

# **Oregon Housing and Community Services (OHCS) OPUS Data Collection System**

## **Privacy Notice to Recipients of Services**

THIS NOTICE DESCRIBES HOW PERSONAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND DESCRIBES HOW YOU CAN GET ACCESS TO THIS INFORMATION. **PLEASE REVIEW IT CAREFULLY. THE PRIVACY OF YOUR PERSONAL INFORMATION IS IMPORTANT TO US.**

## OHCS OPUS Data Collection System Privacy Notice

OPUS was developed to meet the data collection requirements of the United States Department of Health and Human Services (HHS). Congress passed these requirements in order to get a more accurate count of low-income individuals and to identify the need for and use of different services by those individuals and their households.

In working with the State of Oregon to meet the goals set by Congress, agencies will be collecting statistical information on individuals that receive services and reporting that information into OPUS, a central data collection system.

The information you provide us will be used to process and administer your application for assistance. Many other agencies in the state also use OPUS. The information you provide may be shared with other state and federal government agencies as well as other agencies that use OPUS.

The information we collect and may share includes: basic identifying demographic data (e.g., name, address, birth date, phone number, ethnic origin, family status, and income data), the nature of your situation, and the services and referrals you receive from the agency.

Sharing information with OPUS and other agencies helps us to better understand the number of individuals who need and receive services from more than one agency. This may help us to better meet your needs and the needs of others in our community by allowing us to develop new and more efficient programs. Sharing information through OPUS can also help make referrals more easily and require less paperwork for you.

Maintaining the privacy and safety of those using services is very important to us. Information gathered about you is personal and private. The State of Oregon and agencies collect information only when appropriate to provide services, ensure compliance with program requirements, manage our organization, or as required by law. Within the limits of the law, your record of services will only be shared through OPUS with funding agencies including Oregon Housing and Community Services who administers the OPUS database.

### CONFIDENTIALITY RIGHTS

This agency has an approved confidentiality policy. Records about medical conditions, substance abuse, physical and mental health, HIV/AIDS, child abuse, and domestic violence ***will not*** be collected, entered, or shared through OPUS.

This agency may use or disclose personal information from OPUS for the following purposes:

- To assist in determining and verifying eligibility for services;
- To conduct quality assessment and improvement activities such as reducing and preventing program fraud;
- To provide or coordinate services to an individual/household;
- For functions related to payment or reimbursement for services;
- To carry out administrative functions including but not limited to legal, audit, personnel, planning, oversight, and management functions;
- Databases used for research, where all personally identifying information has been removed
- Contractual research where privacy conditions are met; and
- Where a disclosure is required by law and the disclosure complies with and is limited to the requirements of the law. Instances where this might occur are during a medical emergency, to report a crime against staff of the agency, or to avert a serious threat to health or safety.

## YOUR INFORMATION RIGHTS

As a client receiving services at this agency, you have the following rights:

- **Access to your record.** You have the right to request a copy of your personal record and information at any time to ensure its accuracy.
- **Correction of your record.** You have the right to request to have your record corrected so that information is up-to-date and accurate to ensure fairness in its use.
- **Grievance.** You have the right to be heard if you feel that your confidentiality rights have been violated, if you have been denied access to your personal records, or you have been put at personal risk or harm.
- **Privacy Notice to Recipients of Services.** You have a right to request a copy of this notice at any time.

## HOW YOUR INFORMATION WILL BE KEPT SECURE

Protecting the safety and privacy of individuals receiving services and the confidentiality of their records is of the highest importance. Through training, policies and procedures, and software, several things have been done to make sure your information is kept safe and secure:

- OPUS uses multiple security protections to prevent unauthorized access;
- Only trained and authorized individuals may enter or view your personal information;
- Your personal identifying information ***will not*** be contained in OPUS reports that are issued to local, state, federal, or national agencies;
- Employees and volunteers receive training in privacy protection and agree to follow strict confidentiality standards before using the system;
- The server/database/software is designed to only allow authorized individuals access to the information;
- The server/database/software only sends encrypted data; using an Internet technology intended to keep information private while it is transported back and forth across data networks. In addition, identifying data stored on the server is also encrypted or coded so that it cannot be recognized;
- The server/database/software is protected by a firewall a computer security technique designed to keep hackers/viruses/etc. away from the server;
- The main database will be kept physically secure, meaning that it is designed so that only authorized personnel may have access to the server/database; and
- Database administrators support the daily operations of the database. Administration of the database is governed by agreements that limit the use of personal information to providing administrative support and generating reports using available information. These agreements further insure the confidentiality of your personal information.

## WHAT IS INFORMED CONSENT

Confidential information about you and the confidential services provided to you cannot be given to anyone other than permitted by law without you giving informed consent. In order to be able to give informed consent:

- **KNOWLEDGE;** You should be told about the benefits, risks, and available alternatives to sharing your information.
- **UNDERSTANDING;** You should be able to understand this information including the potential risks, benefits, options, and consequences.
- **VOLUNTARY;** You should not be forced or pressured into a decision; the choice you make should be your decision.

## BENEFITS OF OPUS AND AGENCY INFORMATION SHARING

Information you provide us can play an important role in our ability and the ability of other agencies to continue to provide the services that you and others in our community are requesting.

Allowing us to share your basic identifying demographic information results in a more accurate count of individuals and the services they use. A more accurate count is important because it can help us and other agencies:

- Conduct quality assessment and improvement activities such as reducing and preventing fraudulent use of program funds;
- Ensure program compliance with policies and procedures;
- Accurately demonstrate the need for services and the specific types of assistance needed in the community;
- Obtain more money and other resources to provide services;
- Plan and improve the delivery of quality services to your family and you;
- Assist the agency to improve its work with families and individuals who are in need;
- Maintain required statistics for state and federal funders;
- Promote coordination of services to better serve your household needs;
- Make referrals easier by reducing paperwork;
- Advocate for our community needs; and
- Avoiding as much as possible duplicating information to get assistance from other agencies.

### **RISKS IN SHARING INFORMATION**

While the OPUS system has multiple security layers in place and was designed to promote better services for those who are in need, there are risks you should consider before accepting services:

- Could there be physical harm or other negative consequences to your family or yourself if someone within an OPUS participating agency knew that they could find you from the information shared with other participating OPUS agencies?
- Could there be physical harm or other negative consequences to your family or yourself if someone within an OPUS participating agency found out you sought help; particularly if your children or you have experienced domestic violence, sexual assault, stalking, or child abuse?
- Are there others who may work or volunteer at other OPUS participating agencies who you may not want to have access to your information or to know you are seeking services?

### **OUR LEGAL DUTY**

The State of Oregon and receiving agencies are required by applicable federal and state law to maintain the privacy of your personal information within the limits of the law. We are also required to give you this notice about privacy practices, legal duties, and your rights concerning your private personal information. We must follow the privacy practices that are described in this notice while it is in effect. This notice takes effect immediately, and will remain in effect until we replace it.

Oregon Housing and Community Services reserve the right to change the privacy practices and the terms of this notice at any time provided such changes are permitted by applicable law. The agency reserves the right to make changes to privacy practices and the new terms of the notice. These changes affect all personal information that is maintained including personal information created or received prior to the changes.

The agency may deny you the right to inspect or copy your personal information for the following reasons: (1) information is compiled in reasonable anticipation of litigation or comparable proceedings; (2) information about another individual other than the agency staff would be disclosed; (3) information was obtained under a promise of confidentiality and disclosure would reveal the source of the information; (4) information, disclosure would be reasonably likely to

endanger the life or physical safety of any individual; or (5) this disclosure of information is otherwise limited by law.

The agency reserves the right to reject repeated or harassing requests for access or corrections. However, if the agency denies your request for access or correction, you will be provided written documentation regarding your request and the reason for denial. A copy of that documentation will also be included in your client record.

You have the right to request a copy of this notice at any time. You also have a right to request a copy of your personal information at any time to ensure its accuracy. For more information about our privacy practices or for additional copies of this notice; as well as to request a copy of your personal information, please feel free to make a request to any staff here at the agency.

In addition, you may also inquire with Oregon Housing and Community Services on how you may request a copy of the OPUS Data Collection System Privacy Notice as well as how to obtain a copy of your personal information record.

*PRIVACY NOTICE ADMENDMENTS: The policies covered under this Privacy Notice may be amended over time and those amendments may affect information obtained by the agency before the date of the change. All amendments to the Privacy Notice must be consistent with the requirements of the Federal Standards that protect the privacy of the consumers and guide OPUS implementation and operations.*