



COMMON GROUND
HMIS POLICIES & PROCEDURES

TABLE OF CONTENTS

Summary	3
Definitions	4
How and Why Common Ground Collects Personal Information	6
Residents' Rights	7
Roles and Responsibilities	7
Safeguarding the Confidentiality of Resident Information	8
Staff Training	10

SUMMARY

Common Ground staff will comply, to the best of their ability, with both the policies and procedures of their organization and those of the NYC CCoC HMIS. As guardians entrusted with personal data, Common Ground users have a moral and a legal obligation to ensure that the data they collect is being collected, accessed and used appropriately, as well as a duty to protect client information. It is also the responsibility of each user to ensure that client data is only used to the ends to which it was collected. Proper user training, adherence to the NYC CCoC Policies and Procedures Manual, and a clear understanding of client confidentiality are vital to achieving these goals.

DEFINITIONS

CoC: Continuum of Care

CHO: Contributing HMIS Organization

CHO HMIS Administrator: A single point-of-contact established by each CHO who is responsible for day-to-day operation of the CHO data collection system.

CHO Security Contact: A single point-of-contact established by each CHLO who is responsible for annually certifying that the CHLO adheres to the Security Plan.

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.

Data Warehouse: The CoC has selected a single product – Foothold Technology Services (FTS)—to serve as the sole HMIS Data Warehouse for the CoC.

CHO End User: An employee, volunteer, affiliate, associate, or any other individual acting on behalf of a CHLO or an HMIS Lead Agency who uses or uploads data in project-level HMIS-compliant system from which data are periodically uploaded to the HMIS Data Warehouse.

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.

HMIS Lead Agency (HMIS Lead): The entity—NYC Department of Homeless Services (DHS)—designated by the CoC to operate the HMIS Project in accordance with HUD standards.

HMIS Project: The system comprising the Data Warehouse, CHO's, project-level HMIS-compliant systems, and the policies and procedures that govern the relationship between these entities.

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

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
- The Schermerhorn – units with the Shelter + Care rental subsidy
- The Times Square – units with the Shelter + Care rental subsidy
- The Brook— units with the Shelter + Care rental subsidy
- The Lee—units with the Shelter + Care rental subsidy
- Scatter Site CI program – units occupied by residents with a rental subsidy through the HHAA Program

** Please note that per the request of the New York City Department of Homeless Services, Common Ground also provides HMIS data for:*

- The Hegeman—NYYNY units
- The Domenech—NYYNY units

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 Common Ground makes any use or disclosure of your personal information that is not described here, Common Ground will seek your consent first.

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

Resident: A person who resides in Common Ground controlled housing.

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 Common Ground Collects Personal Information

- Common Ground collects personal information only when appropriate to provide services or for another specific purpose of our organization or when required by law. Common Ground 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 Common Ground provides
 - 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
- Only lawful and fair means are used to collect personal information.
- Personal information is collected with the knowledge or consent of our residents. If you seek our assistance and provide us with personal information, Common Ground assumes that you consent to the collection of information as described in this p.
- Personal information is also collected from:
 - Non-profit agencies that Common Ground partners with including the Center for Urban Community Services, The Actors' Fund of America and Good Shepherd Services.
 - 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.
 - Resident approved background checks.
- Notices are at our intake desk or other locations explaining the reasons why we ask for personal information. The sign states:

Common Ground collects personal information directly from you for reasons that are discussed in our privacy statement. Common Ground 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 Common Ground collects is important to run our programs, to improve services for homeless individuals, and to better understand the needs of homeless individuals. Common Ground only collects information that Common Ground considers to be appropriate.
- Common Ground may share a resident's record with other organizations that may have separate privacy policies and that may allow different uses and disclosures of the information. Common Ground has various partners at each of our programs. A list of these organizations is available at your Building/Program Director's office.

Residents' Rights

Residents have the following rights:

- Residents' privacy rights are posted at each location where the HMIS is being implemented.
- 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 upon the 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 Common Ground maintains must submit a written request to their Program Director. If Common Ground agrees that the information is inaccurate or incomplete, Common Ground may delete it or Common Ground 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.

CHO HMIS Administrator duties include, but are not limited to:

- Providing a single point of communication between the end users and the HMIS Lead around HMIS issues
- Ensuring the stability of the CHO connection to the internet and the data warehouse, either directly or in communication with other technical professionals
- Training CHO end-users in CHO data collection, security and privacy policies and procedures, and assuring end users receive any requisite training provided by HMIS Lead for end users
- Providing support for the generation of CHO reports
- Managing CHO user licenses

- Monitoring compliance with standards of client confidentiality and data collection, entry, and retrieval
- Participating in CHO HMIS Administrators training and regular meetings

CHO Security Contact duties include, but are not limited to:

- Annually review the Security Certification Checklist document, test the CHO security practices for compliance, and work with appropriate vendors (where applicable) to confirm security compliance of the project-level HMIS-compliant system.
- Using this Security Certification Checklist document, certify that the CHO adheres to the Security Plan or provide a plan for remediation of non-compliant systems, including milestones to demonstrate elimination of the shortfall over time.
- Communicate any security questions, requests, or security breaches to the DHS System Administrator and Security Officer.
- Communicate security-related HMIS information to the organization's End Users.
- Complete security training offered by the HMIS Lead.
- Additional duties specified in the HMIS Participation Agreement.

Safeguarding the Confidentiality of Resident Information

Common Ground staff must safeguard residents' 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 (will not) be shared with partner agencies without written approval by the resident.

Computer Usage

To further enhance the confidentiality of resident information, Common Ground staff must adhere to the below computer user responsibilities:

1. User ID and Password must never be shared and that reasonable precautions must be taken to physically keep passwords secured.
2. No one else other than the user must know the password or access the confidential information system.
3. Only individuals who are authorized to view information in the system will be permitted to use, obtain, disclose or use the database information that is necessary to perform their jobs.
4. The computer must not be left unattended when a user is logged into the system.
5. Staff must log-off the system before leaving the work area even for a very short time. Failure to log-off the system appropriately may result in a breach in client's confidentiality.

Please note that all other existing Common Ground computer policies still apply.

Data Retention

1. Common Ground collects only personal information that is relevant to the purposes for which Common Ground plan to use it. To the extent necessary for those purposes, Common Ground seeks to maintain only personal information that is accurate, complete and timely.
2. Common Ground will dispose of any personal information not in current use seven years after the information was created or last changed. As an alternative to disposal, Common Ground may choose to remove identifiers from the personal information.
3. Common Ground may keep information for a longer period if required to do so by an applicable statute, regulation, contract or other requirement.

Background Check

As part of our hiring process, all Common Ground staff 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

1. Common Ground accepts and considers questions or complaints about our privacy and security policies and practices. Residents can file complaints in writing to:

Government Contracts Manager
Common Ground
505 8th Avenue, 12th Floor
New York, NY 10018

2. All members of our staff are required to comply with this privacy policy

Corrective/Disciplinary Action for Violations

Common Ground staff found to be in violation of Common Ground policies and procedures relating to the confidentiality of any resident's 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.

STAFF TRAINING

Common Ground will ensure that all end users are appropriately trained on system use, privacy, security, and data collection requirements. At the discretion of the HMIS Lead, additional trainings may be offered to CHO HMIS Administrators, Security Contacts, and other users.

Common Ground will indicate in the Administrative and Software Certification whether or not each end user has received appropriate training on system use, privacy, security, and data collection requirements.

Privacy Policy Change History

Version 1.0	July 1, 2008.	Initial Policy
Version 1.1	November 26, 2013	revised formatting; no substantive changes to policy
Version 1.2	January 29, 2014	Edited language; no substantive changes to policy