

# BakerHostetler

## Baker & Hostetler LLP

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April 28, 2017

### VIA OVERNIGHT MAIL

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

*Re: Incident Notification*

Dear Attorney General Foster:

Our clients, Harrisburg Gastroenterology Ltd., and Harrisburg Endoscopy and Surgery Center, ("Harrisburg") are deeply committed to protecting the security and confidentiality of the information in their care. While Harrisburg has no evidence that an unauthorized individual actually accessed or obtained any information from its systems, it is providing this notification in an abundance of caution.

On March 17, 2017, following an investigation of potentially suspicious system activity, Harrisburg determined that an unauthorized individual could have potentially accessed a database containing patient information. The patient information contained in its systems includes patient name, demographic information, Social Security number, health insurance information, and for Harrisburg Gastroenterology patients, diagnostic information and clinical information.

Harrisburg has no evidence that there has been a disclosure of the affected data and it has received no reports of misuse of any of the information. However, as a precaution, beginning on April 28, 2017, Harrisburg is notifying 13 New Hampshire residents pursuant in accordance with 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 letter attached hereto.<sup>1</sup> These notification letters include an offer to enroll in one year of free credit monitoring and identity

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<sup>1</sup> As Harrisburg does not conduct business in New Hampshire, this letter is not, and does not constitute, a waiver of personal jurisdiction.

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver  
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

Joseph Foster  
April 28, 2017  
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protection services. Harrisburg has also established a dedicated call center to answer any questions that individuals may have regarding the incident.

To help prevent a similar incident from occurring in the future, Harrisburg is enhancing its existing security measures relating to protection of patient information.

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

Sincerely,



Eric A. Packel  
Partner

Enclosure

HARRISBURG ENDOSCOPY & SURGERY CENTER, INC.



PO Box 10426  
Dublin, OH 43017-4026

SMP1000002



Sample Customer  
123 Sample St  
Apt 2  
Dublin, OH 43017-1234

April 28, 2017

Dear Sample Customer:

Harrisburg Endoscopy and Surgery Center, Inc. is committed to protecting the security and confidentiality of its patients' information. Regrettably, we are writing to inform you of an incident involving some of that information.

On March 17, 2017, following an investigation of potentially suspicious system activity, we determined that an unauthorized individual could have potentially accessed Harrisburg Endoscopy patient information. While we do not have specific evidence that any unauthorized individual did in fact access or obtain any information from our systems, we are notifying our patients in an abundance of caution. The patient information contained in our systems includes your name, demographic information, Social Security number and health insurance information.

To date, we have no evidence that any patient information has been misused, nor do we have any reason to believe that the information will be misused in the future. However, as a precaution, we wanted to notify you regarding this incident and assure you that we take it very seriously. **We are offering a complimentary one-year membership of Experian's® IdentityWorks<sup>SM</sup>.** This product helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft. IdentityWorks<sup>SM</sup> is completely free and enrolling in this program will not hurt your credit score. Unfortunately, due to privacy laws, we are not able to enroll you directly. **For more information on IdentityWorks<sup>SM</sup> and instructions on how to activate your complimentary one-year membership, please see the next page of this letter. Identity Restoration assistance is immediately available to you.** In addition, as a precaution, we recommend that you regularly review the explanation of benefits (EOB) statements that you receive from your health insurer. If you identify services on your EOB statement that you did not receive, please immediately contact your insurer.

We deeply regret any concern this may cause you. To help prevent a similar incident from occurring in the future, we are enhancing our existing security measures relating to protection of patient information. If you have any questions, please call 1-(844)-637-0620, Monday through Friday, between 9:00 a.m. and 7:00 p.m. Eastern Time (closed on U.S. observed holidays).

Sincerely,

Bill Rhoades  
Director

## ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

- Ensure that you **enroll by: 6.30.17** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: [www.experianidworks.com/3bcreditone](http://www.experianidworks.com/3bcreditone)
- Provide your **activation code: ABC123**

If you have questions about the product, need assistance with identity restoration that arose as a result of this incident or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877-890-9332 by **6.30.17**. Be prepared to provide engagement number **DB01340** as proof of eligibility for the identity restoration services by Experian.

A credit card is **not** required for enrollment in Experian IdentityWorks.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance\*\*:** Provides coverage for certain costs and unauthorized electronic fund transfers.

**What you can do to protect your information:** There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration)

Even if you choose not to take advantage of the identity theft protection services we are offering, we recommend that you remain vigilant to the possibility of fraud and identity theft by reviewing your credit card, bank, and other financial statements for any unauthorized activity. You may also obtain a copy of your credit report, free of charge, directly from each of the three nationwide credit reporting agencies once every 12 months. To order your credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 877-322-8228. Contact information for the three nationwide credit reporting agencies is as follows:

**Equifax**  
P.O. Box 740241  
Atlanta, GA 30374  
[www.equifax.com](http://www.equifax.com) (800)  
685-1111

**Experian**  
P.O. Box 2002  
Allen, TX 75013  
[www.experian.com](http://www.experian.com) (888)  
397-3742

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016  
[www.transunion.com](http://www.transunion.com)  
(800) 680-7289

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should contact the Federal Trade Commission and/or the Office of the Attorney General in your home state. Contact information for the Federal Trade Commission is as follows:

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

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.

\* Offline members will be eligible to call for additional reports quarterly after enrolling

\*\* Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.



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Dublin, OH 43017-4026

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Sincerely,

A handwritten signature in dark ink that reads 'Melissa Seachrist'.

Melissa Seachrist  
Practice Manager

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**Equifax**  
P.O. Box 740241  
Atlanta, GA 30374  
[www.equifax.com](http://www.equifax.com) (800)  
685-1111

**Experian**  
P.O. Box 2002  
Allen, TX 75013  
[www.experian.com](http://www.experian.com) (888)  
397-3742

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016  
[www.transunion.com](http://www.transunion.com)  
(800) 688-7288

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should contact the Federal Trade Commission and/or the Office of the Attorney General in your home state. Contact information for the Federal Trade Commission is as follows:

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600 Pennsylvania Avenue, NW  
Washington, DC 20580  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
(877) 438-4338

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\* Offline members will be eligible to call for additional reports quarterly after enrolling

\*\* Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

STATE OF NH  
DEPT OF JUSTICE  
2017 MAY -1 AM 8:56