

Michigan State Homeless Management Information System (MSHMIS)

Privacy Notice

The MSHMIS was developed to meet a data collection requirement made by the United States Congress to the Department of Housing and Urban Development (HUD). Congress passed this requirement in order to get a more accurate count of individuals who are homeless and to identify the need for and use of different services by those individuals and families. We are working to assist the State of Michigan in meeting the goal set by Congress by collecting statistical information on those who use our services and report that information to a central data collection system.

Many agencies in this area also use the MSHMIS to: keep computerized case records, and with your permission, share information you provide to us with other MSHMIS participating agencies. The range of information that you may agree to allow us to share includes: basic identifying demographic data (e.g., name address, birth date, phone number), the nature of your situation, the services and referrals you receive from our agency.

Sharing information with MSHMIS and other agencies helps us to better understand the number of individuals who need services from more than one agency. This may help us to meet your needs and the needs of others in our community by allowing us to develop new and/or more efficient programs. Sharing information through MSHMIS can also help us make referrals more easily, often with less paperwork for us and for you.

Maintaining the privacy and safety of those using our services is very important to us. Information gathered about you is personal and private. Your record will only be shared if you give your permission to do so. Depending on your individual situation, there may be benefits and/or risks for you to carefully consider before you decide whether or not to consent to the release of any identifying information to another agency. You also have the right to request that your name be entered in the system as "anonymous". You cannot and will not be denied services that you would otherwise qualify for if you choose not to share information.

Please note that even if you do not want your information shared with other agencies or your actual name entered into the system, we must still report some information to the central data collection system, which contains provisions to protect your name and privacy, because of our federal and state requirements.

CONFIDENTIALITY RIGHTS

This agency follows all confidentiality regulations. In addition to this privacy notice, our agency has its own confidentiality policy. This specifically includes the confidentiality regulations regarding the disclosure of alcohol and/or drug abuse records (as contained in the Code of Federal Regulations, 42 CFR Part 2,) and medical information and records (as contained in the Protected Individually Identifiable Health Information, under HIPPA.

Even if you choose to allow us to share information with other agencies, records about substance abuse, physical and mental health, HIV, and domestic violence will not be shared without your specific, additional release of information.

GRIEVANCE PROCEDURE

If you believe that your confidentiality was not protected, you may file a complaint or grievance as outlined in the agency grievance policy.

YOUR INFORMATION RIGHTS

As a client receiving services at this agency, you have the following rights:

- **Access to your record.** You have the right to review your MSHMIS record. At your request, we will assist you in viewing the record within 5 working days.
- **Correction of your record.** You have the right to request to have your record corrected so that information is up-to-date and accurate to ensure fairness in its use.
- **Refusal.** You have the right to refuse consent to share your information with other agencies. You cannot be denied services that you would otherwise qualify for if you refuse to sign the MSHMIS client Information Release Authorization form. Please note that if you refuse, information will still be entered into the system for statistical purposes, but your information will be closed so that no other agency will have access to it.
- **Anonymous Entry.** You have a right to have your name entered as "Anonymous" if for some reason your name presents a risk even if not shared with other agencies.
- **End Date of Consent and Withdrawal of the Release of Information Form.** If you choose to allow information to be shared with other agencies, your release will be in effect for the specific time frame you have designated. After that information will no longer be shared unless you sign another release. The release of information agreement can be withdrawn at any time by making a written request at this agency.
- **Grievance.** You have the right to be heard if you feel that you have been unjustly served, put at personal risk, or harmed. Our agency has established a formal grievance process for you to use in such a circumstance.

HOW YOUR INFORMATION WILL BE KEPT SECURE

Protecting the safety and privacy of individuals receiving services and the confidentiality of their records is of paramount importance to us. We have done several things to make sure your information is kept safe and secure:

Through training, policies and procedures, and software:

- The computer program we use has the highest degree of security protection available.
- Only trained and authorized individuals will enter or view your personal information.
- Your name and other identifying information will not be contained in MSHMIS reports that are issued to local, state, or national agencies.
- Employees receive training in privacy protection and agree to follow strict confidentiality standards before using the system.
- The server/database/software only allows authorized individuals access to the information. Only those who should see certain information will be allowed to see that information.
- The server/database will communicate using 128-bit encryption – an Internet technology intended to keep information private while it is transported back and forth across the Internet. Furthermore, identifying data stored on the server is also encrypted or coded so that it cannot be recognized.
- The server/database exists behind a firewall – a device meant to keep hackers/crackers/viruses/etc. away from the server.
- The main database will be kept physically secure, meaning only authorized personnel will have access to the server / database.

WHAT IS INFORMED CONSENT?

Information about you and the services provided to you cannot be given to anyone without your giving informed consent. In order to be able to give informed consent:

- You should be told about the benefits, risks, and available alternatives to sharing your information (KNOWLEDGE).
- You should be able to reasonably understand the information including the risks, benefits, other options, and other consequences (UNDERSTANDING).
- You should not be forced or pressured into a decision. The choice you make should be your decision (VOLUNTARY). ♦

BENEFITS OF MSHMIS AND AGENCY INFORMATION SHARING

Information you provide us can play an important role in our ability and the ability of other agencies to continue to provide the services that you and others in our community are requesting.

Allowing us to share your real name, even in the absence of other information, results in a more accurate count of individuals and services used. The security system is designed to create a code that will protect your identity on the system. A more accurate count is important because it can help us and other agencies:

- Better demonstrate the need for services and the specific types of assistance needed in our area.
- Obtain more money and other resources to provide services.
- Plan and deliver quality services to you and your family.
- Assist the agency to improve its work with families and individuals who are homeless.
- Keep required statistics for state and federal funders (such as HUD).

You may choose to agree to share additional information with one or more MSHMIS participating agency in order to:

- Promote coordination of services so your needs are better met
- Make referrals easier by reducing paperwork
- Avoid having to repeat as much information to get assistance from other agencies

RISKS IN SHARING INFORMATION

While the MSHMIS system was designed to promote better services for those who are homeless, there are risks that may lead some individuals to choose to do one or more of the following:

- Allow only your name, age, and social security number (optional) to be shared with all participating agencies. All other information including where you are being served and your particular situation are kept confidential or shared with only select agencies.
- Allow some statistical or demographic information to be shared with select other agencies, but do not allow other more personal data such as health, mental health, drug/alcohol use history or domestic violence information to be shared.
- Close all information including identifying information from all sharing. Only this agency may see the information.
- Use an anonymous client ID so that no identifying information exists on the record even within this agency.
- Risks you should consider before deciding whether and what type of information to share include:
- Physical harm or other negative consequences to you or members of your family if someone knew that they could find you from the information shared with other participating MSHMIS agencies.
- Physical harm or other negative consequences to you or members of your family if someone found out you sought help, particularly if you or your children have experienced domestic violence, sexual assault, stalking, or child abuse.
- There are others who may work or volunteer at other MSHMIS participating agencies who you may not want to have access to your information or to know you are seeking services.
- The degree to which you are satisfied by the confidentiality provisions explained about the MSHMIS system.

♦ Michigan Department of Community Health, “Know Your Rights” brochure.