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CONSUMER PROTECTION

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September 2, 2022

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

via Certified Mail Return Receipt Requested

**Re: Notification of Data Security Incident**

Dear Office of the Attorney General:

Be advised that the undersigned and this law firm have been retained to represent North Carolina Board of Physical Therapy Examiners (“NCBPTE”) in connection with the recent data security incident described below. NCBPTE is a licensing board located at 8300 Health Park, Suite 233, Raleigh, NC 27615.

On July 22, 2022, a forensics team confirmed that certain information was included on a North Carolina Board of Physical Therapy Examiners (the “Board”) computer that was accessed by an unauthorized individual. The unauthorized individual may have accessed the computer as early as June 3, 2022. Upon learning of this incident, the Board implemented protections including: (1) added layers of security including multiple anti-virus protection; (2) implemented two additional firewalls; (3) added vulnerability detection and management software; and (4) engaged an external agency to monitor Board computer systems on a full-time basis. The compromised computer may have contained information such as names, addresses, dates of birth, and Social Security numbers. No payment information has been compromised.

NCBPTE is offering affected individuals identity theft protection services through IDX, the data breach and recovery services expert. The IDX identity protection services include: 12 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed ID theft recovery services.

NCBPTE will mail notification letters to the 96 affected residents of your state on September 2, 2022. A sample copy of the notice is enclosed.

Respectfully,  
**Spencer Fane, LLP**  
Shawn E. Tuma, Partner

Enclosure: Notice of Data Breach



NORTH CAROLINA  
BOARD OF PHYSICAL THERAPY EXAMINERS

Return to IDX  
P.O Box 989728  
West Sacramento, CA 95798-9728

To Enroll, Please Call:  
(833) 764-2920  
Or Visit:  
<https://response.idx.us/ncbpt>  
Enrollment Code: <<Enrollment Code>>

<<First Name>> <<Last Name>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<State>> <<Zipcode>>

September 2, 2022

### Notice of Data Breach

Dear <<First Name>> <<Last Name>>,

#### What Happened

We are writing to inform you of an incident that involved your personal information. On July 22, 2022, a forensics team confirmed that your information was included on a North Carolina Board of Physical Therapy Examiners computer that was accessed by an unauthorized individual. The unauthorized individual may have accessed the computer as early as June 3, 2022. While we do not have evidence that your information was acquired or used for fraudulent purposes, we are unable to conclusively rule out such possibility. Therefore, out of an abundance of caution, we are providing you this notice to help ensure your information remains protected.

#### What Information Was Involved

The compromised computer may have contained information such as names, addresses, dates of birth, and Social Security numbers. Please understand that our payment processor has not been impacted by this incident. Accordingly, no payment information has been compromised. We deeply regret that this has occurred and apologize for any inconvenience or concern caused by this incident.

#### What We Are Doing

Upon learning of this incident, we promptly engaged third-party forensics experts to ensure the proper removal of the unauthorized individual from our computer system. We have also reported this incident to law enforcement. This notification was not delayed because of a law enforcement investigation. We are continuously exploring ways to further strengthen the security of information in our computer system, and have implemented additional protections, including:

1. Added layers of security including multiple anti-virus protection;
2. Implemented two additional firewalls;
3. Added additional vulnerability detection and management software; and
4. Engaged an external agency to monitor Board computer systems on a full-time basis.

In addition, we are offering identity theft protection services through IDX, the data breach and recovery services expert. IDX identity protection services include: <<12/24>> months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

8300 HEALTH PARK, SUITE 223 • RALEIGH, NORTH CAROLINA 27615

DA 3038156.1

**What You Can Do**

Receiving this letter does not automatically mean you are a victim of identity theft. However, we encourage you to remain vigilant; to continually review your credit report, bank account activity, and bank statements for irregularities or unauthorized items; and to immediately report any unauthorized charges to your financial institution.

We also encourage you to contact IDX to enroll in free identity protection services by calling (833) 764-2920 or going to <https://response.idx.us/ncbpt> and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 9 am - 9 pm Eastern Time. Please note the deadline to enroll is December 2, 2022.

Again, at this time, there is no evidence that your information has been acquired or misused. However, we encourage you to take full advantage of this service offering. IDX representatives can answer questions or concerns you may have regarding protection of your personal information.

**For More Information**

You will find detailed instructions for enrollment on the enclosed Recommended Steps document. Also, you will need to reference the enrollment code at the top of this letter when calling or enrolling online, so please do not discard this letter.

We value your privacy and sincerely regret any inconvenience this matter may cause. Our relationship with you, your confidence in our ability to safeguard your personal information, and your peace of mind are very important to us.

Please call (833) 764-2920 or go to <https://response.idx.us/ncbpt> for assistance or for any additional questions you may have.

Sincerely,

North Carolina Board of Physical Therapy Examiners  
(Enclosure)

### Recommended Steps to help Protect your Information

**1. Website and Enrollment.** Go to <https://response.idx.us/ncbpt> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.

**2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated 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, IDX will be able to assist you.

**3. Telephone.** Contact IDX at (833) 764-2920 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

**4. Review your credit reports.** We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to [www.annualcreditreport.com](http://www.annualcreditreport.com) or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

If you discover any suspicious items and have enrolled in IDX identity protection, notify them immediately by calling or by logging into the IDX website and filing a request for help.

If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

You should also know that you have the right to file a police report if you ever experience identity 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 you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement or to the Attorney General.

**5. Place Fraud Alerts** with the three credit bureaus. If you choose to place a fraud alert, we recommend you do this after activating your credit monitoring. You can place a fraud alert at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three bureaus is as follows:

#### Credit Bureaus

Equifax Fraud Reporting  
1-866-349-5191  
P.O. Box 105069  
Atlanta, GA 30348-5069  
[www.equifax.com](http://www.equifax.com)

Experian Fraud Reporting  
1-888-397-3742  
P.O. Box 9554  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)

TransUnion Fraud Reporting  
1-800-680-7289  
P.O. Box 2000  
Chester, PA 19022-2000  
[www.transunion.com](http://www.transunion.com)

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review. An initial fraud alert will last for one year.

**Please Note: No one is allowed to place a fraud alert on your credit report except you.**

**6. Security Freeze.** By placing a security freeze, someone who fraudulently acquires your personal identifying information will not be able to use that information to open new accounts or borrow money in your name. You will need to contact the three national credit reporting bureaus listed above to place the freeze. The credit reporting bureaus will



request certain information from you prior to implementing a freeze such as your name, Social Security number or tax identification number, date of birth, telephone number, and address. Keep in mind that when you place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. There is no cost to freeze or unfreeze your credit files.

**7. You can obtain additional information** about the steps you can take to prevent identity theft from the following agencies. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them.

**California Residents:** Visit the California Office of Privacy Protection ([www.oag.ca.gov/privacy](http://www.oag.ca.gov/privacy)) for additional information on protection against identity theft. Office of the Attorney General of California, 1300 I Street, Sacramento, CA 95814, Telephone: 1-800-952-5225.

**Kentucky Residents:** Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601, [www.ag.ky.gov](http://www.ag.ky.gov). Telephone: 1-502-696-5300.

**Maryland Residents:** Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, [www.oag.state.md.us/Consumer](http://www.oag.state.md.us/Consumer). Telephone: 1-888-743-0023.

**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 a 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. You can review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://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.

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

**North Carolina Residents:** Office of the Attorney General of North Carolina, 9001 Mail Service Center Raleigh, NC 27699-9001, [www.ncdoj.gov](http://www.ncdoj.gov), Telephone: 1-919-716-6400.

**Oregon Residents:** Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, [www.doj.state.or.us/](http://www.doj.state.or.us/), Telephone: 1-877-877-9392.

**Rhode Island Residents:** Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, [www.riag.ri.gov](http://www.riag.ri.gov), Telephone: 1-401-274-4400.

**All US Residents:** Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, <https://consumer.ftc.gov>, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.