

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

City to file formal complaint against Dynacare

Statement of Milwaukee City Attorney Grant Langley November 21, 2013

THOMAS O. GARTNER
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE RUTLEDGE
JAY A. UNORA
DONALD L. SCHRIEFER
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ADAM B. STEPHENS
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA GIBELEV
JENNY YUAN
T.C. MAKAYA
Assistant City Attorneys

After consultation with members of the Common Council and the Mayor, the Office of the City Attorney has decided to file a formal complaint with the federal Office of Civil Rights against Dynacare Laboratories for its admitted breach of HIPAA security requirements regarding the private information of more than 9,000 City of Milwaukee employees, their spouses and their domestic partners.

I will be taking this action on behalf of the city and its employees based on Dynacare's recent filing of a notice of breach of unsecured protected health information, its apparent unwillingness to communicate or cooperate with city representatives or to release details of its investigation, its failure to provide information to the city in order to protect our employees and the misleading comments Dynacare provided to the media.

It is important to note that the city's contract for its wellness program is with Froedtert Community Health/Workforce Health. That is the entity to which the city provided employee information in a secured and password-protected manner, not Dynacare. The city continues to investigate the matter, and at this time has not ruled out further litigation.