not limited to, outcome reporting, program oversight, and management functions. An example would be analyzing program participant outcomes to evaluate program effectiveness. An agency may disclose portions of a program participant's information without the personal identifiers for analytical purposes related to analyzing program participant data, including but not limited to understanding trends in homelessness and needs of persons who are homeless. The program participant's information will be disclosed for system administration purposes to employees or contractors of the Department of Health and Human Services, Homeless Services Division, who administer the central database.

Emergency Data Sharing for Public Health or Disaster Purposes:

An agency may, consistent with applicable law and standards of ethical conduct, use or disclose a program participant's information if:

- the agency, in good faith, believes the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of an individual or to the public, *and*
- the use or disclosure is made to a person reasonably able to prevent or lessen the threat, including the target of the threat

Legal Requirement:

Federal, State and Local confidentiality laws will protect personal information. In some circumstances, a user within the HMIS may need to disclose certain information to comply with a legal requirement, such as a law, regulation, subpoena, search warrant, in the course of a legal investigation or in response to a law enforcement agency request.

Changes to the Notice of Privacy Policy and Practices

This notice may need to change from time to time in order to address HUD mandates, new issues and/or in response to evolving technological capacity. The Long Beach HMIS will post such changes so that program participants will always know what information is gathered and how the information is used and disclosed. Any amendments to the Notice of Privacy Practices regarding use or disclosure will be effective with respect to information processed before the amendment, unless otherwise stated.

Grievance Procedure

A program participant has the right to file a grievance to the Department of Health and Human Services, Homeless Services Division if the program participant believes that any authorized user within the Long Beach HMIS has violated the program participant's privacy rights. There is no risk of retribution in filing a grievance. All grievances must be in written format. An HMIS Grievance Form is available for this purpose, and assistance is made available by staff at the Multi-Service Center, for program participants who may require help in expressing the concerns in written format.

To file a grievance, please submit a detailed written statement to:

Long Beach Department of Health and Human Services

Homeless Services Division

c/o Homeless Services Officer

2525 Grand Avenue, Room 235

Long Beach, CA. 90815

(562) 570-4003

(562) 570-4066 FAX