



MULLEN
COUGHLIN_{LLC}

RECEIVED

JUN 27 2017

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CONSUMER PROTECTION

June 23, 2017

VIA U.S. 1st CLASS MAIL

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

Re: Notice of Data Security Event

Dear Attorney General McDonald:

We represent Southern New Hampshire Health System (“SNHHS”), 8 Prospect Street, Nashua, NH 03060. We are writing to notify you of a data security incident that may have compromised the security of personal information of a New Hampshire resident. Our investigation is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, SNHHS does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction.

Nature of the Data Security Event

On Thursday, June 1, 2017, a patient of SNHHS requested a paper copy of their medical record be released. A SNHHS employee mistakenly turned over paper medical records belonging to another patient with a similar name. SNHHS discovered this incident on the same day and immediately informed their privacy officer who worked with the Associate Vice President of Operations to reach out to both the impacted individual and the recipient of the records. The employee who turned over the records has been counseled and retrained regarding procedures and checks for releasing patient information. The records have since been returned by the recipient to SNHHS. **We have no reason to believe that the recipient of the information used or intends to use the information to commit fraud.**

Notice to the New Hampshire Resident

On Tuesday, June 13, 2017, SNHHS mailed the notice letter to the single affected New Hampshire individual whose personal health information was mistakenly disclosed. A copy of the notice provided is attached here as *Exhibit A*.

Other Steps Taken

SNHHS takes the security of information within its care very seriously. SNHHS has provided notice of this event to the potentially impacted individual and, out of an abundance of caution, SNHHS is offering identity theft protection services through Experian. In addition to providing individual notice and access to free credit monitoring and identity theft recovery services, SNHHS has counseled and retrained the employee who turned over the wrong records to prevent an event like this from occurring in the future. SNHHS is also attempting to secure an affidavit from the recipient affirming that no copies of the information were made and that the information has not and will not be misused.

Contact Information

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'E. Finn', written in a cursive style.

Edward J. Finn of
MULLEN COUGHLIN LLC

EJF:ncl

Enclosure

EXHIBIT A

LETTERHEAD

[Name]

[Street Address]

[City, State Zip Code]

June 23, 2017

Dear [Name]:

As we've discussed, Southern New Hampshire Health System ("SNHHS") recently discovered an event that may affect the security of your protected health information. As promised, we write to provide you with information about the event, steps taken since discovering the incident, and what you can do to better protect against identity theft and fraud, should you feel it is appropriate to do so.

What Happened? On Thursday, June 1, 2017, a patient of SNHHS requested that their medical record be released to them. A SNHHS employee mistakenly turned over your records to this patient. We discovered this incident on the same day and immediately informed our privacy officer who worked with our Associate Vice President of Operations to reach out to you and the recipient of the records. The employee who turned over the records has been counseled and retrained regarding procedures and checks for releasing patient information. Your records have since been returned by the recipient to SNHHS. **We have no reason to believe that the recipient of the information used or intends to use your information to commit fraud.**

What Information Was Involved? The information within the records includes your: name, Social Security number, contact information, date of birth, and medical information, which includes information such as diagnosis, admission information, insurance information, and treatment information.

What Are We Doing? SNHHS takes the security of our patients' information very seriously. We are providing you with formal notice of this incident and the enclosed *Steps You Can Take to Protect Against Identity Theft and Fraud*. We are also reporting this incident to the U.S. Department of Health and Human Services.

Additionally, as a precautionary measure to help better protect your credit file from potential misuse, we have partnered with Experian to provide its credit monitoring and identity theft protection product for two years at no charge to you.

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 this offer is available to you for 2 years 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.

LETTERHEAD

While Identity Restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorksSM as a complimentary 2-year 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:

- Ensure that you **enroll by: September 30, 2017** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bplus2>
- Provide your **activation code: CODE**

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 877-890-9332 by **September 30, 2017**. Be prepared to provide engagement number **DB02234** as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 2-YEAR 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.¹
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Internet Surveillance:** Technology searches the web, chat rooms & bulletin boards 24/7 to identify trading or selling of your personal information on the Dark Web.
- **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 Insurance²:** Provides coverage for certain costs and unauthorized electronic fund transfers.

What You Can Do. We encourage you to review the enclosed *Steps You Can Take to Protect Against Identity Theft and Fraud* and to enroll to receive the credit monitoring and identity protection services being offered to you.

For More Information: We realize you may have questions that are not addressed in this letter. Should you have any questions or concerns regarding this incident or the services being offered to you, please contact me at 603-281-9857.

¹ Offline members will be eligible to call for additional reports quarterly after enrolling

² Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions

LETTERHEAD

SNHHS sincerely regrets any inconvenience or concern this incident has caused.

Sincerely,

Valerie Fryatt
Director Compliance / Privacy Officer
Southern New Hampshire Health System

Steps You Can Take to Protect Against Identity Theft and Fraud

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports and explanation of benefits forms for suspicious activity. This also includes reviewing account statements, medical bills, and health insurance statements regularly to ensure that no one has submitted fraudulent medical claims using your name and address. Report all suspicious or fraudulent charges to your account and insurance providers. 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 740256
Atlanta, GA 30374
1-888-766-0008
www.equifax.com

Experian
P.O. Box 2002
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion
P.O. Box 2000
Chester, PA 19016-2000
1-800-680-7289
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, lift 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
(NY residents please call
1-800-349-9960)
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
PO Box 2000
Chester, PA 19022-2000
1-888-909-8872
www.transunion.com/securityfreeze

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. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Instances of known or suspected identity theft should also be reported to law enforcement.