

PENALTIES FOR CONFIDENTIALITY & RECORDS VIOLATIONS

Disclosing confidential information: **Civil penalties** (§ 51.30(9), Stats.)

Negligently	Actual damages + exemplary damages up to \$1,000 per violation + attorney fees
Knowingly and willfully	Actual damages + exemplary damages up to \$25,000 per violation + attorney fees

Disclosing confidential information: **Criminal penalties** (§ 51.30(10), Stats.)

Negligently	Fine up to \$1,000
Knowing it is unlawful	Fine up to \$25,000 and up to nine months in jail
For pecuniary gain	Fine up to \$100,000 and up to 3½ years in prison

Records violations: **Criminal penalties**

Requesting or obtaining records under false pretenses	Fine up to \$25,000 and up to nine months in jail
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Disclosing someone's HIV status: **Civil penalties**

Unintentionally	Actual damages + Exemplary damages up to \$2,000 plus attorney fees
Intentionally	Actual damages + Exemplary damages up to \$50,000 plus attorney fees

Disclosing someone's HIV status: **Criminal penalties**

Negligently with resulting harm to the individual	Fine up to \$50,000 and up to nine months in jail
Intentionally for pecuniary gain	Fine up to \$200,000 and up to 3 ½ years in prison
Negligently	Fine up to \$2,000

Note: State or county employees may also be **discharged** or **suspended without pay** for violations. (§ 51.30(11), Stats.) Employees acting “**outside the scope of their employment**” may find themselves having to **hire their own defense attorneys**.