Michigan Coalition Against Homelessness (MCAH)

Michigan State Homeless Management Information System

(MSHMIS)

Privacy Notice to Consumers

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Privacy Notice

The MSHMIS was developed to meet a data collection requirement made by the United States Congress to the Department of Housing and Urban Development (HUD). Congress passed this requirement in order to get a more accurate count of individuals who are homeless and to identify the need for and use of different services by those individuals and families. The Michigan Coalition Against Homelessness (MCAH) was hired to administer the MSHMIS.

Many agencies in this area use the MSHMIS to keep computerized case records. Some, only with client permission, share information with other MSHMIS participating agencies. The information entered by participating providers and shared with client consent includes: basic identifying demographic data (e.g., name, birth date, gender), the nature of the client's situation, 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. Other personal information that is collected is important to run programs, to improve services, and to better understand consumer needs. They 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 MSHMIS and the agency's who use MSHMIS is very important to us. Information gathered about each client and each agency is personal and private. We collect information only when appropriate to provide services, manage our organization and the Database, or as required by law. The ownership of all records contained within the MSHMIS is retained by the organization/agency that collected and entered or updated the client's information.

CONFIDENTIALITY RIGHTS

Each participating agency as well as MCAH is required to have a confidentiality policy that has been approved by its Board of Directors. MCAH operates MSHMIS in accordance with HUD and HIPAA confidentiality regulations including those covering programs that receive HUD funding for homeless services (Federal Register/Vol. 69, No. 146), and those covered under the HIPAA privacy and security rules which govern confidential health information such as the diagnosis, treatment, of a mental health disorder, a drug or alcohol disorder, and AIDS/HIV condition or a domestic violence situation. Other rules that may also apply include 42 CFR Part 2 governing drug and alcohol records, and a variety of the State of Michigan Confidentiality Statutes including the Social Security Number Privacy Act, Michigan Public Act 454, March 2005.

MCAH is restricted to using or disclosing personal information from the MSHMIS to the following circumstances:

- For functions related to payment or reimbursement for services.
- For functions related to the helping agencies/organizations operate the System.
- For functions related to the development of reports to better plan services.
- To carry out administrative functions including but not limited to legal, audit, personnel, planning, oversight and management functions;
- To develop databases used for research, where all identifying information has been removed.
- To support contractual research where privacy conditions are met with an approved IRB.
- Where a disclosure is required by law and disclosure complies with and is limited to the requirements of the law. Instances where this might occur are during a medical emergency, to report a crime against staff of the agency, or to avert a serious threat to health or safety.

YOUR INFORMATION RIGHTS

All requests for client personal information located within MSHMIS will be routed to the agency/organization that collected and entered or updated the information. MCAH's sole role in MSHMIS is administrative and no client data is entered or owned by MCAH.

MCAH may not disclose your personal protected information located within the MSHMIS except as required by law or to help the participating agency/organization that collected/entered/updated the information operate the System.

MCAH may not publish reports on client data that identifies specific agencies or persons without prior written agency and, where necessary, client permission. Public reports otherwise published will be limited to the presentation of aggregated data that does not disclose personal identifying information.

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

- ***Access or see your record.***
- ***Correction of your record***
- ***To request that your record by shared with another person or organization.***
- ***To terminate or withdraw a consent to release information.***
- ***To file a grievance if you feel that your rights have been violated.***

Please note that you have the right to refuse consent to share your information between participating agencies. You cannot be denied services that you would otherwise qualify for if you refuse to share information. Please note that if you refuse this permission, information will still be entered into the system for statistical purposes, but your information will be closed so that only that agency you gave the information to and System Administrators operating the Database may see your information.

Please feel free to contact us if you feel that your information rights have been violated. Please address your written communication to Eric Hufnagel, Executive Director, Michigan Coalition Against Homelessness at 15851 Old US 27, Bldg 30, Ste 315, Lansing MI, 48901. Please include your contact information. We will respond in writing within 7 working days of the receipt of your letter.

HOW YOUR INFORMATION WILL BE KEPT SECURE

Protecting the safety and privacy of individuals receiving services and the confidentiality of their records is of paramount importance to us. Through training, policies and procedures, and software we have done several things to make sure your information is kept safe and secure:

- The computer program we use has the highest degree of security protection available.
- Only trained and authorized individuals will enter or view your personal information.
- Your name and other identifying information will **not** be contained in MSHMIS reports that are issued to local, state, or national agencies.
- Employees receive training in privacy protection and agree to follow strict confidentiality standards before using the system.
- The server/database/software only allows authorized individuals access to the information. Only those who should see certain information will be allowed to see that information.
- The server/database will communicate using 128-bit encryption – an Internet technology intended to keep information private while it is transported back and forth across the Internet. Furthermore, identifying data stored on the server is also encrypted or coded so that it cannot be recognized.
- The server/database exists behind a firewall – a device meant to keep hackers/crackers/viruses/etc. away from the server.
- The main database will be kept physically secure, meaning only authorized personnel will have access to the server / database.
- System Administrators employed by The Michigan Coalition Against Homelessness and a local Lead Agency support the daily operation of the database. Administration of the database is governed by agreements that limit the use of personal information to providing administrative support and generating reports using aggregated information. These agreements further insure the confidentiality of your personal information.

BENEFITS OF MSHMIS AND AGENCY INFORMATION SHARING

Information you provide us can play an important role in our ability and the ability of other agencies to continue to provide the services that you and others in our community are requesting.

Allowing us to share your real name, even in the absence of other information, results in a more accurate count of individuals and the services they use. The security system is designed to create a code that will protect your identity on the system. A more accurate count is important because it can help us and other agencies:

- Better demonstrate the need for services and the specific types of assistance needed in our area.

- Obtain more money and other resources to provide services.
- Plan and deliver quality services to you and your family.
- Assist the agency to improve its work with families and individuals who are homeless.
- Keep required statistics for state and federal funders (such as HUD).

You may choose to agree to share additional information with one or more MSHMIS participating agency in order to:

- Promote coordination of services so your needs are better met.
- Make referrals easier by reducing paperwork.
- Avoid having to repeat as much information to get assistance from other agencies.

RISKS IN SHARING INFORMATION

While the MSHMIS system was designed to promote better services for those who are homeless or might become homelessness, there are risks that may lead some individuals to choose to do one or more of the following:

- Allow only your name, gender, year of birth, veteran status, and partial social security number (optional) to be shared with all participating agencies. All other information, including your date of birth, full SS#, where you are being served and your particular situation, are kept confidential or shared with only select agencies.
- Allow some statistical or demographic information to be shared with select other agencies, but do not allow other more personal data such as health, mental health, drug/alcohol use history or domestic violence information to be shared.
- Close all information including identifying information from all sharing. Only the agency that collects the information and System Administrative staff may see the information.
- Use an un-named or anonymous client ID so that your name is not included on the database, even within the agency that is serving you or for MCAH as database administrator.

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 MSHMIS.
- 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 the Federal Standards that protect the privacy of consumers and guide HMIS implementation and operation.