



HMIS Oversight Committee

Meeting Minutes

January 12, 2022

9:00 a.m. – 11:00 a.m.

HMIS Oversight Committee Members: Mike Keller (East Oakland Community Project), Nic Ming (Social Justice Action Wheel), Suzanne Warner (Office of Homeless Care and Coordination), Tunisia Owens (Family Violence Law Center), Josh Jacobs (City of Berkeley), Michelle Ogburn (Abode Services), Jonathan Russell (Bay Area Community Services), Patrick Crosby (Alameda County Housing and Community Development), Riley Wilkerson (Alameda County Housing and Community Development), Andy Duong (Alameda County Housing and Community Development), John Noe (Alameda County Housing and Community Development)

EveryOne Home: Tirza White, Chelsea Andrews, Katie Haverly

1. Welcome (Mike Keller, HMIS OC Co-Chair)

2. Approval of Meeting Minutes, 11/10/21

- Mike Keller moved to approve the minutes from the November 10, 2021 meeting.
- Suzanne Warner seconded.
- Motion passed.

3. HMIS Oversight Public Comment

- None.

4. Privacy and Security Policies (Jessica Hanserd)

- Jessica Hanserd (Hanserd Health Solutions) provided an update on Privacy and Security Policies since their approval at the October 19, 2021 HUD CoC Committee meeting.
- As procedure manuals were being developed to implement the new consent policy, it became clear that there was misunderstanding regarding the approved consent model. It required written consent prior to entering data into HMIS. Some of the issues that were noted with that approach were:
 - This approach was a significant shift from the current practice.
 - It would be moving in a direction that doesn't align with coordinated entry. Coordinated entry is its own agency. The written consent model to share information outside of agencies would have prevented people from seeing the data inside of Coordinated Entry, and Coordinated Entry would not function as well.
 - Not entering data in HMIS would result in Covered Homeless Organizations (CHOs) not getting paid.
 - If we implemented the new policy today, we would be out of compliance for approximately 15% of active enrollments.

- If our projects entered more blind records, it would compound duplicates and compromise data integrity.
- The HMIS Clarity system would likely need to be reconfigured.
- For those reasons, Suzanne Warner asked Jessica to adapt the Privacy Policy and Notice to reflect an inferred consent model. This low-barrier approach is the direction our CoC and Privacy and Security policies workgroup started with and what we were aligned on through May 2021. We shifted directions to a written consent model based on feedback from Legal Counsel; however, but because of the challenges above, we are reverting back to be more closely aligned with the original plan of an inferred consent model.
- Margaret Ogburn (Abode) asked for clarity – that the inferred consent model means there is permission to share data within the CoC and with HMIS partners, but if it goes outside of HMIS partners, do we need to obtain another form of consent?
- Jessica answered: Both written consent and inferred consent models, we are sharing data with CHOs. She shared the parameters of data share within inferred consent:
 - Provide and coordinate services;
 - Collect payments;
 - Run the organization;
 - Create data that can't identify the person;
 - Support research without identifying the person;
 - Follow local, state, and federal laws;
 - Follow court orders;
 - Keep the person and/or others safe;
 - Respond to threats and to ensure public safety.

The policy indicates that our CoC providers will ask for consent for any purpose not listed above or if the law requires it.

- Jessica indicated she added a definition for the consent form, which we are calling “Information Sharing Authorization for Housing.”
 - “This is a consent form used for Housing and Homeless Prevention Services that allows for consumers’ Personally Identifiable Information (PII) to be shared with Covered Homeless Organizations (CHOs) and other providers that assist clients who are at risk of or experiencing homelessness. This consent form is required for any use or disclosure that is not listed as allowable in the CHOs Privacy Notice. For CHOs that adopt the California 502 standard Privacy Policy in whole, this form will be rarely needed.”
- Privacy is an area of high concern. Jessica recommended that when we present this to the community, clear, crisp explanations and messaging are key to making sure there is two-way communication to ensure that the message and understanding is received and understood.
- HUD allows the lowest barrier model.
- Margaret thanked the workgroup and indicates she wants to ensure we are respecting participants’ rights. Jessica said the policy does and has been vetted extensively. It is directed mostly at organizations that are not HIPAA-covered entities or domestic violence providers. HIPAA-covered entities, domestic violence providers, and other organizations that deal with specialized laws and concerns have different standards and policies for privacy.
- Another update will be provided to the HMIS Oversight Committee in either February or March for approval prior to going to the HUD CoC Committee for its approval.

- Jonathan Russell asked about HIPAA-covered entities, like his organization, Bay Area Community Services and like Abode, another HIPAA-covered entity. He will be sharing our new updates and privacy and content pages with his agency and their general counsel. He raised a point that for those types of organizations, if our CoC's consent policy and privacy notice creates issues where they need to do more or something different than these policies, it will have significant implications for our CoC system because of the volume of work from at least those two agencies.
- Jessica said she believes that HIPAA-covered entities have a choice: They can use our HUD-based policies or can operate solely as a HIPAA-covered entity policies. They may also make sure that their HIPAA-covered notices also have a section that covers housing data and list all the same boundaries and disclosures as our policies.
- Mike Keller said his concern was staff accountability to follow the steps in the policy and notifying persons of inferred consent. His suggestion that agencies can use is that instead of having the client sign a release of information, having the staff who do an in-person or by phone intake or assessment sign add a station to acknowledge that the policies and procedures were followed as a way to have a record for the agencies.
- Patrick is looking at our HMIS system to see if we can reconfigure to add a station for staff that would keep the date stamp and the person to ensure accountability and recordkeeping. Mike said an electronic mode for entry would be easier and better for compliance and records than a paperwork trail.
- Nic raised concerns that an inferred model may not be clear in client-facing situations and that the statements about the limits of what is shared are not explicit enough to ensure clarity. Asked that in addition to hard copies that are shared, it should be shared on EveryOne Home's website as a link and as a QR code. They should walk away with some kind of version of the document.
- Jessica said it will be shared on a public site, like EveryOne Home. Each individual CHO should post it on their site. We had not considered a QR code. While the CA-502 policy can and should be posted on public sites, links should direct people to organization-specific articulations of their privacy and security policies because each one can be different and we don't want to mislead clients with a general policy. She will start a thread by email with Nic and our plain language expert, Jennifer, to see if we get traction on verbiage that feels more transparent.
- Patrick referenced California law and Assembly Bill 210 that in some ways negates the need for signed authorization because it opened the door for sharing client information for the purposes of obtaining housing or housing services. It was directly positioned in response to the HUD's Coordinated Entry requirements to set the stage statewide that the need to share data for these purposes was important enough to create legislation. In some ways that legislation may override what we are doing here.
- Regarding the HMIS data system, he cautioned us that as one system for our CoC it doesn't have the flexibility to hold data on multiple versions of privacy and security policies and how we're going to implement sharing. Keeping these policies and practices a standard as possible across the continuum is important because of the system configuration.
- Next workgroup meeting is Thursday, January 18, 2022 at 1:00 PST. Mike invited anyone who wants to continue to contribute to the conversation and policies to join them.
- Jessica asked that Tirza share her email in the minutes so members can reach out to her if they want to join the Privacy and Security policies workgroup meetings: jessica@hanserdhealth.com.
- The goal for the next time Privacy and Security policies are on the agenda is that it will be an action item for vote and approval.

- Mike asked that committee members read materials sent with the meeting agenda the week before so that we don't have to spend time reviewing the materials prior to discussion.
- Tirza raised that the next time Privacy and Security policies is on the workplan is March. The February agenda is full. If the goal is to have this topic on the February agenda, during the February meeting prep session, the chairs and HMIS Lead will discuss if and how to reorder the workplan and agenda items.

5. Data Quality and Occupancy Reports (Patrick Crosby)

- There are quite a few projects with low occupancy. A goal is to improve occupancy and to be sure the Occupancy Report reflects the number of beds occupied.
- Jonathan shared about the issue of decompression, i.e., that all congregate sites are 50% or less occupied because of COVID. The question is where do projects make the adjustment, adjust number of beds available to show the baseline?
- Patrick shared if we drop the number of beds down to that occupancy, we also lose in that regard. We can note the decompression in the PIT submission. Some are far below the 50% though, so the reasons for that need to be explained as well.
- Jonathan shared there have been contractual modifications that need to be considered also for PSH but that doesn't seem as pressing as the emergency shelters. We also need to know which ones are inactive/temporarily inactive.
- Nic requested that the HMIS Lead team also convert the Occupancy Report into a really brief summary narrative to share with the Committee monthly. As presented, it is so much data that it is difficult to determine the key takeaways and what the reports tell us in terms of what is significant, trends, and areas to attend to for improvement.
- Patrick shared it's important to share out with the community to get feedback and to ensure we are up to date.
- Mike shared it would be important to have caveats in the report to indicate which programs are decompressed due to COVID so the Committee can better understand what the true issues are and which ones are artificial because of COVID or temporary circumstances.

6. Longitudinal Systems Analysis (LSA) Report (Patrick Crosby)

Update

- LSA workgroup was set up and canceled because HUD continues to alter the dates for upload and feedback because they are having a number of issues on their site. Right now the final upload deadline is still February 15, 2022.
- HUD finished processing our CoC's December 16 upload on January 9.
- The initial feedback in December after the upload contained 4,700 errors, a much smaller number than the HMIS Lead expected based upon last year's feedback. HUD flags two types of issues: errors to be corrected and warning flags that require comment or explanation. They had to wait until HUD finished processing to know the warning flags.
- When HUD finished processing, our CoC had 300 fewer errors and approximately 400 fewer warning flags. Approximately 4,000 errors are tied to the vendor who is working on program changes to fix those errors. Only 400 errors are associated with our CoC, so the workgroup was not needed due to the much smaller error count. Many of them are not errors that agencies need to address. If so, Patrick and his team will reach out to those agencies individually to verify their data. Nic indicated it is important to understand how HMIS OS should support the exploration of these

errors.

- After the final upload is submitted, HUD will take time to review and will return with final issues or questions that if they want additional clarification. The HMIS Lead may need support from the Committee at that time if their questions are agency or program-specific rather than calculation oddities attributed to the way the LSA is uploaded. It is likely that this year there is not a need for an LSA workgroup.
- Nic shared what does this look like moving forward, how does HMIS OC support with oversight and accountability. Need to understand what the communication process would look like with agencies. Tirza shared this will be impacted by governance restructuring and that this is an important conversation to have regardless.

7. HMIS OC Workplan & HUD CoC MOU

10:05 – 10:30

(Mike Keller, Co-Chair & Patrick Crosby, HMIS Lead)

- Tirza shared that an ongoing question has been whether the current MOU entered into in 2018 between the HUD CoC Committee and the HMIS Lead still reflects the priorities and needs of the CoC and both parties. The MOU was shared with the group.
- The ICF report indicated that the MOU has extensive responsibilities for the HMIS Lead, an entity that ICF recognized is clearly understaffed. The HMIS Lead has shared that these responsibilities are only HUD-focused and even in that realm are too extensive to meet when considered with other CoC needs such as Coordinated Entry and Cal AIM.
- HMIS Lead shared their preferred priorities for this work year which included
 - monitoring tool expansion
 - data quality (25-30% of allocated time)
 - privacy and security policies
 - communication plan
 - applicant for HUD funds,
 - and
 - LSA report, Point-in-Time Count (PIT), Housing Inventory Count (HIC), and System Performance Measures (SPM).
- Secondary items that would not be priorities would be
 - ensure participation of CoC/ESG funded projects
 - execute participation agreement with CHOs,
 - training, and
 - soliciting HMIS user feedback.
- Jonathan shared that the importance of training seems parallel to data quality. Mike also shared that training seems important and would not want to deprioritize this. Nic and Suzanne agreed, and training was move to the top priorities list.
- Tirza clarified that when there are competing priorities, the HMIS Lead will be asking the HUD CoC to agree to their focus on top or preferred priorities.
- Michelle Ogburn shared that her organization, Abode, is struggling with opening new projects in HMIS, especially now as they are opening new programs due to COVID. That issue affects data quality when they can't enter data due to projects not being opened in HMIS. She underscores the importance of ensuring the HMIS Lead can focus on tasks outside of the MOU.
- Patrick shared that the MOU reflects a HUD-centric workplan and that even the projects that Michelle is asking for are Cal AIM and other projects, not HUD projects. The HMIS Lead is pulled in many directions by many funding streams that have different requirements that are not the same as HUD's. They are also getting many requests from CoC agencies and jurisdictions for

data analysis needed to submit for additional project funding. He feels the MOU and HMIS Oversight Committee workplan doesn't give a lot of flexibility.

- Natasha shared that Michelle could reach out to her and Patrick to better navigate those needs. She shared the HMIS team is small but mighty but that relationships between the team and stakeholders are very important.
- Patrick shared that as a CoC we need to figure out how all of these programs, HUD and non-HUD, affect and relate to HMIS. There is a large set of priorities from a large set of interested parties.
- Nic shared that the HMIS Oversight Committee struggles with fine tuning and delineating responsibilities. For example, weren't the privacy and security policies handled by folks outside of their committee, they asked. They offered that a part of the solution may be to think about what can be executed outside of HMIS Lead to help the CoC move forward. For example, the communication plan and a shared calendar may be helpful.
- Mike shared that someone coming in to help enhance HMIS training and to support glitches in the system can be outsourced and may alleviate some of the tasks the HMIS Lead manages. He shared he struggles because there are so many important elements that they can't be pushed aside. Capacity issues are real, and our CoC should try and look at what short-term ways we can alleviate and address the issues.
- Tirza shared that the new governance transition planning team and upcoming structure could be a good space to have these important discussions. Mike shared we may be able to talk to ICF for their suggestions, perhaps for them to help identify some short-term approaches that can happen.
- Tirza called for a vote for the priority list for the HMIS Lead that will be presented to the HUD CoC Committee at their January 24 meeting.
 - Mike (yes)
 - Nic (yes)
 - Tunisia (yes)
 - Josh (yes)
 - Michelle (yes)
 - Jonathan (yes)
 - Suzanne (yes but concerned about priorities for non-HUD programs and that discussion)
 - Patrick (opposed. He indicated that even with only these priorities, it is still more than can be accomplished in one workplan year).
- Mike made a motion to approve these priorities for now.
- Tunisia seconded.
- Motion approved.
- Natasha shared that she would like to be part of the discussions with ICF. Tirza indicated that the EveryOne Home staff will ensure her and the HMIS Lead's participation in those discussions.

8. Data Quality Action Plan (Tirza White)

Update

- The Data Quality Action Plan be an agenda item for next month's meeting. The January 2020 HUD CoC approved plan was shared and explored in November, at the last meeting. Now 2 years old, it is time to update the plan to reflect our current CoC realities and priorities, including racial equity and the integration of Coordinated Entry and HMIS.
- Adding the occupancy reports every month will be included as well as the role of funders in supporting data quality.

- Nic asked how will the workgroups surrounding this be staffed and how we can get a sense from the HMIS Lead about updates on the items in the Action Plan. Tirza shared that those decisions will be made in the workgroup. It is also the hope that we will attempt to get that information by having Data Quality as a standing monthly agenda item if the HUD CoC Committee approves the priority list.
- Patrick shared that John Noe does analyses to explore issues in data quality, and there is an open forum to discuss issues folks may be having.
- Nic would like to see more written information about that analysis to explain how data quality monitoring is working/going.

9. Point-in-Time Count (Patrick Crosby/Katie Haverly)

Update

- Earlier today there was an emergency HUD CoC Committee meeting to present and vote on delaying the Count until February 23 due to the Omicron surge. The Committee voted to approve.
- This request will be officially submitted to HUD for their approval and should be reviewed and approved in the next 3-5 business days.
- HUD has voted to approve PIT Count data delays for several jurisdictions, but have not extended the deadline for submission of final PIT Count data. Currently, PIT Count data must still be submitted to HUD on April 30, 2022. The Planning team is confident the delay in conducting the Count will not affect our CoC's ability to complete the Count successfully and to submit the data to HUD on time.
- The next steps will be working on updated methodology for conducting the Count safely given the Omicron surge.

10. Proposed items for February 12 meeting*

- HMIS Monitoring Tool
- Data Quality Reports and Data Quality Action Plan
- System Performance Measures (SPM)
- HMIS Lead Workplan
- Funder/Liaison Role
- Updates: HMIS OC Workplan & HUD CoC MOU, PIT/HIC, and LSA Report

* Changes may occur depending on the need to include Privacy and Security policies for vote and approval.