

# Homeless Management Information System (HMIS) Lead Agency

## MEMORANDUM OF UNDERSTANDING between

### Community Information and Referral (CIR) and Maricopa County CoC Board

#### I. PURPOSE AND BACKGROUND

The purpose of this Memorandum of Understanding (MOU) is to confirm agreements between **Community Information and Referral (CIR)** and the Maricopa County Continuum of Care Board (CoC Board), the lead decision making body for the Continuum of Care in Maricopa County, related to management of the Homeless Management Information System (HMIS). This MOU establishes **CIR** as the **HMIS Lead Agency** for the CoC, defines general understandings, and defines the roles and specific responsibilities of each party related to key aspects of the governance and operation of HMIS.

The Parties enter into this MOU wishing to maintain their own separate and unique missions and mandates, and their own accountabilities. Unless specifically provided otherwise, the cooperation among the Parties as outlined in this MOU shall not be construed as a partnership or other type of legal entity or personality. Each Party shall accept full and sole responsibility for any and all expenses incurred by itself relating to this MOU. Nothing in this MOU shall be construed as superseding or interfering in any way with any agreements or contracts entered into among the Parties, either prior to or subsequent to the signing of this MOU. Nothing in this MOU shall be construed as an exclusive working relationship. The Parties specifically acknowledge that this MOU is not an obligation of funds, nor does it constitute a legally binding commitment by any Party or create any rights in any third party.

HMIS is mandated by the U.S. Department of Housing and Urban Development (HUD) for all communities and agencies receiving HUD Continuum of Care and Emergency Solutions Grant (ESG) funding and projects provided through HUD's federal partners. HMIS is essential to coordinate client services and inform community planning and public policy. Through HMIS, homeless individuals and families benefit from improved coordination in and between agencies, informed advocacy efforts, and policies that result in targeted services. Analysis of information gathered through HMIS is critical to the preparation of a periodic accounting of homelessness in Maricopa County, including required HUD reporting. The parties to this MOU recognize that thorough and accurate capture and analysis of data about homeless services and persons experiencing homelessness is necessary to service and systems planning, effective resource allocation, and advocacy, and thus, share a mutual interest in successfully implementing and operating HMIS within the Continuum of Care in **Maricopa County**.

#### II. DURATION

Except as provided in Section VIII (Termination), the duration of this MOU shall be from the date that the MOU is executed through **[Enter Date]**. While it is anticipated that this MOU will be renewed annually for periods of one year thereafter, the parties will revise and affirmatively agree to the terms of this relationship annually. This annual review is intended to ensure the continued relevance of the terms to the parties and to ensure continued consistency and compliance with HUD regulation. The existing MOU may be extended by the CoC Board until a new version is executed.

### **III. GOVERNANCE AND PARTICIPATION**

#### **1. CoC Governance**

The CoC Board is the lead decision making group on behalf of the Continuum of Care within Maricopa County. As such and per HUD policy, the CoC is responsible for oversight and implementation of the HMIS data collection, management, and reporting system, which encompasses planning, administration, software selection, managing HMIS data in compliance with HUD rules and regulations, and reviewing and approving of all policies, procedures and data management plans governing contributing HMIS organizations. CoC oversight and governance responsibilities are carried out by its CoC Board, based on recommendations by the Performance Standards and Data Quality Committee (PSDQ). Per the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, the CoC has the authority to designate the HMIS lead agency.

#### **2. Performance Standards and Data Quality (PSDQ) Work Group**

The purpose of the PSDQ is to provide support and recommendations to the CoC Board related to the HMIS regulations and standards as set forth by HUD. The roles and responsibilities of PSDQ consist of: oversight of the HMIS Action Plan; oversight of HUD and community adopted system-wide Performance Measurements; develop Policies and Procedures including data sharing policies in partnership with CoC and HMIS Lead Agency; review of HMIS budget similar to the review of other CoC-funded projects; HMIS Lead Agency evaluation; oversight of data analysis and research; oversight of HMIS governance and compliance. Please refer to CoC Roles and Responsibilities document for further details on the role of PSDQ in the oversight and evaluation of the HMIS Lead Agency.

#### **3. Lead Agency Designation**

The CoC designates CIR as the HMIS Lead Agency to manage HMIS operations at the direction of CoC through its PSDQ. The HMIS lead is responsible for successfully completing applicable HUD reporting requirements, developing all plans, policies and procedures for review and approval by the CoC. The HMIS lead also executes all HMIS Partnership Agreements with each contributing HMIS organization, ensures that each HMIS user has signed an HMIS Code of Ethics, manages the system on a day-to-day basis, and provides technical support and training to users.

#### **4. Contributing HMIS Organizations (CHO)**

A CHO is defined as an organization (inclusive of the HMIS Lead) that operates a program providing services to persons at-risk or experiencing homelessness whether or not it is a member of CoC, and that contributes Protected Personal Information or other client-level data to the HMIS. CHOs are required to enter into HMIS Participation Agreements in order to contribute such data to the HMIS. The authority to enter into HMIS Participation Agreements with CHOs is assigned to the HMIS Lead Agency, in accordance with HUD Rules and Regulations.

#### **5. Program-level HMIS-compliant System (Comparable Database)**

A program-level HMIS-compliant system (Comparable Database) is defined as a client management information system operated by a provider program meeting the definition of a domestic violence or legal services provider that allows the provider program to collect the minimum required data elements and to meet other established minimum participation thresholds as set forth in CHO HMIS Participation Agreements. For the purposes of seeking data contribution from non-HUD funded programs, the CoC

may choose to allow the contribution of data from non-HUD funded programs to the HMIS. In such an event, a program-level HMIS-compliant system may also refer to a client management information system of such a program, provided it meets HUD Standards. PSDQ, in collaboration with CIR, will review and document whether a comparable database meets all HUD system requirements prior to its use. The CoC Board will approve the use of a HUD compliant comparable database with the input of PSDQ.

## **6. CHO HMIS Agency Administrator**

A CHO HMIS Agency Administrator is defined as a point-of-contact within each CHO and designated by the Executive Director or his/her designee of the CHO who is responsible for day-to-day collection, input, security, and privacy of HMIS data into the HMIS or a program-level HMIS-compliant system. A CHO HMIS Agency Administrator manages the data collection, data quality and program-level reporting according to the terms of the HMIS Partnership Agreement and HUD Rules and Regulations, including non-HUD funded programs contributing data to the HMIS from a program-level HMIS compliant comparable database.

## **7. End User**

An End User is defined as an employee or other individual covered by a Code of Ethics. A volunteer, affiliate, associate, or any other individual acting on behalf of a CHO or the HMIS Lead Agency who uses or enters data in the HMIS and who has been authorized to access data by the HMIS Lead Agency as evidenced by completed user trainings and an executed HMIS Code of Ethics Agreement is an end user.

## **8. Software and Hosting**

The CoC Board, in consideration of recommendations provided by the PSDQ in collaboration with HMIS Lead Agency, will select a HMIS software solution for the purposes of meeting HUD HMIS compliance requirements and broader CoC needs. The CoC delegates the authority to the HMIS Lead Agency to enter into contract with the CoC Board approved HMIS software solution, and if necessary, the HMIS Software Solution Provider.

# **IV. GENERAL UNDERSTANDINGS**

## **1. Funding**

### **a. HUD Grant(s)**

HMIS activities are funded in part by the HUD CoC HMIS grant. The CoC authorizes CIR, as the HMIS Lead Agency, to apply for and administer the CoC HMIS grant funds. The terms and uses of HUD funds are governed by the HUD grant agreement and applicable rules.

### **b. Cash Match**

The CoC and ESG HUD grants require a cash match. As detailed below in section V (2)(c), CIR is responsible for providing the commitment of the required local match for the HMIS grants, which may be through user fees charged to participating agencies and other sources of match obtained by CIR. In addition to cash match, the CoC encourages the use of leveraged funds to maximize resources for HMIS.

### **c. Invoicing and Payments for CHO User Fees**

User fees charged by CIR for HMIS access will be approved by the CoC Board. CIR will be responsible for invoicing and tracking payment for user fees. Changes to user fees are per Board approval based on the recommendation of PSDQ. CIR retains the right to choose the invoicing frequency and method as well as the right to terminate access to the HMIS in the event of non-payment by a CHO.

## **2. Local Operational Policies and Agreements**

The CoC delegates to CIR, in accordance with HUD policy, the authority to develop on its behalf the required policies, procedures, and plans associated with operating the HMIS. CIR is charged by the CoC to develop these policies, procedures, and plans in conjunction with the PSDQ. Policies, procedures and plans are subject to approval by the CoC Board. CIR and PSDQ will present for review and approval these policies, procedures, and plans on an annual basis to the CoC Board. These agreements, policies and procedures include, but are not limited to, an operating policies and procedures manual for use and management of the data (including procedures for ensuring the security of data, disaster recovery, data sharing policies and data quality assurance), privacy policies and notices, data collection and technical standards for CHOs, Participation Agreements, and End User Agreements.

Once reviewed and approved, changes to the policies and procedures may be made from time to time at the request of CIR or the CoC, through the CoC Board or PSDQ, to comply with HUD HMIS standards or otherwise improve HMIS operations. During any such modification periods, all existing HMIS policies and procedures will remain in effect until such time as the CoC Board approves the changes.

## **3. Assignment of Responsibilities**

CIR may not assign rights or responsibilities of this MOU, other than specifically outlined in this MOU, to any other third party, including the HMIS Solutions Provider, without the recommendation of PSDQ and the approval of the CoC Board as evidenced in CoC Board meeting minutes.

## **V. SPECIFIC RESPONSIBILITIES OF THE PARTIES**

### **1. CoC Responsibilities**

The CoC Board, with input and recommendations from PSDQ, serves as the lead HMIS governance body, providing oversight, project direction, policy setting, and guidance for HMIS. The CoC Board exercises all its responsibilities for HMIS governance through the CoC Board and PSDQ, effective as of the date of the authorization of this MOU. These responsibilities include:

- a) Ensuring and monitoring compliance with relevant HUD regulations and standards;
- b) Recording and publicly posting in official meeting minutes all approvals, resolutions, and other key decisions of the CoC and PSDQ that may be required by HUD rules related to the HMIS governing body;
- c) Designating the HMIS Lead Agency and the software to be used for HMIS, and approving any changes to the HMIS Lead Agency or software;
- d) Reviewing and approving all HMIS Project operational agreements, policies, and procedures;
- e) Reviewing data quality standards and plans, and establishing protocols for addressing CHOs' compliance with those standards;
- f) Promoting the effective use of HMIS data, including measuring the extent and nature of homelessness, the utilization of services and homeless programs over time, and the effectiveness of homeless programs;
- g) Using HMIS data to inform CoC program and system design, and measuring progress toward implementation of the CoC Strategic Plan and other CoC-established goals ;

- h) Coordinating participation in the HMIS (and broader CoC) by all homeless prevention and assistance programs and other mainstream programs serving homeless people or working to prevent homelessness.
- i) Reviewing evaluation of HMIS Lead Agency conducted by PSDQ.
- j) Approving community-level report requests from stakeholders external to the CoC funded providers as recommended by PSDQ.

## **2. CIR Responsibilities**

CIR serves as the Lead Agency for the HMIS Project, managing and administering all HMIS operations and activities. CIR exercises these responsibilities at the recommendation of PSDQ and the direction of CoC Board. These responsibilities are contingent on continued receipt of the appropriate HUD grant funding, and are as follows:

### **a) Governance and Reporting**

- a. Provide sufficient staffing for operation and administration of the HMIS;
- b. Enter into a contract for HMIS Services with the designated HMIS Solution Provider;
- c. Prepare the following data reports and analyses for review by the CoC and required for submission to HUD:
  - i. A point-in-time (PIT) count for sheltered and unsheltered as deemed by CoC Board based on HUD guidance.
  - ii. Annual Homeless Assessment Report (AHAR) completed annually based on HUD guidance.
  - iii. Housing Inventory Count (HIC) completed annually based on HUD guidance.
  - iv. Other reports as requested by PSDQ and/or CoC Board.
- d. Ensure the consistent contribution of data that meets all HUD-established data standards to the HMIS by, at minimum, every program operating with funds authorized by the McKinney-Vento Act as amended by the HEARTH Act, including ESG funds;
- e. Ensure the consistent contribution of data that meets all Federal Partner sources including: HUD, the Veteran's Administration (VA), Runaway and Homeless Youth (RHY), Projects for Assistance in Transition from Homelessness (PATH), Housing Opportunities for People with AIDS (HOPWA) and other partners as identified;
- f. Work with the CoC to facilitate participation by all homeless prevention and assistance programs and other mainstream programs serving homeless people to participate in the HMIS;
- g. Attend PSDQ meetings;
- h. Determine length of time that records must be maintained for inspection and monitoring purposes per HUD standards and ensure compliance with these standards;
- i. Respond to CoC Board and PSDQ directives; and
- j. Provide data needed to inform CoC progress toward achieving its Regional Plan goals and HEARTH outcomes.

## **b) Planning and Policy Development**

- a. Manage and maintain mechanisms, in coordination with PSDQ, for soliciting, collecting and analyzing feedback from end users, CHO HMIS administrators, CHO program managers, CHO executive directors, and homeless persons;
- b. Identify general milestones for project management, including training and expanding system functionality, and ensure that the HMIS Action plan is carried out and regularly reviewed;
- c. Develop and, upon adoption by the CoC, implement written policies and procedures for the operation of the HMIS, including requirements and standards for any CHO, and provide for the regular update of these procedures as required by changes to policy;
- d. Develop and, upon adoption by the CoC, implement a data quality plan consistent with requirements established by HUD, and review and update this plan annually and upon update to HUD regulations, notice, or guidance;
- e. Develop and, upon adoption by the CoC, implement a data security plan consistent with requirements established by HUD, and review and update this plan annually and upon update to HUD regulations or guidance;
- f. Develop and, upon adoption by the CoC, implement a disaster recovery plan consistent with requirements established by HUD, and review and update this plan annually according to the most current HUD regulations or guidance;
- g. Develop and, upon adoption by the CoC, implement a privacy policy specifying data collection limitations; purpose and use limitations; allowable uses and disclosures; openness description; access and correction standards; and accountability standards;
- h. Respond to community-level report requests from stakeholders following the approval of the PSDQ Group within the timeframe established in the report request, which should be produced with high data quality;
- i. Respond to information requests from and assist in development with the PSDQ group for HMIS Lead Agency performance evaluation, and if applicable work with the PSDQ group to create a performance improvement plan;
- j. Ensure privacy protection in project administration; and
- k. Develop and execute HMIS Partnership Agreements with each CHO, including:
  - i. Obligations and authority of the HMIS Lead and the CHO;
  - ii. Protocols for participation in HMIS Project;
  - iii. Requirements of the policies and procedures by which the CHO must abide;
  - iv. Sanctions for violating the HMIS Partnership Agreement ; and
  - v. Terms of sharing and processing Protected Identifying Information between the HMIS Lead and the CHO.

## **c) Grant Administration**

- a. Prepare and submit NOFA Project Application for HUD HMIS grant in e-snaps;
- b. Create annual budget outlining the most efficient resource allocation to meet HMIS Project requirements;

- c. Support HMIS by funding eligible HMIS activities with eligible matching sources to serve as the HUD-required match;
- d. Manage spending for HUD HMIS grant;
- e. Manage the reimbursement payment process and maintain records of all reimbursement documents, funds, approvals, denials, and other required or relevant records;
- f. Ensure accurate and regular (quarterly, at minimum) draw down of HUD grant funding; and
- g. Complete and submit Annual Performance Report (APR) for HUD HMIS grant in e-snaps.

**d) System Administration**

- a. Oversee the day-to-day administration of the HMIS system;
- b. Manage contracts for the HMIS, which includes training for CHOs and CIR staff, and licensing of HMIS Server;
- c. Ensure HMIS software meets the minimum data and technical functionality requirements established by HUD in rule or notice, including de-duplication, data collection, maintenance of historical data, reporting (including HUD-required reports and data quality and audit reports), and any other requirements established by HUD;
- d. Ensure HMIS data processing capabilities, including the collection, maintenance, use, disclosure, transmission, and the maintenance of privacy, security, and confidentiality protections;
- e. Develop standard reports and queries of HMIS data (e.g., data quality report, CoC report, etc.);
- f. Oversee and relate small- and large-scale changes to the HMIS through coordination with the HMIS Solution Provider, the CoC, PSDQ, and CHO HMIS administrators, if applicable;
- g. Continue monthly HMIS Committee meetings for HMIS information and updates;
- h. Outline a concept for expansion of CHO “user group” to discuss implementation of policies and procedures and data entry and upload processes;
- i. Maintain contact list of CHO Agency Administrators and End Users for all CHOs

**e) End-User Administration**

- a. Provide or coordinate technical assistance and support;
- b. Conduct annual and ongoing training of users;
- c. Document and facilitate correction of technical issues experienced by providers;
- d. Document and keep track of report requests and fulfilled report requests;
- e. Conduct an annual user satisfaction survey as recommended by the PSDQ Committee;
- f. Develop and deliver a comprehensive training curriculum and protocol, including accompanying tools and resources, that:
  - i. Includes, but is not limited to, data entry requirements and techniques, client confidentiality and privacy requirements, data security, and data quality;
  - ii. Requires all CHO Agency Administrators to participate in trainings; it is the responsibility of the CHO Agency Administrators to ensure end users at the CHO receive training information.
  - iii. Is encouraged for all HMIS end users, including intake staff, data entry staff and reporting staff at all CHOs;
  - iv. Is offered, at a minimum, every quarter;

- v. Is conducted in a manner that assures every new end user completes training prior to collecting any HMIS data or using the HMIS; and
- vi. Is conducted in a manner that assures every current end user completes a training update at least annually.

**f) Data Quality and Compliance Monitoring**

- a. Consistent with the data quality plan, establish data quality benchmarks for CHOs, including bed coverage rates, service-volume coverage rates, missing/unknown value rates, timeliness criteria, and consistency criteria;
- b. Consistent with the data quality plan, run and disseminate data quality reports on a quarterly basis to CHO programs indicating levels of data entry completion, consistency with program model, and timeliness;
- c. Consistent with the data quality plan, provide quarterly reports on HMIS participation rates, and data quality to the CoC and PSDQ Committee;
- d. Develop process in coordination with PSDQ whereby data quality reports are distributed at CoC meetings publicly for CHOs, with de-identified CHO information, to see where they stand in relation to other providers; and
- e. Monitor compliance by all CHOs with HMIS participation requirements, policies and procedures, privacy standards, security requirements, and data quality standards through an annual review per the process outlined in the Partnership Agreement and approved by the CoC Board.

**g. HMIS Lead Agency Staff Training**

- a. Ensure adequate resources are made available to staff to meet HUD required and CoC reporting;
- b. Ensure staff capacity to provide accurate regular reporting and training requirements to CHO and CoC;
- c. Attend at least annual training with Bowman to ensure training and report writing capacity meets HUD standards;
- d. Attend national and/or regional HMIS data related conferences to stay up to date on national trends; and
- e. Provide staff with relevant training to ensure capacity to present community data in a clear and effective manner (e.g. table structure, supporting narrative, etc.)

**3. Compliance with HUD Standards**

It is the responsibility of the CoC to ensure that the HMIS Lead Agency is operating the HMIS in compliance with HUD Technical Standards (last update in 2004), HUD HMIS Data Standards (last update in 2015), and other applicable laws. The parties agree to update this MOU (as provided in Section VII, Amendment/Notices), other HMIS operational documents, and HMIS practices and procedures in order to comply with any updates to these standards established in notices or other guidance, within the HUD-specified time frame for such changes.

**VI. DATA ACCESS AND MANAGEMENT**

It is hereby understood and acknowledged that all data is maintained in the HMIS by the HMIS Lead Agency. CIR's authorized staff shall have access to all data entered by CHOs and manage the data that is

maintained in the HMIS. HMIS data may not be accessed under federal, state, or local Freedom of Information laws except by Court Order.

CIR is not authorized to provide data to unauthorized staff or external entities without prior approval by the Performance Standards and Data Quality Task Force or in cases where there is the community lacks full consensus, the CoC Board, as evidenced in official meeting minutes or written authorization. All data analysis and reporting must be authorized by the PSDQ Committee. The PSDQ Committee must review and approve non-standard reports prior to their release. CIR and all CoC members may utilize any aggregate data or reporting that is publically available.

**VII. FAILURE TO ADHERE TO MOU**

Failure to adhere to this MOU may result in the institution of a performance improvement plan and/or termination of HMIS Lead Agency/System Administrator designation.

**VIII. TERMINATION OF CONTRACT**

Either party may terminate this MOU at a date prior to the renewal date specified in this MOU by giving sixty (60) days written notice to the other parties. If the funds relied upon to undertake activities described in this MOU are withdrawn or reduced, or if additional conditions are placed on such funding, any party may terminate this MOU within thirty (30) days by providing written notice to the other parties. The termination shall be effective on the date specified in the notice of termination.

If termination of this MOU prior to its annual renewal, by either party and in accordance with the terms of HMIS Lead contract with HUD, HMIS grant monies and CHO User Fees will be reallocated to a new HMIS Lead Agency, proportionate to the timespan remaining at the point CIR concludes HMIS services and transfer HMIS Lead responsibilities to a new HMIS Lead.

**IX. AMENDMENT/NOTICES**

This MOU may be amended in writing by either party. Notices shall be mailed or delivered to

Kevin Hartke  
Darlene Newsom  
Co-chairs  
Maricopa CoC Board of Directors  
302 North 1st Avenue, Suite #300  
Phoenix, AZ 85003

Catherine Rea  
CEO  
Community Information and Referral  
2200 N Central Ave, Suite #211  
Phoenix, AZ 85004

**X. TERMINATION**

This MOU will commence upon the signature of the parties.

Date

Name: Kevin Hartke

Title: Co-chair, Maricopa Continuum of Care Board

Date

Name: Darlene Newsom

Title: Co-chair, Maricopa Continuum of Care Board

Date

Name: Catherine Rea

Title: CEO, Community Information and Referral

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