



# State of New Hampshire

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
129 PLEASANT STREET, CONCORD, NH 03301-3857  
603-271-4688 FAX: 603-271-4912 TDD ACCESS: 1-800-735-2964

NICHOLAS A. TOUMPAS  
COMMISSIONER

December 16, 2008

Lauren J. Noether, Bureau Chief  
Office of the Attorney General  
Consumer Protection Bureau  
33 Capitol Street  
Concord, NH 03301

**Re: Notice of Information Security Breach Pursuant to RSA 359-C:20, I(b)**

Dear Attorney Noether:

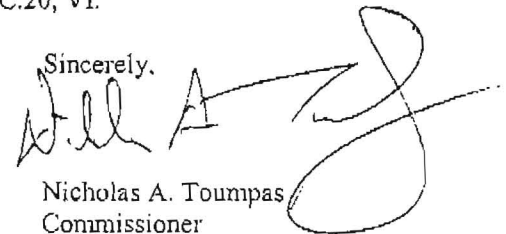
This letter will serve as written notice of a security breach pursuant to NH RSA 359-C:20, I(b). As you know, New Hampshire law requires notice to the New Hampshire Office of the Attorney General in the event of an information security breach.

On December 1, 2008, DHHS inadvertently sent an e-mail with an attachment containing information about changes to Medicare Part D plans to a list of providers and other health related organizations. The attachment had two pages. The first page contained general information about the monthly premiums for Medicare Part D recipients. The second page, attached by accident, contained personally identifying information including name, address and social security number of approximately 9,300 individuals.

The Department of Health and Human Services (DHHS) has investigated the disclosure and we have no evidence that misuse of the information has occurred. However, the Department of Health and Human Services (DHHS) cannot determine with any certainty that misuse of the information is unlikely to occur. Accordingly, DHHS is notifying all affected individuals of the possible information security breach via written letter by first class mail. We anticipate the letter to be mailed on December 15, 2008. A copy of the letter is enclosed.

In addition, because the number of individuals affected is in excess of 1,000, we are also notifying consumer reporting agencies pursuant to RSA 359-C:20, VI.

Sincerely,



Nicholas A. Toumpas  
Commissioner

Enclosure



**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**DIVISION OF COMMUNITY BASED CARE SERVICES**

***BUREAU OF ELDERLY & ADULT SERVICES***

Nicholas A. Toumpas  
Commissioner

Nancy L. Rollins  
Associate Commissioner

129 PLEASANT STREET, CONCORD, NH 03301-3857  
603-271-4680 1-800-351-1888  
Fax: 603-271-4643 TDD Access: 1-800-735-2964

December 15, 2008

Dear Sir or Madam:

I am writing to let you know about a situation in which some of your personal information was mistakenly shared with others.

On December 1, 2008, the New Hampshire Department of Health and Human Services (DHHS) sent an e-mail with an attachment containing information about changes to Medicare Part D plans to a list of health care providers and health-related organizations. Regrettably, the attachment also included a document that contained some of your personally identifying information. Specifically, the document included your name, address, Medicare Part D plan information, your social security number and the amount of your monthly plan premium payment in the event you elect to stay with your current plan for 2009.

Immediately upon learning that this information had been accidentally disclosed, DHHS took steps to make sure that the personal information was deleted and not further disclosed. Specifically, DHHS contacted all recipients of the e-mail via telephone or by e-mail. All the recipients were asked to delete the e-mail and the attachments in their entirety along with any copies that may have been made of them. We have received confirmation from most of the recipients of the information that your personal information has been deleted. Our efforts are ongoing. We have no evidence that the information has been misused or distributed further. However, we recognize that any inadvertent release of personal information raises concerns.

As a result of this disclosure, we encourage you to contact the three major credit-reporting services to initiate one or both of the following steps:

1. Credit fraud alert – Fraud alerts can help prevent an identity thief from opening any accounts in your name. Contact the toll-free fraud number of any of the three consumer reporting companies below to place a fraud alert on your credit report.

**TransUnion:** 1-800-680-7289; [www.transunion.com](http://www.transunion.com); Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA 92834-6790

**Equifax:** 1-800-525-6285; [www.equifax.com](http://www.equifax.com); P.O. Box 740241, Atlanta, GA 30374-0241

**Experian:** 1-888-EXPERIAN (397-3742); [www.experian.com](http://www.experian.com); P.O. Box 9532, Allen, TX 75013

2. Credit security freeze – by placing a credit security freeze, you prevent review of your credit history by creditors, insurance companies, and employers unless you give explicit permission for them to see your credit history.

December 15, 2008

Page 2

(This information was taken from the Federal Trade Commission's website on identity theft, located at <http://www.ftc.gov/bcp/edu/microsites/idtheft/index.html>)

Also, you should pay close attention to the Explanation of Medicare Benefit Notices that you receive to be sure the description of medical services matches the medical services that you have actually received. Finally, **no** representative of DHHS will contact you to request personal information related to this incident. If anyone makes such an attempt, please do not divulge any information. Contact us immediately at the number provided below to alert us to the possible fraud attempt.

DHHS deeply regrets this error and is committed to protecting the confidentiality of the New Hampshire citizens we serve. If you have any questions or concerns please contact us at (800) 852-3345 ext. 8838. If you are calling from out-of-state, please call (603) 271-8838.

We will be undergoing a thorough review of what led to this incident and DHHS will put measures in place to ensure it does not occur again.

Sincerely,



Nancy L. Rollins  
Associate Commissioner