

150 N. Riverside Plaza, Suite 3000, Chicago, IL 60606 • (312) 819-1900

December 17, 2018

Michael J. Waters 312-463-6212 312-819-1910 mwaters@polsinelli.com

# <u>VIA E-MAIL (ATTORNEYGENERAL@DOJ.NH.GOV)</u> <u>AND FEDERAL EXPRESS</u>

The Honorable Gordon MacDonald Attorney General of the State of New Hampshire Office of the Attorney General 33 Capitol Street Concord, NH 03301

Re: Notification of a Data Security Incident

Dear Attorney General MacDonald:

We represent University of Vermont Health Network – Elizabethtown Community Hospital ("Elizabethtown Community Hospital") in connection with a recent incident that may have impacted the personal information of seventy seven (77) New Hampshire residents, and provide this notice on behalf of Elizabethtown Community Hospital pursuant to N.H. REV. STAT. ANN. § 359-C:20. This notice will be supplemented, if necessary, with any new significant facts discovered subsequent to its submission. While Elizabethtown Community Hospital is notifying you of this incident, Elizabethtown Community Hospital does not waive any rights or defenses relating to the incident or this notice, or the applicability of New Hampshire law on personal jurisdiction.

# NATURE OF THE SECURITY BREACH OR UNAUTHORIZED USE OR ACCESS

Elizabethtown Community Hospital recently determined that, for a brief period of time on October 9, 2018, an unauthorized person was able to remotely access the email account of an employee of Elizabethtown Community Hospital. Upon discovery of the incident, Elizabethtown Community Hospital immediately took action, including terminating the account credentials and confirming the security of its email system. Elizabethtown Community Hospital also hired a leading forensic security firm to investigate and confirm the overall security of its email and computer systems.

On December 11, 2018, Elizabethtown Community Hospital learned that some personal information could have been viewed as part of the compromise, including names, addresses, Social Security numbers, dates of birth, driver's license numbers and/or limited medical

#### polsinelli.com



The Honorable Gordon MacDonald December 17, 2018 Page 2

information; primarily information associated with billing such as medical record numbers, dates of service and a brief summary of services provided. Elizabethtown Community Hospital has been diligently working to obtain current addresses for those individuals and has determined that some New Hampshire residents may have been impacted.

At this point, Elizabethtown Community Hospital is not aware of any fraud or identity theft to any individual as a result of this incident, and cannot confirm if any personal information was actually obtained by an unauthorized party. Nevertheless, because there was an email account compromise and Elizabethtown Community Hospital cannot isolate exactly what, if any, information may have been obtained, it is notifying all individuals whose personal information could have been accessed.

#### NUMBER OF NEW HAMPSHIRE RESIDENTS AFFECTED

The incident is believed to have impacted seventy seven (77) New Hampshire residents. Elizabethtown Community Hospital is notifying the impacted individuals of the situation by letter today. Enclosed is a copy of the notice that Elizabethtown Community Hospital is sending to the impacted individuals.

## STEPS TAKEN RELATING TO THE INCIDENT

Upon learning of the incident, Elizabethtown Community Hospital promptly terminated the account credentials and retained a leading forensic security firm to investigate and confirm the security of our email and computer systems. Elizabethtown Community Hospital is also providing free identity theft protection services to all individuals whose social security numbers were contained in the email account through Experian.

#### **CONTACT INFORMATION**

Please contact me if you have any questions or if I can provide you with any further information concerning this matter.

Very truly yours,

Michael J. Waters

University of Vermont

Elizabethtown Community Hospital

Return Mail Processing Center PO Box 6336 Portland, OR 97228-6336

<Mail ID>>
<Name 1>>
<Name 2>>
<Address 1>>
<Address 3>>
<Address 4>>
<Address 5>>
<City>><State>><Zip>>>

<<Date>>

#### Dear << Name 1>>:

We value and respect the privacy of your information, which is why we are writing to advise you of a recent incident that may have involved certain of your personal information. We recently determined through our investigation of a security incident that, for a brief period of time on October 9, 2018, an unauthorized person was able to remotely access the email account of an employee of Elizabethtown Community Hospital. Upon learning of the incident, we immediately took action, including changing passwords, implementing enhanced security features and engaging a leading forensic security firm to assist with the investigation.

At this point, we are not aware of any fraud or identity theft to any individual as a result of this incident, and do not know if any personal information in the email account was ever viewed or acquired by the unauthorized party. Nevertheless, as part of our investigation, we searched for any personal information in the email account that could have been viewed. We completed our investigation on December 11, 2018 and have determined that the account contained some of your personal information, including your name, Social Security number and for some people, address, date of birth, driver's license number and/or limited medical information; primarily information associated with billing such as medical record numbers, dates of service and a brief summary of services provided.

Although we are not aware of any instances of fraud or identity theft, we are offering a complimentary one-year membership of Experian IdentityWorks<sup>SM</sup> Credit 3B. This product helps detect possible misuse of your personal information and provides you with identity protection services focused on immediate identification and resolution of identity theft. IdentityWorks Credit 3B is completely free to you and enrolling in this program will not hurt your credit score. For more information on identity theft prevention and IdentityWorks Credit 3B, including instructions on how to activate your complimentary one-year membership, please see the additional information provided in this letter.

We take our responsibility to safeguard personal information seriously and apologize for any inconvenience or concern this incident might cause. We will continue to remain on our guard against these types of attacks, to protect the safety of our patients and employees, and the security of their information. For further information and assistance, please call 877-845-7516 from 9:00 a.m. to 9:00 p.m. ET.

Sincerely,

Jennifer Parks, JD

Jennifer Parks

Network Chief Compliance and Privacy Officer

To help protect your identity, we are offering a **complimentary** one-year membership of Experian IdentityWorks<sup>SM</sup> Credit 3B. This product helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft.

## Activate IdentityWorks Credit 3B Now in Three Easy Steps

- 1. ENROLL by: << Enrollment Deadline>> (Your code will not work after this date.)
- 2. VISIT the Experian IdentityWorks website to enroll: https://www.experianidworks.com/3bcredit
- 3. PROVIDE the Activation Code: << Activation Code>>

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877-288-8057. Be prepared to provide engagement number << Engagement Number>> as proof of eligibility for the identity restoration services by Experian.

# ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- Experian credit report at signup: See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- Credit Monitoring: Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- Experian IdentityWorks ExtendCARE<sup>TM</sup>: You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- \$1 Million Identity Theft Insurance\*\*: Provides coverage for certain costs and unauthorized electronic fund transfers.

Activate your membership today at https://www.experianidworks.com/3bcredit or call 877-288-8057 to register with the activation code above.

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at 877-288-8057.

<sup>\*</sup>Offline members will be eligible to call for additional reports quarterly after enrolling.

<sup>\*\*</sup> Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

#### **Additional Important Information**

As a precautionary measure, we recommend that you remain vigilant to protect against potential fraud and/or identity theft by, among other things, reviewing your account statements and monitoring credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You should also promptly report any fraudulent activity or any suspected incidents of identity theft to proper law enforcement authorities, including the police and your state's attorney general, as well as the Federal Trade Commission ("FTC").

You may wish to review the tips provided by the FTC on fraud alerts, security/credit freezes and steps to you can take to avoid identity theft. For more information and to contact the FTC, please visit www.ftc.gov/idtheft or call 1-877-ID-THEFT (1-877-438-4338). You may also contact the FTC at: Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

<u>Credit Reports</u>: You may obtain a free copy of your credit report once every 12 months from each of the three national credit reporting agencies by visiting http://www.annualcreditreport.com, by calling toll free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can print a copy of the request form at https://www.annualcreditreport.com/cra/requestformfinal.pdf.

Alternatively, you may elect to purchase a copy of your credit report by contacting one of the three national credit reporting agencies. Contact information for the three national credit reporting agencies for the purpose of requesting a copy of your credit report or for general inquiries, including obtaining information about fraud alerts and placing a security freeze on your credit files, is as follows:

 Equifax
 Experian
 TransUnion

 1-800-349-9960
 1-888-397-3742
 1-888-909-8872

 www.equifax.com
 www.experian.com
 www.transunion.com

 P.O. Box 105788
 P.O. Box 9554
 P.O. Box 2000

 Atlanta, GA 30348
 Allen, TX 75013
 Chester, PA 19022

<u>Fraud Alerts</u>: You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least 90 days. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any new accounts in your name. To place a fraud alert on your credit report, contact any of the three national credit reporting agencies using the contact information listed above. Additional information is available at http://www.annualcreditreport.com.

Credit and Security Freezes: You may have the right to place a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies using the contact information above.

In order to request a security freeze, you may need to provide the following information:

- 1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
- 2. Social Security Number;
- 3. Date of birth;
- 4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
- 5. Proof of current address such as a current utility bill or telephone bill;
- 6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.);
- 7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;

The credit reporting agencies have three (3) business days after receiving your request to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five (5) business days and provide you with a unique personal identification number (PIN) or password, or both that can be used by you to authorize the removal or lifting of the security freeze.

To remove the security freeze or lift the freeze in order to allow a specific entity or individual access to your credit report, you must call or send a written request to the credit reporting agencies by mail and include proper identification (name, address, and social security number) and the PIN number or password provided to you when you placed the security freeze as well as the identities of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have three (3) business days after receiving your request to remove or lift the security freeze for those identified entities or for the specified period of time.

If you do not have internet access but would like to learn more about how to place a security freeze on your credit report, contact the Vermont Attorney General's Office at 802-656-3183 (800-649-2424 toll free in Vermont only).

Individuals interacting with credit reporting agencies have rights under the Fair Credit Reporting Act. We encourage you to review your rights under the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504\_cfpb\_summary\_your-rights-under-fcra.pdf, or by requesting information in writing from the Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. NW, Washington, DC 20580.

<u>Iowa Residents</u>: Iowa residents can contact the Office of the Attorney general to obtain information about steps to take to avoid identity theft from the Iowa Attorney General's office at: Office of the Attorney General of Iowa, Hoover State Office Building, 1305 E. Walnut Street, Des Moines IA 50319, 515-281-5164.

<u>Maryland Residents</u>: Maryland residents can contact the Office of the Attorney General to obtain information about steps you can take to avoid identity theft from the Maryland Attorney General's office at: Office of the Attorney General, 220 St. Paul Place, Baltimore, MD 21202, (888) 743-0023.

North Carolina Residents: North Carolina residents can obtain information about preventing identity theft from the North Carolina Attorney General's Office at: North Carolina Attorney General's Office, 9001 Mail Service Center, Raleigh, NC 27699-9001, (877) 566-7226.

**Rhode Island Residents**: We believe that this incident affected seventeen (17) Rhode Island residents. Rhode Island residents can contact the Office of the Attorney general at: Rhode Island Office of the Attorney General, 150 South Main Street, Providence, RI 02903, (401) 274-4400.