

## Privacy Concept Chart:

Issue	Michigan	North Carolina	Recommendation
Privacy Rule	HIPAA Guidelines	HUD Rules	HIPAA Guidelines
Consent for Entry	Implied	Yes	Implied Consent
-Agencies may opt out	Yes	NA	GC decision
-How sharing is defined	Exchange of Data Between Programs based on a business need to know	Including data in the HMIS – If data is in system some information is open to anyone	Business need to know
Sharing Plan- Agency	Agency determines specifically what and who, a Sharing Contract is required.	Does not address	Agency determines what and who
Sharing Plan- CoC	Coordinates Process – recommends and supports multi-agency contracting.	Does not address	CoC recommends and supports contracting
Sharing Plan - Client	Client is told what is shared with whom & given option to say “no”. If they say “no” only the serving agency may see the data. Agency cannot restrict services except where sharing is a core component of the program.	Clients have rights to restrict sharing but are not specifically told who can see their data.	Client is told what is shared with whom & given option to say “no”. Client can opt out of sharing with certain agencies within plan. Not realistic unless real time entry.
Sharing Type - System	Restricted (sharing to defined participants) except for Search Screen	Global (sharing to all participants)	Restricted except for search screen
Sharing Plan- Communication	Controlled presentation to client - script	Implied with Release language	Script
PPI on Search Screen	Shared Global w partial mask SS# & DoB	Shared Global w no mask	Global w/ partial mask SSN & DoB
Client Consent on Search Screen	Yes or No – client may choose to close or even use an un-named record	Implied Consent	Yes or No – client may choose to close or even use an un-named record
Assessment Information	Structured Sharing – limited to need to know w client consent.	Some Global Sharing – no specific informed consent	Business need to know
Assessment Information that include protected data	If sharing includes case plans, health, HIV/Aids, disability, or Domestic Violence information, a second HIPAA compliant release is required.	No comment on this	Because UDE’s often include this - integrate the Releases and make Releases reciprocal.
Transaction Information	Structured Sharing – limited to need to know w client consent.	Global Sharing to all Providers – no specific informed consent	Business need to know
Uses Electronic ROI	Yes – Client may say Yes or No. Internal vs external ROI is defined.	Yes - Required “Yes” on at least some workflows.	There are options for turning off the ROI but that decision should be deferred until the new privacy model is stable.

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Visibility Set Up	Agency ownership with support from SA.	SA ownership – limited use of Visibility (see global above)	Agency ownership with support from SA
Encrypted Database	No	Yes	Remove Encryption

Next Steps:

Follow-up tasks include revised paper Release of Information, Privacy Notice, and some sample scripts.

Participation Agreement, QSOBAAs, and Privacy Plan written into the P&Ps.