

# BakerHostetler

## Baker&Hostetler LLP

1735 Market Street  
Suite 3300  
Philadelphia, PA 19103-7501  
T 215.568.3100  
F 215.568.3439  
www.bakerlaw.com

Eric A. Packel  
direct dial: 215.564.3031  
epackel@bakerlaw.com

December 30, 2021

VIA EMAIL: [DOJ-CPB@DOJ.NH.GOV](mailto:DOJ-CPB@DOJ.NH.GOV)

Attorney General John M. Formella  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

Re: *Incident Notification*

Dear Attorney General Formella:

We are writing on behalf of our client, Barlow Respiratory Hospital (“Barlow”), to notify you of a data security incident. Barlow is a not-for-profit long-term care hospital specializing in respiratory health located in Los Angeles, California, and a covered entity under the Health Insurance Portability and Accountability Act (“HIPAA”).

On November 30, 2021, Barlow’s analysis of files involved in a security incident determined that information relating to one (1) New Hampshire resident was contained in the files. The incident was first identified on August 27, 2021. In response to the incident, Barlow immediately took steps to secure its systems, launched an investigation with the assistance of a third-party forensic investigator, and notified law enforcement. The investigation determined that an unauthorized party gained access to Barlow’s systems from August 21, 2021 to September 1, 2021. The investigation also determined that the unauthorized party removed some files from Barlow’s systems. In order to determine what data was involved, Barlow conducted a review and analysis of those files.

Barlow’s review of the files determined they may have contained the name, Social Security number, driver’s license number, medical information, health insurance information and/or financial account information for the one (1) New Hampshire resident.

December 30, 2021

Page 2

Barlow mailed a notification letter to the New Hampshire resident on December 30, 2021 in accordance with HIPAA and N.H. Rev. Stat. Ann. § 359-C:20.<sup>1</sup> Barlow offered the resident one year of complimentary credit and identity monitoring services through ID Experts. A copy of the notification letter is enclosed. To help prevent a similar incident from occurring in the future, Barlow implemented additional safeguards and technical security measures to further protect and monitor its systems.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric A. Packel". The signature is written in a cursive, flowing style.

Eric A. Packel

Partner

Enclosure

---

<sup>1</sup> This report is not, and does not constitute, a waiver of Barlow's objection that New Hampshire lacks personal jurisdiction over Barlow regarding any claims related to this data security incident.



<<Return Address>>  
<<City>>, <<State>> <<Zip>>

To Enroll, Please Call:  
1-833-608-3027  
Or Visit:  
<https://app.idx.us/account-creation/protect>  
Enrollment Code: <<XXXXXXXXXX>>

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

December 30, 2021

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

Barlow Respiratory Hospital (“Barlow”) is committed to protecting the security and privacy of our patient information. We are writing to notify you about an incident that may have involved some of your information. This notice explains the incident, measures we have taken in response, and additional steps you can take to protect your information.

On November 30, 2021, we determined that your information may have been involved in an incident that disrupted the operations of our IT systems. The incident was first identified on August 27, 2021, and in response, we immediately took steps to secure our systems, launched an investigation with the assistance of a third-party forensic investigator, and notified law enforcement. The investigation determined that an unauthorized party gained access to our systems from August 21, 2021 to September 1, 2021. The investigation also determined that the unauthorized party removed some files from our systems that contained information pertaining to Barlow patients. In order to determine what data was involved, we conducted a review of those files. The files may have included your name, contact information, date of birth, Social Security number, driver’s license number, government issued identification number, medical record number, treatment information, diagnosis information, date(s) of service, provider name(s), financial information and/or health insurance information.

In an abundance of caution, we are offering you <<12/24>> months of complimentary Credit Monitoring and Identity Theft Protection services through IDX. The IDX services are completely free and enrolling in the services will not hurt your credit score.

The IDX Credit Monitoring and Identity Theft Protection services include <<12/24>> months of triple-bureau credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services.

To enroll in the complimentary credit monitoring and identity protection services, you may call 1-833-608-3027 or visit <https://app.idx.us/account-creation/protect> and use the Enrollment Code provided above. IDX representatives are available Monday through Friday from 6:00 am – 6:00 pm Pacific Time. We encourage you to contact IDX with any questions about these services or how to enroll. **You will need to reference the enrollment code at the top of this letter, so please do not discard this letter. Please note the deadline to enroll is March 30, 2022.**

We recommend you review the statements you receive from your healthcare providers and health insurance plan. If you see any services that you did not receive, please contact the provider or health plan that issued the statement immediately. We also encourage you to remain vigilant to the possibility of fraud by reviewing your financial account statements for any suspicious activity. You should immediately report suspicious activity to your financial institution. **For more information on additional steps you can take in response to the incident, please see the pages that follow this letter.**

Barlow Respiratory Hospital wants to assure you that we take this incident very seriously and sincerely regret any concern this may cause. To help prevent something like this from happening again, we have implemented additional safeguards and technical security measures to further protect and monitor our systems.

Should you have questions, please contact 1-833-608-3027, Monday through Friday from 6:00 am – 6:00 pm Pacific Time.

A handwritten signature in black ink, appearing to read "Amit Mohan". The signature is fluid and cursive, with the first name "Amit" and last name "Mohan" clearly distinguishable.

Amit Mohan  
President and Chief Executive Officer  
Barlow Respiratory Hospital

## ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

- *Federal Trade Commission*, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

### Fraud Alerts and Credit or Security Freezes:

***Fraud Alerts:*** There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

***Credit or Security Freezes:*** You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

*How do I place a freeze on my credit reports?* There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

*How do I lift a freeze?* A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus

**Additional information for residents of the following states:**

**North Carolina:** You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, [www.ncdoj.gov](http://www.ncdoj.gov)