



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

RECEIVED

MAY 01 2018

CONSUMER PROTECTION

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1275 Drummers Lane, Suite 302
Wayne, PA 19087

April 27, 2018

INTENDED FOR ADDRESSEE(S) ONLY

VIA U.S. MAIL

Attorney General Gordon J. MacDonald
Office of the New Hampshire Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301

Re: Supplemental Notice of Data Event

Dear Mr. MacDonald:

We continue to represent MedWatch, LLC (“MedWatch”) and are writing to supplement the notice of data event submitted to your office under cover of April 13, 2018. As previously mentioned, the investigation into this event is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, MedWatch does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction.

Notice to New Hampshire Residents

As outlined in our April 13, 2018 correspondence, MedWatch provided notice of this event to impacted data owners, which are Third Party Administrators and Group Health Plans whose members may be affected by this incident, and requested approval from these data owners to notify impacted members on their behalf. On or before April 19, 2018, MedWatch received approval from additional data owners to provide notice of this incident to impacted members on their behalf. The confidential information that may have been accessible for these members includes: member name, date of service, employer group health plan name, date of birth, health insurance number, providers’ full names, and Social Security number. To date, the investigation has found no evidence of any actual or attempted misuse of personal information as a result of this event.

On or around April 27, 2018, MedWatch will begin providing written notice of this incident to potentially affected individuals affiliated with MedWatch clients, who provided MedWatch

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approval to provide notice, which includes approximately one hundred twenty-four (124) New Hampshire residents whose information may have been accessible. This includes seventeen (17) individuals whose personal information under state law may have been accessible. The remaining individuals are being notified pursuant to HIPAA. Written notice will be provided in substantially the same form as the letter attached here as *Exhibit A*. The list of data owners on whose behalf MedWatch is providing notice under applicable state law is attached here as *Exhibit B*.

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at 267-930-4786.

Very truly yours,



Ryan C. Loughlin of
MULLEN COUGHLIN LLC

RCL/af
Enclosure

Exhibit A



C/O ID Experts
P.O. Box 10444
Dublin, OH 43017-4044

To Enroll, Please Call: (888) 418-6122 Or Visit: https://ide.myidcare.com/medwatch Enrollment Code: <Enrollment Code>

April 27, 2018

<<Member Name>>
<<Address 1>>
<<Address 2>>
<<City>>, <<State>> <<Zip>>

Dear <<Member Name >>,

We are sending this letter to you as part of your employer group health plan's commitment to the privacy of its members' confidential information. MedWatch, LLC ("MedWatch"), an entity that has provided or continues to provide underwriting and/or medical management services for your group health plan, takes privacy very seriously, and it is important to us that you are informed of a recent matter that may impact you.

MedWatch recently learned that one of our vendors unintentionally misconfigured our online portal during a routine update which allowed some internet search engines to potentially make certain information accessible on the internet during the time period from October 20, 2017 until December 15, 2017. Upon learning of the incident, we immediately secured the portal, requested the internet search engines to remove all cached data related to this matter, continued to monitor these efforts, and conducted an internal investigation to determine the root cause of the incident and to prevent the incident from reoccurring. An external security firm was also engaged to verify our findings, confirm the prevention steps we undertook were appropriate, and assist with identifying the full extent of the information that could have potentially been accessible as a result of this incident. On March 1, 2018, we determined that the following types of confidential information may have been accessible as a result of the misconfiguration: members' full name, date(s) of service, employer group health plan name, date of birth and providers' full names. In addition, for some members, social security numbers may have been involved. *However, we are currently not aware of any misuse of members' protected health and/or personal information.*

We take this matter very seriously and sincerely apologize that this situation has occurred. We have taken steps to enhance our security program, controls, and procedures as a result of this incident. We also have re-educated our staff and vendor on the proper handling of personal and protected health information.

To help protect your identity, we have included information on the various steps you can take to protect your identity. As an added precaution, we have arranged to have our vendor, ID Experts, protect your identity for 12 months at no cost to you. We encourage you to enroll in the free services by using the Enrollment Code provided at the top of this letter and going to <https://ide.myidcare.com/medwatch>. For enrollment support via phone, ID Experts is available Monday through Friday from 8:00 a.m. – 8:00 p.m. Eastern Time. They can be reached at (888) 418-6122.

Once again, we have no evidence that the information involved has been misused, but out of an abundance of caution we are notifying you of this matter. We apologize for any inconvenience or concern this incident may have caused. We hope that the information provided in this letter will be helpful; however, if you have any questions, please feel free to call (888) 418-6122, Monday through Friday from 8:00am to 8:00 p.m. Eastern Time.

Sincerely,

A handwritten signature in cursive script that reads "Karen Clark".

Karen Clark
Privacy Officer

Enclosure

STEPS YOU CAN TAKE TO PROTECT YOUR PROTECTED HEALTH INFORMATION

Review Your Account Statements. Carefully review statements sent to you from Partners as well as from your insurance company to ensure that all of your account activity is valid. Report any questionable charges promptly to the Partners Billing Office at the phone number listed on the statement, or for insurance statements, to your insurance company.

Provide any updated personal information to your health care provider. Your health care provider's office will ask to see a photo ID to verify your identity. Please bring a photo ID with you to every appointment if possible. Your provider's office will also ask you to confirm your date of birth, address, telephone, and other pertinent information so that we can make sure that all of your information is up-to-date. Please be sure and tell your provider's office when there are any changes to your information. Carefully reviewing this information with your provider's office at each visit helps us to avoid problems, and address them quickly should there be any discrepancies.

Consult the Federal Trade Commission. For more guidance on general steps you can take to protect your information, you also can contact the Federal Trade Commission:

Website: <https://www.consumer.ftc.gov/topics/privacy-identity-online-security>

Postal Address: Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Telephone: (202) 326-2222

STEPS YOU CAN TAKE TO PROTECT YOUR IDENTITY

1. Website and Enrollment. Go to <https://ide.myidcare.com/medwatch> and follow the instructions for enrollment using your Access Code provided above. Once you have completed your enrollment, you will receive a welcome letter by email (or by mail if you do not provide an email address when you sign up). The welcome letter will direct you to the exclusive ID Experts' Member Website where you will find other valuable educational information.

2. Activate the credit monitoring provided as part of your membership with ID Experts, which is paid for by MedWatch. Credit monitoring is included in the membership, but you must personally activate it for it to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, ID Experts will be able to assist you.

3. Telephone. Contact ID Experts at (888) 418-6122 to gain additional information about the membership and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, explanation of benefits and to monitor your credit reports for suspicious activity. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

At no charge, you can also have these credit bureaus place a "fraud alert" on your file that alerts creditors to take additional steps to verify your identity prior to granting credit in your name. Note, however, that because it tells creditors to follow certain procedures to protect you, it may also delay your ability to obtain credit while the agency verifies your identity. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts on your file. Should you wish to place a fraud alert, or should you have any questions regarding your credit report, please contact any one of the agencies listed below.

Equifax
P.O. Box 105069
Atlanta, GA 30348

Experian
P.O. Box 2002
Allen, TX 75013

TransUnion
P.O. Box 2000
Chester, PA 19022-2000

800-525-6285
www.equifax.com

888-397-3742
www.experian.com

800-680-7289
www.transunion.com

You may also place a security freeze on your credit reports. A security freeze prohibits a credit bureau from releasing any information from a consumer's credit report without the consumer's written authorization. However, please be advised that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services. If you have been a victim of identity theft, and you provide the credit bureau with a valid police report, it cannot charge you to place, list or remove a security freeze. In all other cases, a credit bureau may charge you a fee to place, temporarily lift, or permanently remove a security freeze. You will need to place a security freeze separately with each of the three major credit bureaus listed above if you wish to place a freeze on all of your credit files. To find out more on how to place a security freeze, you can use the following contact information:

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348
1-800-685-1111
www.freeze.equifax.com

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com/freeze/center.html

TransUnion
P.O. Box 2000
Chester, PA 19022-2000
1-888-909-8872
freeze.transunion.com

You can further educate yourself regarding identity theft, fraud alerts, and the steps you can take to protect yourself, by contacting the Federal Trade Commission or your state Attorney General. The Federal Trade Commission can 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. 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 crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement. This notice has not been delayed by law enforcement. **For Maryland residents**, the Attorney General can be reached at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-888-743-0023; and www.oag.state.md.us. **For North Carolina residents**, the Attorney General can be contacted by mail at 9001 Mail Service Center, Raleigh, NC 27699-9001; toll-free at 1-877-566-7226; by phone at 1-919-716-6400; and online at www.ncdoj.gov. **For Rhode Island residents**, the Attorney General can be contacted by mail at 150 South Main Street, Providence, RI 02903; by phone at (401) 274-4400; and online at www.riag.ri.gov. A total of 84 Rhode Island resident(s) may be impacted by this incident. **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 agencies 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. 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.

Exhibit B

New Hampshire Notice – (SSN)

**GGP LIMITED PARTNERSHIP
NEW HAMPSHIRE HEALTH PLAN**