

# BakerHostetler

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June 16, 2023

### VIA E-MAIL (DOJ-CPB@DOJ.NH.GOV)

Attorney General John Formella  
New Hampshire 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, New Horizons Medical, Inc. (“New Horizons”), regarding a data security incident. New Horizons is headquartered in Fitchburg, Massachusetts.

On April 19, 2023, New Horizons was alerted to potential unauthorized access to its IT network. Upon learning of this, it immediately launched an investigation and engaged a cybersecurity firm to assist. The investigation determined that an unauthorized party accessed some of its systems between the dates of February 12, 2023 and April 23, 2023, and accessed certain files.

Through its analysis, New Horizons determined on May 19, 2023 that files that may have been involved in the incident contained information belonging to some current and former patients and employees. For patients, the information may have included

. For employees, the information may have included

On June 16, 2023, New Horizons mailed notification letters to 60 New Hampshire residents via U.S. First-Class mail in accordance with the Health Insurance Portability and Accountability Act (45 CFR § 160.404) and N.H. Rev. Stat. Ann. § 359-C:20. A sample copy of the notification letter is enclosed.

New Hampshire Office of the Attorney General

June 16, 2023

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New Horizons has established a dedicated, toll-free incident response line for any inquiries. In an abundance of caution, New Horizons is offering all notified individuals complimentary credit monitoring and identity protection services.

To help prevent something like this from happening again, New Horizons has implemented additional safeguards and technical security measures to further protect and monitor its systems.

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

Sincerely,

Sara M. Goldstein

Partner

Enclosure



Return mail will be processed by: IBC  
PO Box 847  
Holbrook, NY 11741



June 15, 2023

Dear [REDACTED]:

New Horizons Medical, Inc. (“New Horizons”) is committed to protecting the confidentiality and security of the information we maintain. We are writing to inform you about a data security incident that may have involved unauthorized access to some patient information. This letter explains the incident, the measures that have been taken, and some steps you can take in response to protect your information.

On April 19, 2023, we were alerted to potential unauthorized access to our IT network. Upon learning of this, we immediately launched an investigation and engaged a cybersecurity firm to assist.

Through our investigation, we determined that an unauthorized party gained access to our IT network between the dates of February 12, 2023 and April 23, 2023. While in our IT network, the unauthorized party accessed files that contain information pertaining to New Horizons’ patients. Our investigation cannot rule out the possibility that, as a result of this incident, files containing some of your information may have been subject to unauthorized access. This information may have included your

To date, we are not aware of any misuse of your information. However, we recommend you review the statements you receive from [REDACTED]. If you see any services that were not received, please contact the [REDACTED].

To further help you protect your information, we are offering you a complimentary one-year membership in Experian®’s IdentityWorks<sup>SM</sup>. This product helps detect possible misuse of your information and provides you with identity protection support focused on immediate identification and resolution of identity theft. IdentityWorks is free and enrolling in this program will not affect your credit score. **For more information on IdentityWorks, including instructions on how to activate your complimentary one-year membership and steps you can take to protect your information, please see the pages that follow this letter.**

We deeply regret any inconvenience or concern this incident may cause and take this matter seriously. To help prevent something like this from happening again, we have implemented and will continue to adopt additional safeguards and technical security measures to further protect and monitor our systems. If you have questions about this incident, please call [REDACTED], Monday through Friday, between 9:00 am - 7:00 pm Eastern Time (excluding major U.S. holidays).

Sincerely,

Oxana Antonevich  
President

To help protect your identity, we are offering a **complimentary** one-year membership of Experian IdentityWorks Credit 3B. 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.

### Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. ENROLL by: (Your code will not work after this date.)
2. VISIT the **Experian IdentityWorks website** to enroll:
3. PROVIDE the Activation Code: [REDACTED]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at [REDACTED]. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

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

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **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.
- **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) for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at (877) 288-8057.

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\* 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 a jurisdiction.

## 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:*** 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:**

**Connecticut Residents:** You may contact and obtain information from your state attorney general at: *Connecticut Attorney General's Office*, 165 Capitol Ave, Hartford, CT 06106, 1-860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)

**District of Columbia Residents:** You may contact and obtain information from your attorney general at: *Office of the Attorney General for the District of Columbia*, 441 4th Street NW, Washington, DC 20001, 1-202-727-3400, [www.oag.dc.gov](http://www.oag.dc.gov)

**Maryland Residents:** You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, [www.oag.state.md.us](http://www.oag.state.md.us)

**Massachusetts Residents:** Under Massachusetts law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Office of the Massachusetts Attorney General*, One Ashburton Place, Boston, MA 02108, 1-617-727-8400, [www.mass.gov/ago/contact-us.html](http://www.mass.gov/ago/contact-us.html)

**New York Residents:** You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

**North Carolina Residents:** 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)

**Rhode Island Residents:** This incident involves 18 individuals in Rhode Island. Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, [www.riag.ri.gov](http://www.riag.ri.gov)

**West Virginia Residents:** You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

**A Summary of Your Rights Under the Fair Credit Reporting Act:** The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- 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 reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.
- You may seek damages from violators.
- Identity theft victims and active-duty military personnel have additional rights.



Return mail will be processed by: IBC  
PO Box 847  
Holbrook, NY 11741

[REDACTED]

June 15, 2023

Dear [REDACTED]:

New Horizons Medical, Inc. (“New Horizons”) is committed to protecting the confidentiality and security of the information we maintain. We are writing to inform you about a data security incident that may have involved unauthorized access to some of your information. This letter explains the incident, the measures that have been taken, and some steps you can take in response to protect your information.

On April 19, 2023, we were alerted to potential unauthorized access to our IT network. Upon learning of this, we immediately launched an investigation and engaged a cybersecurity firm to assist.

Through our investigation, we determined that an unauthorized party gained access to our IT network between the dates of February 12, 2023 and April 23, 2023. While in our IT network, the unauthorized party accessed files that contain information pertaining to New Horizons’ patients and employees. Our investigation cannot rule out the possibility that, as a result of this incident, files containing some of your information may have been subject to unauthorized access. This information may have included

To date, we are not aware of any misuse of your information. However, 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 any suspicious activity to your financial institution.

To further help you protect your information, we are offering you a complimentary one-year membership in Experian®’s IdentityWorks<sup>SM</sup>. This product helps detect possible misuse of your information and provides you with identity protection support focused on immediate identification and resolution of identity theft. IdentityWorks is free and enrolling in this program will not affect your credit score. **For more information on IdentityWorks, including instructions on how to activate your complimentary one-year membership and steps you can take to protect your information, please see the pages that follow this letter.**

We deeply regret any inconvenience or concern this incident may cause and take this matter seriously. To help prevent something like this from happening again, we have implemented and will continue to adopt additional safeguards and technical security measures to further protect and monitor our systems. If you have questions about this incident, please call [REDACTED], Monday through Friday, between 9:00 am - 7:00 pm Eastern Time (excluding major U.S. holidays).

Sincerely,

Oxana Antonevich  
President

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3. PROVIDE the Activation Code: [REDACTED]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at [REDACTED]. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

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

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- **\$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) for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at [REDACTED].

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\* 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 a jurisdiction.



## 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:*** 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:

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- **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.

New Horizons' mailing address is 62 Brown St Haverhill MA 01830 and its phone number is 978-361-9993.

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

**Connecticut Residents:** You may contact and obtain information from your state attorney general at: *Connecticut Attorney General's Office*, 165 Capitol Ave, Hartford, CT 06106, 1-860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)

**District of Columbia Residents:** You may contact and obtain information from your attorney general at: *Office of the Attorney General for the District of Columbia*, 441 4th Street NW, Washington, DC 20001, 1-202-727-3400, [www.oag.dc.gov](http://www.oag.dc.gov)

**Maryland Residents:** You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, [www.oag.state.md.us](http://www.oag.state.md.us)

**Massachusetts Residents:** Under Massachusetts law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Office of the Massachusetts Attorney General*, One Ashburton Place, Boston, MA 02108, 1-617-727-8400, [www.mass.gov/ago/contact-us.html](http://www.mass.gov/ago/contact-us.html)

**New York Residents:** You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

**North Carolina Residents:** 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)

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- You have the right to know what is in your file.
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- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited.
- You must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.
- You may seek damages from violators.
- Identity theft victims and active-duty military personnel have additional rights.