



Massachusetts Balance of State  
Continuum of Care

# HMIS Governance Charter

[Subject]

Version 1

Updated 2021

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# HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) GOVERNANCE CHARTER

## 1 Purpose

The Massachusetts Balance of State (BoS) Continuum of Care (CoC) operates a Homeless Management Information System (HMIS) to record and store client-level information about the number, characteristics, and needs of persons who use homeless housing and supportive services within the CoC, and for persons who receive assistance who are at risk of homelessness. HMIS is used to aggregate data about the extent and nature of homelessness over time; produce an unduplicated count of homeless persons; understand patterns of service use; and measure the effectiveness of homeless assistance projects and programs. Data produced is used to fulfill federal reporting requirements, as well as for strategic planning, advocacy, and outreach.

### 1.1 Roles

- The Massachusetts Balance of State Continuum of Care CoC Lead and Collaborative Applicant is the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD)
- The HMIS Lead Agency for the Balance of State Continuum of Care is the Commonwealth of Massachusetts Department of Housing and Community Development
- The Massachusetts Balance of State (BoS) Advisory Board is the decision-making body of the MA Balance of State Continuum of Care. The Advisory Board's membership consists of a broad representation from state agencies, service providers, housing developers, and faith-based groups.<sup>1</sup>
- The BoS CoC HMIS Committee is a committee of the Balance of State CoC which is made up of HMIS Coordinators from the HMIS Lead Agency and volunteers from homeless organizations operating within the BoS CoC geography; it is chaired by an HMIS Coordinator at the HMIS Lead Agency.
- The Commonwealth of Massachusetts Department of Housing and Community Development also serves other roles with which the Balance of State CoC interacts, but are wholly separate from DHCD's role as HMIS Lead for the Balance of State Continuum of Care:
  - DHCD operates an HMIS-compliant database which collects statewide Emergency Assistance (EA) Family Shelter System client data.

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<sup>1</sup> See the Commonwealth of Massachusetts Balance of State Continuum of Care Governance Charter.



- DHCD operates a statewide HMIS Data Warehouse called the ReHousing Data Collective, in which all Massachusetts CoCs have agreed to participate.

## 2 CoC Responsibilities

The Continuum of Care is responsible to:

- A. Designate a single information system as the official HMIS software for the CoC's geographic area.
- B. Designate an HMIS Lead Agency
- C. Provide governance of the HMIS Lead, including the requirement that the HMIS Lead enter into written HMIS Participation Agreements with each Covered Homeless Organization (CHO) and the requirement that each CHO comply with federal and state regulations regarding HMIS
- D. Maintain documentation evidencing compliance with the CoC Governance Charter and the HMIS Governance Charter;
- E. Review, revise, and/or approve the policies and plans required by federal regulations, such as those described in the HMIS Proposed Rule
- F. Prepare and submit the HMIS project grant application as part of the consolidated application process and ensure that funds awarded are drawn down and used appropriately. The CoC will also ensure that sufficient Match is available for this grant fund.

## 3 Designations

### 3.1 HMIS System

The CoC designated **Social Solutions Efforts to Outcomes (ETO ASIST)** as the official HMIS for the Balance of State CoC in 2011. ETO ASIST is provided and administered by DHCD for the statewide Emergency Assistance (EA) Family Shelter System. Massachusetts CoC participation was permitted by DHCD with no organization or user fees. In early 2020 DHCD announced that while ETO would remain in use for EA shelters, all CoCs utilizing the system must procure their own HMIS by December 2021.

In 2020 DHCD, at the direction of the CoC, issued a Request for Quotes (RFQ) for existing software to serve as the designated HMIS for the CoC. DHCD, as HMIS Lead Agency for the Balance of State Continuum of Care, will enter into a contract with an HMIS vendor by February, 2021.

### 3.2 HMIS Lead

The Balance of State CoC designates the **Massachusetts Department of Housing and Community Development** as the HMIS Lead with specific responsibilities for:

- A. HMIS systems administration, HMIS policies and procedures, CoC data quality monitoring, and HMIS provider training and technical assistance and support;



- B. vendor contract responsibilities including
  - a) covering the cost of organization and user fees;
  - b) assuring that the vendor complies with HMIS data and technical standards, including security standards;
  - c) Ensuring HMIS is satisfying the requirements of all regulations and notices issued by HUD;
- C. fulfilling CoC reporting obligations

## 4 Responsibilities of the HMIS Lead

### 4.1 HMIS Procurement and Contract Management

The HMIS Lead is responsible for procurement of the HMIS. DHCD must comply with applicable Commonwealth of Massachusetts procurement laws and regulations, including OSD regulation 801 CMR 21.00, and associated guidance and policies. The HMIS Lead will enter into a contract with an HMIS Vendor chosen by the CoC and, as part of the contract, must require that the HMIS vendor and its software comply with HMIS standards issued by HUD.

Annually, the HMIS Lead must review and assure compliance by HMIS vendor and supply the Continuum's Advisory Board with a written report regarding HMIS compliance with HUD HMIS requirements. On an ongoing basis, the HMIS Lead must communicate with CoC Lead with regards to systems and technical administration issues and propose remedies. The HMIS software and HMIS staff employed by the HMIS Lead will be procured using CoC HMIS Grant funds; the HMIS Lead will not charge CHOs participation or end user fees.

### 4.2 HMIS Comparable Databases

The HMIS Lead will certify HMIS Comparable Database software for use by Victim Service Providers (VSPs) within the CoC. The HMIS Lead will maintain policies and procedures for a uniform certification process, which includes initial certification, annual re-certifications, and remedies for failure to meet compliance requirements.

### 4.3 Covered Homeless Organization Participation Management

The HMIS Lead is responsible for ensuring that there are clear expectations and limitations for all entities that utilize the HMIS in any fashion, referred to as Covered Homeless Organizations (CHOs). This will be accomplished by:

- 1) Executing a written HMIS Participation Agreement with each CHO, which includes the obligations and authority of the HMIS Lead and CHO, the requirements of the Security Policy and Privacy Policy with which the CHO must abide, sanctions for violating the HMIS Participation Agreement, and an agreement that the HMIS Lead and the CHO will process Protected Identifying Information consistent with the agreement.
- 2) Executing a written HMIS User Agreement with each HMIS user



- A. Ensuring the operation of and consistent participation by recipients of CoC and Emergency Solutions Grants (ESG) Program funds, including oversight of the HMIS and any necessary corrective action to ensure that HMIS CHOs comply with federal requirements;
  - a) HMIS Lead staff will attend weekly meetings of the CoC Lead Agency's Federal Grants Unit where HMIS staff and CoC and ESG Contract Managers will share information about subgrantees' participation in HMIS and compliance with HMIS requirements.
- B. Developing written CoC HMIS policies and procedures in accordance with HUD requirements for all CHOs;
- C. Develop for Board approval and implement a plan for monitoring the HMIS to ensure that:
  - a) CHOs consistently participate in HMIS;
  - b) CHOs adhere to federal and state laws governing the collection and use of Protected Personal Information; and
  - c) CHOs submit accurate and timely CoC and HUD reports as required

#### 4.4 HMIS Comparable Databases

The HMIS Lead will certify HMIS Comparable Database software for use by Victim Service Providers (VSPs) within the CoC. The HMIS Lead will maintain policies and procedures for a uniform certification process, which includes initial certification, annual re-certifications, and remedies for failure to meet compliance requirements.

#### 4.5 HMIS Policies and Procedures

The HMIS Lead must develop and adopt written policies and procedures for the operation of the HMIS that apply to the HMIS Lead, its CHOs, and the Continuum of Care. Required written documents include an HMIS Privacy Plan, HMIS Security Plan, and HMIS Data Quality Plan, as well as complimentary HMIS Policies and Procedures. These plans, and policies and procedures must be implemented within 6 months after the publication of the HMIS Final Rule and must comply with all applicable Federal law and regulations, and applicable state or local governmental requirements. The HMIS Lead will conduct a thorough review of all applicable federal regulations and state laws and regulations pertaining to HMIS and the maintenance of PII, as well as HMIS privacy and security guidance released by HUD, and will ensure that the CoCs plans and policies comply.

##### 4.5.1 Privacy Plan and Security Plan

The HMIS Lead must develop a Privacy Plan and a Security Plan.

The HMIS Privacy Policy must include data collection limitations; purpose and use limitations; allowable uses and disclosures; accountability standards; protections for victims of domestic violence, dating violence, sexual assault, and stalking; and such additional information as may be



established by HUD in applicable notices. The HMIS Lead may also develop a Data Release Authorization policy to designate when, how, and what type of information can be shared.

The HMIS Security Plan must outline a process for regular monitoring of system security, and for reporting concerns or findings to the CoC Lead. It must require every CHO with access to Protected Identifying Information (PII) to implement procedures to ensure and monitor its compliance with applicable agreements and the requirements of this part, including enforcement of sanctions for noncompliance. In addition, every CHO must comply with the MA Privacy Law: 201 CMR 17.00: Standards For The Protection Of Personal Information Of Residents Of The Commonwealth which includes but is not limited to the development of a written information security program (“WISP”); the designation of one or more employees to supervise the implementation of the WISP; regular ongoing employee training; and procedures for monitoring employee compliance.

#### 4.5.2 Data Quality Plan

The HMIS Lead must develop and implement an HMIS Data Quality Plan in accordance with HUD SNAPS Data Strategy. The HMIS Lead must also develop and implement complimentary HMIS Data Quality Policies and Procedures which will set data quality benchmarks and goals for CHOs.

#### 4.6 Data Warehouse Participation

The BoS CoC Advisory Board is responsible for granting authorization to participate in an HMIS Data Warehouse. If authorized by the CoC, with an executed Participation Agreement in place, the HMIS Lead is responsible for the CoC’s participation in said HMIS Data Warehouse, provided that the participation does not violate any applicable state or federal laws.

In March 2020 the Massachusetts Balance of State Continuum of Care has entered into an agreement with the Massachusetts Department of Housing and Community Development to participate in the statewide HMIS data warehouse called the *ReHousing Data Collective*.

## 5 Responsibilities of the CoC HMIS Committee

The Committee will work with the HMIS Lead to:

- A. Develop, annually review, and, as necessary, revise for Board review and feedback an HMIS Privacy Plan, HMIS Security Plan, and an HMIS Data Quality Plan, as well as any other HMIS policies and procedures required by HUD.



## 6 HMIS Definitions

**Homeless Management Information System (HMIS)** is the information system designated by the Continuum of Care to record, analyze, and transmit client and activity data in regard to the provision of shelter, housing, and services to individuals and families who are homeless or at risk of homelessness.

**Purpose of HMIS.** The purpose of an HMIS is to record and store client-level information about the characteristics and needs of persons who use homeless housing and supportive services, and for persons who receive assistance for persons at risk of homelessness, including:

- (1) Aggregation of HMIS data. Information in HMIS may be aggregated to obtain information about the extent and nature of homelessness over time; produce an unduplicated count of homeless persons; understand patterns of service use; and measure the effectiveness of homeless assistance projects and programs.
- (2) Uses of aggregate HMIS information. Aggregate information generated from the HMIS will be used (i) by recipients and sub-recipients to report to HUD and for such other reasons as may be required by HUD; (ii) by HUD and other Federal agencies to report to Congress, evaluate recipient performance, and for such other reasons as may be specified in law or regulation or by HUD through notice; and (iii) to raise public awareness and enhance local planning processes.

**HMIS Lead** is the entity designated by the Continuum of Care to operate the Continuum's HMIS on the Continuum's behalf.

**The Balance of State Continuum of Care** is the group composed of representatives from organizations including nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve veterans, and homeless and formerly homeless persons.

**Comparable database** means a database that is not the Continuum's HMIS, but is an alternative system meeting all HMIS requirements that victim service providers and legal services providers may use to collect client-level data and to generate unduplicated aggregate reports. Information entered into a comparable database must not be entered directly into or provided to an HMIS.



**Contributing HMIS Organization (or CHO)** means an organization that operates a project that contributes data to an HMIS.

**Data recipient** means a person who obtains personally identifying information from an HMIS Lead or from a CHO for research or other purposes not directly related to the operation of the HMIS, Continuum of Care, HMIS Lead, or CHO.

**HMIS vendor** means a contractor who provides materials or services for the operation of an HMIS. An HMIS vendor includes an HMIS software provider; web server host; data warehouse provider; or a provider of other information technology or support.

**Participation Fee** means a fee the HMIS Lead charges CHOs for participating in the HMIS to cover the HMIS Lead's actual expenditures, without profit to the HMIS Lead, for software licenses, software annual support, training, data entry, data analysis, reporting, hardware, connectivity, and administering the HMIS. Balance of State does not assess a participation fee.

**Protected Identifying Information (PII)** means information about a program participant that can be used to distinguish or trace a program participant's identity, either alone or when combined with other personal or identifying information, using methods reasonably likely to be used, which is linkable to the program participant.

**User** means an individual who uses or enters data in an HMIS or another administrative database from which data is periodically provided to an HMIS.

**Victim Service Provider (VSP)** means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.



## 7 Revision History

Date	Version	Revision
Jan 2021	1	Original Publication

