

**BROWARD COUNTY HOUSING AUTHORITY HOMELESS MANAGEMENT INFORMATION
SYSTEM PRIVACY POLICY**

This Policy describes the privacy practices related to the Homeless Management Information System (“HMIS”) client data that is maintained by the Broward County Housing Authority (“BCHA”). This Policy describes how this data may be used or disclosed. Clients’ personal information is collected only when appropriate. The BCHA is committed to keeping clients’ personal information private.

Scope

The terms of this Policy shall govern all interactions with the BCHA through its website or e-mail. This Policy is not a legal contract. The BCHA are required by law to maintain the confidentiality of the clients’ protected personal information (PPI).

During data collection, should the client require reasonable accommodation or language assistance, the client should notify the staff member attempting the data collection. Language assistance may be provided by internal staff or, if internal staff is not available, an outside language interpreter may be scheduled to assist.

Changes to this Policy

Changes to our privacy practices and the terms of this Policy may apply to all client information in HMIS. We reserve the right to change our privacy practices and the terms of this Policy at any time, including protected personal information created or received before we made the changes, provided such changes are permitted by applicable law. Before we make a significant change in our privacy practices, we will change this Policy. Revisions to any HMIS related Privacy Policy will be noted as revisions with an effective date. Privacy Policy and procedures are available upon request and the most recent revision will be provided. Previous editions will be maintained in an electronic database.

We are required by applicable federal and state law to maintain the privacy of Clients’ personal information. We are required to provide this Policy of our privacy practices, legal duties, and client’s rights concerning their protected personal information. We must follow the privacy practices that are described in this Policy while it is in effect. This Policy takes effect immediately, and will remain in effect until we replace it.

Reasons for Disclosures

1. To provide or coordinate services to an individual or family;
 - Unless a client requests that his/her record remain hidden, personal identifiers will be disclosed to other HMIC agencies so other agencies can easily locate the client’s record if he/she goes to them for services.
2. For functions related to payment or reimbursement of services;
 - An example might include generating aggregate reports for the people or organizations that fund an agency. A client’s personal information may be disclosed for billing or reimbursement purposes, if required by the funder/billing agency.
3. To carry out administrative functions that include but not limited to legal, audit, personnel, oversight and management functions;

- Client information will be disclosed for system administration purposes to the Lead Agency or contractors who administer the central database.
4. Analytical purposes for internal analysis which includes: creating de-identified PPI; understanding trends in homelessness; and assessing the Broward County Continuum of Care's (COC) strategies and plans for eliminating homelessness;
 - BCHA may disclose portions of the client's information without the personal identifiers for analytical purposes related to analyzing client data, including but not limited to, understanding trends in homelessness and needs of persons who are homeless.
 5. All uses and disclosures required by law;
 6. Aversion of serious health or safety threat to the individuals or others;
 - BCHA may disclose your personal information if BCHA believes that it is necessary to prevent or lessen a serious and imminent threat to the health and safety of an individual or the public, and if that information can be disclosed to a person who is reasonably able to prevent or lessen that threat.
 - To identify or locate a suspect, fugitive, material witness or missing person.
 - When information is requested about an actual or suspected victim or crime.
 - To report a death as a result of possible criminal conduct.
 - To investigate allegations of misconduct that may have occurred on our premises.
 - To report a crime in emergency circumstances.
 7. Uses and disclosures for academic research purposes; and
 8. Disclosures for law enforcement purposes such as in response to a lawful court order, court-ordered warrant, subpoena or summons issued by a judicial office or a grand jury subpoena.

Uses and Disclosures that Require Client's Authorization

Other uses and disclosures will be made only with client's written authorization. A client may cancel any authorization at any time by notifying BCHA in writing of his or her desire to cancel it. If the client cancels an authorization, it will not have any effect on information that we have already disclosed. Examples of uses or disclosures that may require client's written authorization include the following:

- A request to provide protected personal information to an attorney for use in a civil law suit.
- A request to provide protected personal information to a requesting medical professional.

Rights Under the Privacy Policy

The information contained in a client's record maintained by the BCHA within the HMIS software is the physical property of the BCHA for the Homeless of Broward County.

Clients whose data exist in HMIS have the following rights:

Right to Inspect and Copy Protected Personal Information

Clients have the right to inspect and obtain a paper copy of the HMIS record. In order to obtain a paper copy of the HMIS record or an appointment to review information in the system with staff, the client will request the document in writing to the attention of the Special Programs Manager.

The BCHA has three (3) business days to either provide the paper copy to the family, or send a notice of appointment for a requested review. If the family would like a copy of the HMIS record, due to the nature of the information collected, in order to receive the paper copy, the family will need to come into the office with appropriate identification or provide in the request the full name of an authorized person to receive it on his/her behalf.

Right to Request Restrictions

The client has the right to ask us not to use or disclose his/her protected personal information for a particular reason. The client may ask that family members or other authorized individuals not be informed of specific protected personal information.

Right to Correct Protected Personal Information

Clients have a right to request that BCHA correct his/her protected personal information that is maintained by the BCHA. In the event the client wishes to dispute information collected, the client must submit a request for an amendment in writing to the Special Programs Manager, within ten (10) business days from the receipt of the record. The Special Programs Manager will make any necessary corrections to the record. If the family requests a copy of the updated information, this will be supplied as well, unless the client asks that family members not receive a copy of the information. If we deny the request we will explain our reasoning for the denial to the client. The client has a right to submit a statement disagreeing with our decision.

The BCHA will keep a record of any requests for HMIS documentation in accordance with BCHA Public Records Request documentation policy. A copy of the Privacy Policy is available upon request and BCHA shall get the Client's written acknowledgement of his or her receipt of the Privacy Policy.

Right to an Accounting of Disclosures

The client has the right to find out what disclosures of his/her protected personal information have been made. The list of disclosures is called an Accounting. The Accounting may be for up to six (6) years prior to the date on which the request has been made. We are not required to include disclosures for National Security or Intelligence purposes, or to correctional institutions and law enforcement officials. The right to have an Accounting may be temporarily suspended if it will impede the BCHA's activities. The notice of suspension should specify the required duration of the suspension. Requests for an Accounting of disclosures must be submitted in writing to the BCHA. The client is entitled to one free Accounting in any twelve (12) month period. We may charge the client for additional Accountings.

Right to Dispute Privacy and Security Policies

If the client wishes to dispute or has questions regarding the privacy and security policies and practices, he/she will notify the Special Programs Manager, in writing, of the dispute.

Reasons for Denial of Access to Information

Clients may be denied access to their information for the following reasons:

- a. The request was made with reasonable anticipation of litigation or a comparable procedure;

- b. If information about another individual other than the Broward County Housing Authority staff would be disclosed;
- c. The disclosure of information would be reasonably likely to endanger the life or physical safety of any individual; and/or
- d. In the case of repeated or harassing requests for access or correction. However, if a client is denied access to their records, documentation must be provided regarding the request and reason(s) for denial. This must also be made part of the client(s) record.

Clients have the right to file a grievance related to HMIS, in writing, with the BCHA if the client(s) feel:

1. That their confidentiality rights have been violated;
2. If access has been denied to the personal records; and/or
3. If they have been put at personal risk or harmed.

The BCHA will provide a copy of the Broward County HMIS Policies and Procedures Manual upon request, and respond to the client issue.

In accordance with the Broward County HMIS Policies and Procedures Manual, the BCHA must send written notice to the HMIS Project Manager at the Broward County Continuum of Care Office ("Broward County COC") of any grievance that is reported.

The HMIS Project Manager at the Broward County COC will record all grievances, and will report the complaint to the HMIS Data Committee for review.

Contact Information

For any questions regarding this privacy policy, please contact the

Special Programs Manager
4780 North State Road 7
Lauderdale Lakes, FL 33319
954-739-1114 x 1331

To file a complaint with us, please contact the Special Programs Manager by phone or by mail at the contact address provided above.