

Common Ground Community Privacy Notice

Effective July 1, 2008 – Last updated 5/21/09

Version 1.1

This policy describes Common Ground privacy practices for safeguarding residents' confidential information.

- This policy is designed to protect the privacy rights of residents when Common Ground uses, obtains or discloses information.
- We may amend this notice and change our policy or practices at any time. Amendments may apply to personal information that we obtained before the effective date of the amendment.
- We collect personal information only when appropriate.
- We may use or disclose your information to provide you with services.
- We may also use or disclose it to comply with legal and other obligations.
- We assume that you agree to allow us to collect information and to use or disclose it as described in this notice.
- You can inspect protected personal information about you that we maintain for the purposes of reporting to HMIS and can also ask us to correct inaccurate or incomplete information.
- You can ask us about our privacy policy or practices.
- We give a written copy of this privacy notice to any individual who asks.
- We maintain a copy of this policy on our website at www.commonground.org
- We adopted this policy based on standards for Homeless Management Information Systems mandated by the Department of Housing and Urban Development. We intend our policy and practices to be consistent with those standards. See 69 Federal Register 45888 (July 30, 2004).

This notice describes the privacy policy and practices of Common Ground Community. Our main office is at 505 8th Avenue. Our website is www.commonground.org. Our main number is 212-389-9300.

Definitions

Confidential Information: Information that is protected by state or federal laws, including information about residents that is not available to the public without legal authority.

HIPAA: The Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d et seq.

HMIS: Homeless Management Information System – a web based computer system maintained by the City of New York that collects protected personal information and to which Common Ground must report information on residents in programs funded by HUD.

HUD: The US Department of Housing and Urban Development.

HUD Funded Programs: The following Common Ground housing units are funded through HUD

- The Prince George – units with the Section 8 Mod Rehab rental subsidy
- The Christopher – units with the Section 8 Mod Rehab rental subsidy
- Schermerhorn House – units with the Shelter + Care rental subsidy
- The Andrews – all units
- CI program – units occupied by residents with a rental subsidy through the HHAA Program

Protected Personal Information: Protected personal information means demographic or financial information about a particular resident that can be used to directly or indirectly identify an individual. This may include information such as name, address, social security number, income, education and housing information. Before we make any use or disclosure of your personal information that is not described here, we will seek your consent first.

Privacy Policy: Common Ground policy developed to comply with City, State and Federal privacy requirements. Common Ground staff are responsible for implementing and managing this policy.

Resident: A person who resides in a Common Ground partner agency.

Resident Confidential Information: Personal information that identifies a resident, including protected health information, and that state or federal laws protect from improper disclosure or use.

How and Why We Collect Personal Information

- We collect personal information only when appropriate to provide services or for another specific purpose of our organization or when required by law. We may collect information for these purposes:
 - to provide or coordinate services to residents
 - for functions related to payment or reimbursement from others for services that we provide
 - to operate our organization, including administrative functions such as legal, audits, personnel, oversight, and management functions

- to comply with government reporting obligations
- when required by law
- We only use lawful and fair means to collect personal information.
- We normally collect personal information with the knowledge or consent of our residents. If you seek our assistance and provide us with personal information, we assume that you consent to the collection of information as described in this notice.
- We may also get information about you from:
 - Individuals who are with you.
 - Other private organizations that provide services as well as referring agencies such as NYC Contracted Outreach teams and transitional housing providers
 - Government agencies including but not limited to the Veteran's Administration, the NYC Department of Homeless Services, the NYC Department of Health and Mental Hygiene, the NYC Human Resources Administration and the NYC HIV and AIDS Services Administration.
 - Telephone directories and other published sources.
 - Non profit agencies that we partner with including the Center for Urban Community Services, The Actors' Fund of America and Good Shepherd Services
 - Resident approved background checks.
- We post a sign at our intake desk or other location explaining the reasons we ask for personal information. The sign says:

We collect personal information directly from you for reasons that are discussed in our privacy statement. We may be required to collect some personal information by law or by organizations that give us money to operate this program. Other personal information that we collect is important to run our programs, to improve services for homeless individuals, and to better understand the need of homeless individuals. We only collect information that we consider to be appropriate.
- We may share resident records with other organizations that may have separate privacy policies and that may allow different uses and disclosures of the information. We have various partners at each of our programs. A list of these organizations is available at your Building/Program Director's office.

Resident's Rights

Residents have the following rights:

- Residents' privacy rights are posted in each location in which the HMIS is in place.

- Residents can ask their building/program director whether they are in a HUD funded program/unit.
- Residents have the right to revoke permission for personal identifying information to be entered or shared through HMIS. Residents must notify Common Ground in writing of denial or revocation of data entry and sharing. This written notification should be submitted to their Program Director.
- Residents wishing to view their Personal Private Information must submit a request in writing to the Program Director. The Director must provide the information within 10 days of receipt of the request.
- Residents wishing to view their record for information other than Personal Private Information should contact their case manager.
- Residents wishing to correct inaccurate or incomplete Personal Private Information that we maintain must submit a written request to their Program Director. If we agree that the information is inaccurate or incomplete, we may delete it or we may choose to mark it as inaccurate or incomplete and to supplement it with additional information.

Roles and Responsibilities

1. Common Ground agrees to not use or disclose any identified Resident information other than as permitted or required by law.
2. Common Ground agrees to use appropriate safeguards to prevent use or disclosure of any identified Resident information other than as required by law.
3. Common Ground agrees to ensure that any agent, including a subcontractor, to whom it provides identified Resident information received from, or created or received by Common Ground on behalf of Agency agrees to the same restrictions and conditions that apply through the Agency Participation Agreement to Common Ground with respect to such information.

Policy

Safeguarding the Confidentiality of Resident Information

Common Ground staff must safeguard resident confidential information. This includes demographic, financial, eligibility, and protected health information collected, used and stored by Common Ground. Staff must properly safeguard confidential information of past, present and prospective residents from inappropriate use and disclosure.

Resident's protected personal information and resident confidential information cannot be shared with partner agencies without written approval by the resident.

Background Check

All Common Ground staff that access resident confidential and protected personal information must undergo a background check.

Retention of Documentation

Common Ground retains the following documentation:

1. Privacy policies and procedures
2. Any written requests or documentation of action or activity relating to residents exercising their privacy rights
3. Privacy complaints and their disposition

Privacy Complaints

4. We accept and consider questions or complaints about our privacy and security policies and practices. Residents can file complaints in writing to:

Director, Support Services, Housing Operations
Common Ground
505 8th Avenue, 12th Floor
New York, NY 10018

5. All members of our staff are required to comply with this privacy notice.

Corrective/Disciplinary Action for Violations

Common Ground staff found to be in violation of Common Ground policies and procedures relating to confidentiality of any resident information may receive corrective or disciplinary action, up to and including dismissal.

Actions Prohibited Against Those Reporting Privacy Violations

Common Ground staff is prohibited from intimidating, threatening, coercing, discriminating against or taking any other retaliatory action toward a resident based on their filing of a privacy complaint. In addition, Common Ground may not require residents to waive their right to file a privacy complaint as a condition of receiving services.

Privacy Notice Change History

Version 1.0. July 1, 2008. Initial Policy

Version 1.1 May 21, 2009 Revised formatting of document, no substantive changes to policy.