

PARTICIPATION AND CONFIDENTIALITY AGREEMENT FOR MARIN COUNTY HOMELESS ADULT AND FAMILY MULTIDISCIPLINARY PERSONNEL TEAMS

I. Background

The passage of Assembly Bill 210 (AB 210) created Section 18999.8 of the Welfare and Institutions Code which permits multi-disciplinary personnel teams (MDTs) comprised of employees of Participating Agencies to share and exchange information made confidential by State law to facilitate the expedited identification, assessment, and linkage of homeless adults and families to housing and supportive services within the County.

MDT members may disclose and exchange with one another information that is otherwise confidential if the team member possessing that information reasonably believes that it is generally relevant to the identification, assessment, and linkage of homeless adults and families to housing and supportive services, provided that no information may be shared in a manner prohibited by federal law or regulations.

Ensuring the confidentiality of information regarding homeless individuals and families is of critical importance. All information shared between AB 210 MDT members is private and confidential. WIC 18999.8 requires all persons who have access to confidential information pursuant to the MDT to sign a confidentiality statement.

II. Use and Confidentiality of Information

As an AB 210 MDT member, you must: 1) abide by the County of Marin's protocol and your department's/agency's policies and procedures governing the use, disclosure, sharing and maintenance of confidential information; 2) uphold all privacy protection standards established by the County of Marin and your department/agency; 3) comply with State of California laws and regulations that protect client records; and 4) comply with all relevant federal confidentiality laws and regulations that protect client records.

The following documents, attached hereto and incorporated herein, set forth the County of Marin's requirements for Participating Agencies and their employees governing information sharing and maintenance of the confidentiality of information:

- *Marin County Protocol Governing Information Sharing by Marin County Homeless Adult and Family Multidisciplinary Personnel Teams Convened Pursuant to Welfare and Institutions Code Section 18999.8 (<https://housingfirst.marinhhs.org/data-sharing> Exhibit 1)*
- *Requirements for using WIZARD and HMIS data systems (Attachment A below)*

Case conferencing or service coordination is permitted under AB210 guidelines for clients covered by AB210 even in the absence of signed ROI.

Additionally, your employing Participating Agency has its own policies and procedures including but not limited to, those regarding general use, security safeguards, acceptable use, and enforcement policies.

III. Acknowledgement and Agreement:

By your signature below, you are certifying that:

- You have received a copy of *"Marin County Protocol Governing Information Sharing by Marin County Homeless Adult and Family Multidisciplinary Personnel Teams Convened Pursuant to Welfare and Institutions Code Section 18999.8"* (Attachment "A");
- You will abide by the County's protocol and your employing Participating Agency's policies and procedures concerning information sharing and confidentiality when participating as a member of an MDT;
- You agree that you will only share/disclose information that you reasonably believe is generally relevant to the identification, assessment, and linkage of homeless adults and families to housing and supportive services;
- You understand that no confidential information or writings shall be disclosed to persons who are not members of the MDT, except to the extent required or permitted under applicable law;
- You agree that information and/or records you obtain as a MDT member will be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights;
- You have completed the required privacy and security awareness training; and

Date of privacy and security awareness completion: _____

Name of privacy and security awareness training: _____

- You understand that any violation of this Participation and Confidentiality Statement is grounds for immediate suspension or revocation of your current and future authorization to disclose or receive confidential information as a member of any MDT.

Name: _____

Department/Agency Name: _____

Job Title: _____

Email: _____

Telephone: _____

Signature: _____ Date: _____

Attachment A

Requirements for WIZARD and HMIS

- Supervisors are expected to request/approve use of WIZARD for their staff
- When staff leave their position or change roles, supervisors are required to notify the HHS Whole Person Care (WPC) Division by email at MarinWPCquestion@marincounty.org within 1 working day to remove account access.
- Use of WIZARD and HMIS requires training. Access is not granted until a new user attends WIZARD training.
- WIZARD and HMIS training address data sharing with sworn law enforcement officers or probation officers: WIZARD users are not allowed to share general information with law enforcement or probation. Only the following information may be shared:
 - If the individual has had a Coordinated Entry assessment conducted or not (currently, the VISDPAT), but not the assessment's result.
 - If the individual has a WPC case manager or not
 - Who the case manager is.
- WIZARD training instructs users to share the information needed to provide holistic, wrap around services and no more.
- WIZARD accounts that have no activity for 90 days are deactivated
- WIZARD user activity is logged and is periodically reviewed by the WPC Division
- WIZARD will have clients in these categories:
 - Are assigned or enrolled in WPC housing case management and are currently experiencing homelessness or have been housed less than 12 months:
 - Have signed an ROI (profile will be visible to all Participating Agencies for coordination purposes)
 - Decline to sign the ROI (profile will be visible only to their case management organization and the WPC Division)
 - Are assigned or enrolled in WPC housing case management and have been housed 12+ months. Client ROI is required for the sharing of information.
 - Have signed an ROI (profile will be visible to all Participating Agencies for coordination purposes)
 - Decline to sign the ROI (profile will be visible only to their case management organization and the WPC Division (as system administrator))
- HMIS will have client information for everyone who has been assessed by Coordinated Entry
 - For clients who decline to sign the ROI, the profile will be visible only to their service organization and the WPC Division (as system administrator)