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Attorney General Joseph Foster  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

Dear Attorney General Foster:

I am writing to inform you of a situation that may have permitted a breach of the security of computerized data involving 9 of your residents, as required by N.H. Rev. Stat. §§ 359-C:20.

Sponsors of self-funded health plans contract with third party administrators (“TPAs”) to provide and arrange for various plan-related services. In order to arrange for the provision of medical management services and provider network access for a self-funded plan’s membership, a TPA may, in turn, contract with a subcontractor such as Aetna Signature Administrators (“ASA”). At times, a self-funded plan may also contract directly with ASA to provide such services to its membership.

An ASA employee mailed a CD to an employee in another ASA office for the purpose of archiving reports. In accordance with company policy, the CD was encrypted; however, the password required to access the information on the CD was inadvertently included in the envelope. On September 9, 2016, the envelope was delivered to the intended ASA employee, but the CD and password were missing from the envelope. The intended recipient immediately reported the missing CD and an investigation was initiated. Upon notification of the incident, the United States Postal Service was immediately contacted to help locate the CD, but, to date, the CD has not been recovered. We have no evidence that the CD’s contents have been accessed, disclosed or misused.

Through our investigative process, we determined exactly which reports were on the CD and carefully reviewed them to identify the plan sponsors whose information was contained on the CD. We also were able to identify the members of each plan sponsor who had information on the CD and the data fields contained on the CD for each member. The CD included reports that were provided to ASA by TPAs and brokers during the sales process. Information included on the reports varied based upon what the TPA or broker elected to disclose to ASA, but generally included some combination of name, address, date of birth, phone number, health insurance group number and, at times, Social Security number. The reports were contained in an extensive network of folders requiring manual review and compilation of the data.

Upon completion of our investigation, and in accordance with our contracts with the TPAs, we notified the impacted TPAs on October 13, 2016. Since that time, we worked collaboratively with the TPAs to assist them in their review of the incident and fulfilling their obligations to notify the self-funded plan sponsors. Beginning on October 28, 2016 we worked with the TPAs to provide formal incident notification to the plan sponsors, along with our offer to handle member and regulatory notices for them.

The following plan sponsor elected to delegate its regulatory notice obligations to ASA. Thus, this notice is being provided to you on its behalf:

PSA Airlines

9 New Hampshire residents

In those instances where the plan sponsor delegated its obligation to notify members of this incident to ASA, we have elected to provide such members with one year of free credit monitoring.

To prevent this issue from recurring in the future, ASA will no longer accept reports containing Social Security numbers from TPAs or brokers and the practice of sharing personal information via CD has ceased. Finally, the employee who made this mistake has been counseled about the seriousness of her mistake and all ASA employees have been retrained on procedures for protecting member data.

I want to assure you that Aetna is committed to protecting our members' personal information. If you have additional questions about this response, please do not hesitate to contact me at my contact information above.

Sincerely,



Diane McCammon