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BakerHostetler

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111

T 212.589.4200
F 212.589.4201
www.bakerlaw.com

Theodore J. Kobus III
direct dial: 212.271.1504
tkobus@bakerlaw.com

August 3, 2016

VIA FEDERAL EXPRESS

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

Re: Incident Notification

Dear Attorney General Foster:

Our client, Banner Health (“Banner”), recognizes the importance of protecting personal information. On July 13, 2016, Banner learned that cyber attackers may have gained unauthorized access to patient information stored on a limited number of Banner computer servers. The investigation revealed that the attack was initiated on June 17, 2016. The servers contained information for Banner patients, providers, and health plan members and beneficiaries. For patients, affected information may have included patients’ names, birthdates, addresses, physicians’ names, dates of service, clinical information, health insurance information, and Social Security numbers. For providers, the affected server contained information including names, addresses, birthdates, DEA (Drug Enforcement Agency) numbers, NPI (National Provider Identifier), or Social Security numbers. For health plan members, the affected server contained health insurance information including member names, birthdates, addresses, physicians’ names, dates of service, clinical information, possibly health insurance information and Social Security numbers.

Beginning August 3, 2016, Banner is mailing notifications to approximately 379 New Hampshire residents pursuant to the requirements of the Health Insurance Portability and Accountability Act (“HIPAA”), 45 C.F.R. §§ 164.400-414 and N.H. Rev. Stat. § 359-C:20 in substantially the same form as the document enclosed herewith.¹ In addition, pursuant to the requirements of HIPAA and N.H. Rev. Stat. § 359-C:20 and commencing August 3, 2016,

¹ As Banner does not conduct business in New Hampshire, this letter is not, and does not constitute, a waiver of personal jurisdiction.

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Banner is providing substitute notification to New Hampshire residents by posting a statement on its website and issuing a press release in substantially the same form as the documents enclosed herewith. Banner is offering affected individuals a free one-year membership in credit monitoring and fraud monitoring protection services through Kroll. Notice is being provided as soon as possible.

Banner has established a dedicated call center that potentially affected individuals can contact with questions. Banner worked quickly to block the attackers and enhance the security of its systems in order to help prevent this from happening in the future.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore J. Kobus III". The signature is fluid and cursive, with a large initial "T" and "K".

Theodore J. Kobus III
Partner

Enclosures