

## **Worker's Compensation Division Limitations on Public Access to Records**

1. *General Public.* Most records of the Worker's Compensation Division related to an individual employee's worker's compensation *claim* or to a self-insured employer's *financial* records are **confidential** and not open to inspection or copying to the general public. This includes records that reveal:

- The identity of an employee who claims worker's compensation benefits;
- The nature of the employee's claimed injury;
- The employee's past or present medical condition;
- The extent of the employee's disability;
- The amount, type and duration of benefits paid to the employee;
- Any financial information provided to the department by a self-insured employer or an applicant for self-insurance.

2. *Parties to a Worker's Compensation Claim.* Claim records are **open** to inspection and copying by employees who are the subject of the claim, or by employers and insurance carriers who are parties to any claim involving the employee.

3. *The Parties' Attorneys or Authorized Agents.* Attorneys or others who are authorized by the parties to act on their behalf such as a spouse, adult child, legislator or legislative aide have the same **open** access to records as the parties. Prior to releasing information requested by any person who claims to be acting on behalf of a party, the Worker's Compensation Division *may* require the requester to provide written authorization from the party and satisfactory personal identification.

4. *Random Searches.* The Worker's Compensation Division is not required to conduct a random search of its records for the parties, their attorneys or their authorized agents. The division may require the requester to provide the approximate date of injury and any other relevant information that would help the division locate the records requested. These could include such items as the name and social security number of the employee, and the name of the employer and insurance carrier at the time of the injury.

5. *Inspecting Claim Records.* By rule, requesters may inspect *claim* files only at:

Worker's Compensation Division  
GEF I, Room C100  
201 East Washington Avenue  
Madison, WI 53703

The Office is open on weekdays (except holidays) from 7:45 a.m. and 4:30 p.m. Requesters should contact the receptionist in Room C100 in person or by phone at 608-266-1340. Requesters may not remove any records from the Division's offices without written authorization from the Administrator of the Worker's Compensation Division.

6. *Locations for Inspecting Non-Claim Records.*

**Appleton Office**

Worker's Compensation Division  
Fidelity Bank Building  
1500 N. Casaloma, Room 310  
Appleton, WI 54915

Records Custodian: Ed Falkner  
Phone: 920-832-5450

**Milwaukee Office**

Worker's Compensation Division  
State Office Building  
819 N. Sixth St., Room 330  
Milwaukee, WI 53203

Records Custodian: Sherman Mitchell  
Phone: 414-227-4381

**Madison Office**

Worker's Compensation Division  
GEF 1, C100  
201 East Washington Ave.  
Madison, WI 53707

Records Custodian: James O'Malley  
Phone: 608-266-1340

6. *Copying.* Authorized requesters may copy records in the Worker's Compensation office for ten cents (\$0.10) per page. No one may remove records from the Worker's Compensation office for copying. The Worker's Compensation Division will copy records for twenty cents (\$0.20) per page. There are additional charges of \$2.00 per file for certified copies and \$3.00 per mailing for postage and handling. Assume 15 workdays for the Division to copy and mail requested records. When necessary, the Division will attempt to expedite service.

7. *Delays.* Records may not be immediately available if staff are working on the files or if they must be retrieved from the Department of Administration's Records Center. Two weeks is typical in these situations, but it may take longer. The Worker's Compensation Division will attempt to expedite retrieval for inspection or copying when necessary.

Authority:

- **Section 102.33(2)(b), Wisconsin Statutes**
- **Section DWD 80.025, Wisconsin Administrative Code**