

Section 5: Client Rights and Client Consent

Client Consent Policy 5.1:

A HMIS Member Agency must obtain consent from all clients for whom they are entering or accessing client data into HMIS.

Procedure 5.1:

No client shall be entered into HMIS without their written consent. The HMIS Member Agency agrees to get written permission on one or both of the following forms signed by the client:

1. Informed Consent; and/or
2. Release of Information.

Informed Consent

The HMIS Client Informed Consent form provided is required to be used to record a client's authorization for their data to be entered into HMIS. The original signed Client Informed Consent form should be kept by the HMIS Member Agency and protected from theft or loss. This form explains to clients their rights and authorizes the data to be entered into HMIS. HMIS End Users should strive to communicate the contents on the form in a language the client understands.

HMIS Release of Information (ROI)

The HMIS Release of Information (ROI) form is used to control how client data is shared in HMIS. It should be kept by the HMIS Member Agency and protected from loss of theft. Member Agencies are required to use the HMIS Release of Information form provided and upload it to the client's profile in HMIS. Release of information is specific to sharing data among providers in the Continuum of Care, as well as HMIS Member Agencies. Clients have the right to have their records open, partially open or closed. HMIS Users should strive to communicate a Release of Information in a language the client understands. The form must be completed by each member of the household receiving services who is over the age of 18. The head of the household may sign for any children or members of the household under the age of 18 on the same form. Clients who want to make changes to how their data is shared will need to sign another HMIS Release of Information form and the data will need to be updated in HMIS.

Uploading Client Documentation

Along with the ROI, other documents are also required to be scanned and uploaded in HMIS, which are:

- HMIS Consent/ROI Form
- Proof of Homelessness
- Proof of Chronic Homelessness Status
- SSN Card
- Proof of Disability
- Proof of Insurance
- Proof of Income
- Proof of Non-cash Benefits (Food Stamps, Medicaid Card)
- Lease for Clients Who Get Housed Upon Exit from the Project (PH Only)
- Destination Documentation

Reasonable Accommodations

Agencies must make reasonable accommodations for persons with disabilities throughout the data collection process. This may include, but is not limited to, providing qualified sign language interpreters, readers or materials in accessible formats such as Braille, audio, or large type, as needed by the individual with a disability. Agencies that are recipients of federal assistance shall provide required information in languages other than English that are common in the community, if speakers of these languages are found in significant numbers and come into frequent contact with the project.

Client Access to Information Policy 5. 2:

All clients entered into HMIS have a right to view information within their electronic HMIS file.

Procedure 5.2:

If a HMIS Member Agency has a written policy for providing copies of their paperwork or data collection to clients, the HMIS Member Agency may follow its procedures to allow for providing copies of the HMIS data they collected. Clients can request a copy of their information in writing to the HMIS staff through email or regular mail. Once received, the HMIS staff will fulfill the client's request in an expedited manner.

Client Grievance Policy 5. 3:

Clients have the right to file a grievance with the HMIS staff about any HMIS Member Agency related to violations of access in HMIS, violations of HMIS Policies and Procedures, or violations of any law.

Procedure 5.3:

HMIS staff will entertain any client who wishes to file grievance against any HMIS Member Agency. HMIS staff will request that a client fill out a HMIS Client Grievance Form, which can be obtained by contacting the HMIS staff by phone, email or regular mail. Once completed and submitted by the client, HMIS Staff will investigate the complaint and provide its findings to the client who filed the grievance. HMIS will notify the parties involved about the alleged incident reported. If the client is not satisfied with the findings of the grievance, the client may submit a grievance request in writing to the U.S. Department of Housing and Urban Development.

HMIS Member Agency Grievance Policy 5. 4:

Other HMIS Member Agencies have a right to file a grievance with the HMIS staff about any HMIS Member Agency related to violations of access in HMIS, violations of HMIS Policies and Procedures, or violations of any law.

Procedure 5.4:

HMIS staff will entertain any HMIS Member Agency who wishes to file grievance against any other HMIS Member Agency. In cases where a client leaves one HMIS Member Agency to receive services from another HMIS Member Agency and the client reports a suspected violation, the new HMIS Member Agency does have a right to file a grievance or duty to warn the HMIS staff on behalf of the client as long as the client grants their permission to file a grievance on their behalf. HMIS staff will request a HMIS Client Grievance Form be completed by either the client or the HMIS Member Agency. The form can be

obtained by contacting the HMIS staff by phone, email or regular mail. Once completed and submitted, HMIS Staff will investigate the complaint and provide its findings to the client who lodged the grievance. HMIS staff will notify the parties involved and the appropriate community planners about the alleged incident reported. If the client is not satisfied with the findings of the grievance, the client may submit a grievance request in writing to the U. S. Department of Housing and Urban Development.

Revoking Authorization for HMIS Data Collection Policy 5.5:

All clients who initially agree to participate in HMIS have the right to rescind their permission for data sharing in HMIS.

Procedure 5.5:

Clients who choose to revoke their information sharing authorization must complete a new Release of Information. The new Release of Information should be sent by the Agency Administrator who will notify the HMIS Lead Agency that the client record is to be “closed” in the system. The HMIS Lead Agency will be responsible for closing the client record from view. Once closed, the HMIS Member Agency will no longer be able to share future client data entered into HMIS. However, data entered prior to the record being closed can still be viewed and shared with other Member Agency providers. The new Release of Information should be kept on file by the Member Agency. After a Release of Information is signed and a client is accepted into a HMIS participating financial assistance project, the client must sign a client consent form and HMIS staff must be notified to re-open the client record for sharing. The notification to re-open the file must be submitted in writing, along with a scanned copy of the client’s newly signed consent.