



Background: In 2014, a ruling was issued by Commerce Legal Counsel that Unaccompanied Youth could not consent to having their identifying information entered in HMIS without a change to the existing State HMIS Law ([RCW 43.185C.180](#)). [HB 1630](#), which amends the State HMIS Law, was passed on February 28, 2018 and goes into effect on June 7, 2018.

Beginning June 7, 2018: Any unaccompanied youth aged 13 or older may consent to have their personally identifying information collected for the purposes of HMIS.

[RCW 43.330.702](#) defines the term unaccompanied as a youth or young adult experiencing homelessness while not in the physical custody of a parent or guardian. For purposes of HMIS, the term unaccompanied youth refers to minors under the age of 18 who are not in the physical custody of a parent or guardian.

FAQ's:

Q: Does this only apply to unaccompanied youth we serve on or after June 7, 2018?

A: Yes, however you may ask any unaccompanied youth who are active in your services beginning June 7th. Meaning, it is ok for them to consent to their personally identifying information being entered in HMIS back to the start date of their first HMIS entry.

Q: What happens when a parent/Guardian disagrees [with minor youth] about whether to consent to HMIS or not? Does the Guardian's decision about HMIS consent trump the minor's decision?

A: The consent change is for unaccompanied youth only, so if a minor is in a household with a parent or guardian, the parent or guardian decides whether or not to consent for the entire household. A parent or guardian isn't physically present in unaccompanied youth households.

Q: Does an individual (who has consented as a minor) need to re-sign the HMIS consent form as an adult? (Do they need to re-sign the consent upon turning 18)?

A: No. Consent needs to be re-signed 7 years from their last date of service. The consent form is the same for Unaccompanied Youth and Adults.

Q: Are we supposed to use the same HMIS consent form for minors as we do for adults?

A: Yes

Q: Will there be a Youth-specific HMIS consent form developed that provides the same info in simple, youth-focused language?

A: No. Although Agencies may request permission from Commerce to use of a modified consent form, as long as it contains the same information (at a minimum) as the form published on the Commerce HMIS website. There should always be a conversation about HMIS with the person being served (youth or adult), per the HMIS User Policy: *"It is a*

Client's decision what personal information, if any, is entered into the HMIS. The Client Release of Information and Informed Consent form ("Client Release of Information") shall be signed by the Client before any identifiable Client information is entered into the HMIS. User shall insure that, prior to obtaining the Client's signature, the Client Release of Information form was fully reviewed with the Client in a manner reasonably calculated to ensure the client understood the information, and User will verify that the Client has had the opportunity to ask questions and that steps were taken as needed to assist the client in fully understanding the information. (e.g.: securing a translator if necessary)."