

**SAN MATEO COUNTY PROTOCOL  
REGARDING INFORMATION SHARING BY SAN MATEO COUNTY HOMELESS  
ADULT AND FAMILY MULTIDISCIPLINARY PERSONNEL TEAMS  
CONVENED PURSUANT TO  
WELFARE AND INSTITUTIONS CODE SECTION 18999.8**

**1.0 Purpose of this Protocol**

Assembly Bill 210, codified at Welfare & Institutions Code (WIC) § 18999.8, permits the exchange of otherwise confidential information within multidisciplinary personnel teams to facilitate the expedited identification, assessment, and linkage of homeless adults and families to housing and supportive services within the County (AB 210 MDTs). Consistent with section 18999.8, the County has developed the below protocol to effectuate this purpose.

The County and each of the agencies participating in this protocol are committed to preserving and maintaining the confidentiality of the information to be exchanged under this protocol by (1) limiting the disclosure of such information to that which has been determined to be generally relevant to the identification, assessment, and linkage of homeless individuals and families to housing and supportive services; (2) preventing unauthorized access to or disclosure of such information; and (3) ensuring safeguards are in place to protect the confidentiality and security of such information. This protocol serves as, and includes, policies and procedures for security and privacy training for employees who will have access to information that is pursuant to this protocol.

**2.0 Definitions**

Unless otherwise indicated, the terms used in this protocol shall have the same meaning as in WIC section 18999.8.

**3.0 Participating Agencies**

**3.1** San Mateo County Departments, their contracted agency providers, other governmental agency partners, and any other agencies/organizations that has, as one of its purposes, the identification, assessment, and linkage of homeless individuals to housing and supportive services to homeless adults or families within the County, may become Participating Agencies subject to this protocol. Pursuant to WIC 18999.8(b)(3), Participating Agencies in the County include but are not limited to:

Human Services Agency  
San Mateo County Health  
Health Plan of San Mateo  
Department of Housing  
Sheriff's Office

Probation Department  
Contracted Agencies of any of the above-listed Participating Agencies  
(Contracted Agencies)  
Governmental agencies working in partnership with any of the above-  
listed Participating Agencies (Governmental Agencies)  
Non-Governmental agencies working in partnership any of the above  
listed Participating Agencies (Partner Agencies)

- 3.2 Additional County Departments, Contracted Agencies, Governmental Agencies, and Partner Agencies may be added as a Participating Agency upon approval by the Human Services Manager, Center on Homelessness (HSM – Center on Homelessness), and compliance with applicable terms herein.
- 3.3 Agencies will sign a Participating Agency Agreement (Agreement) to certify their participation and commitment to abide by all requirements in the Agreement.
- 3.4 All Participating County Departments will receive notice if a Participating County Department elects to cease participation or when an additional County Department becomes a Participating Agency.

#### **4.0 Establishment of the Multidisciplinary Personnel Teams**

Personnel of any Participating Agency who meet the criteria set forth in WIC 18999.8(b)(2) shall be eligible to participate as members of a homeless adult and family multidisciplinary team (AB 210 MDT). The criteria for being a member is as follows: “persons who are trained in the identification and treatment of homeless adults and families, and who are qualified to provide a broad range of services related to homelessness.” Thus, the AB 210 MDT may include, but is not limited to, any or all of those categories of persons listed in **Attachment B**, as well as other individuals who fit the criteria for joining the AB 210. For the avoidance of doubt, any member of an AB 210 MDT must follow the protocols and procedures set forth herein in the course of sharing confidential information. Furthermore, once established, an MDT team may designate persons qualified pursuant to section 18999.8(b)(2) to be a member of the team for a particular case rather than a permanent member of the MDT team.

#### **5.0 Information/Data Items that May be Disclosed and Exchanged among Members of the AB 210 MDT**

- 5.1 The members of the AB 210 MDT may, but are not required to, disclose to, and exchange with, one another information that may be designated as confidential under State law if the AB 210 MDT member possessing that information reasonably believes it is generally relevant to the identification, assessment, and linkage of homeless adults and families to housing and supportive services, provided that no information may be shared in a manner prohibited by federal law or regulations. Note that AB 210 does not affect the applicability of federal confidentiality laws,

such as HIPPA.

- 5.1.1 “Relevant” information shall include any information that has any tendency to assist an AB 210 MDT to identify, assess, and link homeless adults and families to housing and supportive services. Subject to HIPPA compliance, examples of relevant information that would be deemed shareable by and between AB 210 MDTs, include, but are not limited to, those items of information listed on **Attachment A**.
- 5.1.2 Representatives of domestic violence victim service organizations, as defined in subdivision (b) of Section 1037.1 of the Evidence Code, shall obtain a domestic violence victim’s informed consent, in accordance with all applicable state and federal confidentiality laws, before disclosing information regarding a domestic violence victim or the victim’s family.
- 5.1.3 Unless there is written authorization in accordance with all applicable laws by the patient, information provided by Behavioral Health and Recovery Services and its contractors concerning substance abuse treatment shall be limited to indicating that there is no record of a particular individual in the Substance Abuse Prevention and Control (SAPC) records.
- 5.2 Participating Agencies shall take reasonable steps to ensure information is complete, accurate, and up to date to the extent necessary for that Participating Agency’s intended purposes and that the information has not been altered or destroyed in an unauthorized manner.
- 5.3 No confidential information or writings shall be disclosed to persons who are not members of the AB 210 MDT, except to the extent required or permitted under applicable law.
- 5.4 Information and writings shared pursuant to this protocol are confidential. Testimony concerning the information and writings shared pursuant to this protocol is not admissible in any criminal, civil, or juvenile court proceeding. Further, information and writings shared pursuant to this protocol shall be protected from discovery and disclosure by all applicable statutory and common law protections. In addition, law enforcement shall not use any information obtained via this protocol for purposes other than to identify, assist, and link homeless individuals and families with housing and supportive services.

## **6.0 How Information May be Shared**

- 6.1** Information may be shared by and between AB 210 MDT members in person, telephonically, via facsimile or electronically in a manner consistent with WIC 18999.8(c)(2).
- 6.2** AB 210 MDTs may share information through the use of automated systems that facilitate exchange of data and other information, including but not limited to the Clarity System.
- 6.3** Participating Agencies shall comply with the applicable information retention schedule in accordance with applicable laws, the San Mateo County Records Retention Schedule, and each Participating Agency's records retention schedule.
- 6.4** AB 210 MDTs may share information through the exchange of data files in order to aggregate data to enhance service provision quality and efficiency, and to monitor system outcomes.

## **7.0 Use of Shared Information**

Information shared pursuant to this protocol will be used to facilitate the identification and assessment of homeless adults and families and their linkage to the most appropriate housing and supportive services. The information will be used to keep Participating Agencies informed about the services homeless adults and families are currently receiving or have received in the past. Shared information will be used to coordinate care, ensure continuity of care, and reduce duplication and fragmentation of services.

## **8.0 Policies and Procedures**

- 8.1** The County has developed security and privacy training for all members of the AB 210 MDT who will have access to information pursuant to this protocol.
- 8.2** Participating Agencies must keep verification of all personnel members' successful completion of an AB 210 training on file for the duration of the personnel member's participation in AB 210 MDTs.
- 8.3** All persons who have access to information shared by participating agencies must sign a confidentiality statement that includes, at a minimum, general use, security safeguards, acceptable use, and enforcement policies.
- 8.4** All Participating Agencies shall receive a copy of this Protocol. Participating Agencies will certify their agreement to abide by this Protocol by signing the Participating Agencies Agreement.
- 8.5** If an AB 210 MDT member discovers or becomes aware of a Breach or potential Breach of confidential information shared among the AB 210

MDT, they must immediately report the breach to Jessica Silverberg, Human Services Manager, Center on Homelessness, 650-802-3378 and jsilverberg@smcgov.org, who shall immediately report the breach to the San Mateo County Chief Information Security Officer.

- 8.6** Each Participating Agency shall have the option to develop its own supplemental policies and procedures, which shall not conflict with the policies and procedures provided in this protocol. If a Participating Agency develops such supplemental policies and procedures, it will provide the most current version to the HSM – Center on Homelessness no later than June 30<sup>th</sup> of each year.

## **9.0 Ensuring Confidentiality**

- 9.1** Ensuring confidentiality of information regarding homeless individuals and families is of critical importance. All Participating Agency personnel will be subject to the same confidentiality requirements as one another. All information shared between AB 210 MDT participants is private and confidential. No confidential information or writings shall be disclosed to persons who are not members of the AB 210 MDT, except to the extent required or permitted under applicable law.
- 9.2** Participating Agencies shall employ security controls that meet applicable federal and state standards, including reasonable administrative, technical, and physical safeguards to ensure data confidentiality, integrity, and availability and to prevent unauthorized or inappropriate access, use, or disclosure.
- 9.3** Every member of the AB 210 MDT who receives information or records regarding adults and families in his or her capacity as a member of the team shall be under the same privacy and confidentiality obligations and subject to the same confidentiality penalties as the person disclosing or providing the information or records. The information or records obtained shall be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights.
- 9.4** Information and records communicated or provided to the team members by all providers and agencies shall be deemed private and confidential and shall be protected from discovery and disclosure by all applicable statutory and common law protections. Existing civil and criminal penalties shall apply to the inappropriate disclosure of information held by the team members.
- 9.5** All Participating Agency personnel must sign a confidentiality statement prior to participating in AB 210 MDTs.
- 9.6** Participating Agencies must keep a copy of all personnel members' signed confidentiality statements on file for the duration of each personnel member's participation in AB 210 MDTs. The HSM – Center on

Homelessness will keep the original statements for all personnel members.

### **10.0 Implementation and Oversight**

The HSM – Center on Homelessness will provide oversight and coordination of activities under this protocol and the development and implementation that supports this protocol, in addition to serving as a Participating Agency.

**Relevant Categories of Information to be Shared\***

- Demographic Information
- Contact Information
- Service and Program History
- Medical History
- Mental Health History
- Disability Status
- Housing and Homeless History and Status
- Benefit History and Status
- Criminal History and Status
- Probation Status
- Domestic Violence Status
- Veteran Status
- Employment and Educational History and Status
- High Risk Behavior, Violence, or Aggression History

\*This list is not exclusive. Members of AB 210 MDTs may share other information if they believe it is generally relevant to the identification, assessment, and linkage of homeless adults and families to housing and supportive services, provided that no information may be shared in a manner prohibited by federal law or regulations.

### **Homeless Adult and Family Multidisciplinary Personnel Team Members**

AB 210 MDTs are comprised of two or more persons who are trained in the identification and treatment of homeless adults and families, and who are qualified to provide a broad range of services related to homelessness.

The team may include, but is not limited to, the following:

- Mental health and substance abuse services personnel and practitioners or other trained counseling personnel.
- Police officers, probation officers, or other law enforcement agents.
- Legal counsel for the adult or family representing them in a criminal matter.
- Medical personnel with sufficient training to provide health services.
- Social services workers with experience or training in the provision of services to homeless adults or families or funding and eligibility for services.
- Veterans' services providers and counselors.
- Domestic violence victim service organizations, as defined in subdivision (b) of Section 1037.1 of the Evidence Code.
- Any public or private school teacher, administrative officer, or certified pupil personnel employee.
- Housing or homeless services provider agencies and designated personnel.
- Individuals providing care management and/or care coordination services.