

Northeast Florida CoC

December 8, 2022

WELCOME
CoC Members!



Collaborative Applicant & HMIS Update

Funding Updates |



Collaborative Applicant & HMIS Update

2023 Point In Time Count |

- Wednesday, January 25th
- Sheltered and Unsheltered

Counting Us Application

- Volunteer signup
- Survey

Mandatory Training – *must attend one*

- ✓ Monday, January 9th - Virtual
- ✓ Tuesday, January 10th - Virtual
- ✓ Wednesday, January 11th – In-person
- ✓ Thursday, January 12th – General Membership, Virtual
- ✓ Friday, January 13th – In-person
- ✓ Saturday, January 14th – Virtual



HMIS Annual Training

Why Data Privacy and Security?

Collecting and sharing personal info

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Key Rules, Regulations, and Privacy Fundamentals

- **HUD HMIS Data Technical Standards**
 - Establishes standards for collecting, using, and disclosing data in HMIS
- **Health Insurance Portability and Accountability Act (HIPAA)**
 - Governs how health care providers, health care clearinghouses, and health plans 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
- **Violence Against Women Act (VAWA), Family Violence Prevention Services Act (FVPSA), and Victims of Crime Act (VOCA)**
 - VAWA contains strong, legally codified confidentiality provisions that limit Victim Service Providers from sharing, disclosing, or revealing personally identifying information (PII) into shared databases like HMIS
- **State and local privacy laws**
 - May place additional restrictions on sharing, using, or disclosing data
 - When privacy laws conflict, use the more restrictive law and the higher standard

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Data Privacy Requirements

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.

At a minimum the CoC's privacy standards should be communicated through two primary methods:

1. CoC's Coordinated Entry Policies and Procedures; and
2. Privacy Notice, which includes:
 - Description of participant rights,
 - Participant options*,
 - Provider's responsibilities to protect PII, and
 - How the provider will use and disclose the participant's information

*Reminder: CoCs are prohibited from denying services to participants if they refuse their data to be shared, unless federal statute requires so as a condition of program participation (HUD Coordinated Entry Notice: Sections II.B.12.c and II.B.13)

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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 participant consent
 - In these required instances, participants may refuse to provide the information and still receive services, but the provider must ask
- In all circumstances, providers should make data collection transparent by providing participants with a written copy of the privacy notice

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...”

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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 and disclosures are either:

- **Required** e.g., providing a copy
- **Permitted** to provide services, reporting to funders, etc., or
- **Prohibited** by other federal, state or local law (e.g. VAWA)

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

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Data Uses and Disclosures

HUD gives providers the authority for the following uses and disclosures without needing to obtain participant consent as long as they are clearly articulated in the Privacy Notice.

- 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

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Data Uses and Disclosures

Providers are also allowed (in some cases required) to disclose information in the following ways without participant consent, as long as they are clearly documented in the privacy notice.

- 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
- Uses and disclosures for law enforcement purposes

Important: Uses and disclosures not listed in the privacy notice require the participant's consent.

- You must have a sign indicating that you collect data and enter it into HMIS (or a comparable database if required)
- Participants may refuse to give PII and still receive services

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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

**Best practice is to provide a copy of the Privacy Notice and verbally explain it in plain language to all participants*

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Domestic violence providers are prohibited from entering PII into HMIS, and must use a comparable database

This database must be comparable to HMIS in its capacity to support HUD privacy and security requirements and at a minimum, meet Data Standards requirements and produce HUD required reporting files.

Privacy and Security Grievances: Establishing procedures for accepting and considering questions or complaints about its privacy and security policies and practices.

Requiring each member of its staff (including employees, volunteers, affiliates, contractors and associates) to sign a confidentiality agreement that acknowledges receipt of a copy of the privacy notice and that pledges to comply with the privacy notice.

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Data Security

- ClientTrack is in constant communication with the HUD office and meets all the standards and requirements for data security.
- HMIS team sends out a security check-list to new agencies at the time of project set-up

Physical Workstation Security

- Access to workstations must be controlled and monitored
 - If not continuously staffed must be secured
- Workstation username and password
- Password protected locking screen saver
- Stored in a secure location- locked office area

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Events & Announcements

What's new with YOU?

Events & Announcements



PLEASE JOIN US FOR OUR

Memorial Service

FOR THOSE WHO HAVE PASSED WHILE EXPERIENCING
HOMELESSNESS IN 2022

RSVP by Friday, 12/16

Wednesday, December 21st, 2022
8:30 AM - 10:30 AM
In-Person Event

City Rescue Mission
426 McDuff Ave S



MAKE *CHANGE* HAPPEN

Volunteers Needed!



PLEASE CONTACT DANA GAINES:
(904) 301-4852

November 26th - December 24th

Register online.
<https://www.registertoring.com/>

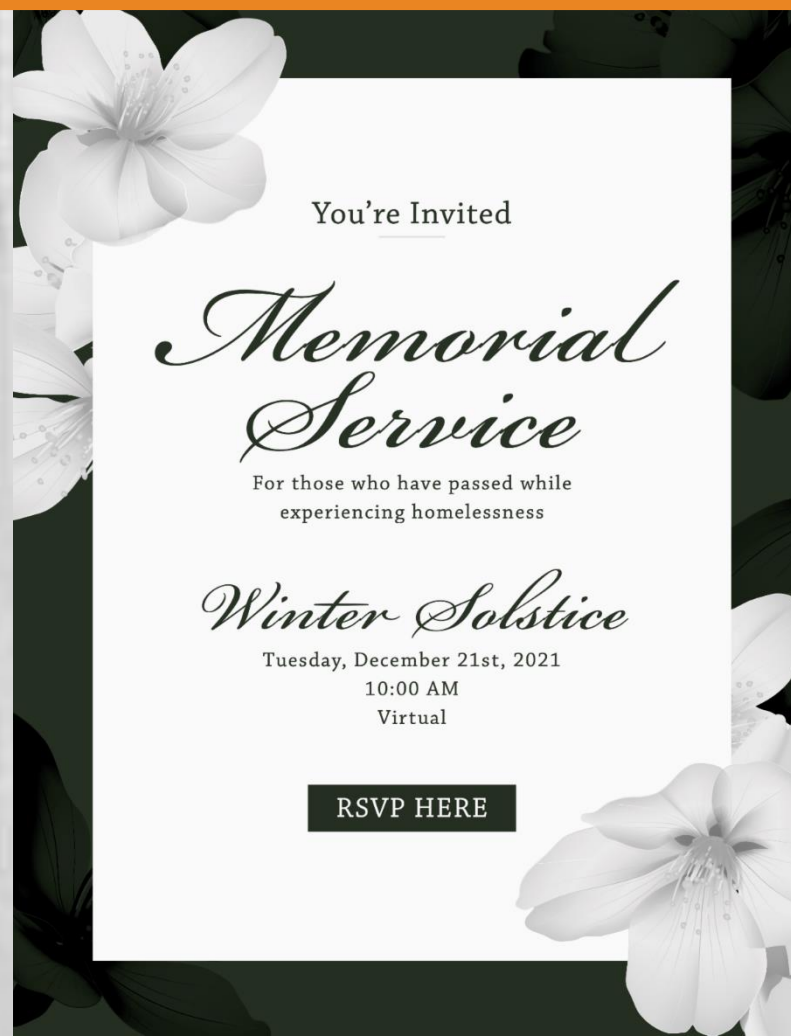
The Salvation Army of
Northeast Florida
Volunteers Needed
Nov. 26th - Dec. 24th
[Learn More](#)

Events & Announcements



Family Support Services of Duval &
Nassau Counties
Be An Angel
Until December 9th
[Learn More](https://www.beanangeljax.org)

Events & Announcements



Thank you!

Dawn Gilman, CEO

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