

SENATE BILL REPORT

SB 5625

As of February 13, 2017

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: Senators Zeiger, Darneille, Walsh, Hunt, O'Ban, Frockt and Carlyle; by request of Department of Commerce.

Brief History:

Committee Activity: Human Services, Mental Health & Housing: 2/13/17.

Brief Summary of Bill

- An unaccompanied youth over the age of 13 may give consent to the collection of their personally identifying information in the Homeless Management Information System.

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Staff: Alison Mendiola (786-7444)

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 Washington Homeless Client Management Information System (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 federal informed consent guidelines regarding human research; and
- directing that the HMIS serve as an online information and referral system.

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.

The HMIS is an electronic record system that enables information gathering on, and continuous case management of, homeless persons across agencies. 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. The statewide HMIS is designed to meet U.S. Department of Housing and Urban Development, Health Insurance Portability and Accountability Act, and state requirements as well as local provider needs.

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.

Summary of Bill: An unaccompanied youth, age 13 or older, may consent to the collection of their personally identifying information in the HMIS.

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: PRO: Based on advice from an Assistant Attorney General, the Office of Homeless Youth (OHY) and the Department of Commerce believe there needs to be explicit statutory authority for an unaccompanied minor to provide him or her personally identifying information for data collection in the HMIS. Without this consent, the OHY is not able to collect the data they need related to youth homelessness. Additionally, this limits OHY's ability to match data with other agencies like the Department of Social and Health Services. Homeless youth support this proposal so data can be collected. Philanthropic organizations want data to know what investments are needed.

Persons Testifying: PRO: Annie Blackledge, The Mockingbird Society; Kim Justice, Dept. of Commerce; Nick Federici, United Way of King County.

Persons Signed In To Testify But Not Testifying: No one.