

HMIS Governance Charter

Vermont Balance of State Continuum of Care
Institute for Community Alliances
June 1, 2015

A. Purpose and Scope

The purpose of this Governance Charter is to confirm agreements between the Vermont Balance of State Continuum of Care (hereinafter VT BoS CoC) and the Institute for Community Alliances (hereinafter HMIS Lead Agency) in connection with the shared governance of the VT BoS CoC's Homeless Management Information System (hereinafter HMIS). The Vermont Coalition to End Homelessness (VCEH) is the acting primary decision-making body of the VT BoS CoC. As such, this Governance Charter sets forth the general understandings, and specific responsibilities of each party relating to key aspects of the governance and operation of the HMIS. This Governance Charter is effective upon execution by the VT BoS CoC and the HMIS Lead Agency.

B. Background

HMIS is an Internet-based data collection software application designed to capture information about the numbers, characteristics, and needs of homeless persons and those at risk of homelessness over time.

Use of HMIS is mandated by the U.S. Department of Housing and Urban Development (HUD) for projects funded by the Continuum of Care (**CoC**) Program, Emergency Solutions Grant (**ESG**) Program, and Housing Opportunities for Persons with AIDS (**HOPWA**) Program; as well as by the U.S. Department of Veterans Affairs (VA) for projects funded by the Supportive Services for Veteran Families (**SSVF**) Program; and by the U.S. Department of Health & Human Services (**HHS**) for projects funded by the Runaway & Homeless Youth (**RHY**) Program.

In an effort to effectively coordinate homeless services, the federal government strongly encourages all homeless projects to participate in a CoCs HMIS, including those receiving funds from the following: *HHS-Projects for Assistance in Transition from Homelessness (**PATH**) Program*, *VA-Grant & Per Diem (**GPD**) Program*, and the *VA-Veterans Affairs Supportive Housing (**VASH**) Program*.

C. General Understandings

1. Continuum of Care Governance

The CoC is responsible for shared governance of the HMIS. The VT Coalition to End Homelessness is the lead planning group for efforts to end homelessness and for implementing and operating homeless service delivery systems within in the VT Balance of State Continuum of Care (VT BoS CoC). As such and under HUD policy (24 CFR part 580), the CoC is responsible for HMIS oversight and implementation, including planning, software selection, HMIS Lead Agency designation and setting up and managing the HMIS in compliance with HUD's CoC Program Interim Rule. The CoCs oversight and governance responsibilities for HMIS are carried out by the HMIS Advisory Board, a committee of the CoC, which reviews and approves all HMIS policies and procedures.

2. HMIS Lead Agency Designation

The VT BoS CoC designates the HMIS Lead Agency to manage HMIS operations on its behalf, and to provide HMIS administrative functions at the direction of the CoC through the HMIS Advisory Board.

3. HMIS Advisory Board

The VT BoS CoC members and HMIS Partner Agencies actively participate with the HMIS Lead Agency through the HMIS Advisory Board in the management of the HMIS. The HMIS Advisory Board is responsible for establishing policies, procedures, and protocols for functions essential to the viability and success of the HMIS, including, but not limited to, data privacy, data quality, analysis, reporting, data sharing protocols. Key community stakeholders will be represented on the HMIS Advisory Board to ensure shared governance. Representation will also take into account HMIS user diversity by considering the following attributes: HMIS user level; geographic location of the agency where the HMIS Advisory Board member is employed; population density of the location of the member's agency; size or client volume of the member's agency or program; type of service or program provided by the member's agency; and the special interest or demographic served by the HMIS Advisory Board member's agency.

3.1 HMIS Advisory Board Requirements

- a. Meetings - HMIS Advisory Board meetings will be held quarterly. Important HMIS policy items that emerge in between meetings will be handled by the Board via email, conference call, or an online meeting.
- b. Attendance - HMIS Advisory Board members are required to attend all meetings. Members who are absent from two consecutive meetings will be asked to resign from the HMIS Advisory Board, unless a majority of the HMIS Advisory Board members determine there are extenuating circumstances. If the member does not resign within 30 days after being requested to do so by the HMIS Advisory Board, a majority of the HMIS Advisory Board may vote to remove the member. A majority of the HMIS Advisory Board is one half plus one of the members present at the meeting when the vote is taking place.
- c. Accessibility - HMIS Advisory Board members will be publicly identified and available for contact by HMIS users and agencies throughout the VT BoS CoC.

- d. Policies & Procedures - Approval of policy, procedures and HMIS protocols will be attempted through consensus and conversation, but will ultimately be decided by simple majority.
- e. Member Agreements - All members of the HMIS Advisory Board must sign Member Agreements. The agreements list the responsibilities of the HMIS Advisory Board members and describe the membership term.
- f. Length of Member Term - HMIS Advisory Board members serve two-year terms on the VT BoS HMIS Advisory Board. Membership may be renewed for additional terms upon agreement by HMIS Lead Agency, the HMIS Advisory Board and the member seeking reappointment.
- g. Voluntary Board Membership – HMIS Advisory Board members are volunteers and are not compensated for their participation. HMIS Advisory Board members may receive reimbursement for costs incurred while attending HMIS Advisory Board meetings.

4. Funding

Funding for the software and operations of the HMIS shall be provided by the CoC, through a HUD Continuum of Care Program dedicated HMIS grant, or other funding from the CoC. Funding shall also be provided from agencies that operate programs federally required to enter data into HMIS. Partner Agencies may be required to pay user fees for the HMIS software and reporting licenses assigned to their agency. In the event that there is a shortfall in funding for the software or operation of the HMIS, the HMIS Advisory Board will explore options to increase revenue.

5. Software and Hosting

The VT BoS CoC has selected a single software product to serve as the sole HMIS software application [Bowman Systems-ServicePoint]. All Partner Agencies agree to use the product as configured for the CoCs HMIS.

6. Compliance with Homeless Management Information System Standards

The HMIS is operated in compliance with HUD HMIS Data and Technical Standards and any other applicable laws. The parties anticipate that HUD will release revised HMIS Standards periodically. The parties agree to make changes to this HMIS Governance Charter, the HMIS Policies & Procedures, and other HMIS operational documents, to comply with the revised standards within the HUD-specified timeframe for such changes.

7. Operational Policies and Agreements

The HMIS operates within the framework of agreements, policies, and procedures that have been developed and approved over time by the HMIS Lead Agency and the VT BoS CoC through the HMIS Advisory Board. These agreements, policies and procedures include but are not limited to the list of manuals and agreements (Examples: Policies and Procedures Manual, Privacy Policies and the Consumer Notice, Partner Agency Agreements, and User Agreements). All operational agreements and policies and procedures are reviewed annually by the HMIS Lead Agency, the HMIS Advisory Board, and the CoC to comply with the HMIS Standards or otherwise improve HMIS operations.

8. Data Ownership

The data entered into the HMIS is owned by the Partner Agency responsible for entering the client-level information. The HMIS Lead Agency and Partner Agencies are jointly responsible for ensuring that HMIS data processing capabilities, including the collection, maintenance, use, disclosure, transmission and destruction of data, comply with the HMIS privacy, security and confidentiality policies and procedures. The Partner Agencies have the final authority to approve or disapprove the use of the data that is contained in the HMIS.

D. Specific Responsibilities of the Parties

1. VT Coalition to End Homelessness/VT Balance of State CoC

The VT BoS CoC serves as the HMIS governance body, providing oversight, project direction, policy setting, and guidance for the HMIS project. It is the responsibility of the VT BoS CoC to:

- a. Designate the HMIS Lead Agency, the software to be used for HMIS, and approve any changes to the HMIS Lead Agency or software.
- b. Request revision to any HMIS operational agreement, policy or procedure developed by the HMIS Lead Agency, and approved by the HMIS Advisory Board.
- c. Conduct outreach to homeless assistance agencies not using HMIS, and encourage these agencies and other mainstream programs serving homeless people to participate in HMIS.
- d. Work to inform elected officials, government agencies, the nonprofit community, and the public about the role and importance of HMIS and HMIS data.
- e. Promote the effective use of HMIS data, including its use to measure the extent and nature of homelessness, the utilization of services and homeless programs over time, and the effectiveness of homeless programs.
- f. Provide all local information as necessary for compilation of the HUD CoC Housing Inventory Count of Homeless Beds (HIC), and support the HMIS Lead Agency in preparing the Annual Homeless Assessment Report (AHAR).
- g. Ensure performance and compliance of the HMIS Lead Agency and the HMIS Advisory Board.

2. HMIS Advisory Board

The VT BoS CoC exercises the following responsibilities for HMIS governance through the HMIS Advisory Board:

- a. Implement and continuously improve the HMIS.
- b. Ensure the HMIS scope aligns with the requirements of agencies, HUD and other stakeholder groups.
- c. Address any issue that has major implications for the HMIS, such as HUD HMIS Standards revisions or HMIS Vendor performance problems.
- d. Review, revise, and approve all HMIS operational policies developed by the HMIS Lead Agency and submit all approved operational documents to each member of the VCEH Steering Committee or equivalent VT BoS CoC governing body.

- e. Ensure agency and user compliance with the HUD HMIS Standards, and all Vermont BoS CoC HMIS operational agreements, policies and procedures.
- f. Provide guidance and oversight of HMIS related user and agency compliance monitoring undertaken by the HMIS Lead Agency.
- g. Approve HMIS Lead Agency recommendations to terminate a user license or restrict the HMIS participation of a Partner Agency.

3. Institute for Community Alliances (HMIS Lead Agency)

The Institute for Community Alliances presently serves as the lead agency for the VT BoS CoC HMIS project, managing and administering all HMIS operations and activities. The HMIS Lead Agency exercises these responsibilities at the direction of the HMIS Advisory Board. These responsibilities are contingent on receipt of the appropriate funding from the VT BoS CoC and Partner Agencies. The responsibilities of the HMIS Lead Agency include:

I. General

- a. Obtain and maintain the contract with the selected software vendor.
- b. Determine the parameters of the HMIS as it relates to continuity of service, ability to limit access to the data, hosting responsibilities, general security and maintenance issues, data storage, back-up and recovery, customization, compliance with HUD Data standards, reporting needs, training and technical support.
- c. Provide overall staffing for the operation of the HMIS.
- d. Develop and maintain all HMIS operational agreements, policies and procedures, including a written privacy notice.
- e. Obtain signed Partner Agency Agreements and User Agreements.
- f. Invoice Partner Agencies and jurisdictions for HMIS fees approved by the HMIS Advisory Board.
- g. Monitor Partner Agencies and users to ensure compliance with HMIS operational agreements, policies and procedures on behalf of, and at the direction of, the HMIS Advisory Board.
- h. Convene a minimum of four meetings of the HMIS Advisory Board annually.
- i. Participate as a non-voting member of the VT BoS CoCs VCEH Steering Committee or equivalent decision-making body.
- j. Attend the CoCs HMIS Advisory Board meetings.
- k. Provide and maintain the HMIS website.
- l. Comply with HUD HMIS Standards (including anticipated changes to the HMIS Standards) and all other applicable laws.
- m. Apply as the project applicant for all dedicated HMIS project funding under HUD's CoC Program.
- n. Serve as the liaison with HUD regarding HUD HMIS grants.

II. Administer the software, including:

- a. Ensure the software vendor complies with the responsibilities designated below in Section D.4.
- b. Report any concerns with the software vendor to the HMIS Advisory Board.

- c. Inform the VT BoS CoC and Partner Agencies how each software release will change or impact current workflow and operations.
- d. Protect confidential data (in compliance with HUD Standards, local privacy policies, and other applicable law), and abide by any restrictions clients have placed on their own data.
- e. Oversee compliance with all HUD regulations and policies.

III. Administer HMIS end users, including:

- a. Provide and manage end user licenses, including authorizing usage and the level of access to HMIS for all users.
- b. Add and remove partner agency administrators.
- c. Provide all training and user guidance needed to ensure appropriate system use, data entry, data reporting, and data security and confidentiality.
- d. Provide specific training for agency administrators and end users.
- e. Establish the training requirements for users and agency administrators.
- f. Maintain documentation of user training completion.
- g. Outreach to Partner Agencies to provide end user support.
- h. Develop and maintain a how-to manual that provides data entry guidance for users.
- i. Maintain an email helpdesk for user support.
- j. Communicate at least monthly with users through an e-newsletter. The e-newsletter will provide information on upcoming regulatory changes, software upgrades, current HMIS news, grants, training, etc.

IV. Ensure Data Quality

- a. Ensure all client and homeless program data are collected in adherence to the HUD HMIS Data Standards, the HMIS Policies and Procedures, and local additional requirements.
- b. Customize the HMIS application to meet local data requirements (within reason and within constraints of budget and other duties).
- c. Develop and implement VT BoS CoC Data Standards and Data Quality Plans.
- d. Monitor data quality and generate data quality reports under the data quality plan.
- e. Assist Partner Agencies and users to rectify data quality concerns.
- f. Carry out aggregate data extraction and reporting under the guidance of the HMIS Advisory Board.
- g. Assist Partner Agencies with agency-specific data collection and reporting needs, such as the Annual Progress Report and other program reports (within reason and within constraints of budget and other duties).
- h. Develop HMIS data entry workflow and requirements for HMIS data and reporting to meet Partner Agency reporting requirements.

V. Reporting

- a. Complete, or provide assistance for the completion, of the Annual Homeless Assessment Report, HUD Point-in-Time Count, HUD CoC Program Notice of Funding Availability, Consolidated Annual Performance Evaluation Report, CoC 10-Year Plans, Partner Agency Annual Performance Reports, and other reports to funders from agencies federally mandated to use HMIS.

- b. Ensure the HMIS policies and procedures and recommend data entry workflow align with collecting the data necessary to complete the reports listed above in Section D.3.IV.a.
- c. Construct, run and publish all necessary system-wide reports to meet federal and local reporting compliance.
- d. Provide aggregate reports to groups or stakeholders requesting HMIS information within the constraints detailed in the HMIS Policies and Procedures Manual.

VI. Satisfactory Assurances Regarding Confidentiality and Security:

It is understood that the HMIS will contain client information that may be subject to the privacy and security protections and requirements of HUD HMIS Standards, HIPAA Privacy Rule, other law, and local HMIS privacy and security policies and procedures. The HMIS Lead Agency hereby agrees that it will use protected client information only for purposes permitted by agreement with Partner Agencies and as permitted by the applicable law and Standards. Further, the HMIS Lead Agency agrees it will make use of all safeguards required by HUD Privacy Standards, HIPAA Privacy Rule, where appropriate, other law, and local HMIS privacy and security policies and procedures in order to prevent any unauthorized disclosure of protected client information.

- a. Develop and implement security and confidentiality plans required by the HUD HMIS Standards.
- b. Assist Partner Agencies to rectify agency data security and privacy concerns.

4. Software Vendor

The selected software vendor and HMIS database must meet all HUD regulations and policies, and the following requirements:

- a. Ensure the HMIS design meets HUD HMIS Data Standards.
- b. Develop a codebook and provide other documentation of programs created.
- c. Provide ongoing support to the HMIS Lead pertaining to the needs of end users to mine the database, generate reports and other interface needs.
- d. Administer the product servers, including web and database servers.
- e. Monitor access to HMIS through auditing.
- f. Monitor functionality, speed and database backup procedures.
- g. Provide backup and recovery of internal and external networks.
- h. Maintain the system twenty-four hours a day, seven days a week.
- i. Communicate any planned or unplanned interruption of service to the HMIS Lead Agency.
- j. Take all steps needed to secure the system against breaches of security and system crashes.

E. Period of Agreement and Modification/Termination

1. Period of Operation and Termination

This HMIS Governance Charter will become effective upon signature of all parties and shall remain in effect until terminated by the parties. Each party shall have the right to terminate this agreement as to itself only upon 30 days prior written notice to the HMIS Advisory Board in

care of the HMIS Lead Agency. Violation of any component may be grounds for immediate termination of this Agreement.

2. Amendments

Amendments, including additions, deletions, or modifications to this HMIS Governance Charter must be agreed to by all parties to this Agreement.

The signatures of the parties indicate their agreement with the terms and conditions set forth in this document.

VT Coalition to End Homelessness (VT BoS CoC):

Sara Kobylenski (VCEH Co-Chair)
Executive Director, Upper Valley Haven

Date

Kathy Metras (VCEH Co-Chair)
Outreach & Youth Services Manager, Northeast Kingdom Community Action

Date

Institute for Community Alliances (HMIS Lead Agency):

David Eberbach, Executive Director

Date