



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

309 Fellowship Road, Suite 200
Mt. Laurel, NJ 08054

April 10, 2024

VIA E-MAIL

Office of the New Hampshire Attorney General
Consumer Protection & Antitrust Bureau
33 Capitol Street
Concord, NH 03301
E-mail: DOJ-CPB@doj.nh.gov

Re: Notice of Data Event

To Whom It May Concern:

We represent McKenzie County Healthcare Systems, Inc. (“McKenzie Health”) located at 709 4th Avenue Northeast, Watford City, North Dakota 58854, and are writing to notify your office of an incident that may affect the security of certain personal information relating to one (1) New Hampshire resident. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, McKenzie Health does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

Nature of the Data Event

On October 5, 2023, McKenzie Health became aware of suspicious activity related to a McKenzie Health employee email account. Upon learning of this activity, McKenzie Health took prompt steps to confirm the security of their network and email tenant. McKenzie Health immediately launched an investigation to determine the nature and scope of the incident. The investigation determined that an unauthorized actor gained access to an employee email account between October 2, 2023 to October 4, 2023. Following this determination, McKenzie Health began a time-consuming review of internal records identify address information for potentially impacted individuals. McKenzie Health completed this review on March 22, 2024 and determined that certain information individuals may have been impacted.

The information that could have been subject to unauthorized access includes

Notice to New Hampshire Resident

On April 10, 2024, McKenzie Health provided written notice of this incident to one (1) New Hampshire resident. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, McKenzie Health moved quickly to investigate and respond to the incident, assess the security of McKenzie Health systems, and identify potentially affected individuals. McKenzie Health is also working to implement additional safeguards and training to its employees. McKenzie Health is providing access to credit monitoring services for , through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, McKenzie Health is providing impacted individuals with guidance on how to better protect against identity theft and fraud. McKenzie Health is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

McKenzie Health is providing written notice of this incident to relevant state and federal regulators, as necessary. McKenzie Health is also notifying the U.S. Department of Health and Human Services and prominent media pursuant to the Health Insurance Portability and Accountability Act (HIPAA).

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at

Very truly yours,

Vincent F. Regan of
MULLEN COUGHLIN LLC

VFR/kzm
Enclosure

EXHIBIT A



Return Mail Processing
PO Box 589
Claysburg, PA 16625-0589

April 10, 2024

L1643-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345

SAMPLE A SAMPLE - L01 INDIVIDUAL

APT ABC

123 ANY STREET

ANYTOWN, FC 1A2 B3C

COUNTRY



RE: [Extra2]

Dear Sample A. Sample:

McKenzie County Healthcare Systems, Inc. (“McKenzie Health”) writes to inform you of an incident that may affect some of your personal information. The purpose of this letter is to provide details of the incident, our response, and steps you can take to protect your personal information, should you feel it appropriate to do so.

What Happened? On or about October 5, 2023, McKenzie Health became aware of suspicious activity related to a McKenzie Health employee email account. Upon learning of this activity, McKenzie Health took prompt steps to confirm the security of their network and email tenant. We immediately launched an investigation to determine the nature and scope of the incident. The investigation determined that an unauthorized actor gained access to an employee email account between October 2, 2023 to October 4, 2023. Following this determination, McKenzie Health began a time-consuming review of internal records identify address information for potentially impacted individuals. McKenzie Health completed their review on March 22, 2024 and determined that certain information related to you may have been impacted.

What Information Was Involved? Our investigation determined that your information may have been present in the affected systems, and it is possible that this information was accessed or acquired by an unauthorized actor. This information may include [redacted] While McKenzie Health is unaware of any evidence of misuse of this information has occurred, we wanted to make you aware of this incident.

What Are We Doing? McKenzie Health takes the confidentiality, privacy, and security of information in our care very seriously. Upon discovery, McKenzie Health immediately commenced an investigation to confirm the full nature and scope of the incident. McKenzie Health is taking steps to implement additional safeguards and review policies and procedures relating to data privacy and security. McKenzie Health is also offering you access to complimentary credit monitoring and identity protection services for ## months through Experian. These services include fraud consultation and identity theft restoration services. If you wish to activate the credit monitoring and identity protection services, you may follow the instructions in the *Steps You Can Take to Help Protect Your Information*, included here.

What You Can Do. You can review the enclosed *Steps You Can Take to Help Protect Your Information*. McKenzie Health also encourages you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and explanation of benefits and monitoring your free credit reports for suspicious activity and to detect errors over the next

ENGAGE#

For More Information. McKenzie Health understands you may have questions about this incident that are not addressed in this letter. To ensure your questions are answered in a timely manner, please call the dedicated assistance line at 833-931-4644, Monday through Friday, 8 am – 8 pm CST (except U.S. holidays).

Sincerely,

McKenzie County Healthcare Systems, Inc.

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for ## months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. If, after discussing your situation with an agent, it is determined that identity restoration support is needed then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred from the date of the incident (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that Identity Restoration is available to you for ## months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration.

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary ##-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

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 . Be prepared to provide engagement number ENGAGE# as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR ##-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

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 file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARETM:** 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.

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

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a credit freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. To request a security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
888-298-0045	1-888-397-3742	1 (800) 916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected

identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement. You may write to us at 709 4th Ave NE, Watford City, ND 58854.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; and oag.dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>. You may write to McKenzie Health at 709 4th Ave NE, Watford City, ND 58854.

For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov/>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 2 Rhode Island residents impacted by this incident.