

SENATE BILL REPORT

HB 1630

As Reported by Senate Committee On:
Human Services, Mental Health & Housing, March 28, 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: 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.

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

Brief Summary of Amended 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.

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)

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:

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.

- 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.

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 Amended Bill: Any unaccompanied youth aged 13 or older may consent to have personally identifying information collected for the purposes of the HMIS. If a service provider receives public funding, unaccompanied youth must provide personally identifying information in order to receive services, in accordance with Federal law. The term unaccompanied is defined as a youth or young adult experiencing homelessness while not in the physical custody of a parent or guardian.

EFFECT OF HUMAN SERVICES, MENTAL HEALTH & HOUSING COMMITTEE AMENDMENT(S): If a service provider receives public funding, unaccompanied youth must provide personally identifying information in order to receive services, in accordance with Federal law.

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: *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 isn't 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're 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 isn't working. Without this, we can't produce unduplicated data. We don't 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: PRO: Representative Vandana Slatter, Prime Sponsor; April Putney, King County; Liz Trautman, The Mockingbird Society; Kim Justice, Dept. of Commerce; Jim Theofelis, A Way Home Washington.

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