



**TEXAS BALANCE OF STATE CONTINUUM OF CARE
AGENCY PARTNER AGREEMENT
FOR THE TEXAS BALANCE OF STATE HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)**

AGENCY NAME Hidalgo County Urban County Program

Texas Balance of State HMIS ClientTrack (TXB ClientTrack) is a client information system that provides a standardized assessment of consumer needs, creates individualized service plans and records the use of housing and services which communities can use to determine the utilization of services of participating Provider Agencies, identify gaps in the local service continuum and develop outcome measurements.

The signature of the Executive Director of the Partner Agency indicates agreement with the terms set forth before a Texas Balance of State HMIS ClientTrack (TXB ClientTrack) account can be established for the Agency.

Texas Balance of State Continuum of Care (TX BoS COC) is the primary coordinator and Texas Homeless Network ("THN") shall be the system administrator. In this Agreement, "Partner Agency" is an Agency participating in TXB ClientTrack, "Client" is a consumer of services, and "Agency" is the Agency named in this agreement.

I. Confidentiality

A. The Agency shall uphold relevant federal and state confidentiality regulations and laws that protect Client records and the Agency shall only release client records with written consent by the client, unless otherwise provided for in the regulations.

1. The Agency shall abide specifically by federal confidentiality regulations as contained in the Code of Federal Regulations, 42 CFR Part 2 regarding disclosure of alcohol and/or drug abuse records. In general terms, the federal rules prohibit the disclosure of alcohol and/or drug abuse records unless disclosure is expressly permitted by written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is not sufficient for this purpose. The Agency understands the federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patients.
2. The Agency shall provide a verbal explanation of the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database and the terms of consent and shall arrange for a qualified interpreter or translator in the event that an individual is not literate in English or has difficulty understanding the consent form.
3. The Agency shall not solicit or input information from Clients into the Texas Balance of State TXB ClientTrack database unless it is essential to provide services, or to conduct evaluation or research.
4. The Agency agrees not to release any confidential information received from the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database to any organization or individual without proper Client consent.
5. The Agency shall ensure that all staff, volunteers and other persons issued a User ID and password for Texas Balance of State HMIS ClientTrack (TXB ClientTrack) receives basic confidentiality training.
6. The Agency understands the file server, which will contain all Client information, including encrypted identifying Client information, will be located off-site.
7. The Agency shall maintain appropriate documentation of Client consent to participate in the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database.

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8. The Agency shall not be denied access to Client data entered by the Agency. Partner Agencies are bound by all restrictions placed upon the data by the client of any Partner Agency. The Agency shall diligently record in the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) system all restrictions requested. The Agency shall not knowingly enter false or misleading data under any circumstances.
9. If this Agreement is terminated the Balance of State Continuum, THN, and remaining Partner Agencies shall maintain their right to the use of all Client data previously entered by the terminating Partner Agency; this use is subject to any restrictions requested by the Client.
10. The Agency will utilize the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) Standardized Client Consent/Information Release form, as developed by the HMIS Staff, for all clients providing information for the TXB ClientTrack database. The Client Consent/Information Release form, once signed by the Client, authorizes Client data to be entered into the TXB ClientTrack database and authorizes information sharing with Texas Balance of State HMIS ClientTrack (TXB ClientTrack) Partner Agencies.
11. If a Client withdraws consent for release of information, the Agency remains responsible to ensure that Client's information unavailable to all other Partner Agencies by being entered through the anonymous function.
12. The Agency shall keep signed copies of the Client Consent Form/Information Release forms for Texas Balance of State HMIS ClientTrack (TXB ClientTrack) for a period of three years.
13. The Texas Homeless Network does not require or imply that services must be contingent upon a Client's participation in the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database. Services should be provided to Clients regardless of TXB ClientTrack participation provided the Clients would otherwise be eligible for the services.

II. Texas Balance of State HMIS (TXB ClientTrack) Use and Data Entry

A. The Agency shall follow, comply with and enforce the User Policy, Responsibility Statement & Code of Ethics (Attachment A). Modifications to the User Policy, Responsibility Statement & Code of Ethics shall be established in consultation with Partner Agencies and may be modified as needed for the purpose of the smooth and efficient operation of the TXB ClientTrack system. The HMIS Staff will announce approved modifications in a timely manner via Global News in TXB ClientTrack.

1. The Agency shall only enter individuals in the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database that exist as Clients under the Agency's jurisdiction. The Agency shall not misrepresent its Client base in the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database by entering known, inaccurate information.
2. The Agency shall use Client information in the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database, as provided to the Agency or partner Agencies, to assist the Agency in providing adequate and appropriate services to the Client.

B. The Agency shall consistently enter information into the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database and will strive for real-time, or close to real-time, data entry.

1 Real-time or close to real-time is defined by either immediate data entry upon seeing a Client, or data entry into the TXB ClientTrack database within seven business days.

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C. The Agency will not alter information in the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database that is entered by another Agency with known, inaccurate information. (I.e. Agency will not purposefully enter inaccurate information to over-ride information entered by another Agency).

D. The Agency shall not include profanity or offensive language in the TXB ClientTrack database.

E. The Agency shall utilize the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database for business purposes only.

F. The TXB HMIS staff will provide initial training and periodic updates to that training to select Agency Staff on the use of the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) software.

G. The TXB HMIS staff will be available for technical assistance within reason (i.e. troubleshooting and report generation).

H. The transmission of material in violation of any federal or state regulations is prohibited. This includes, but is not limited to, copyright material, material legally judged to be threatening or obscene, and material considered protected by trade secret.

I. The Agency shall not use the Texas Balance of State HMIS ClientTrack (TXB ClientTrack) database with intent to defraud federal, state or local governments, individuals or entities, or to conduct any illegal activity.

J. Based on the number of User Licenses, the Agency shall pay the scheduled participation fee and an annual scheduled support in each of the subsequent two years.

III. Reports

A. The Agency shall retain access to identifying and statistical data on the Clients it serves.

B. The Agency's access to data on Clients it does not serve shall be limited to non-identifying and statistical data.

C. The Agency may make aggregate data available to other entities for funding or planning purposes pertaining to providing services to homeless persons. However, such aggregate data shall not directly or indirectly identify individual Clients.

D. The Texas Balance of State Continuum of Care (TX BoS COC) & Texas Homeless Network will use only unidentified, aggregate Texas Balance of State HMIS ClientTrack (TXB ClientTrack) data for homeless policy and planning decisions, in preparing federal, state or local applications for homelessness funding, to demonstrate the need for and effectiveness of programs and to obtain a system-wide view of program utilization in the state.

IV. Proprietary Rights of Data Systems International

A. The Agency shall not give or share assigned passwords and access codes of the TXB ClientTrack database with any other Agency, business, or individual.

B. The Agency shall not cause in any manner, or way, corruption of the TXB ClientTrack database in any manner.

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V. Terms and Conditions

A. Neither the Texas Balance of State Continuum of Care (TX BoS COC), THN, nor the Agency shall transfer or assign any rights or obligations without the written consent of the other party.

B. This Agreement shall be in-force until revoked in writing by either party provided funding is available.

C. This Agreement may be terminated with 30 days written notice.

VI. Sharing Information

Within the TXB ClientTrack system agencies have the capability to share information with other Partner Agencies. Please select from one of the following boxes:

- I represent a domestic violence agency therefore my clients are protected by the Violence Against Women Act (VAWA).
- I represent a HIV/AIDS Agency therefore my clients are protected by Health Insurance Portability and Accountability Act (HIPPA).

Signature of Executive Director

Date

Hidalgo County Urban County Program

AGENCY

FEIN

1916 Tesoto Blvd.

STREET ADDRESS

Pharr, TX

CITY

78,577

ZIP CODE

MAILING ADDRESS -- LEAVE BLANK IF SAME AS ABOVE

CITY

ZIP CODE