

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1811

62nd Legislature
2011 Regular Session

Passed by the House April 14, 2011
Yeas 97 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 7, 2011
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1811** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1811

AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By House Community Development & Housing (originally sponsored by Representatives Springer, Roberts, and Stanford)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to allowing for informed telephonic consent for
2 access to housing or homelessness services; and amending RCW
3 43.185C.180.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.185C.180 and 2006 c 349 s 8 are each amended to
6 read as follows:

7 (1) In order to improve services for the homeless, the department,
8 within amounts appropriated by the legislature for this specific
9 purpose, shall implement the Washington homeless client management
10 information system for the ongoing collection and updates of
11 information about all homeless individuals in the state.

12 (2) Information about homeless individuals for the Washington
13 homeless client management information system shall come from the
14 Washington homeless census and from state agencies and community
15 organizations providing services to homeless individuals and families.

16 (a) Personally identifying information about homeless individuals
17 for the Washington homeless client management information system may
18 only be collected after having obtained informed, reasonably time
19 limited (i) written consent from the homeless individual to whom the

1 information relates, or (ii) telephonic consent from the homeless
2 individual, provided that written consent is obtained at the first time
3 the individual is physically present at an organization with access to
4 the Washington homeless client management information system.
5 Safeguards consistent with federal requirements on data collection must
6 be in place to protect homeless individuals' rights regarding their
7 personally identifying information.

8 (b) Data collection under this subsection shall be done in a manner
9 consistent with federally informed consent guidelines regarding human
10 research which, at a minimum, require that individuals (~~be informed~~)
11 receive:

12 (i) Information about the expected duration of their
13 participation(~~(τ)~~) in the Washington homeless client management
14 information system;

15 (ii) An explanation of whom to contact for answers to pertinent
16 questions about the data collection and their rights regarding their
17 personal identifying information(~~(τ)~~);

18 (iii) An explanation regarding whom to contact in the event of
19 injury to the individual related to the Washington homeless client
20 (~~survey~~) management information system;

21 (iv) A description of any reasonably foreseeable risks to the
22 homeless individual(~~(τ)~~); and

23 (v) A statement describing the extent to which confidentiality of
24 records identifying the individual will be maintained.

25 (c) The department must adopt policies governing the appropriate
26 process for destroying Washington homeless client management
27 information system paper documents containing personally identifying
28 information when the paper documents are no longer needed. The
29 policies must not conflict with any federal data requirements.

30 (3) The Washington homeless client management information system
31 shall serve as an online information and referral system to enable
32 local governments and providers to connect homeless persons in the
33 database with available housing and other support services. Local
34 governments shall develop a capacity for continuous case management,
35 including independent living plans, when appropriate, to assist
36 homeless persons.

37 (4) The information in the Washington homeless client management
38 information system will also provide the department with the

1 information to consolidate and analyze data about the extent and nature
2 of homelessness in Washington state, giving emphasis to information
3 about the extent and nature of homelessness in Washington state among
4 families with children.

5 (5) The system may be merged with other data gathering and
6 reporting systems and shall:

7 (a) Protect the right of privacy of individuals;

8 (b) Provide for consultation and collaboration with all relevant
9 state agencies including the department of social and health services,
10 experts, and community organizations involved in the delivery of
11 services to homeless persons; and

12 (c) Include related information held or gathered by other state
13 agencies.

14 (6) Within amounts appropriated by the legislature, for this
15 specific purpose, the department shall evaluate the information
16 gathered and disseminate the analysis and the evaluation broadly, using
17 appropriate computer networks as well as written reports.

18 (7) The Washington homeless client management information system
19 shall be implemented by December 31, 2009, and updated with new
20 homeless client information at least annually.

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