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CONSUMER PROTECTION

June 1, 2021

VIA FIRST-CLASS MAIL

Attorney General John Formella
Office of the Attorney General
Department of Justice
33 Capitol Street
Concord, NH 03301

Re: Notice of Security Breach Under RSA 359-C:20, I(b)

Dear Attorney General Formella:

I write to report to your office of a breach of security involving personal information of several Easterseals New Hampshire (“ESNH”) clients. On March 23, 2021 and on April 13, 2021, we discovered that two former ESNH per diem employees accessed the ESNH electronic health record (“EHR”) system following the termination of their employment. Although ESNH’s policy is to immediately terminate EHR access for terminated employees, access was inadvertently not terminated for these employees due to an administrative error. Upon discovery, ESNH conducted a thorough investigation to determine what records and information the former employee accessed.

Our review revealed that the former employees viewed the following record types: Residential Daily Notes, Incident Reports, Person Specific Training Form, Clinical Progress Notes, and Residential Monthly Progress Notes. In a few cases, the records accessed contained the client’s name and Social Security Number. We have been in touch with one of the former employees and do not believe that she has or will misuse these records. We have not spoken with the other employee, but we do not believe that she has or will misuse these records.

ESNH has mailed notices to the affected individuals in accordance with the Health Insurance Portability and Accountability Act (HIPAA) and RSA 359-C:20 describing the incident, the information involved, and has provided contact information for client questions and concerns. ESNH makes significant efforts to protect the confidentiality of client information through robust privacy policies and staff training. This unfortunate incident was the result in a systems breakdown, which we have addressed through re-training of staff and examination of our existing policies and procedures. We are confident our remedial efforts will prevent similar incidents from occurring in the future.

If you have any questions or concerns about this incident, please contact me, Tina M Sharby, at (603) 621-3417. Thank you.

Sincerely,

Tina Sharby
Chief Compliance Officer

Easterseals New Hampshire

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