

POCONO MOUNTAINS UNITED WAY
NOTICE OF PRIVACY POLICY AND STANDARD
OPERATING PROCEDURES

This notice describes the privacy policy and standard operating procedures of the **POCONO MOUNTAINS UNITED WAY** (“PMUW”). PMUW is participating in administering the Emergency Rental Assistance Program (“ERAP”), operating on behalf of Act 1: Emergency Rental & Utility Assistance Program of the County of (the “County”). ERAP offers rental assistance and housing stability services to individuals and families experiencing or at risk for homelessness due to the novel coronavirus disease (COVID-19). PMUW may amend this Privacy Policy at any time, and will maintain a record of any changes made, as well as post new versions on the PMUW website located at www.pocounitedway.org.

This notice applies to the personal information of individuals whose personal data is collected or maintained in hard copy or in electronic formats by PMUW.

In relation to this personal information, users entering data with PMUW:

- Collect personal client information only when appropriate or required by entities providing funding in connection with, or services for, ERAP for or on behalf of the County (the “Participating Agency(ies)”);
- May use or disclose information in order to facilitate service delivery;
- May also use or disclose information to comply with legal requirements or other obligations as described in the notice;
- Will not disclose personal information without written consent unless specifically stated within the notice; and
- Assume that, unless stated otherwise, persons applying for or receiving services from PMUW agree to allow users of PMUW to collect, use, or disclose information as described in this notice.

Each person providing personal information may:

- Inspect their personal information that is maintained by PMUW, with the exception of case notes;
- Ask the agency entering data for PMUW to correct inaccurate or incomplete information within the record;
- Ask about PMUW’s privacy policy or practices;
- File a grievance regarding PMUW’s privacy policies and practices. PMUW or the appropriate agency will respond to questions and complaints; and/or
- Request a copy of this full notice for more details.

A. What this notice covers

1. This notice describes the privacy policy and practices of PMUW.
 2. The policy and practices in this notice cover the processing of protected personal client information by users of PMUW with regard to ERAP. This notice covers all personal information policies set forth by PMUW in its role as a service provider in connection with ERAP and The County. PMUW may have additional privacy policies on information entered and accessed by users.
 3. Protected Identifiable information (“PII”) is any information PMUW collects, receives and/or maintains about a client that:
 - Allows identification of an individual directly or indirectly; and
 - Can be manipulated by a reasonably foreseeable method to identify a specific
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- individual; or
 - Can be linked with other available information to identify a specific client.
4. Protected Health Information (“PHI”) is any information PMUW collects, receives, or maintains about a client that is individually identifiable and relates to the past, present, or future health status of an individual in relation to the provision of health, payment for healthcare services, or use in healthcare operations.
 5. When this notice refers to personal information, unless otherwise stated, it means collectively PII and PHI.
 6. PMUW has adopted this policy in accordance with the ERAP and its obligations to the County in connection with the administration of the ERAP. PMUW’s policies and practices are consistent with those standards and with industry standard best practices. PMUW’s policies are also consistent with requirements outlined in other applicable state and local laws.
 7. If any PHI is provided under the County application, subject to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), PMUW agrees that it will appropriately safeguard PHI (defined in 45 CFR 160.103), and agrees that it is subject to, and shall comply with, the provisions of 45 CFR 164 Subpart E regarding use and disclosure of PHI.
 8. This notice informs clients, staff, contractors, and others how personal information is processed by PMUW.
 9. PMUW may amend this notice and change the policy or practices at any time. Amendments may affect personal information that PMUW obtained before the effective date of the amendment.
 10. PMUW will provide a written copy of this notice to any individual or organization that requests one. PMUW also maintains a copy of this notice on its website located at www.poconounitedway.org.

B. How and Why We Collect Personal Information

1. PMUW (including PMUW’s contractors) may collect and maintain personal information for some or all the following purposes:
 - To provide or coordinate services to clients;
 - To locate other programs that may be able to assist clients;
 - For functions related to payment or reimbursement from others for services provided by PMUW or PMUW’s contractors.
 - To carry out administrative functions, including legal, audit, personnel, oversight, contract monitoring, program evaluation, and other management functions;
 - To comply with government reporting obligations;
 - For research, data analysis, and community reporting purposes, including reporting to the PMUW Board of Directors to inform policy decisions; and
 - When required by law.
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2. PMUW (including PMUW's contractors use only lawful and fair means to collect and maintain personal information.
3. By seeking assistance from PMUW and providing personal information, it is assumed that a person consents to the collection of information as described in this notice and that the collected information may be maintained by PMUW.
4. PMUW including PMUW's may also obtain information about those seeking services from:
 - Other individuals who are accompanying the person seeking services, such as a guardian, caretaker, or advocate;
 - Referring organizations or service providers (with proper written consent); and
 - PMUW's contractors that are providing services.
5. While PMUW is required to adopt its own privacy policies and postings for data collection unrelated to ERAP, the County requires certain notices relating to PII and PHI to be provided by PMUW to individuals participating in the ERAP.

C. Usage and Disclosure of Personal Information

1. PMUW may use or disclose personal information for the following purposes:
 - a) To provide or coordinate services for individuals in connection with ERAP, programs relating to or arising from participation in ERAP, or to assess eligibility for any such programs. PMUW may share portions of client records (with written consent) with Participating Agencies that, at a minimum, must adhere to this notice and may have additional privacy policies and that may allow different uses and disclosures of the information;
 - b) For functions related to payment or reimbursement for services;
 - c) To carry out administrative functions, such as legal, audit, personnel, oversight, contract monitoring, program evaluation, and other management functions;
 - d) When required by law to the extent that use or disclosure complies with and is limited to the requirements of the law.
 - e) To avert a serious threat to health or safety if:
 - It is believed in good faith that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public, and
 - The use or disclosure is made to a person reasonably able to prevent or lessen the threat, including the target of the threat.
 - f) To report about an individual that PMUW reasonably believes to be a victim of abuse, neglect or domestic violence to a governmental authority (including a social service or protective services agency) authorized by law to receive reports of abuse, neglect or domestic violence under any of the following circumstances:
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- where the disclosure is required by law and the disclosure complies with and is limited to the requirements of the law;
 - if the individual agrees to the disclosure; or
 - to the extent that the disclosure is expressly authorized by statute or regulation; and
 - PMUW believes the disclosure is necessary to prevent serious harm to the individual or other potential victims; or
 - if the individual is unable to agree because of incapacity, then a law enforcement or other public official authorized to receive the report must represent that the PII for which disclosure is sought is not intended to be used against the individual, and must represent that an immediate enforcement activity that depends upon the disclosure would be materially and adversely affected by waiting until the individual is able to agree to the disclosure; and
 - when PMUW makes a permitted disclosure about a victim of abuse, neglect or domestic violence, PMUW will promptly inform the individual who is the victim that a disclosure has been or will be made, except if:
 - i. in the exercise of professional judgment PMUW believes informing the individual would place the individual at risk of serious harm, or
 - ii. PMUW would be informing a personal representative (such as a family member or friend) and reasonably believe the personal representative is responsible for the abuse, neglect or other injury; such that informing the personal representative would not be in the best interests of the individual as PMUW determines in the exercise of professional judgment.
- g) To a law enforcement official for a law enforcement purpose (if consistent with applicable law and standards of ethical conduct) under the following circumstances:
- In response to a lawful court order, court-ordered warrant, subpoena or summons issued by a judicial officer, or a grand jury subpoena;
 - If the law enforcement official makes a written request for PII that:
 - i. is signed by a supervisory official of the law enforcement agency seeking the PII;
 - ii. states that the information is relevant and material to a legitimate law enforcement investigation;
 - iii. identifies the PII sought;
 - iv. is specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought; and
 - v. states that de-identified information could not be used to accomplish the purpose of the disclosure.
 - If it is believed in good faith that the PII constitutes evidence of criminal conduct that occurred on the premises of PMUW; and
 - In response to a written request as described above for the purpose of identifying or locating a suspect, fugitive, material witness or missing person
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and the PII disclosed consists only of name, address, date of birth, place of birth, Social Security Number, and distinguishing physical characteristics.

- h) To comply with government reporting obligations.
- 2. PMUW may use or disclose personal information for activities set forth below and for activities PMUW determines to be compatible with such activities. PMUW assumes that you consent to the use or disclosure of your personal information for such purposes.
 - a) To carry out maintenance and operation of PMUW.
 - b) To create de-identified (anonymous) information that can be used for research and statistical purposes without identifying clients.
- 3. Before PMUW make any use or disclosure of your personal information that is not described herein and above, we will seek your consent.

D. How to Inspect and Correct PII

- 1. Clients may inspect and have a copy of their PII that is maintained by PMUW, with the exception of case notes. PMUW will respond to any such request made by a client within a reasonable time frame, usually three (3) to five (5) business days.
- 2. PMUW will consider requests for correction of inaccurate or incomplete personal information from clients. If PMUW agrees that the information is inaccurate or incomplete, the personal information may be deleted or supplemented with additional information.
- 3. To inspect, get a copy of, or ask for correction of personal information, a client can contact PMUW at the location which they received services. The appropriate PMUW staff member will be located to assist with the review or correction of the file within a reasonable time period, usually three (3) to five (5) business days.
- 4. PMUW may deny a direct request for inspection or copying of personal information if:
 - the information was compiled in reasonable anticipation of litigation or comparable proceedings;
 - the information is about another individual;
 - the information was obtained under a promise of confidentiality and if the disclosure would reveal the source of the information; or
 - disclosure of the information would be reasonably likely to endanger the life or physical safety of any individual.
- 5. If a request for access or correction is denied, PMUW will explain the reason for the denial. PMUW will also include, as part of the personal information that is maintained, documentation of the request and the reason for the denial.
- 6. PMUW may reject repeated or harassing requests for access or correction

E. Data Quality

- 1. PMUW collects only personal information that is relevant to the purposes for which it plans to use it or as required for reporting. To the extent necessary for those purposes,
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PMUW seeks to maintain only PII that is accurate, complete, and timely.

2. PMUW may implement a plan to dispose of personal information not in current use seven (7) years after the information was created or last changed. As an alternative to disposal, PMUW may choose to remove identifiers from the information so that the data can be maintained for analysis purposes.
3. PMUW may keep information for a longer period if it chooses or if it is required to do so by statute, regulation, contract, or other requirement.

F. Complaints and Accountability

1. PMUW accepts and considers questions or complaints about PMUW's privacy and security policies and practices. To file a complaint or question, a person should do the following:
 - If the complaint is about a Participating Agency using personal information received from PMUW, the client should first follow the questions or grievance procedure of that organization. If the grievance cannot be resolved at the Participating Agency level, the question/complaint should be addressed to PMUW in writing or in person for resolution. PMUW's office is located at 301 McConnell Street, Stroudsburg, PA 18360. PMUW's phone number is (570) 234-3469; or
 - If the complaint is received by PMUW, in writing or in person, about a Participating Agency or about an internal program, it will be first reviewed by the staff responsible for administering such program. If the question or complaint cannot be resolved at that level it will be brought to the attention of the PMUW Executive Director, whichever is most appropriate for the particular situation.
2. All members of PMUW (including employees, volunteers, affiliates, contractors and associates), are required to comply with this notice. Each individual with access to PMUW maintained PII must receive and acknowledge receipt of a copy of this notice and pledge to comply with this notice in writing.

G. Privacy Policy Change History

Each copy of this notice will have a history of changes made to the document. This document's change history is as follows:

- Version 1 – May __, 2021 - Initial Policy
- Version 2 – June 9, 2021

I hereby acknowledge that I have read and understand Pocono Mountains United Way's Notice of Privacy Policies and Standard Operating Procedures.

Print Name

Signature

Date
