

### 4.3 Data Privacy

#### **PURPOSE**

This policy ensures that all data collected during the Coordinated Entry System (CES) process is handled with the utmost security and confidentiality. It mandates that participants' data, whether collected on paper or electronically, is protected across all systems and locations. Furthermore, it guarantees that participants are fully informed about how their data will be collected, stored, managed, and shared. This policy is vital to maintaining trust, protecting participant privacy, and ensuring compliance with federal regulations.

#### **FORMS**

There are no forms related or required for this Policy

#### **POLICY**

CES process contributors and all participating agencies contributing data to CES must ensure participants' data are secured regardless of the systems or locations where participant data are collected, stored, or shared, whether on paper or electronically. Additionally, participants must be informed about how their data is being collected, stored, managed, and potentially shared, with whom, and for what purpose.

#### *Client Information and Confidentiality Process*

Before an assessment is completed, anyone administering the standardized housing assessment must review the release of information form with clients. This form identifies what data will be collected, where data will be stored/managed, how data will be used for the purposes of helping the participant obtain housing and assistance and for other administrative purposes, and what data will be shared with others (if the participant consents to such data sharing).

All data, files, records, and documentation are confidential information and are only shared with written permission from the client. All client data collected during the CES process will only be shared among CES Community Organizations who have signed a confidentiality agreement with CAFTH. The confidentiality agreement states all recorded

data will only be shared with designated staff for the purposes of CES management, participant care coordination, CES evaluation, and other administrative purposes. Upon review of the release of information and the purpose of the assessment, clients must then sign the consent form or verbally notify them that they understand and agree to participate in the assessment.

Additionally, protected data such as that of a specific disability or diagnosis will not be used to prioritize specific households over others.

### *HMIS and Client Data Security*

If clients consent to having their data shared, their information will be stored within HMIS. CES staff should thoroughly explain the process of storing client data in HMIS, and the data security standards in place to protect client data. Assessors should also ensure that clients understand their choice regarding their information being stored in HMIS will not affect their access to housing resources.

At any time, a client can request to view their information or request to have their information removed from HMIS. To get their information removed from the HMIS system, they need to directly reach out to the HMIS facilitator requesting their information be removed and the HMIS Lead Agency will remove their information. If a client desires or requires assistance to complete this request, service providers are encouraged to assist clients with completing their request. The same HMIS data privacy and security protections will be applied to the By-Name List as prescribed by HUD for HMIS practices in the HMIS Data and Technical Standards.

In line with HUD regulations, the CoC complies with mandatory disclosures of any oversight with compliance of HMIS privacy and security standards.

### *Client's Right to Refuse Questions*

Before completing any assessment, it is the responsibility of the service provider to inform the client of their right to refuse any individual questions during the assessment and ensure clients understand that doing so does not affect their ability to access housing programs. Under no circumstance does refusal of information or request to have information removed make any participant ineligible for services unless the information is necessary to establish or document program eligibility per applicable program regulation.

## KEY TAKE AWAYS

- **Data Security:** All participating agencies and CES process partners must secure participant data regardless of the medium or location where it is collected, stored, or shared. This applies to both paper and electronic formats.
- **Informed Consent:** Participants must be informed about how their data will be collected, stored, managed, and potentially shared, including details about with whom and for what purposes their data may be shared. This information must be reviewed with the participant before an assessment is completed.
- **Confidentiality Agreements:** All data, files, and documentation are confidential and are only shared among CES Community Organizations that have signed a confidentiality agreement with CAFTH. Data is shared strictly for CES management, participant care coordination, evaluation, and other administrative purposes.
- **Client Rights:** Participants have the right to review the release of information, understand the purpose of data collection, and must consent to participate in the assessment. Clients can also refuse to answer any questions during the assessment without affecting their eligibility for housing programs.
- **Data Sharing and HMIS:** If participants consent to share their data, it will be stored within HMIS. The process and security measures of storing data in HMIS must be thoroughly explained to participants. Clients' refusal to have their data stored in HMIS does not affect their access to housing resources.
- **Client Requests:** Clients can request to view or remove their information from HMIS at any time. The HMIS Lead Agency is responsible for fulfilling such requests. Service providers are encouraged to assist clients with these requests if needed.
- **Non-Discrimination:** Protected data, such as specific disabilities or diagnoses, will not be used to prioritize households over others. All participants are treated equitably, and their privacy is respected.
- **Compliance with HUD Regulations:** The CoC complies with HUD regulations, including mandatory disclosures of any oversights in HMIS privacy and security standards. The By-Name List is subject to the same privacy and security protections as prescribed by HUD.

This policy is designed to protect participant data, uphold confidentiality, and ensure that all individuals are fully informed and consent to the processes involved in the CES.