

FHV Informed Consent Guidance

Family Home Visiting (FHV) grantees are required to ask home visiting clients for informed consent to release their individual-level data to the State of Minnesota. This informed consent must be in writing and collected at the time of enrollment in the home visiting program. In addition, FHV grantees are required to provide a Tennesen Warning notice that tells the home visiting client why their data is being collected and how the data will be used.

FHV Data Privacy Information

Data on home visiting clients is classified as private under the Minnesota Government Data Practices Act (Minnesota Statutes Chapter 13 (<https://www.revisor.mn.gov/statutes/cite/13>)). MDH protects the privacy and security of this data according to Federal and State laws. These protections include limiting data access to persons who require access to perform their job duties for the State of Minnesota, requiring that all persons authorized to access data understand and follow data privacy laws and policies, and ensuring security of the State's data systems.

MDH relies on home visiting program staff to collect FHV evaluation data, and report to the Information for Home Visiting Evaluation (IHVE) system. Evaluation questions are written so that home visiting clients can refuse to answer; this gives clients control over what data is collected. If clients refuse to answer a question, FHV grantees should report "Client declines to answer" for that question in IHVE so that there is no blank or missing data.

MDH uses FHV evaluation data for the evaluation and administration of FHV grant programs. This includes meeting state and federal reporting requirements, monitoring performance and effectiveness, and using data to improve FHV programs. Public reports created by MDH will not identify home visiting clients and will present data in an aggregated format (for example, counts of clients in which an individual client cannot be identified).

Tennesen Warning Notice

Tennesen Warning refers to a notice that a government entity gives individuals when collecting their private or confidential information. This can also be called a "privacy notice" or "notice of collection of private data." FHV grantees are required to provide this notice to home visiting clients served under FHV grants.

A Tennesen Warning notice must include:

- The reason for the data collection
- How the data will be used
- Whether the person is legally required to provide the data, or if they may refuse
- Possible consequences for providing, or not providing, the data
- Who will have access to the data

Informed Consent to Release Data

Informed consent is permission that an individual gives to a government entity to share their private data with another entity. In FHV, informed consent allows the grantee to share data with the Minnesota Department of Health (MDH).

A valid informed consent must:

- Be voluntary and not coerced
- Be in writing
- Explain why the release of data is needed
- Include any known consequences for giving informed consent

Levels of Informed Consent

There are three possible levels of informed consent that home visiting clients can give for sharing of their FHV evaluation data with the State of Minnesota. Refer to the FHV Grantee Requirements posted on the MDH website for more details of what data elements are included at each level.

- **Full Consent:** includes client names and addresses in addition to all other FHV evaluation data
- **Remove Direct Identifiers (Limited data):** excludes client names and addresses from FHV evaluation data; still includes indirect identifiers – client dates of birth, zip code, dates of home visits
 - Do not refer to this level of informed consent as “de-identified” or “unidentifiable”
- **No Consent:** no individual-level FHV evaluation data will be shared with MDH for this client

Consent Form Guidance

FHV grantees need to request informed consent for data sharing for each individual participating in the home visiting program (caregivers and children). Consent for multiple family members can be documented on the same form.

FHV grantees should inform FHV clients of the following:

- The purpose of data collection is for evaluation of the Family Home Visiting program.
- MDH may share certain private data about FHV clients with other FHV providers for program administration purposes.
- MDH may share certain private data about FHV clients with a third party under contract with MDH for purposes of monitoring program effectiveness.
- Their decision to grant or refuse consent **does not** affect their access to home visiting services.
- They can change their consent level or revoke their consent at any time.
- Withdrawing consent to share data will not affect data that was already shared.

Obtaining Written Informed Consent

FHV grant agreements require that FHV clients provide informed consent in writing. When home visits cannot be provided face-to-face, other methods can be used to obtain and document written informed consent.

Preferred methods:

- Mail a paper copy of the consent form to the client with a self-addressed stamped envelope (SASE). Ask the client to sign the paper form and return it using the SASE.
- If the client has access to a fax machine, the client may fax the signed form to the home visiting agency.
- If the home visiting agency has encrypted email or a secure messaging portal that allows the client to receive and send emails securely, the client can use these methods to return the signed consent form. The client may scan or photograph the signed consent form and send the file to the agency as a message attachment.
- If the home visiting agency has a digital signature application (such as Adobe or DocuSign), the client may sign and date the form with a digital signature and return it to the home visiting agency via encrypted email or secure messaging.

Home visiting agencies that do not have encrypted email or a secure messaging portal may use standard email or text messaging to receive signed consent forms from clients. However, agencies should clearly inform clients that standard email and text messaging are not secure forms of transmission.

Resources

For more information, visit the [MN Department of Administration Data Practices Office \(https://mn.gov/admin/data-practices/\)](https://mn.gov/admin/data-practices/) website. If you have additional questions, please contact Health.FHVDData@state.mn.us.

Minnesota Department of Health
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Health.FHVDData@state.mn.us
<https://www.health.state.mn.us/communities/fhv/evaluation.html>

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To obtain this information in a different format, call: 651-201-5000.