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COUGHLIN^{LLC}
ATTORNEYS AT LAW

RECEIVED
MAY 10 2021
CONSUMER PROTECTION

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426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

May 4, 2021

VIA U.S. MAIL

Consumer Protection Bureau
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Event

Dear Sir or Madam:

We represent Orthopedic Associates of Dutchess County (“OADC”) located at 1910 South Road, Poughkeepsie, NY 12601, and are writing to notify your office of an incident that may affect the security of some personal information relating to one hundred twenty-nine (129) New Hampshire residents. This notice may be supplemented with new facts learned subsequent to its submission. By providing this notice, OADC 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 March 5, 2021, OADC became aware of suspicious activity relating to its systems and immediately launched an investigation to determine the nature and scope of the activity. OADC determined that an unauthorized actor gained access to certain OADC systems on or about March 1, 2021, encrypted files, and claims to have removed and/or viewed certain files from the OADC network.

The unauthorized actor provided certain files that were removed from the OADC network, and OADC’s review of the files as well as the types of information OADC maintains on its system determined that certain information related to individuals was or may have been taken by an unauthorized actor.

The information that could have been subject to unauthorized access varies by individual and may include name, Social Security number, and bank account information.

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Notice to New Hampshire Residents

On May 4, 2021, OADC began providing written notice of this incident to affected individuals, which includes one hundred twenty-nine (129) New Hampshire residents who may have had information protected by the New Hampshire data event statute impacted. 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, OADC moved quickly to investigate and respond to the incident, assess the security of OADC systems, and notify potentially affected individuals. OADC is also working to implement additional safeguards and training to its employees. OADC is providing access to credit monitoring services for one (1) year, through Experian, to individuals whose information was potentially affected by this incident, at no cost to these individuals.

Additionally, OADC is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. OADC 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. OADC also notified the Federal Bureau of Investigation and the Department of Health and Human Services of the incident.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4776.

Very truly yours,



Edward J. Finn of
MULLEN COUGHLIN LLC

EJF/jcj
Enclosure

EXHIBIT A



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

May 4, 2021



G4346-L01-0000001 T00001 P001 *****AUTO**MIXED AADC 159
 SAMPLE A. SAMPLE - L01 STANDARD
 APT ABC
 123 ANY ST
 ANYTOWN, ST 12345-6789



Dear Sample A. Sample:

Orthopedic Associates of Dutchess County (“OADC”) is writing to notify you of a recent incident involving, or that may involve, some of your information. Although at this time there is no indication that your information has been fraudulently misused in relation to this incident, we are providing you with information about the incident, our response to it, and additional measures you can take to protect your information, should you feel it appropriate to do so.

What Happened? On March 5, 2021, OADC became aware of suspicious activity relating to its systems and immediately launched an investigation to determine the nature and scope of the activity. OADC determined that an unauthorized actor gained access to certain OADC systems on or about March 1, 2021, encrypted files, and claims to have removed and/or viewed certain files.

The unauthorized actor provided certain files that were removed from our network. Our review of these files, as well as our review of the types of information that we maintain in our system, determined that certain information related to you was, or may have been, impacted by the incident.

What Information Was Involved? The following types of information that OADC maintains in its systems and that were, or may have been, impacted by this incident include your name, address, telephone number, email address, emergency contact, guarantor, patient identification number, medical record number, diagnosis information, health insurance number and other health insurance information, payment details, date of birth, Social Security number, and treatment information. To date, OADC has not received any reports of fraudulent misuse of any information potentially impacted.

What We Are Doing. The confidentiality, privacy, and security of your information are among our highest priorities, and we have security measures in place to protect information in our systems. Upon learning of this incident, we immediately took steps to secure our systems and investigate the incident. OADC deployed advanced endpoint monitoring tools to the network and changed passwords in response to the event. We notified the Federal Bureau of Investigation (“FBI”) of this incident, and are also notifying certain regulators, as necessary, including the Department of Health and Human Services.

While we are unaware of any fraudulent misuse of your information as a result of this incident, as an additional precaution, OADC is offering you access to [Extra 1 - Duration] of complimentary credit monitoring services through Experian. Details of this offer and instructions on how to activate these services are enclosed with this letter.

What Can You Do? Please review the enclosed document, “Steps You Can Take to Help Protect Your Information,” which contains information on what you can do to safeguard against possible misuse of your information. You can also enroll in the credit monitoring services that OADC is offering to you.





For More Information. We understand that you may have questions about this incident that are not addressed in this notice. If you have additional questions or concerns, please contact our toll-free dedicated assistance line at (855) 246-9403. This toll-free line is available Monday – Friday from 9:00 am ET to 11:00 pm ET and Saturday – Sunday from 11:00 am ET to 8:00 pm ET. Individuals may also write to OADC at 1910 South Road, Poughkeepsie, NY 12601 with questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina Sleeper".

Gina Sleeper
Chief Executive Officer

Steps You Can Take to Help Protect Your Information

Enroll in Complimentary Credit Monitoring

To help protect your identity, we are offering a complimentary [Extra 1 - Duration] membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: July 31, 2021** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code: ABCDEFGHI**

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 (855) 246-9403 by **July 31, 2021**. Be prepared to provide engagement number **ENGAGE#** as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 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 agents 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.
- **Up to \$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.



If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at (855) 246-9403. 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 (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 this Identity Restoration support is available to you for [Extra 1 - Duration] 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. You will also find self-help tips and information about identity protection at this site.

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, military identification, 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 fraud alert or 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	833-395-6938
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.

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 Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-888-743-0023; and www.oag.state.md.us. OADC is located at 1910 South Road, Poughkeepsie, NY 12601.

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/>.

STATE OF NH
DEPT OF JUSTICE

2021 MAY 10 PM 1:28