

# **ShelterNet Homeless Management Information System Privacy Policy**

Effective as of: 7/6/05

## **Brief Summary**

This document describes the privacy policy of Fairview Recovery Services' Addictions Crisis Center. We may amend this policy at any time. 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 personal information about you that we maintain. You can also ask us to correct inaccurate or incomplete information. You can ask us about our privacy policy or practices. We respond to questions and complaints. Read the balance of this policy for full details. Anyone can have a copy of this full policy upon request.

# **ShelterNet Homeless Management Information System Privacy Policy**

## **A. What This Policy Covers**

1. This document describes the privacy policy and practices of Fairview Recovery Services' Addictions Crisis Center (ACC). Our main office is at 247 Court St., Binghamton, NY 13901.
2. The policy and practices in this document cover the processing of protected personal information for clients of the ACC. All personal information that we maintain is covered by the policy and practices described in this privacy notice.
3. Protected Personal Information (PPI) is any information we maintain about a client that:
  - a. allows identification of an individual directly or indirectly
  - b. can be manipulated by a reasonably foreseeable method to identify a specific individual, **or**
  - c. can be linked with other available information to identify a specific client. When this notice refers to personal information, it means PPI.
4. We adopted this policy because of standards for Homeless Management Information Systems issued 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).
5. This policy tells our clients, our staff, and others how we process personal information. We follow the policy and practices described in this document.
6. We may amend this document and change our policy or practices at any time. Amendments may affect personal information that we obtained before the effective date of the amendment.
7. 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 <http://www.frsinc.org/privacy/policy.pdf>.

## **B. How and Why We Collect Personal Information**

1. 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:
  - a. to provide or coordinate services to clients
  - b. to locate other programs that may be able to assist clients
  - c. for functions related to payment or reimbursement from others for services that we provide (but NOT for third-party insurance reimbursement)
  - d. to operate our organization, including administrative functions such as legal, audits, oversight, and management functions
  - e. to comply with government reporting obligations
  - f. when required by law

2. We only use lawful and fair means to collect personal information.
3. We normally collect personal information with the knowledge or consent of our clients. 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 policy.
4. We may also get information about you from:
  - a. Individuals who are with you
  - b. Other private organizations that provide services (provided you sign a release), such as:
    - i. Addictions Center of Broome County (ACBC)
    - ii. United Health Services (UHS)
    - iii. Catholic Charities
  - c. Government agencies that provide services (provided you sign a release), such as:
    - i. Department of Social Services (DSS)
    - ii. Supplemental Security Income (SSI)
    - iii. Department of Veterans Affairs (VA)
5. We post a sign at our intake desk or other location explaining the reasons we ask for personal information.

### **C. How We Use and Disclose Personal Information**

1. We use or disclose personal information for activities described in this part of the policy. We may or may not make any of these uses or disclosures with your information. We assume that you consent to the use or disclosure of your personal information for the purposes described here and for other uses and disclosures that we determine to be compatible with these uses or disclosures:
  - a. to **provide or coordinate services** to you within the Fairview system
  - b. to coordinate with other agencies (**provided you sign a release**)
  - c. for functions related to **payment or reimbursement for services (provided you sign a release)**
  - d. to **carry out administrative functions** such as legal, audits, oversight, and management functions
  - e. to **create de-identified (anonymous) information** that can be used for research and statistical purposes without identifying clients
  - f. **when required by law** to the extent that use or disclosure complies with and is limited to the requirements of the law
  - g. to **avert a serious threat to health or safety** if
    - i. we believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public, **and**
    - ii. the use or disclosure is made to a person reasonably able to prevent or lessen the threat, including the target of the threat



- h. to **report about an individual we reasonably believe to be a victim of abuse, neglect or domestic violence to a governmental authority** (including a social service or protective services agency) authorized by law to receive reports of abuse, neglect or domestic violence, under either of these circumstances:
  - i. under the rules of mandated reporting, **or**
  - ii. with your consent
- i. for **academic research purposes**
  - i. conducted by an individual or institution that has a formal relationship with the CHO if the research is conducted either:
    - 1. by an individual employed by or affiliated with the organization for use in a research project conducted under a written research agreement approved in writing by a designated CHO program administrator (other than the individual conducting the research), **or**
    - 2. by an institution for use in a research project conducted under a written research agreement approved in writing by a designated CHO program administrator.
  - and**
  - ii. any written research agreement:
    - 1. must establish rules and limitations for the processing and security of PPI in the course of the research
    - 2. must provide for the return or proper disposal of all PPI at the conclusion of the research
    - 3. must restrict additional use or disclosure of PPI, except where required by law
    - 4. must require that the recipient of data formally agree to comply with all terms and conditions of the agreement, **and**
    - 5. is not a substitute for approval (if appropriate) of a research project by an Institutional Review Board, Privacy Board or other applicable human subjects protection institution.
- j. to a law enforcement official **for a law enforcement purpose** (if consistent with applicable law and standards of ethical conduct) under any of these circumstances:
  - i. in response to a lawful court order, court-ordered warrant, subpoena or summons issued by a judicial officer, or a grand jury subpoena
  - ii. if the law enforcement official makes a **written request** for PPI that:
    - 1. is signed by a supervisory official of the law enforcement agency seeking the PPI
    - 2. states that the information is relevant and material to a legitimate law enforcement investigation
    - 3. identifies the PPI sought



4. is specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought, **and**
5. states that de-identified information could not be used to accomplish the purpose of the disclosure.

**or**

- iii. if we believe in good faith that the PPI constitutes **evidence of criminal conduct** that occurred on our premises

**and**

- k. to comply with **government reporting obligations** for homeless management information systems and for oversight of compliance with homeless management information system requirements.
2. Before we make any use or disclosure of your personal information that is not described here, we seek your consent first.

#### **D. How to Inspect and Correct Personal Information**

1. You may inspect and have a copy of your personal information that we maintain. We will offer to explain any information that you may not understand.
2. We will consider a request from you for correction of inaccurate or incomplete personal information that we maintain about you. 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.
3. To inspect, get a copy of, or ask for correction of your information, you must submit a written, dated, and signed request to the Director of the ACC.
4. We may deny your request for inspection or copying of personal information if:
  - a. the information was compiled in reasonable anticipation of litigation or comparable proceedings
  - b. the information is about another individual (other than a health care provider or homeless provider)
  - c. the information was obtained under a promise or confidentiality (other than a promise from a health care provider or homeless provider) and if the disclosure would reveal the source of the information, **or**
  - d. disclosure of the information would be reasonably likely to have a negative impact on any individual or their treatment.
5. If we deny a request for access or correction, we will explain the reason for the denial. We will also include, as part of the personal information that we maintain, documentation of the request and the reason for the denial
6. We may reject repeated or harassing requests for access or correction.

#### **E. Data Quality**

1. We collect only personal information that is relevant to the purposes for which we plan to use it. To the extent necessary for those purposes, we seek to maintain only personal information that is accurate, complete, and timely.



2. We are developing and implementing a plan to dispose of personal information not in current use seven years after the information was created or last changed. As an alternative to disposal, we may choose to remove identifiers from the information.
3. We may keep information for a longer period if required to do so by statute, regulation, contract, or other requirement.

#### **F. Complaints and Accountability**

1. The ACC has a client grievance procedure. For more information, please see your case manager or other staff member.
2. All members of our staff (including employees, volunteers, affiliates, contractors and associates) are required to comply with this privacy notice. Each staff member must sign a User Agreement that mandates adherence to this policy.

#### **G. Privacy Notice Change History**

1. Version 1.0. July 6, 2005 Initial Policy