


**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HEALTH
MEMORANDUM**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson

FROM: Councilmember Christina Henderson 

RE: Request to Agendize Measures for the July 11, 2023 Legislative Meeting

DATE: July 6, 2023

At the request of the Mayor, I request that the following measures be agendized for the July 11, 2023 Legislative Meeting:

- **Contract No. DCHBX-E-2023-0002 with Norton Rose Fulbright, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Contract No. DCHBX-E-2023-0002 with Norton Rose Fulbright, LLC Approval and Payment Authorization Emergency Act of 2023**

On March 6, 2023, DCHBX received notice that data for some DC Health Link customers had been published on a data breach forum. DCHBX immediately launched a comprehensive investigation, began working with law enforcement, and engaged a third-party expert forensics firm to investigate.

Norton Rose has a practice that focuses on complex cybersecurity attacks and data breach investigations, involving sophisticated threat actor groups and advanced persistent threats focused on critical infrastructure entities. To date, DCHBX is aware of 5 putative class action complaints that have been filed arising out of the data breach. Because there was a need to mitigate the risk of harm to consumers as quickly as possible, including providing notice to affected individuals immediately, conducting a comprehensive review of the HBX information technology systems and processes, and litigation ensued within 10 days of the incident, it was necessary to acquire expert legal services without delay and there was insufficient time to submit the contract to the Council in advance.

- **Modification Nos. 10 and 11 to Contract No. CW83888 with Accenture, LLP Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Modification Nos. 10 and 11 to Contract No. CW83888 with Accenture, LLP Approval and Payment Authorization Emergency Act of 2023**

By Modification No. 10, dated May 19, 2023, the Office of Contracting and Procurement, on behalf of the Department of Health, exercised a part of option year 3 of Contract No. CW83888 for the period May 20, 2023 through July 11, 2023 in the not-to-exceed amount of \$990,000. Modification No. 11 is now necessary to exercise the remainder of option year 3 of

Contract No. CW83888 for the period July 12, 2023 through May 19, 2024, which will increase the total contract not-to-exceed amount of option year 3 by \$2,410,000 to \$3,400,000.

Please contact Ona Balkus, Committee Director, obalkus@dccouncil.gov, with any questions.

cc: Members, Council of the District of Columbia
Office of the Budget Director
Office of the General Counsel
Office of the Secretary
Mayor's Office of Policy and Legislative Affairs