

Nancy B. Halstead

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March 26, 2021

By Email: doj-cpb@doj.nh.gov

Office of the Attorney General, State of New Hampshire 33 Capitol Street Concord, NH 00331

Re: Notice of Data Security Incident

To the Office of the Attorney General:

I am writing on behalf of my client BioTel Heart¹ (the "Company") to notify your office of an incident that involves the personal information of 68 New Hampshire residents. The Company is not aware of any fraud or misuse of personal information as a result of this incident.

On January 28, 2021, the Company learned that a vendor's subcontractor failed to secure personal information about individuals that was stored on an AWS server. This incident did not involve the Company's systems. The Company immediately took steps to investigate and respond to this incident. Through its investigation, the Company learned that a vendor's subcontractor misconfigured an AWS server in a manner that allowed files stored on the server to be accessible to individuals with sophisticated technical expertise. The Company confirmed that the vendor's subcontractor has secured the information stored on the server. On March 10, 2021, the Company received confirmation from its vendor that the personal information of New Hampshire residents may have been affected by the incident.

The affected information is a set of patient medical records that the vendor's subcontractor received from physicians who prescribed services provided by the Company. These records may have included the patient's name, contact information, date of birth, medical information relevant to the Company's services (including the name of the prescribing physician, and the individual's diagnoses, diagnostic tests, and treatment), and health insurance information. The records may have also included the individual's Social Security number, even though the Company does not request or require this information from physicians.

The Company has arranged for Equifax to provide credit monitoring and identity restoration services at no charge to all affected individuals for twenty-four (24) months.

The Company confirmed that its vendor terminated the business arrangement with the subcontractor responsible for this incident and will require the subcontractor to securely delete all copies of the records. The Company also terminated its business relationship with the vendor pending its investigation of the incident. At this time, the

¹ BioTel Heart also does business as Lifewatch Services Inc. and CardioNet, LLC.



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Company is evaluating whether to re-engage the vendor, provided that certain parameters are met, including a renegotiated agreement between the Company and the vendor that would provide the Company the right to receive notice of and consent to the Company's subcontractors that will have access to the personal information. The Company will also conduct additional data security diligence of the vendor.

The Company is sending letters by U.S. mail to all affected individuals today.

Please do not hesitate to contact me if you have any questions or if you would like to discuss the matter further.

Regards,

Nancy B. Halstead Reed Smith LLP

Cc: Wendell Bartnick (firm)

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