

# **VOLUSIA-FLAGLER COUNTY COALITION FOR THE HOMELESS**

## **PRIVACY PLAN**

This Policy describes the privacy practices related to the Homeless Management Information System (HMIS) client data that is maintained by the Volusia-Flagler County Coalition for the Homeless, as the HMIS Lead Agency designated by Daytona/Deltona/Volusia-Flagler Counties FL-504 Continuum of Care. This Policy describes how this data may be used or disclosed.

Clients' personal information is collected only when appropriate. The Coalition is committed to keeping clients' personal information private.

The Coalition assumes that clients agreed to allow collection of their personal information by providing consent at the service site(s) and to allow its use or disclosure as described in this Policy. Clients can inspect their personal information that is maintained in HMIS. Clients can ask the Coalition to correct inaccurate or incomplete information. The Coalition responds to questions and complaints. A copy of this Privacy Policy is available upon request.

### **Scope**

This Policy only applies to transactions made and data gathered on Volusia-Flagler County Coalition for the Homeless HMIS Service Point website and does not apply to any other website or application. The terms of this Policy shall govern all interactions with the Coalition through either the Coalition's website or e-mail.

This Policy is not a legal contract. We are required by law to maintain the confidentiality of clients' Protected Personal Information (PPI). Upon request we will provide clients with a copy of this Policy and get their written acknowledgement of its receipt. We must follow the terms of this Policy that are currently in effect.

### **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. A copy of the revised Policy will be posted at our location and on our website, and available upon request.

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 clients' 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**

### **For Law Enforcement Purposes**

We may disclose protected personal information about HMIS clients to law enforcement officials for law enforcement purposes, such as:

- ❖ In response to a court order, subpoena or other legal proceeding
- ❖ To identify or locate a suspect, fugitive, material witness or missing person
- ❖ When information is requested about an actual or suspected victim of a 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
- ❖ For other purposes as required by law

### **For Funeral Directors, Coroners and Medical Examiners**

We may disclose clients' protected personal information as necessary to allow these individuals to carry out their responsibilities.

### **For National Security and Intelligence**

We may disclose clients' protected personal information to authorized federal officials for national security and intelligence activities.

### **For Research Projects with Contracted Third Parties**

We may disclose client data for research purposes only if the following conditions have been met:

- ❖ A signed Data Use & Security Agreement with the contractor is in place before any data is shared
- ❖ The data will be shared for a predetermined time period as stated in the Agreement with the contractor
- ❖ The use and scope of the data research is provided as part of the Agreement
- ❖ Results of the research may not affect any individual's current program participation

### **Uses or Disclosures That Require Client's Authorization**

Other uses and disclosures will be made only with client's written authorization. A client may cancel an authorization at any time by notifying our Compliance Officer in writing of his/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 Coalition within the HMIS software is the physical property of the Volusia-Flagler County Coalition for the Homeless.

Clients whose data exist in HMIS have the following rights:

#### **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.

That request must be made in writing to our Compliance Officer. If we agree to the request, we must keep the agreement, except in the case of a medical emergency or law enforcement.

#### **Right to Inspect and Copy Protected Personal Information**

The client has the right to request to inspect and obtain a copy of his/her protected personal information. The client must submit the request in writing to our Compliance Officer. If the client requests a copy of the information or we provide a summary of the information we may charge a fee for the costs of copying, summarizing, and/or mailing it to the client.

If we agree to the request, we will notify the client. We may deny the request under certain limited circumstances. If the request is denied, we will let the client know in writing and he/she may be able to request a review of our denial.

#### **Right to Request Amendments to Protected Personal Information**

The client has the right to request that we correct his/her protected personal information. If the client believes that any protected personal information in the record is incorrect or that important information is missing, he/she must submit the request for an amendment in writing to our Compliance Officer. We do not have to agree to the request. If we deny the request, we will tell the client why. The client has the right to submit a statement disagreeing with our decision.

#### **Right to an Accounting of Disclosures of Protected Personal Information**

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 Coalition's activities. The notice of suspension should specify required duration of the suspension. Requests for an Accounting of disclosures must be submitted in writing to our Compliance Officer. The client is entitled to one free Accounting in any twelve (12) month period. We may charge the client for additional Accountings.

## **Other Information Contact Us**

For any questions regarding this privacy policy, please contact:

Volusia-Flagler County Coalition for the Homeless PO  
Box 444  
DeLand, FL 32721  
Ph: 386-279-0029  
Fax: 386-279-0028  
Email: [hmis@vfcch.org](mailto:hmis@vfcch.org)

To file a complaint with us, contact the Compliance Officer by phone or by mail at the contact address provided above:

Compliance Officer: Michelle L. Wilson, HMIS System Administrator

We support clients' right to protect the privacy of their personal information. We will not retaliate in any way if a client chooses to file a complaint with us.

For any other questions or to request more information about Volusia-Flagler County Coalition for the Homeless HMIS, please contact:

Michelle L. Wilson, HMIS System Administrator  
Ph: 386-279-0029  
Email: [hmis@vfcch.org](mailto:hmis@vfcch.org)

## **Changes to Privacy Policy**

The Coalition may revise the HMIS Privacy Policy at any time.

This HMIS Privacy Plan was reviewed and updated on February 24, 2017 by the full Board of Directors of the Commission on Homelessness for Volusia & Flagler Counties.

---

Jeff White  
Collaborative Applicant  
Volusia-Flagler County Coalition  
for the Homeless

---

Robin King  
HMIS Committee Chair  
Career Source of Flagler-Volusia

---

Sam Willett  
CoH Board Chair  
Bank of America