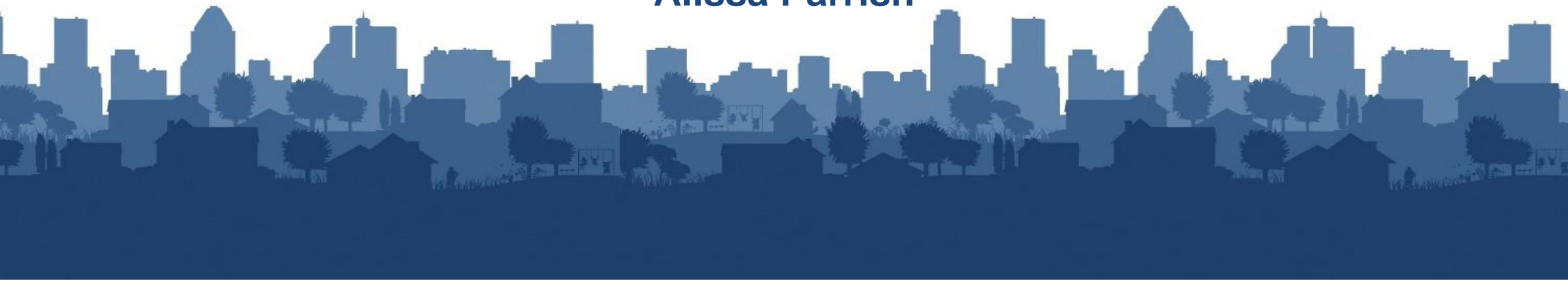




# **Data Sharing to Prevent & End Homelessness**

**DATE**

**Mike Lindsay  
&  
Alissa Parrish**



# Who's in the Room?

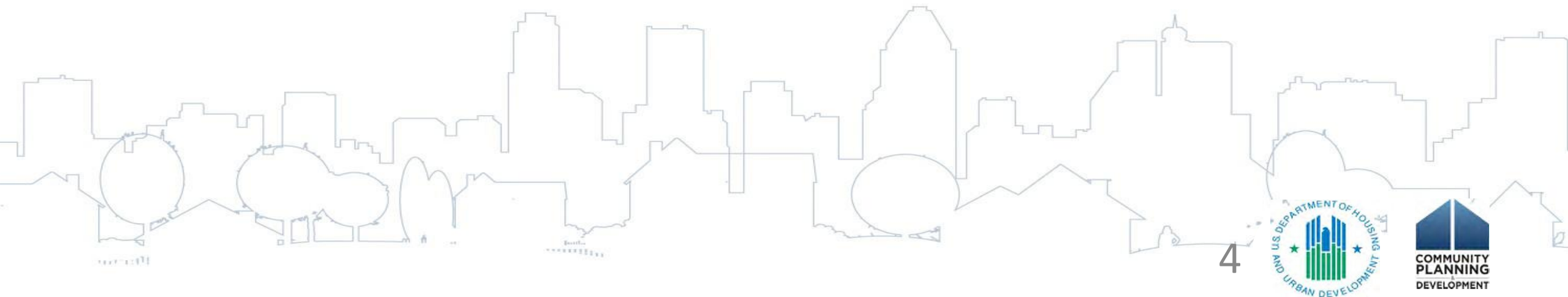
What type of organization do you represent?

- CoC Lead Organization
- HMIS Lead Organization
- Homeless Service Provider
- Government Organization (local, state, or federal)
- Other Service Provider (healthcare, mental health, etc.)
- Other

# Learning Objectives

- Understand the allowable and appropriate uses and disclosures of client personally identifiable information
- How to review a community's privacy practices and who should be involved
- Review of integrated data and strategies for working with cross-sector partners

# Why Share Data?



# Polling Question

**[www.menti.com](http://www.menti.com)** (use code 96 54 89)

**What kind of data sharing environment currently exists in your community?**

- None, not even within the same organization
- Within local areas or among specific organizations in HMIS
- Systemwide in HMIS only
- For Coordinated Entry only
- Within HMIS system wide and for Coordinated Entry
- To provide and coordinate services for clients (broader than HMIS & CE)
- Other

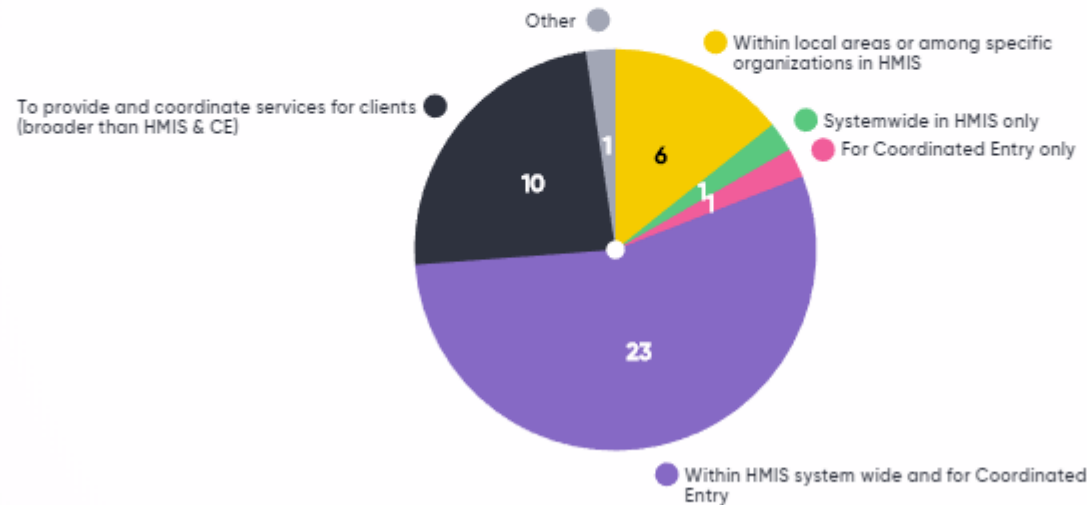
# Polling Question

Go to [www.menti.com](https://www.menti.com) and use the code **13 41 42**

i

**What kind of data sharing environment currently exists in your community?**

Mentimeter



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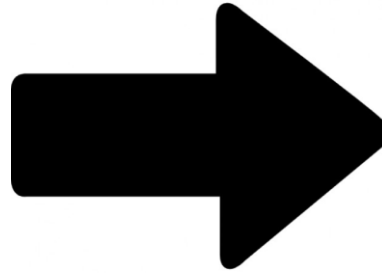
# Why?

- Homelessness is only one part of a client's or household's story – to serve clients in the most efficient and effective ways, we must have a more complete picture of their situation
- Clients need our assistance – it is our responsibility to help them navigate the systems of care we have set up, which includes sharing data in appropriate and allowable ways
- It also our responsibility to ensure the client clearly understands the privacy policy and how their data will be shared

# Moving to a Systems Approach for Ending Homelessness

## Moving from:

- Agency performance
- Unique agency intake
- Planning in silos
- Haphazard decision-making
- Housing readiness
- Automatic project renewal
- Outdated program models
- Housing the next in line
- My program
- My clients



## Transforming to:

- System performance
- Coordinated entry
- System action plan
- Data-driven decisions
- Housing first
- Higher performing program funding
- Best practices
- Prioritizing / serving the most vulnerable
- Our system
- Our clients



# Why Data Privacy & Security?

Collecting and sharing clients' personal information is often necessary in helping to resolve their housing crisis

- Decisions about the type of services most appropriate for clients and determining who is most vulnerable is often based on sensitive information collected over time and potentially used by multiple providers in electronic and printed formats
- It is important for CoCs and providers to implement informed policies and procedures and understand:
  - How data is collected, used, stored, and disclosed across the homeless services system of care
  - The responsibility to protect client personal information and articulate that to clients in a way they understand

# Data Privacy & Security

Privacy and security protections must be in place when sharing clients' personal information

- Written privacy policies and procedures define how/if consent is obtained, as well as how and when client information is shared
- Clients are not denied services they would otherwise qualify for if consent to collect and/or share is not provided
- All users of HMIS must understand the privacy policy related to collection, management, reporting, and uses and disclosures of client information

# Privacy Fundamentals

When other federal or state privacy or security laws apply to an organization, the organization must comply with the requirements that provide the greatest protection for the client's protected personal information, or personally identifying information (PII)

- PII: “Any information maintained by or for a Covered Homeless Organization about a living homeless client or homeless individual that: (1) Identifies, either directly or indirectly, a specific individual; (2) can be manipulated by a reasonably foreseeable method to identify a specific individual; or (3) can be linked with other available information to identify a specific individual.” – 2004 HMIS Data and Technical Standards

[2004 Data & Technical Standards](#)

# Who does data sharing benefit?

- Clients and households at-risk of and experiencing homelessness
- Homeless Service Providers
- CoC leadership
- Stakeholders / funders interested in understanding system health
- HMIS Lead
- Cross-sector partners
- The community
- **EVERYONE**

# What data should be shared?

Depends on the purpose

- Refer to your community's Privacy Policy and Consumer Notice for allowable uses and disclosures of client personally identifiable information
- Use the guiding principal of providing the minimum necessary to achieve the purpose
- Provide the data that will benefit the client / household most in the given situation

# Where should data be shared?

What makes the most sense for your community and your reasons for sharing?

- In HMIS directly
- During case conferencing for Coordinated Entry
- When making referrals to services for clients, including referrals to non-homeless services providers
- In a data warehouse?
- All of the above?
- Something else?



# How?

## 2.1 Data Privacy Policies:

“At a minimum, HUD requires the CE process to adhere to the baseline HMIS privacy requirements for all methods of data collection, use, and disclosure, including electronic, paper, and verbal disclosures.”

“CoCs should develop a universal Privacy Notice that clearly states the CoC’s privacy standards for HMIS. The CoC should consider requiring or encouraging participating providers to adopt the Privacy Notice to ensure uniform privacy practices across providers.”

“When a provider is required to collect information it must ask for the required information, although participants may refuse to provide the information and still receive services.”

[Coordinated Entry Management & Data Guide](#)

# How – Rules & Regulations

## **HUD HMIS Data & Technical Standards**

- Establishes standards for collecting, using, and disclosing data in HMIS

## **Health Insurance Portability & Accountability Act (HIPAA)**

- Governs how health care providers, health care clearinghouses, and health plans can disclose data

## **42 CFR Part 2**

- Restricts how drug and alcohol treatment programs disclose client records

## **Privacy Act (5 U.S.C. 552a)**

- Requires written consent to disclose client records

## **Victim confidentiality codified in the Violence Against Women Act (VAWA), Family Violence Prevention & Services Act (FVPSA), or Victims of Crime Act (VOCA)**

- VAWA contains strong, legally codified confidentiality provisions that limit Victim Services Providers from sharing, disclosing, or revealing PII into shared databases like HMIS

## **State & local privacy laws**

- May place additional restrictions on using or disclosing data

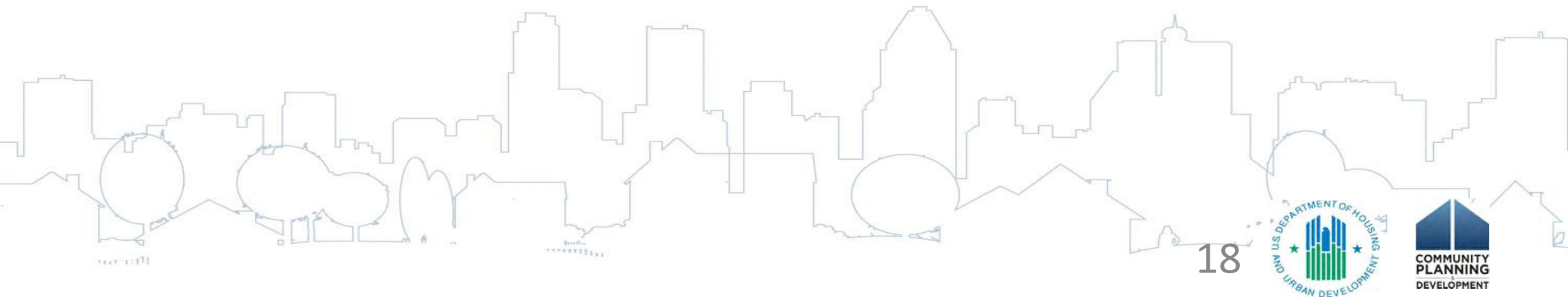


# How – Rules & Regulations

## Examples of Applicability

- HIPAA-covered entities such as hospitals, mental health providers, behavioral health providers, etc.
- Victim Services Providers, such as a domestic violence shelter
  - A provider whose organization receives funds from OVW, FVPSA, or OVC may be obligated to follow VAWA, FVPSA, or VOCA privacy requirements, regardless of whether the provider is a VSP
- Substance abuse providers and 42 CFR Part 2
- An organization that receives RHY funding and adheres to the RHY Act

# Updated Privacy Guidance



# Data Collection Requirements

- A provider must collect PII by lawful and fair means and, where appropriate, with the knowledge or consent of the individual
- When required by law to collect information, providers are not required to seek client consent
  - In these required instances, clients may refuse to provide the information and still receive services, but the provider must ask
- Providers should make data collection transparent by providing clients with a written copy of the privacy notice
- Remember that the CE process must adhere to the baseline HMIS privacy requirements for all methods of data collection, use, and disclosure.

## **Public Statement Example:**

*"We collect personal information directly from you for reasons that are discussed in our privacy notice. We may be required to collect some personal information by law or by organizations that gives us money to operate this program. The personal information we collect is important to run our programs, to improve services for persons experiencing homelessness, and to better understand the needs of persons experiencing homelessness..."*

# Data Uses & Disclosures

Once data is collected, providers have obligations about how that information is used and disclosed.

- *Uses* are internal activities for which providers interact with client PII.



- *Disclosures* of PII occur when providers share PII with an external entity.



Uses & disclosures are:

- **Mandated** (providing a copy to the client)
- **Permitted** (to coordinate or provide services, reporting to funders, etc.)
- **Prohibited** by other federal, state, or local law (VAWA)

The provider's uses (internal) and disclosures (external) of collected personal information must be stated in the privacy notice.

# Data Uses & Disclosures

HUD gives providers the authority for the following uses and disclosures without the need to obtain client consent as long as they are clearly articulated in the Privacy Notice. Uses and disclosures for the purpose of:

Providing or coordinating services to an individual

Creating de-identified client records from PII

Carrying out administrative functions  
*(e.g., legal, audit, personnel, oversight and management functions)*

Functions related to payment or reimbursement for services

# Data Uses & Disclosures

Providers are allowed (in some instances required) to disclose information in the following ways without client consent, as long as they are clearly laid out in the privacy notice:

Uses & Disclosures required by law

Uses and disclosures to avert a serious threat to health or safety

Uses and disclosures about victims of abuse, neglect or domestic violence

Uses and disclosures for research purposes

Uses and disclosures for law enforcement purposes

**IMPORTANT:** Uses & disclosures not listed in the privacy notice require the client's consent



# Do I or Don't I?

***Do I need the client's consent (written or oral) to use or disclose information?***

Privacy Notice current with all uses & disclosures made?

**No**

Update Privacy Notice

**Yes**

Use or disclosure mandatory by the 2004 HMIS Data & Technical Standards?

**Yes**

**No**

Use or disclosure permitted by the 2004 HMIS Data & Technical Standards?\*

**Yes**

**No**

**Consent (oral or written) is required to use & disclose PII**

**The collected PII can be used or disclosed as specified in the Privacy Notice without consent, if that use or disclosure does not violate other local, state, or federal laws. Clients may refuse to give PII and still receive services.**

## Types of Uses and Disclosures

### Mandatory:

- Client access to their information; and
- Disclosures for oversight of compliance with HMIS privacy and security standards.

### Permitted:

- To provide or coordinate services to an individual;
- For functions related to payment or reimbursement for services;
- To carry out administrative functions, including but not limited to legal, audit, personnel, oversight and management functions; and
- For creating de-identified from PII.

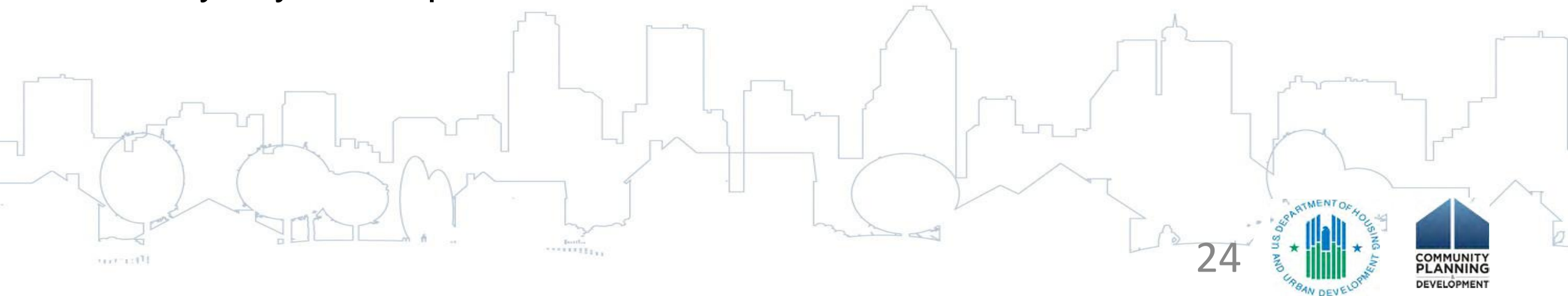
### Additional permissions:

- Uses and disclosures required by law;
- Uses and disclosures to avert a serious threat to health or safety;
- Uses and disclosures about victims of abuse, neglect or domestic violence;
- Uses and disclosures for research purposes; and
- Uses and disclosures for law enforcement purposes.

# What's your gut reaction to this?

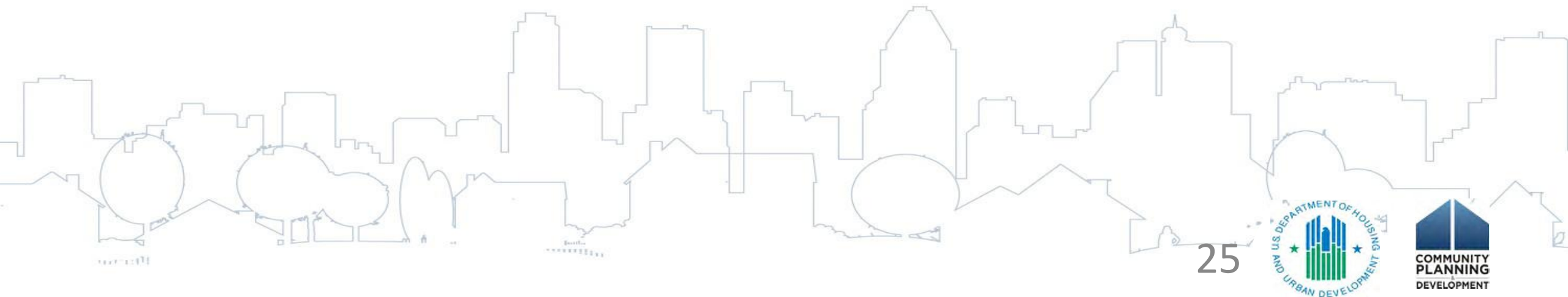
- We're already doing this
- We're already moving in this direction
- This scares me but I'm interested in learning more
- Nope, not gonna happen

Why is your response what it is?





# Necessary Agreements & Stakeholders



# Question

Has your community ever been through a review and / or updates to your privacy practices?

- Yes
- No
- Don't know

# Stakeholders

Who was involved in that process? Who should be involved in that process?

- CoC
- HMIS Lead
- Homeless Services Organizations
- Other Systems of Care Organizations
- HIPAA-covered, CoA-covered, other accredited organizations
- Other key stakeholders

# Agreements

What Agreements and policies are necessary to codify the process?

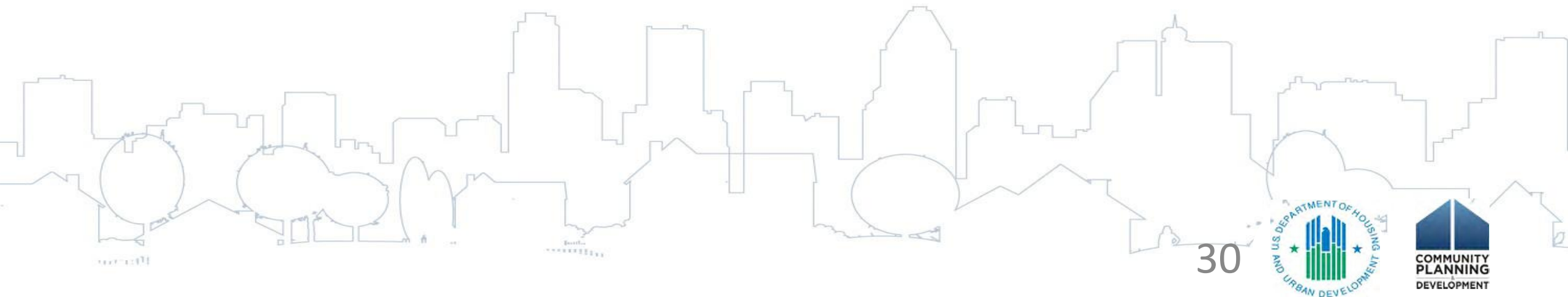
- Consumer Notice
- Privacy Policy
- Security Policy
- HMIS Policies & Procedures
- Organization Partnership Agreement
- Data Sharing Agreement
- User Agreement

# Agreements

Privacy Policy/Notice and Agreements must include

- Allowable uses and disclosures of client personally identifiable information
- Which organizations have access to that client personally identifiable information, in what way, and for what purpose
- How to address violations to the Privacy Policy

# Cross-Sector Data Sharing



# Polling Question

[www.menti.com](https://www.menti.com) (use code 96 54 89)

**What cross-sector data set would be most beneficial for your community to integrate with HMIS data?**

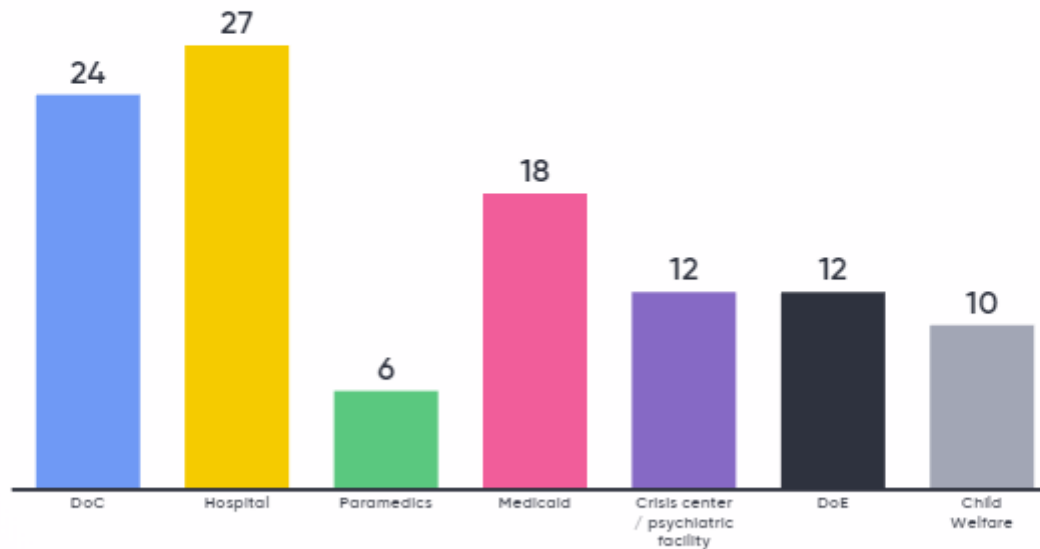
- DoC (jail, prison, arrests)
- Hospital (emergency room, inpatient care, other)
- Paramedics (calls, services provided)
- Medicaid (cases, costs, etc.)
- Crisis center / psychiatric facility (days of inpatient services, outpatient services)
- DoE (school data, homelessness liaison connections, free / reduced lunch program)
- Child welfare (CPS cases, family history of involvement)

# Polling Question

Go to [www.menti.com](https://www.menti.com) and use the code **13 41 42**

**What cross-sector data set would be most beneficial for your community to integrate with HMIS data?**

Mentimeter



32

32





# Cross-Sector Partners

Why did you respond the way you did?

- What are the barriers?
- What language do cross-sector partners speak?
- Are there any “easy wins”?

How do you quantify the need / value?

- In dollars?
- In number of clients served by multiple systems of care?

# Home Together

United States Interagency Council on Homelessness (USICH) federal strategic plan to prevent and end homelessness

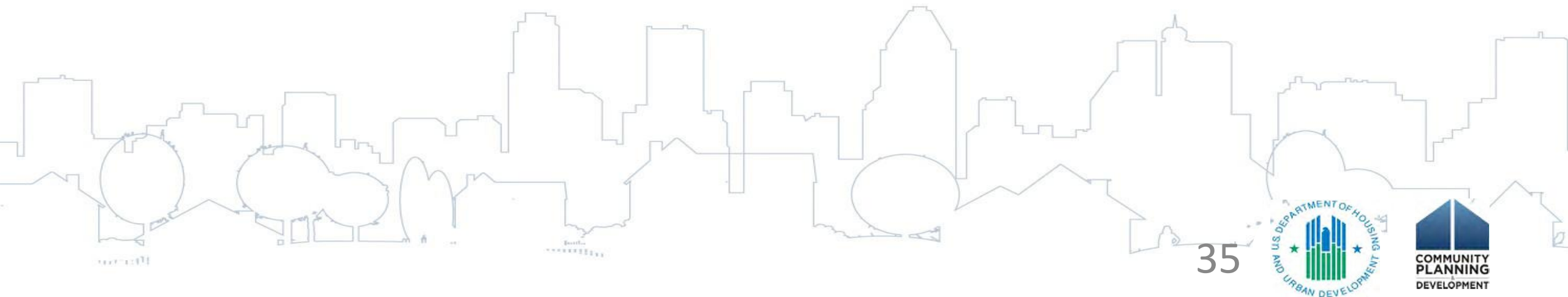
**Home.** Because we know that the only true end to homelessness is a safe and stable place to call home.

**Together.** Because the causes of homelessness are complex, and the solutions are going to take all of us working together, doing our parts, strengthening our communities.

Addressing and ending homelessness will take all of us sharing our knowledge and resources.

[Home Together](#)

# Community Examples



# Communities Doing It

## Boise, ID

- Data imported directly into HMIS
- Discussions with each HMIS-participating organization about proposed privacy policy updates – listened to concerns, talked through internal procedures

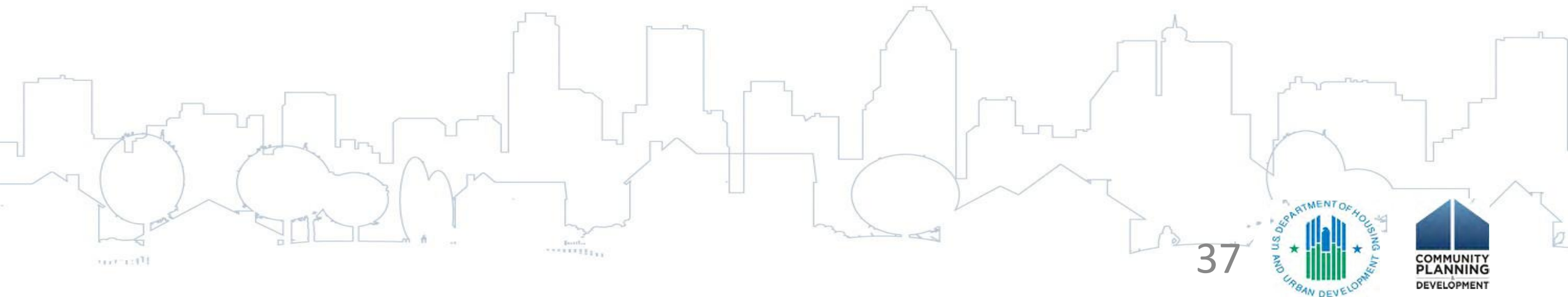
## Alaska

- Updated Privacy Governance for the statewide HMIS implementation and Coordinated Entry systems
- DUAs for Pay for Success data matching

## Allegheny County Data Warehouse

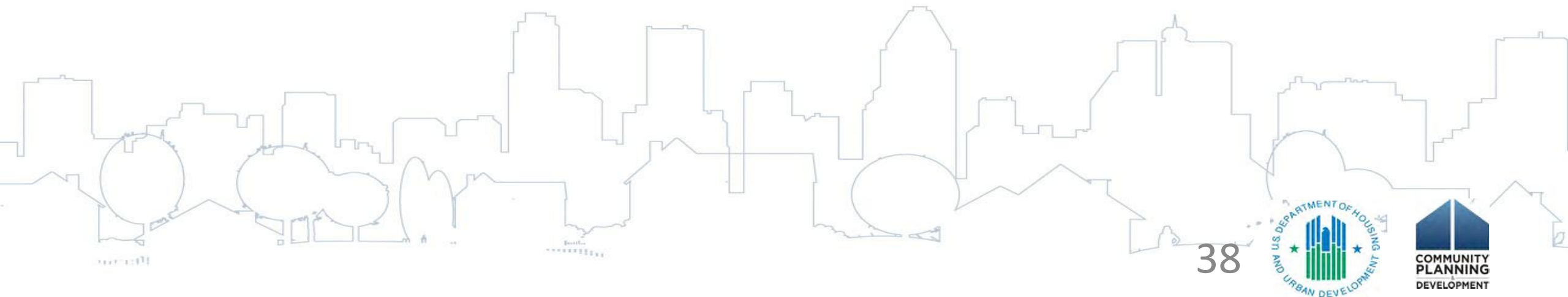
- Robust data warehouse including varied data sets

# Conclusion

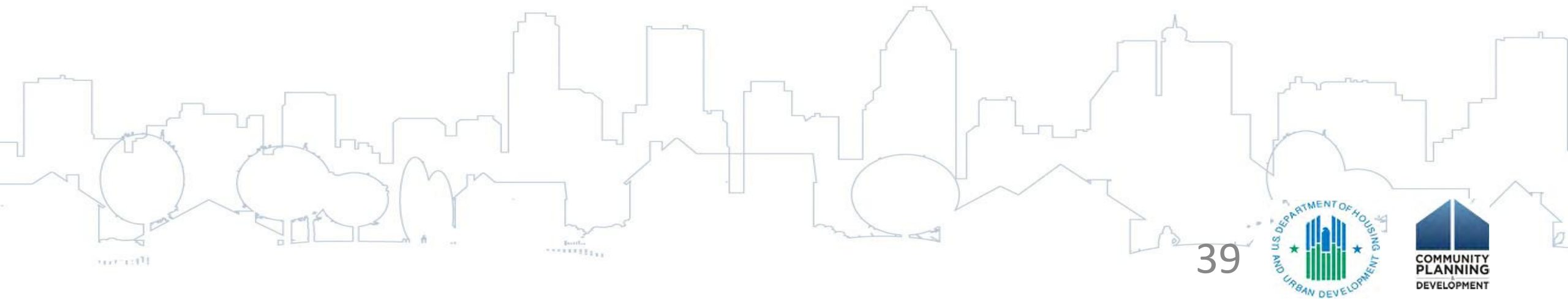


# Discussion

Tell us one thing you took away from this session that you will implement or think about implementing related to data sharing when you go back to your community



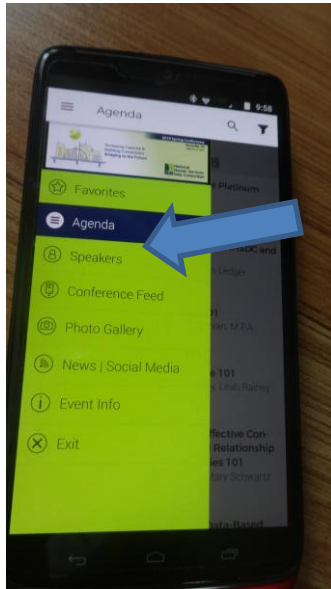
# Q&A



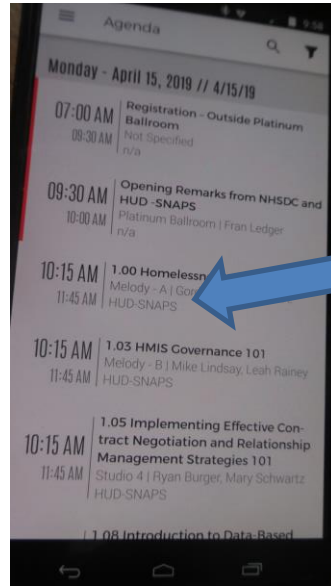


# Evaluate This Session on Your Conference App! (It takes 5 minutes to complete)

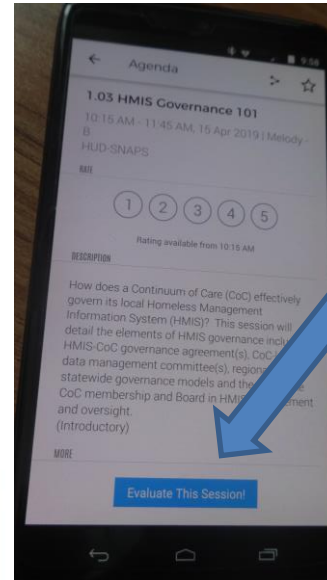
1) Select “Agenda” from the navigation menu.



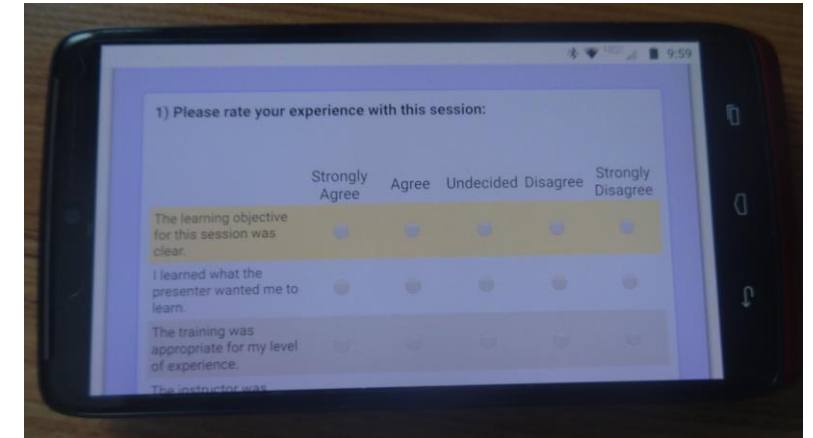
2) Select the name of the session.



3) Select the blue “Evaluate This Session”.



4) Complete the Evaluation and Select “Finish”.



**TIP:**  
**Turn your phone horizontally to see rating options.**



# Thank you!

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