

CommunityViewer User Agreement

For purposes of this agreement, “CommunityViewer” means the web-based *CommunityViewer* integrated data system as well as ancillary tools to move data into the system, including but not limited to DropPHI, any SFTP connection to the *CommunityViewer* server, and UTH Secure Share/FILR.

CommunityViewer is an application intended to allow the integration at the person level of data from multiple collaborating education, housing, justice, case management, and other health and human service organizations and systems in San Antonio, Texas and the surrounding area. *CommunityViewer* is owned by the United Way of San Antonio and Bexar County (UWSA) and managed per UWSA agreement by Community Information Now (CI:Now). Among other collaborations, *CommunityViewer* is in use by PaCT (Promise and Choice Together) partner organizations.

CommunityViewer holds an array of identified person- and family-/household-level information, potentially including sensitive information about children, disabled persons, persons with criminal justice involvement, and other vulnerable populations. This information may be referred to in privacy and security law and organizational policy as “private information”, “confidential information”, PII (personal identifying information), PHI (protected health information), or “identified data”. Information considered confidential includes any field that could be used to identify the person, such as:

- name or nickname
- social security number
- driver’s license number
- address
- telephone number
- day and month of birth
- any partner organization’s i.d. number (e.g., student i.d., chart number, account number, family i.d.)
- email address
- photograph

The partner organization that shares data for integration into *CommunityViewer* retains the rights to its own data and limit access to that data or require that the data be removed from *CommunityViewer* entirely. Data-sharing through *CommunityViewer* is made possible only by relationships of trust among partner organizations and the consent of the person the data are about (or that person’s parent or proxy). Those relationships and that consent require all parties’ diligent efforts to protect the privacy and security of the data. Access to *CommunityViewer* is a limited privilege subject to termination or restriction, not a right conferred by virtue of employment by any organization or performance of any job duties. Understanding of and agreement to the terms below is required before access will be granted.

1. The *CommunityViewer* user (“User”) must complete HIPAA/HB300, FERPA, and any other required training or its *approved* equivalent prior to accessing *CommunityViewer*. Only CI:Now may approve a training as equivalent.
2. User access to *CommunityViewer* is subject to review and approval by both the User’s employer and by other organizations feeding data into *CommunityViewer*.
3. User will request only the lowest or most restricted level of access absolutely required to perform his/her job duties. If job duties change to require a lower level of access, User will notify CI:Now so that User’s rights may be modified accordingly.
4. User will use *CommunityViewer* data solely for the performance of his/her job duties. Any non-required access or use is strictly forbidden, including but not limited to viewing information out of curiosity or selling information for commercial purposes.

5. User will not share his/her *CommunityViewer* credentials (login, password, or token generator) with any other person, or use those credentials to provide *CommunityViewer* access to any other person, regardless of whether that person is an approved *CommunityViewer* user. "Access" includes viewing, entering, or editing data.
6. User will not attempt to export, save, print, photograph, video, or otherwise capture person-level information from *CommunityViewer*, even if that information came from User's own organization.
7. User will not attempt to reconstruct any record or re-identify any person through aggregate reports or de-identified data.
8. If User discovers any unintended or unauthorized access to confidential information/PII/PHI, User will immediately log off of *CommunityViewer* and notify CI:Now of the error.
9. User will hold any confidential information/PII/PHI obtained from *CommunityViewer* in strict confidence. This information is privileged and confidential regardless of format: electronic, written, overheard or observed.
10. All transactions that occur on *CommunityViewer* and all data transmitted through *CommunityViewer* are logged and are subject to review and action by law enforcement personnel, CI:Now, UWSA, and partner agencies providing the data in this system. These transactions include (but are not limited to) monitoring, recording, retrieving, copying, auditing, and inspecting, investigating, restricting access, blocking, tracking, and disclosing to authorized personnel.
11. Unauthorized attempts or acts to (1) access, upload, change, or delete information on this system, (2) modify this system, (2) provide access to this system to unauthorized users, (3) deny access to this system, or (4) accrue resources for unauthorized use on this system are strictly prohibited. Such unauthorized attempts or acts are subject to action that may result in criminal, civil, or administrative penalties.
12. CI:Now and UWSA reserve the right to limit or entirely terminate User access to *CommunityViewer* for violations of this agreement.
13. User's employer also reserves the right to take disciplinary action, up to and including termination, for violations of this agreement.

Signing below signifies that User understands and agrees to abide by these policies and the intent of these policies to protect privacy and security. **Further, any use of *CommunityViewer* prior or subsequent to signing below also constitutes continuous understanding and unconditional acceptance of these terms.** User is encouraged to retain a copy of this agreement.

(Print your name)

(Signature)



(Print your employer's name)

(Date)

CommunityViewer Required Training

You must learn the material in the following videos prior to accessing CommunityViewer. You may know some of this information already. Because CommunityViewer is used by people from so many different kinds of health and human services organizations, we need to make sure that everyone has at least a working knowledge of these laws and what they mean for you.

What do you need to know about, and why?

<p>1. The Family Educational Rights and Privacy Act (FERPA). FERPA governs the privacy and use of student data, so any data provided by a school or school district is covered by FERPA.</p> <p>FERPA 101: For Local Education Agencies FERPA 201: Data Sharing Under FERPA</p> <p>https://training.wecomply.com/wc2/doelogin.aspx?id=10821</p> <p>(Requires registration for free account)</p>	
<p>2. Health Insurance Portability and Accountability Act (HIPAA). HIPAA – not HIPPA! – is the federal law that governs the privacy and use of protected health information (PHI). PHI includes any identifiable information about a person’s past or present health status (e.g., BMI, asthma diagnosis) or health care (e.g.,), <i>unless</i> that information is covered by FERPA.</p> <p>http://www.medscape.org/viewarticle/762170?src=ocr</p>	
<p>3. Texas Medical Rights Privacy Act (HB300). HB300 extends and strengthens federal HIPAA law, making anyone who comes into any contact at all with protected health information (PHI) a “covered entity” that must abide by HIPAA.</p>	<p>Please see <i>Texas House Bill 300 Significantly Expands State’s Patient Privacy Protections for Covered Entities</i>, attached and also available here: http://www.ebglaw.com/files/51313_HCLS-Client-Alert-Texas-House-Bill-300.pdf</p>
<p>4. CommunityViewer-specific policies and procedures. Some additional rules to protect data privacy and security are explained in the CommunityViewer User Agreement, which must be understood and signed prior to using CommunityViewer.</p>	<p>The CommunityViewer User Agreement is available online at http://nowdata.cinow.info/communityviewer/</p>