



**ERIE COUNTY CONTINUUM OF CARE
HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)
MANAGED BY: ERIE COUNTY DEPARTMENT OF HUMAN SERVICES**

PRIVACY NOTICE TO CONSUMER

The HMIS was developed by the United States Department of Housing and Urban Development (HUD) to meet a federal law. Congress passed this law to obtain a more accurate count of individuals who are experiencing homelessness and to identify the need for and use of different services by those individuals and families. The Erie County Department of Human Services (**ECDHS**) is the lead agency in administering this system for Erie city and county, known as **HMIS-Erie**.

Many agencies in this area use HMIS-ERIE to keep computerized case records about those experiencing homelessness. Most agencies share information with other HMIS-ERIE participating agencies. The information entered by participating providers includes: basic identifying demographic data (e.g., name, birth date, gender); the nature of the client's situation (e.g. living situation); information used to determine program eligibility (e.g. disability type) and the services and referrals received from the participating agency.

Participating agencies collect personal information directly from you for reasons that are discussed in their privacy notice. They may be required to collect some personal information by law or by the organizations that give money to operate their program. The personal information that is collected is important to run programs, to improve services, and to better understand the needs of persons experiencing homelessness. Agencies only collect information that they consider to be appropriate and accurate. The collection and use of all personal information is guided by strict standards of confidentiality.

Maintaining the privacy and safety of those whose records reside in HMIS-Erie and the agencies who use HMIS-Erie is very important to us. Information gathered about each client and each agency is personal and private. Agencies collect information only when appropriate to provide services, manage their organization and the HMIS-Erie, or as required by law. The ownership of all records contained within the HMIS-Erie is retained by the organization/agency that collected and entered or updated the client's information.

CONFIDENTIALITY RIGHTS

Each participating agency (and ECDHS) is required to have a confidentiality policy that has been approved by its Board of Directors. Agencies are also required to ensure each employee who uses HMIS-Erie is trained in privacy and confidentiality prior to using HMIS-Erie. ECDHS operates HMIS-Erie in accordance with HUD HMIS regulations including those covering the programs that receive HUD funding for homeless services (Federal Register/Vol. 76, No. 237). ECDHS also operates HMIS-Erie in compliance with confidentiality laws and regulations including the Health Insurance Portability and Accountability (HIPAA) privacy and security rules governing personal health information (e.g. diagnosis, treatment, mental health, drug or alcohol, HIV/AIDS conditions); federal and state domestic violence laws, federal and state drug and alcohol laws (e.g. 42 CFR Part 2), and federal and state infectious disease laws.

ECDHS and all participating agencies are restricted to using or disclosing personal information from the HMIS-Erie to the following circumstances:

- Providing or coordinating services to an individual
- Determine client eligibility and prioritization for housing
- Creating de-identified client records from PII (Personally Identifying Information)
- Payment or reimbursement for services
- Assisting agencies/organizations to operate HMIS-Erie
- Development of reports to improve the planning of services
- Administrative functions (e.g. legal, audit, personnel, oversight and management functions)
- Develop databases used for research (all personally identifying information is removed)
- Support contractual research where privacy conditions are met
- Other funding requirements for homeless services
- Disclosure required by law (e.g. medical emergency; report a crime against agency staff person; avert a serious threat to health or safety of self or others)

YOUR INFORMATION RIGHTS

All requests for client personally identifying information located in HMIS-Erie are routed to the agency/organization that collected and entered or updated the information. ECDHS' sole role regarding HMIS-Erie is administrative and no client data is owned by ECDHS.

ECDHS may not disclose your personally identifying information located in HMIS-Erie except as required by law or to assist a participating agency/organization to use HMIS-Erie.

ECDHS may not publish reports on client data that identifies specific agencies without prior written agency permission or that identifies specific persons without prior written client permission. Public reports otherwise published will be limited to the presentation of aggregated data that does not disclose any personally identifying information.

Please contact the agency or organization to whom you gave your personal information to:

- Access or see your record
- Correct your record
- Request that your record be shared with another person or organization
- Terminate or withdraw consent to release information
- File a grievance if you feel that your rights have been violated

PLEASE NOTE: You have the right to refuse to share your information between participating agencies. You cannot be denied services that you otherwise qualify for if you refuse to share information. If you refuse this permission, information will still be entered into HMIS-Erie for funding and statistical purposes, but your information will only be seen by the agency you gave the information to and ECDHS, which operates the database.

Please feel free to contact us if you feel that your information rights have been violated. Please include your contact information so that we can respond in writing within 7 working days of receiving your written correspondence. Address your written correspondence to:

Erie County DHS MH/ID
Attention: HMIS System Administrator
154 West 9th Street
Erie, PA 16501

HOW YOUR INFORMATION WILL BE KEPT SECURE

Protecting the confidentiality of individuals receiving homeless services and keeping those records safe and private is of paramount importance. Through training, policies and procedures, and technology, ECDHS-Erie has taken steps to make sure your information is kept safe and secure including:

- Using a computer program that has the highest degree of security protection available
- Only trained and authorized individuals can enter the HMIS-Erie and view your personal information
- Any reports generated by HMIS-Erie to local, state or federal agencies will not contain names and other personally identifying information
- Agencies ensure all staff receive training in privacy protection and agree to follow strict confidentiality standards before using HMIS-Erie
- Server/database only allows authorized individuals access to the information and only those who have a “need to know” can see certain information
- Server/database communicates using encryption – technology to keep information private while the data is transported back and forth across the Internet; furthermore, identifying data stored on the server is also coded (or encrypted) so that it cannot be recognized
- Server/database exists behind a firewall (to keep hackers or crackers or viruses, etc. away from the server)
- Main database is kept physically secure; only authorized personnel have access to server or database
- System Administrators employed by the ECDHS support the daily operation of the database. Administration of the database is governed by agreements that limit the use of personally identifying information to providing administrative support and generating reports using aggregated information. These agreements further ensure the confidentiality of your personal information.

BENEFITS OF HMIS-ERIE AND AGENCY INFORMATION SHARING

Information that you provide to agencies using HMIS-Erie play an important role in designing the most effective homeless system that will provide the needed services that you and others in our community are requesting. Allowing HMIS-Erie providers to share your personally identifying information results in a more accurate count of homeless individuals and the services they use. This information helps ECDHS and other agencies to do the following:

- Better document the need for homeless services and the specific types of assistance needed in this area
- Obtain more funds and other resources to provide services

- Plan and deliver quality services to you and your family
- Assist agencies to improve their work with individuals and families experiencing homelessness
- Keep required statistics for state and federal funders (e.g. HUD).
- Improve the efficiency of referrals between agencies
- Avoid having to repeat information to get assistance from other agencies

Questions and risks you should consider before deciding whether and what type of information to share include:

- You feel uncomfortable having other agencies see your name or other information.
- You are concerned because you know somebody who works for an agency using HMIS- ERIE.
- There may be physical harm or other negative consequences to you or members of your family if someone found out you sought help, particularly if you or your children have experienced domestic violence, sexual assault, stalking, or child abuse.

PRIVACY NOTICE AMENDMENTS. The policies covered under this Privacy Notice may be amended over time and those amendments may affect information obtained by the agency before the date of the change. All amendments to the Privacy Notice must be consistent with the requirements of federal and state laws and regulations that protect the privacy of clients and guide HMIS implementation and operation.