



Housing and Services, Inc.

Protected Personal Information (PPI) Privacy Policy

Introduction

The policy covers the collection, use, and maintenance of **Protected Personal Information (PPI)** for the tenants of HSI, as an organization affiliated with the NYC Coalition on Continuum of Care (CCoC).

PPI is any personal information we maintain about a tenant that:

- a. allows identification of an individual directly or indirectly;
- b. can be manipulated by a reasonably foreseeable method to identify a specific individual;
- c. can be linked with other available information identifying a specific tenant.

HSI adopted this policy because the Department of Housing and Urban Development issued standards for Homeless Management Information Systems. We intend our policy and practices to be consistent with those standards. (See 69 Federal Register 45888, (July 30, 2004)).

This policy informs our tenants, our staff and others how we process personal information. We follow the policy and practices described in this privacy policy. The policy and practices may be amended at any time. Amendments may affect PPI that we obtained before the effective date of the amendment.

HSI provides a written copy of this privacy policy to any individuals who ask for it. HSI maintains a copy of this policy on our website at www.hsi-ny.org

Process

HSI collect PPI 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 individual case management;
- b. to produce aggregate-level reports regarding use of services;
- c. to track individual project-level outcomes;
- d. to identify unfilled service needs and plan for the provision of new services;
- e. to conduct research for consulting and/or educational purposes; and
- f. to accomplish any and all other purposes deemed appropriate by the CCoC.

We only use lawful and fair means to collect PPI, normally collect with the knowledge or consent of tenants. If a tenant seeks our assistance and provide us with PPI, HSI assumes you consent to the collection of information described in this Policy has been granted. Data is shared with the NYC Department of Homeless Services (DHS), Planning, Development & Grant unit, the agency appointed by the CCoC to manage all PPI HSI records about our tenants. DHS is required to maintain the confidentiality of the data, and has a privacy policy that is available to the public.

To inform tenants, HSI post signs at our intake at our intake desk explaining the reason we ask for PPI. The sign says:

We collect personal information about homeless individuals in a computer system called a Homeless Management Information System (HMIS) for reasons that are discussed in our privacy policy. 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 needs of homeless individuals. We only collect information that we consider to be appropriate. If you have any questions or would like to see our privacy policy, our staff will provide you with a copy.

Usage and Disclosure

HSI discloses PPI for activities described in this part of the policy. HSI may or may not make any of these uses or disclosures of your PPI. HSI assumes that your consent to use or disclosure of your PPI for the purposes described below and for other uses and disclosures that we determine to be compatible with these uses or disclosures:

- i. to provide or coordinate services to individuals;
- ii. for functions related to payment or reimbursement for services;
- iii. to carry out administrative functions such as legal, audits, personnel, oversight and management functions;
- iv. to create de-identified (anonymous) information;
- v. when required by law to the extent that use or disclosure complies with and is limited to the requirement by law;
- vi. to avert a serious threat to health and safety if:
- vii. appropriate HSI staff believe that the use of our disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public; and
- viii. the use of disclosure is made to a person reasonably able to prevent or lessen the threat, including the target of
 - a. the threat.
- ix. to report about an individual HSI reasonably believe to be a victim of abuse, neglect or domestic violence to a government authority (including a social service or protective service agency) authorized by law to receive reports of abuse, neglect or domestic violence in any of the following three circumstances:
- x. where the disclosure is required by law and the disclosure complies with and is limited to the requirements of the law;
- xi. if the individual agrees to the disclosure; or
- xii. to the extent that the disclosure is expressly authorized by statute or regulation and either of the following are applicable:
 - a. HSI staff believes the disclosure is necessary to prevent serious harm to the individual or other potential victims; or
 - b. if the individual is unable to agree because of incapacity, law enforcement or other public official authorized to receive the report represents that the PPI for which disclosure is sought is not intended to be used against the individual and that an immediate enforcement activity that depends upon the disclosure would be materially and adversely affected by waiting until the individual is able to agree to the disclosure;
 - c. When making a permitted disclosure about a victim of abuse, neglect or domestic violence HSI will promptly inform the individual who is the victim that the disclosure that a disclosure has been or will be made, except if:
- xiii. in the exercise of professional judgment, HSI staff believe informing the individual would place the individual at risk of serious harm; or
- xiv. ii. HSI staff would be informing a personal representative (such as a family member or friend) and staff reasonably believe the personal representative is responsible for the abuse, neglect or other injury and that informing the personal representative would not be in the best interests of the individual as we determine in the exercise of our professional judgment.
- xv. h. to a law enforcement official for a law enforcement purpose consistent with summons issued by a judicial officer, or a grand jury subpoena;
 - i. is signed by a supervisory official of the law enforcement agency seeking the PPI;
 - ii. states that the information is relevant and material to a legitimate law enforcement investigation;
 - iii. identifies the PPI sought;

- iv. is specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought; and
 - v. states that de-identified information could not be used to accomplish the purpose of disclosure;
- xvi. iii. if HSI staff believe in good faith that the PPI constitutes evidence of criminal conduct that occurred on our premises;
 - xvii. in response to an oral request for the purpose of identifying or locating a suspect, fugitive, material witness or missing person and the PPI disclosed consists only of name, address, date of birth, place of birth, social security number and distinguishing physical characteristics; or
 - xviii. if:
 - a. the official is authorized is an authorized federal official seeking PPI for the provision of protective services to the President or other persons authorized by 18 U.S.C. 3056, or to foreign heads of state or other persons authorized by 22 U.S.C. 2709 (a) (3), or for the conduct of investigations authorized by 18 U.S.C. 871 and 879 (threats against the President and others); and
 - b. the information requests is specified and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought.
 - xix. to comply with government reporting obligations for HMIS and for the oversight of compliance with HMIS requirements.
 - xx. to third parties for the following purposes:
 - xxi. to permit other systems of care to conduct data matches (ie. to determine if you are also utilizing services from such other systems of care);and
 - xxii. to permit third party research firms and/or evaluations to perform research and evaluation services in
 - a. connection with the programs administered by the CCoC and the other agencies; provided that before PPI is disclosed under the subsection, the third party that will receive such PPI and use it as permitted above must first execute a Data Use & Disclosure Agreement requiring such third party to comply with all applicable laws and regulations, including the privacy standards and disclosure provisions contained in the Department of Housing and Urban Development Homeless Management Information Systems; Data and Technical Standards Final Notice (see 69 Federal Register 45888 (July 30, 2004)), which such standards and provisions are reflected herein.

Before HSI makes any use of disclosure of your PPI that is not described herein, we will seek tenants consent first.

Inspect and Correct PPI

Tenants may inspect and have a copy of your PPI that HSI maintains. Requests for inspection of PPI must be documented in a progress note. HSI staff will offer to explain any information that you may not understand. HSI will consider requests from tenants for correction of inaccurate or incomplete PPI that is maintained. If HSI agrees that the information is inaccurate or incomplete, it may be deleted or we may choose to mark it as inaccurate or incomplete and to supplement it with additional information. The correction will be documented in a progress note.

HSI may deny your request for inspection or copying PPI if:

- i. the information was compiled in reasonable anticipation of litigation or comparable proceeding;
- ii. the information is about another individual (other than a health care provider or homeless
- iii. provider);
- iv. the information was obtained under a promise of confidentiality (other than a promise from a health care provider or
- v. homeless provider) and if the disclosure would reveal the source of the information; or
- vi. disclosure of the information would be reasonably likely to endanger the life or the physical safety of any individual.

If HSI denies a request for access or correction, we will explain the reason for denial and document the same in a detailed progress note. HSI will also include, as part of the PPI that we maintain, documentation of the request and the reason for the denial. HSI may reject repeated or harassing requests for access to or correction of PI.

Data Retention

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

Complaints and Accountability

All HSI staff (including employees, volunteers, affiliates, contractors and associates) are required to comply with this privacy policy. Each staff member must receive and acknowledge receipt of a copy of the privacy policy.

HSI accepts and considers questions or complaints about HSI's privacy and security policies and practices. Tenants may make an appointment with the Program Manager to discuss any questions or concerns they have about this policy. In the event that tenants' question or complaint is not sufficiently addressed through this organization, you may take your concerns to the Grievance Committee at the CCoC. Individuals will submit grievances in writing to the co-chairs. The co-chairs will pass the grievance to the Grievance Committee of the CCoC. Individuals will submit grievances in writing to the co-chairs. The co-chairs will pass the grievances to the Grievance Committee, which will review it and make a recommendation back to the co-chairs. The co-chairs will make the final decision about the outcome and notify you. More information about this Committee can be found at www.NYC.Homeless.com.