

FAQ: SCC Client Consent & Clarity HMIS ROI

A Client Consent to Data Collection and Release of Information (ROI) must be completed for each client who consents to have their personally identifying information (PII) entered into the Santa Clara County Clarity HMIS System. Each client must have a hard copy of the ROI uploaded to Clarity.

Uploading the Form

Once the client has consented by reviewing and signing the paper version of the ROI the service provider should scan and upload the entire five (5) pages into Clarity. A PDF version of the ROI form for printing and signing can be found on the [Santa Clara County Clarity HMIS website](#) and the [Client Consent and Coordinated Assessment: What Can I Enter Into HMIS](#) has instructions on what can be entered into Clarity HMIS depending on what a client does not sign off on the ROI.

The following document [How To Create and Anonymous Client Profile](#) also includes instructions on how to enter an anonymous client for those who do not consent, or for whom de-identified PII is required.

Obtaining and Documenting Consent

1. Am I required to obtain an ROI from a client?

Yes. When creating a client profile in Clarity HMIS, all providers are required to document whether a client consents to sharing identifying information in Clarity HMIS. For clients who consent, an ROI must be signed and all five (5) pages uploaded to Clarity HMIS. Not only does this ROI provide legal documentation of a client's consent, having identifying information in Clarity HMIS allows providers to more easily serve clients, better obtain a picture of services clients are receiving across the continuum, and assist in the documentation of chronic homelessness.

2. Is it okay to scan and upload the signature page only?

No. All five (5) pages of the ROI must be uploaded and there needs to be a date and client signature in order for the ROI to be valid.

3. Is it okay if an ROI does not have a client's printed name on it or the signature?

We can accept an ROI with a signature, but not a printed name, as long as it's clear who the participant is. We cannot accept an ROI that is not signed.

4. Is there a way to track verbal consent?

No. Consent must be documented through a signed ROI. The ROI can be signed by a Client Representative and relationship of representative should be noted.

5. How do I know whether my client has an ROI on file?

Locate the client's profile in the system and click on the Privacy Shield icon. Existing ROIs will be listed in the Release of Information section. If the section says, "There are no results to display," this means the client does not have an ROI on file.



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6. How do I add a new ROI if there is one currently in Clarity HMIS for a client?

If planning to upload a new ROI, first update the end date of the previous ROI so it ends before the start date of the new ROI. The system will not allow ROI dates to overlap. Once you have made changes to the date as necessary, upload the revised ROI. *Please note a new ROI should not be uploaded unless there have been changes to the original consented information (e.g., a client no longer is authorizing that his/her photograph or other likeness be used).*

7. Who is responsible for adding the ROI?

The agency who initially enters client information into Clarity HMIS is responsible for documenting consent status and for adding the ROI for clients who consent.

8. Does every agency need to complete an ROI for every client they work with?

No. One ROI completed at any agency is valid for any other HMIS participating agency to enter client data into HMIS. The client will identify how long they consent to have data entered into HMIS on the paper ROI. The staff member uploading the ROI should update the consent period in HMIS to reflect what the client indicated on the paper document. It is the responsibility of every staff member accessing the client's profile to review the ROI to ensure the date range is valid. If the ROI date range expires, the next staff working with the client at any agency should complete a new ROI.

9. What do I do if my client's profile contains identifying information (name, SSN, exact DOB), but no ROI has been added?

Client information should not be entered into Clarity HMIS without an ROI. However, if no ROI has been added for an identified client, you should contact the most recent agency serving this client to obtain a copy of their ROI, or request the agency add their ROI to Clarity HMIS. If that is not feasible, then you should confirm consent with your client and enter the ROI. If a client no longer consents, you must never attempt to de-identify the client record. Clients records must only be de-identified by the Bitfocus Helpdesk.

10. What if an ROI has expired and a new one cannot be obtained, can data still be entered for the period the ROI was valid for?

The data can be entered as long as the services provided are within the dates the ROI was valid. Anything outside of these parameters should not be entered since the ROI expired and therefore no longer have the client's permission to do so.

Families and ROI

11. Does every member of a household need to complete a separate ROI?

Yes. Each household member must sign an individual ROI. Parents can sign for children under 18. Each ROI should be added under the individual family member's Privacy Shield. Only *unaccompanied* youth aged 13 through 17 can sign an ROI for themselves. When they are with a parent or guardian, the parent or guardian can sign for them. Client identity could be determined through the identities and relationships of family members. Therefore all members of a family must be deidentified if consent is refused for any one member.

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12. Should a teenager who is part of a household sign their own ROI once they turn 18?

Yes. The individual client who turned 18 years old should now sign their own ROI to replace the version signed by the parent/guardian when the individual was a minor. The client can remain part of the household in Clarity HMIS like any other adult household member.

13. Can a client sign the ROI for their spouse?

No. A client may only sign the ROI for themselves and for their children who are under the age of 18.

14. If a parent of an adult disabled client needs to sign an ROI, would it be okay if that parent signs on their behalf? Would we need to provide anything like a Power of Attorney document?

Yes. We need a signed legal document uploaded to the client's file which indicates the person completing/signing the ROI for the client is legally enabled to make those PPI/PHI decisions on behalf of the client.

Non-Consenting Clients and Revoking Consent

15. What if my client wants to revoke their consent to having identifying information entered in Clarity HMIS?

A client may revoke consent at any time, but must do so in writing and submit it to the following address: **Bitfocus Inc. ATTN: SCC HMIS 548 Market St. #60866 SF, CA 94104**. This consent may be revoked verbally for records relating to drug/alcohol treatment or mental health treatment. Furthermore, the agency must contact the Bitfocus Helpdesk (sccsupport@bitfocus.com) and request the client record be de-identified. The Helpdesk may ask a few questions to ensure all protocols are being followed. If at all possible, make sure your client has their Clarity Human Services Unique Identifier to provide to other providers in order to avoid creation of duplicate records.

16. Can I de-identify my client's profile after they've refused consent?

No. To ensure that all client data in Clarity HMIS is correctly de-identified, and that all providers (including Coordinated Entry for All staff) working with the client are notified, you must contact the Bitfocus Helpdesk when a client needs to be de-identified.

17. What if a client tells me they don't consent but I see that they have an ROI entered into Clarity HMIS?

If the client has a pre-existing ROI, be sure to notify the client and ensure they no longer give consent. If they still refuse, update the client's profile as necessary and contact the Bitfocus Helpdesk to have the client de-identified.

18. What if I see that my non-consenting client has another identified profile in the system?

First, determine whether the identified profile has an ROI entered in Clarity HMIS (look for a record in the Release of Information section under the Privacy Shield in your client's profile). If your non-consenting ROI is newer, that ROI takes precedence and the client should remain de-identified. Once you've determined whether the client should be identified or de-identified in the system, you can contact the Bitfocus Helpdesk to have the two profiles merged, keeping either the identified or de-identified profile

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as appropriate. If the client will be de-identified in the system, make sure they have their Clarity Human Services Unique Identifier to provide to other providers in order to avoid creation of duplicate records.

De-Identified Populations

19. What do I do if my client is actively fleeing a domestic violence (DV) situation?

If your program is a [Victim Service Provider](#) you should never enter identifying information for any client served by your program. No personally identifying information may be entered for any client actively fleeing domestic violence. If you are providing services for a client who is actively fleeing domestic violence you must create a new, de-identified profile for your client, regardless of whether they have an existing profile in the system. The profile you create should only be used by your agency and no effort should be made to merge or de-duplicate this profile with any other in Clarity HMIS.

20. What do I do if I serve unaccompanied youth (under 18)?

Beginning June 7, 2018: Any unaccompanied youth aged 13 or older may consent to have their personally identifying information collected for the purposes of Clarity HMIS. The term unaccompanied is defined as a youth or young adult experiencing homelessness while not in the physical custody of a parent or guardian.

21. What happens when a parent/Guardian disagrees [with minor youth] about whether to consent to Clarity HMIS or not? Does the Guardian's decision about Clarity HMIS consent trump the minor's decision?

If a minor is in a household with a parent or guardian, they are not and unaccompanied youth and the guardian can decide consent. *Unaccompanied* youth aged 13 or older may consent to have their personally identifying information collected for the purposes of Clarity HMIS.

22. Should I use the same Clarity HMIS consent form for minors as we do for adults?

Yes.

23. Is there a Youth-specific Clarity HMIS consent form developed that provides the same info in simple, youth-focused language?

No. There should always be a conversation about Clarity HMIS with the person being served (youth or adult) to ensure the client understands the information, and has the opportunity to ask questions.