



6112 Exchange Street
McFarland, WI 53558
April 21, 2008

Michael Morgan, Secretary
Department of Administration

Karen Timberlake, Secretary
Department of Health and Family Services

Re: Open Records Request

1. Copy of current contract with Harmony Inc. for Social Assistance Management System (SAMS)
2. Copies of agendas and minutes of the Nutrition Check Committee from year 2006 to present
3. Copies of the agendas and minutes of the Data Stewardship Committee for year 2000 and a listing of meetings for years 2001 to present
4. A report on the number of nutrition participants' records contained in Wisconsin's SAMS servers

Dear Department Secretaries:

Hundreds of thousands of electronic records containing confidential information of Wisconsin's elderly and disabled citizens and their caregivers are warehoused in data centers (with suspected security vulnerabilities) outside the state of Wisconsin.

Information to populate recipients' electronic records is collected through a deceptive process that utilizes paper forms. The forms contain no mention that the information will be entered into a participant's electronic record. The attached form appears to be a self scoring stand alone checklist to be discussed with a doctor or other qualified professional rather than a form to collect information to enable electronic tracking of a client's nutrition data.

These electronic records should immediately be removed from the out of state data centers and moved to the Human Services Resource System (HSRS) at Wisconsin's data center. The secretive practice should be discontinued and only necessary information should be collected. A risk assessment as to whether security breaches might have occurred over the past several years should be conducted.

The eHealth Care Quality and Patient Safety board should consider recommending a law that would prohibit state or local agencies from circumventing ADM12, HIPAA and state privacy and open meetings laws through their placing the electronic records in data centers outside the state of Wisconsin. The principles of responsible data stewardship should be reviewed by all DHFS staff.

This is a follow up to my request of January 31, 2008, to Bureau of Aging and Disability Resources (BADR) staff asking that they cite the authority for the practice. Pending a response to that request, I am suspending my entering data into the SAMS tracking system.

Sincerely,

A handwritten signature in black ink that reads "Fred Buhr".

Fred Buhr, Data Entry Volunteer
McFarland Senior Outreach Program

Attachments:

Nutrition Checklist mandated to be completed by nutrition participants and entered into 25 electronic fields by the Nutrition Check Committee effective March 1, 2008

ACLU Model Standards of Fair Information Practices, all of which are violated by the Department's practice

cc: ACLU and Associated Press