



Legislation Text

File #: 140049, **Version:** 1

140049

SUBSTITUTE 1

131367

ALD. DAVIS

Substitute resolution relating to approval of a data-sharing and use agreement for Data Hub MKE. This resolution approves a data-sharing and use agreement to be used by Data Hub MKE (DHMKE). DHMKE is a community safety data repository created to collect and link information used in analyses that identify risk factors and protective factors associated with violence, violence reduction and public safety.

The resolution authorizes the Commissioner of Health or the Commissioner's designee, on behalf of the DHMKE, to enter into agreements for data-sharing and use in substantially the same form as the approved agreement attached to this file as Exhibit A following review and approval in writing by the City Attorney.

Whereas, Common Council Resolution File Number 131367, adopted on February 11, 2014, authorized the acceptance of an award of \$125,000 from the Greater Milwaukee Foundation for development of a community safety data repository hub; and

Whereas, The Homicide Review Commission (HRC) has developed a model for linking and analyzing data from multiple sources for purposes of developing effective strategies for promoting public safety, targeting limited resources and identifying factors that contribute to crime, injury and harm and factors that promote public health and safety; and

Whereas, DHMKE involves activities that may include the receipt, storage, maintenance, protection and updating of information from a variety of health agencies, law enforcement agencies, educational institutions and other sources, including the Health Department and the HRC, that are subject to state and federal guidelines for protection of privacy, confidentiality, anonymity and proprietary limitations; and

Whereas, A template has been developed with the assistance and advice of the City Attorney that addresses the elements of a comprehensive data-sharing and use agreement, a copy of which is attached to this file as Exhibit A; and

Whereas, The Common Council wishes to promote appropriate data-sharing and use for public safety purposes while providing necessary and appropriate protections under federal and state laws governing the protection of records, statistics, and personal information; and

Whereas, The DHMKE is composed of and supported by various individuals, agencies, and organizations, including the Health Department, but is not formally organized as an entity with an ability to execute contracts, the City proposes to execute data-sharing and use agreements with various agencies and institutions on behalf of the DHMKE, which include the assumption of certain

responsibilities and potential liabilities by the City; and

Whereas, The Common Council finds that the proposed Comprehensive Data Sharing and Use Agreement attached to this file as Exhibit A provides protections for participating agencies and for individuals who may be the subject of data-sharing and use; and

Whereas, The Common Council further finds that a thorough review by the City Attorney's Office of each proposed agreement for data sharing and use is necessary and appropriate in light of complex federal requirements under the Health Insurance and Portability Act (HIPAA), the Social Security Act, and other federal laws protecting privacy and confidentiality of personal information in educational and treatment settings, as well as those privacy protections afforded under Wisconsin Statutes relating to juvenile and children's records, vital statistics, health and mental health information and other confidential records; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the form proposed as a Comprehensive Data Sharing and Use Agreement attached to this file as Exhibit A is approved for use by the City on behalf of the DHMKE; and, be it

Further Resolved, That the Commissioner of Health or the Commissioner's designee, on behalf of the DHMKE, may enter into agreements for data-sharing and use in substantially the same form as Exhibit A, and with the addition of agency or institution-specific provisions, following review and approval in writing by the City Attorney.

Health Department
LRB152155-2.2
Richard L. Withers
4/24/2014