

PRIVACY AND CONFIDENTIALITY STANDARDS FOR A HOMELESS MANAGEMENT INFORMATION SYSTEM (“HMIS”)

An HMIS is a computer data system that collects information about individuals and families who use homeless housing and service systems. How can both service agencies and homeless individuals know that “protected personal information” (PPI) will be kept confidential?

Baseline standards are in place to ensure that data is kept private and confidential, that the client’s personal information is protected and the client is informed of how the data is used.

DATA CAN BE COLLECTED FROM A CLIENT IF:

- You **inform** the client the reasons why the data is being collected
- You obtain the **client’s consent** (written or oral) to gather this information and explain how it will be used
- Your agency has (or develops) a **written privacy notice** that describes the purpose of the data collection, the types of data to be collected (per HUD’s standards). The privacy notice should describe:
 - **how** the data will be used
 - **when** confidential information may be disclosed and
 - you **must make available this written privacy notice upon request to clients** who request it (the privacy notice must also mention that it can be amended)
- Your agency requires all **staff members to sign a confidentiality agreement**, stating that he/she will comply with the privacy notice
- Your agency develops a **complaint procedure** for accepting and considering client complaints about privacy and security policies and practices
- Your intake station(s) has a **sign posted** that explains (briefly) why the data is being collected
- Your agency must have a **plan to dispose of personal information 7 years after it was created or last changed**, unless the data is still currently being used

DATA MAY BE DISCLOSED WHEN:

- The **client consents** OR
- Disclosure is necessary
 - To **provide or coordinate services**
 - For **payment or reimbursement** for services
 - For **agency administrative functions** (such as grant reporting)
 - Where **required by law**
 - To **avert a serious threat to health or safety**
 - To **report abuse, neglect, or domestic violence**
 - For certain **law enforcement purposes**
 - In order to **create de-identified data** for the HMIS
 - To provide **aggregate data for researchers and public policy decision makers**

CLIENTS SHOULD BE ABLE TO ACCESS THEIR OWN DATA:

- **Upon request**, to **inspect** their own data record, to **request a correction/addition/deletion** to the data record, and to **have a paper copy** of their data record
- Unless **denial of access** is:
 - To **protect the personal information of another** person;
 - To **protect another confidentiality promise**;
 - To **protect the life or safety of anyone**; OR
 - **In anticipation of litigation**