

# SENATE BILL REPORT

## HB 1630

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As of February 20, 2018

**Title:** An act relating to allowing minors to consent to share their personally identifying information in the Washington homeless client management information system.

**Brief Description:** Allowing minors to consent to share their personally identifying information in the Washington homeless client management information system.

**Sponsors:** Representatives Slatter, McDonald, Senn, Dent, Kilduff, McBride, Frame, Jinkins, Kloba, Santos, Appleton, Muri, Fey, Doglio, Stanford and Kagi; by request of Washington State Department of Commerce.

**Brief History:** Passed House: 3/03/17, 96-1; 5/02/17, 90-2; 5/25/17, 92-2; 1/11/18, 96-2.

**Committee Activity:** Human Services, Mental Health & Housing: 3/22/17, 3/28/17 [DPA, DNP].

Human Services & Corrections: 2/19/18.

### Brief Summary of Bill

- Allows unaccompanied youth aged 13 and older to give consent for the collection of personally identifying information for the Washington Homeless Client Management Information System (HMIS).

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Majority Report:** Do pass as amended.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Padden and Walsh.

**Minority Report:** Do not pass.

Signed by Senators Darneille, Ranking Minority Member; Carlyle and Hunt.

**Staff:** Alison Mendiola (786-7444)

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Brandon Popovac (786-7465)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** The Homeless Housing and Assistance Act of 2005 required the Department of Commerce (Commerce) to develop a management information system for the homeless population. In 2006, the Legislature added additional specifications, including the following:

- requiring Commerce to implement the HMIS by December 31, 2009, and to update it at least annually;
- specifying that the HMIS must include information from the Washington homeless census, state agencies, and organizations providing services to the homeless population;
- allowing data to be collected only after having obtained informed, reasonably time-limited written consent from the homeless individual;
- requiring information to be collected in a manner consistent with federally informed consent guidelines regarding human research; and
- directing that the HMIS serve as an online information and referral system for providers to connect clients with available housing and other support services.

Homeless service providers collect information about their clients and input it into the HMIS so that it can be matched with information from other providers in the state to get accurate counts of homeless clients and the services they need. Individually identifiable client data is only accessible to individuals authorized by Commerce to access the database.

Each client must sign a form consenting or denying the collection of the client's personally identifying information for the HMIS. Client information can be collected in-person or over the phone. If client information is collected over the telephone, written consent must be obtained at the first time the individual is physically present at an organization with access to the HMIS.

The Office of Homeless Youth Prevention and Protection Programs within Commerce oversees programs serving unaccompanied and homeless youth and young adults up to 24 years of age. These programs include HOPE centers, crisis residential centers, and street youth services. HOPE centers provide voluntary and temporary residential placements for street youth under the age of 18. A crisis residential center is a short-term and semi-secure facility for runaway youth and adolescents in conflict with their families. Street youth services provide housing and other services through street and community-based outreach.

**Summary of Bill:** Any unaccompanied youth aged 13 or older may consent to have their personally identifying information collected for the purposes of the 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.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on House Bill (Human Services, Mental Health & Housing):** *Testimony from 2017 Regular Session. The committee recommended a different version of the bill than what was heard.* PRO: This bill is about visibility, transparency, data, and allowing young people to be counted. There is not just one way to solve youth homelessness but this would give us the data we need to plan accordingly. There are 40,000 homeless students of which 6000 are homeless youth. Comprehensive data will lead to robust policy. As we are looking at performance based contracts and metrics, we need the data. Young people support this bill, they want to be counted and they want an accurate picture. This will allow funds to be allocated appropriately. Providers support this bill. This supports the implementation of the Office of Homeless Youth. Being able to collect data will help us understand what is and is not working. Without this, we cannot produce unduplicated data. We do not know if youth return to homelessness or if there is overlap with other systems like foster care or juvenile detention. We know very little about youth under 18. There is no cost to this technical fix.

**Persons Testifying (Human Services, Mental Health & Housing):** PRO: Representative Vandana Slatter, Prime Sponsor; April Putney, King County; Liz Trautman, The Mockingbird Society; Kim Justice, Department of Commerce; Jim Theofelis, A Way Home Washington.

**Persons Signed In To Testify But Not Testifying (Human Services, Mental Health & Housing):** No one.

**Staff Summary of Public Testimony (Human Services & Corrections):** PRO: Homeless youth are prevalent in all communities. This agency-request legislation has existed for three years since Commerce is looking for more data on this population. It stems from an AGO opinion issued in 2014, which has led to a current data blackout for acquiring information for these youth and for information sharing among service providers. The bill fixes a data glitch error between the local service providers and state-level HMIS system. The bill begins a conversation about tracking youth homelessness and the data that is available even though youth may not consent to provide information. But it is unknown if, as written, the bill would authorize Commerce to track the number of youth who do not consent to provide their personally identifying information.

Washington is only state in the nation not collecting personally identifying data on homeless youth. Gathering information is essential to providing ideal services for current and future homeless youth. A lack of such data almost delayed a key grant to commence an Anchor Community initiative. Most youth do provide personally identifying data and hinging the provision of services on the sharing of such data subjects such youth to predators. Youth and youth advocates have been supporting this bill over last few years, and see the benefit of tracking homeless youth in order to provide necessary services. Service providers also support the bill in order to make better data-informed decisions and allow them to track the investment of provided services.

**Persons Testifying (Human Services & Corrections):** PRO: Representative Vandana Slatter, Prime Sponsor; Jim Theofelis, A Way Home Washington; Alexandre Chateaubriand, Washington State Department of Commerce; Liz Trautman, The Mockingbird Society & WACHYA.

**Persons Signed In To Testify But Not Testifying (Human Services & Corrections):** No one.