

OPUS Data Collection System

Privacy Notice to Consumers of Services

**THIS NOTICE DESCRIBES HOW PRIVACY INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.
THE PRIVACY OF YOUR PERSONAL INFORMATION IS IMPORTANT TO US.**

OPUS Data Collection System Recommended Privacy Notice

OPUS was developed to meet a data collection requirement made by the United States Congress to the Department of Housing and Urban Development (HUD) and the Department of Health and Human Services (HHS). Congress passed these requirement in order to get a more accurate count of individuals who are homeless or low-income and to identify the need for and use of different services by those individuals and families. We are working to assist the State of Oregon 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.

We will use the information you provide to process and administer your application for assistance. Many agencies in this area also use OPUS. The information you provide to us may be shared with other OPUS participating agencies. The information we collect and share includes: basic identifying demographic data (e.g., name, address, birth date, phone number, SSN, ethnic origin, familial status, financial data), the nature of your situation, and the services and referrals you receive from our agency.

Sharing information with OPUS 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 OPUS can also help us make referrals more easily, often with less paperwork 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. We collect information only when appropriate to provide services, ensure compliance with assistance requirements, manage our organization, or as required by law. Within the limits of the law, your record of services received will only be shared through OPUS with funding agencies including Oregon Housing and Community Services who administers the OPUS database.

CONFIDENTIALITY RIGHTS

This agency has a confidentiality policy that has been approved by those with authority to do so. This policy follows all HUD and HIPAA (Health Insurance Portability and Accountability Act) confidentiality regulations that are applicable to this agency, including those covering programs that receive HUD funding for homeless services (Federal Register/Vol. 69, No. 146 – Emergency Shelter Grant, Supportive Housing Continuum of Care, Home TBA, ...*List Programs*), and those covered under the HIPAA privacy and security rules which govern confidential health information such as the diagnosis, treatment, of a mental health disorder, a drug or alcohol disorder, an AIDS/HIV condition or a domestic violence situation (*List Programs*).

Records about substance abuse, physical and mental health, HIV, and domestic violence will not be shared through OPUS.

This agency generally is restricted to using or disclosing personal information from OPUS to the following circumstances:

- To provide or coordinate services to an individual,
- For functions related to payment or reimbursement for services.
- To carry out administrative functions including but not limited to legal, audit, personnel, planning, oversight and management functions;
- Databases used for research, where all identifying information has been removed.
- Contractual research where privacy conditions are met.
- Where a disclosure is required by law and disclosure complies with and is limited to the requirements of the law. Instances where this might occur are during a medical emergency, to report a crime against staff of the agency, or to avert a serious threat to health or safety.

YOUR INFORMATION RIGHTS

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

- ***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.
- ***Agency's right to refuse inspection of an individual record.*** Our agency may deny you the right to inspect or copy your personal information for the following reasons: (1) information is compiled in reasonable anticipation of litigation or comparable proceedings; (2) information about another individual other than the agency staff would be disclosed; (3) information was obtained under a promise of confidentiality other than a promise from this provider and disclosure would reveal the source of the information; (4) information, the disclosure of which, would be reasonably likely to endanger the life or physical safety of any individual; or (5) this disclosure of information is otherwise limited by law.
- ***Harassment.*** The agency reserves the right to reject repeated or harassing requests for access or correction. However, if the agency denies your request for access or correction, you will be provided written documentation regarding your request and the reason for denial. A copy of that documentation will also be included in your client record.
- ***Grievance.*** You have the right to be heard if you feel that your confidentiality rights have been violated, if you have been denied access to your personal records, or you have been 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. Through training, policies and procedures, and software we have done several things to make sure your information is kept safe and secure:

- OPUS uses multiple security protections to prevent unauthorized access.
- Only trained and authorized individuals are intended to enter or view your personal information.

- Your name and other identifying information will not be contained in OPUS reports that are issued to local, state, or national agencies.
- Employees and volunteers receive training in privacy protection and agree to follow strict confidentiality standards before using the system.
- The server/database/software is designed to only allow authorized individuals access to the information.
- The server/database only sends encrypted data – 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/viruses/etc. away from the server.
- The main database will be kept physically secure, meaning that it is designed so that only authorized personnel should have access to the server / database.
- Database administrators support the daily operation of the database. Administration of the database is governed by agreements that limit the use of personal information to providing administrative support and generating reports using aggregated information. These agreements further insure the confidentiality of your personal information.

WHAT IS INFORMED CONSENT?

Confidential information about you and confidential services provided to you cannot be given to anyone other than permitted by law 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 this information including the potential risks, benefits, options, and consequences (UNDERSTANDING).
- You should not be forced or pressured into a decision. The choice you make should be your decision (VOLUNTARY).

BENEFITS OF OPUS 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 basic identifying demographic data, even in the absence of other information, results in a more accurate count of individuals and the services they use. The security system is designed to create a code that will help 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 in need.
- Keep required statistics for state and federal funders (such as HUD and HHS).

- 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 OPUS system has multiple security layers in place and was designed to promote better services for those who are in need, there are risks you should consider before accepting services:

- Could there be physical harm or other negative consequences to you or members of your family if someone within an OPUS participating agency knew that they could find you from the information shared with other participating OPUS agencies?
- Could there be physical harm or other negative consequences to you or members of your family if someone within an OPUS participating agency found out you sought help, particularly if you or your children have experienced domestic violence, sexual assault, stalking, or child abuse?
- Are there others who may work or volunteer at other OPUS participating agencies who you may not want to have access to your information or to know you are seeking services?

OUR LEGAL DUTY

We are required by applicable federal and state law to maintain the privacy of your private personal information within the limits of that law. We are also required to give you this notice about our privacy practices, our legal duties, and your rights concerning your private personal information. We must follow the privacy practices that are described in this notice while it is in effect. This notice takes effect immediately, and will remain in effect until we replace it.

We reserve the right to change our privacy practices and the terms of this notice at any time, provided such changes are permitted by applicable law. We reserve the right to make the changes in our privacy practices and the new terms of our notice effective for all private personal information that we maintain, including private personal information we created or received before we made the changes. Before we make a significant change in our privacy practices, we will change this notice and make the new notice available upon request.

You may request a copy of our notice at any time. For more information about our privacy practices, or for additional copies of this notice, please contact us.

Notwithstanding the foregoing, the Agency makes no warranties, expressed or implied, with respect to the confidentiality of personal information.

PRIVACY NOTICE AMENDMENTS: The policies covered under this Privacy Notice may be amended over time and those amendments may affect information obtained by the agency before the date of the change. All amendments to the Privacy Notice must be consistent with the requirements of the Federal Standards that protect the privacy of consumers and guide OPUS implementation and operation.