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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (Division 9 added by Stats. 1965, Ch. 1784.)

PART 6. MISCELLANEOUS PROVISIONS [18000 - 18999.98] (Part 6 added by Stats. 1965, Ch. 1784.)

CHAPTER 18. Homeless Multidisciplinary Personnel Team [18999.8 - 18999.82] (Chapter 18 added by Stats. 2017, Ch. 544, Sec. 1.)

18999.8. (a) (1) Notwithstanding any other law, a county may establish a homeless adult and family multidisciplinary personnel team with the goal of facilitating the expedited identification, assessment, and linkage of homeless individuals to housing and supportive services within that county and to allow provider agencies and members of the personnel team to share confidential information for the purpose of coordinating housing and supportive services to ensure continuity of care.

(2) If a city within a county that has established a homeless adult and family multidisciplinary personnel team pursuant to this chapter requests to participate in that team, the county shall allow for the participation of appropriate city personnel, as determined by the county, unless the county determines that participation by the city would hinder compliance with the requirements and obligations set forth in this chapter or would otherwise conflict with the county's goals and objectives.

(b) For the purposes of this section, the following terms have the following meanings:

(1) "Homeless" means any recorded instance of an adult or family self-identifying as homeless within the most recent 12 months, or any element contained in service utilization records indicating that an adult or family experienced homelessness within the most recent 12 months.

(2) "Homeless adult and family multidisciplinary personnel team" means any team of two or more persons who are trained in the identification and treatment of homeless adults and families, and who are qualified to provide a broad range of services related to homelessness. The team may include, but shall not be limited to, all of the following:

(A) Mental health and substance abuse services personnel and practitioners or other trained counseling personnel.

(B) Police officers, probation officers, or other law enforcement agents.

(C) Legal counsel for the adult or family representing them in a criminal matter.

(D) Medical personnel with sufficient training to provide health services.

(E) Social services workers with experience or training in the provision of services to homeless adults or families or funding and eligibility for services.

(F) Case managers or case coordinators responsible for referral, linkage, or coordination of care and services provided to adults or families.

(G) Veterans services providers and counselors.

(H) Domestic violence victim service organizations, as defined in subdivision (b) of Section 1037.1 of the Evidence Code.

(I) Any public or private school teacher, administrative officer, or certified pupil personnel employee.

(J) Housing or homeless services provider agencies and designated personnel.

(3) "Homeless services provider agency" means any governmental or other agency that has, as one of its purposes, the identification, assessment, and linkage of housing or supportive services to homeless adults or families. The homeless services provider agencies serving adults or families that may share information under this section include, but are not limited to, all of the following entities or service agencies:

- (A) Social services.
- (B) Health services.
- (C) Mental health services.
- (D) Substance abuse services.
- (E) Probation.
- (F) Law enforcement.
- (G) Legal counsel for the adult or family representing them in a criminal matter.
- (H) Veterans services and counseling.
- (I) Domestic violence victim service organizations, as defined in subdivision (b) of Section 1037.1 of the Evidence Code.
- (J) Schools.
- (K) Homeless services.
- (L) Housing.

(c) (1) Members of a homeless adult and family multidisciplinary personnel team engaged in the identification, assessment, and linkage of housing and supportive services to homeless adults or families may disclose to, and exchange with, one another, information and writings that relate to any information that may be designated as confidential under state law if the member of the team reasonably believes it is generally relevant to the identification, reduction, or elimination of homelessness or the provision of services. Any discussion relative to the disclosure or exchange of the information or writings during a team meeting is confidential and, notwithstanding any other law, testimony concerning that discussion is not admissible in any criminal, civil, or juvenile court proceeding.

(2) Disclosure and exchange of information pursuant to this section may occur telephonically and electronically if there is adequate verification of the identity of the homeless adult and family multidisciplinary personnel who are involved in that disclosure or exchange of information.

(3) Disclosure and exchange of information pursuant to this section shall not be made to anyone other than members of the homeless adult and family multidisciplinary personnel team, and those qualified to receive information as set forth in subdivision (d).

(4) Representatives of domestic violence victim service organizations, as defined in subdivision (b) of Section 1037.1 of the Evidence Code, shall obtain an individual's informed consent, in accordance with all applicable state and federal confidentiality laws, before disclosing confidential information about that individual to another team member as specified in this section.

(d) The homeless adult and family multidisciplinary personnel team may designate persons qualified pursuant to paragraph (2) of subdivision (b) to be a member of the team for a particular case. A person designated as a team member pursuant to this subdivision may receive and disclose relevant information and records, subject to the confidentiality provisions of subdivision (f).

(e) (1) The sharing of information permitted under subdivision (c) shall be governed by protocols developed in each county describing how and what information may be shared by the homeless adult and family multidisciplinary personnel team to ensure that confidential information gathered by the team is not disclosed in violation of state or federal law. A copy of the protocols shall be distributed to each participating agency and to persons in those agencies who participate in the homeless adult and family multidisciplinary personnel team, and shall be posted on the county's internet website on the homepage of the office of homelessness, social services department, or human services agency within 30 days of adoption. Each county shall provide a copy of its protocols to the State Department of Social Services. This subdivision shall not be construed to require the department to review or approve any homeless multidisciplinary personnel team county protocols that it receives.

(2) A protocol developed in a county pursuant to paragraph (1) shall include, but not be limited to, all of the following:

- (A) The items of information or data elements that will be shared.
- (B) The participating agencies.

(C) A description of how the information shared pursuant to this section will be used by the homeless adult and family multidisciplinary personnel team only for the intended purposes specified in subdivision (a).

(D) The information retention schedule that participating agencies shall follow.

(E) A requirement that no confidential information or writings be disclosed to persons who are not members of the homeless adult and family multidisciplinary personnel team, except to the extent required or permitted under applicable law.

(F) A requirement that participating agencies develop uniform written policies and procedures that include security and privacy awareness training for employees who will have access to information pursuant to this protocol.

(G) A requirement that all persons who have access to information shared by participating agencies sign a confidentiality statement that includes, at a minimum, general use, security safeguards, acceptable use, and enforcement policies.

(H) A requirement that participating agencies employ security controls that meet applicable federal and state standards, including reasonable administrative, technical, and physical safeguards to ensure data confidentiality, integrity, and availability and to prevent unauthorized or inappropriate access, use, or disclosure.

(I) A requirement that participating agencies take reasonable steps to ensure information is complete, accurate, and up to date to the extent necessary for the agency's intended purposes and that the information has not been altered or destroyed in an unauthorized manner.

(f) Every member of the homeless adult and family multidisciplinary personnel team who receives information or records regarding adults and families in that member's capacity as a member of the team shall be under the same privacy and confidentiality obligations and subject to the same confidentiality penalties as the person disclosing or providing the information or records. The information or records obtained shall be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights.

(g) This section shall not be construed to restrict guarantees of confidentiality provided under state or federal law.

(h) Information and records communicated or provided to the team members by all providers and agencies shall be deemed private and confidential and shall be protected from discovery and disclosure by all applicable statutory and common law protections. Existing civil and criminal penalties shall apply to the inappropriate disclosure of information held by the team members.

(Amended by Stats. 2019, Ch. 337, Sec. 1. (AB 728) Effective January 1, 2020.)

18999.81. (a) A homeless adult and family multidisciplinary personnel team established pursuant to Section 18999.8 in the Counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Mateo, Santa Clara, and Ventura may additionally have the goal of facilitating the expedited identification, assessment, and linkage of individuals at risk of homelessness to housing and supportive services within that county, and the goal of facilitating the expedited prevention of homelessness for those individuals.

(b) For the purposes of this section, "individual at risk of homelessness" means an individual who is indigent or receiving or eligible to receive public benefits in the form of cash aid, and who meets both of the following conditions:

(1) The individual experiences either of the following:

(A) Is exiting, or exited within the most recent 12 months, a state-funded or locally funded detention or treatment setting, including, but not limited to, a jail, prison, health facility, mental health facility, or substance use disorder treatment program.

(B) Is aging out, or aged out within the most recent 12 months, of the child welfare system or the juvenile justice system.

(2) The individual presents with, or received services within the most recent 12 months for, significant health, mental health, or substance use issues.

(c) The homeless adult and family multidisciplinary personnel teams described in this section shall also include persons who are trained in the prevention of homelessness.

(d) (1) Members of a homeless adult and family multidisciplinary personnel team engaged in the prevention of homelessness or linkage of housing and supportive services for individuals at risk of homelessness, may disclose to, and exchange with, one another, information and writings that relate to any information that may be designated as confidential under state law if the member of the team reasonably believes it is generally relevant to the identification of individuals at risk of homelessness or the prevention of homelessness or the provision of services.

(2) (A) The multidisciplinary personnel team member who first establishes contact with an individual at risk of homelessness, as defined in subdivision (b), shall notify the individual that the individual's confidential information may be shared for the purpose of

coordinating housing and supportive services to ensure continuity of care and shall attempt to obtain the individual's consent for that information sharing.

(B) For individuals at risk of homelessness, members of the multidisciplinary personnel team may share with other members of the team confidential information for either of the following purposes:

(i) Identifying individuals at risk of homelessness, unless and until the individual affirmatively opts out of having their information shared.

(ii) Coordinating housing and supportive services to ensure continuity of care for a period not to exceed 30 days from the time a team member first establishes contact with the individual, or unless and until the individual affirmatively opts out of having their information shared, whichever occurs first.

(e) The confidentiality and privacy provisions contained in Section 18999.8 apply to information or writings disclosed, exchanged, or acquired pursuant to this section, and that information and writings shall not be disclosed in violation of existing federal or state privacy laws.

(Amended by Stats. 2024, Ch. 94, Sec. 1. (AB 1948) Effective January 1, 2025.)

18999.82. (a) The Counties of Yuba and Sutter may establish a joint homeless adult and family multidisciplinary personnel team with the goal of facilitating the expedited identification, assessment, and linkage of homeless individuals to housing and supportive services within either of those counties and to allow provider agencies and members of the personnel team to share confidential information for the purpose of coordinating housing and supportive services to ensure continuity of care.

(b) A joint homeless adult and family multidisciplinary personnel team established pursuant to this section shall conform to all requirements and obligations of a homeless adult and family multidisciplinary personnel team established pursuant to Section 18999.8.

(c) The Counties of Yuba and Sutter shall adopt a joint protocol to govern the sharing of information that is in full compliance with the requirements and obligations for protocols developed pursuant to Section 18999.8. A joint protocol adopted pursuant to this subdivision shall be at least as restrictive of the sharing of confidential information as any protocol adopted pursuant to subdivision (e) of Section 18999.8 for the sharing of information by a team comprised solely of members of either county individually.

(d) If a city within the County of Yuba or Sutter requests to participate in a joint multidisciplinary personnel team established pursuant to this section, the counties shall allow for the participation of appropriate city personnel, as determined by the counties, unless the counties determine that participation by the city would hinder compliance with the requirements and obligations set forth in this chapter or would otherwise conflict with the counties' goals and objectives.

(Added by Stats. 2020, Ch. 143, Sec. 1. (AB 2174) Effective January 1, 2021.)