LEWIS BRISBOIS

LEWIS BRISBOIS BISGAARD & SMITH LLP

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File No. 50130.486

December 22, 2022

VIA ELECTRONIC MAIL

Attorney General John Formella
Office of the Attorney General
Consumer Protection Bureau
33 Capitol Street
Concord, NH 033
Email: DOJ-CPB@doj.nh.gov

Re: **Notice of Data Security Incident**

Dear Attorney General Formella:

Lewis Brisbois Bisgaard & Smith LLP ("Lewis Brisbois") represents Your Patient Advisor by Captify Health ("Your Patient Advisor"), an online retailer of colonoscopy preparation kits, in connection with a recent data security incident described in greater detail below. The purpose of this letter is to notify you of the incident in accordance with New Hampshire's data breach notification statute.

1. Nature of the Security Incident

In March of 2021, Your Patient Advisor was contacted regarding fraudulent use of consumer credit cards potentially related to the Your Patient Advisor payment card environment. Your Patient Advisor began an internal investigation and engaged an independent computer forensics firm to investigate its online ordering platform. After a lengthy and extensive investigation, on October 13, 2022, the investigation determined that Your Patient Advisor's website was compromised and some information related to certain individuals, including the personal information of New Hampshire residents, may have been exposed. Your Patient Advisor then worked diligently to obtain contact information to notify all affected individuals. These individuals were notified through U.S. First-Class Mail on December 16, 2022.

The impacted information may have included the full name, address, date of birth, payment card number, expiration date, and security code.

2. Number of New Hampshire Residents Affected

Your Patient Advisor notified nineteen (19) New Hampshire residents of this data security incident via U.S. First-Class Mail on December 16, 2022. A sample copy of the notification letter sent to the affected individuals is included in this letter.

3. Steps Taken Relating to the Incident

Your Patient Advisor has implemented additional security measures to secure its online ordering platform to reduce the risk of a similar incident occurring in the future and to protect the privacy and security of all personal information in its possession. Also, out of an abundance of caution, Your Patient Advisor has taken steps to ensure its platform is safe and secure for all purchase. In addition, Your Patient Advisor has notified all impacted individuals, provided individuals with steps they can take to help protect their personal information, and established a toll-free call center through IDX to answer any questions about the incident and address related concerns. The call center is available Monday through Friday from 8:00 a.m. to 8:00 p.m. Central Time.

4. Contact Information

Your Patient Advisor remains dedicated to protecting personal information in its control. If you have any questions or need additional information, please do not hesitate to contact me at 214.722.7141 or via email at Lindsay.Nickle@lewisbrisbois.com.

Very truly yours,

Lindsay B. Nickle of
LEWIS BRISBOIS BISGAARD & SMITH LLP

LBN/rlw
Encl: Sample Consumer Notification Letter

yourPATIENTadvisor℠
A service provided by Captify Health™

Return to IDX:
P.O. Box 989728
West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>
<<Address1>>
<<Address2>>
<<City>>, <<State>> <<Zip>>

December 16, 2022

Re: Notice of Data <<Variable 1>>

Dear <<First Name>> <<Last Name>>,

We are writing to provide you with information about a recent data security incident that may have involved your personal information. Your Patient Advisor by Captify Health ("Your Patient Advisor") strives to maintain the privacy and security of all information within our possession. We are writing to notify you of this incident and inform you about steps you can take to help safeguard your personal information.

What Happened. After receiving reports of suspicious activity on some customer credit cards, Your Patient Advisor hired forensic experts to conduct an investigation into our online customer ordering platform. After a lengthy and extensive investigation, our experts discovered that our website was compromised and some of your information may have been exposed. That investigation concluded on October 13, 2022. We worked diligently to obtain updated contact information to complete notification to potentially impacted individuals.

What Information Was Involved. The potentially affected information may have included your full name, address, payment card number, expiration date, and payment card security code.

What We Are Doing. When we discovered that there may have been an incident, we took the steps described above. Also, out of an abundance of caution, we have taken steps to ensure our platform is safe and secure for all purchases. We are also providing you with this notice and information about steps you can take to help protect your personal information.

What You Can Do. We recommend that you review the guidance included with this letter about how to protect your personal information and remain vigilant by reviewing account statements and monitoring free credit reports.

For More Information. If you have questions or need assistance, please go to https://response.idx.us/YourPatientAdvisor or contact IDX at 1-833-896-9975, Monday through Friday from 8:00 a.m. to 8:00 p.m. Central Time, excluding major U.S. holidays. IDX representatives are fully versed on this incident and can answer questions you may have regarding the protection of your personal information.

Your Patient Advisor takes this matter very seriously. Please accept our sincere apologies and know that we deeply regret any worry or inconvenience that this may cause you.

Sincerely,

Lisa Bellm, Vice President
Your Patient Advisor

Steps You Can Take to Protect Your Personal Information

Review Your Account Statements and Notify Law Enforcement of Suspicious Activity: As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and 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 also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, your state attorney general, and/or the Federal Trade Commission (FTC).

Copy of Credit Report: You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting http://www.annualcreditreport.com/, 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 also can contact one of the following three national credit reporting agencies:

Equifax
P.O. Box 105788
Atlanta, GA 30348
1-888-378-4329
www.equifax.com

Experian
P.O. Box 9532
Allen, TX 75013
1-800-831-5614
www.experian.com

TransUnion
P.O. Box 1000
Chester, PA 19016
1-800-916-8800
www.transunion.com

Fraud Alert: 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 one year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at http://www.annualcreditreport.com.

Security Freeze: You have the right to put a security freeze on your credit file for up to one year at no cost. This will prevent new credit from being opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A security freeze is designed to prevent potential creditors from accessing your credit report without your consent. As a result, using a security freeze may interfere with or delay your ability to obtain credit. You must separately place a security freeze on your credit file with each credit reporting agency. In order to place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement or insurance statement.

Additional Free Resources: You can obtain information from the consumer reporting agencies, the FTC, or from your respective state Attorney General about fraud alerts, security freezes, and steps you can take toward preventing identity theft. You may report suspected identity theft to local law enforcement, including to the FTC or to the Attorney General in your state.

Federal Trade Commission
600 Pennsylvania Ave, NW
Washington, DC 20580
consumer.ftc.gov
1-877-438-4338

Maryland Attorney General
St. Paul Plaza
200 St. Paul Place
Baltimore, MD 21202
marylandattorneygeneral.gov
1-888-743-0023

New York Attorney General
Bureau of Internet and Technology Resources
28 Liberty Street
New York, NY 10005
ag.ny.gov
1-212-416-8433 / 1-800-771-7755

North Carolina Attorney General
9001 Mail Service Center
Raleigh, NC 27699
ncdoj.gov
1-877-566-7226

Rhode Island Attorney General
150 South Main Street
Providence, RI 02903
http://www.riag.ri.gov
riag.ri.gov
1-401-274-4400

Washington D.C. Attorney General
400 S 6th Street, NW
Washington, DC 20001
oag.dc.gov
1-202-727-3400

You also have certain rights under the Fair Credit Reporting Act (FCRA): These rights include to know what is in your file; to dispute incomplete or inaccurate information; to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information; as well as other rights. For more information about the FCRA, and your rights pursuant to the FCRA, please visit https://files.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf.