

# BakerHostetler

## Baker&Hostetler LLP

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October 7, 2022

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

Attorney General John Formella  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

*Re: Incident Notification*

Dear Sir or Madam:

We are writing on behalf of Windsong Radiology Group, P.C. (“Windsong Radiology”) to notify you of a security incident involving New Hampshire residents.<sup>1</sup> Windsong Radiology is a covered entity under the Health Insurance Portability & Accountability Act (“HIPAA”).

Windsong Radiology’s IT Department identified a security incident that impacted systems containing patient information. They immediately initiated their incident response process, notified law enforcement, and began an investigation with the assistance of a forensic firm. The investigation determined that, between December 17 and December 24, 2021, an unauthorized party gained access to the network. The entity immediately began a comprehensive review of all the information that may have been accessible to the unauthorized party. Through this review, which recently on August 13, 2022, the entity identified the names and Social Security numbers for approximately 11 New Hampshire residents.<sup>2</sup>

Between September 2, 2022 and October 5, 2022, Windsong Radiology mailed notification letters pursuant to HIPAA (45 CFR §§ 160.103 and 164.400 *et seq.*) and/or N.H. Rev. Stat. Ann. § 359-C:20, in substantially the same form as the enclosed letter. Windsong Radiology offered eligible individuals a complimentary one-year membership to credit monitoring and identity theft

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<sup>1</sup> This notice does not waive Windsong Radiology’s objection that New Hampshire lacks personal jurisdiction over it regarding any claims related to this incident.

<sup>2</sup> Please note that additional New Hampshire residents are receiving notice pursuant to HIPAA, but the information identified for these individuals does not constitute Personal Information as defined by N.H. Rev. Stat. Ann. § 359-C:19.

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protection services. Windsong Radiology has also established a dedicated, toll-free call center where all individuals may obtain more information regarding the incident.

To help prevent something like this from happening again, Windsong Radiology is continuing to implement additional safeguards and enhancements to its information security, systems, and monitoring capabilities.

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

Sincerely,

Lynn Sessions

Enclosure



<<Mail ID>>  
<<Name 1>>  
<<Address 1>>  
<<Address 2>>  
<<City>><<State>><<Zip>>

September 2, 2022

Dear <<Name 1>>,

Windsong Radiology Group, P.C. takes seriously the confidentiality and security of our patients' information. Regrettably, we recently determined that some of your information was involved in a security incident. We have no evidence of fraud or misuse of your information as a result of this incident. However, we are providing information about the incident, the steps we have taken to respond, and the resources we are making available to you.

**What Happened:**

On December 24, 2021, we identified a security incident that impacted systems that contained our patient information. We immediately initiated our incident response process, notified law enforcement, and began an investigation with the assistance of a forensic firm. The investigation determined that between December 17 and December 24, 2021, an unauthorized party gained access to our network.

**What Information Was Involved:**

The information that may have been accessed included your name, and may have included your address, date of birth, Social Security number, <<V3 (DATA ELEMENTS)>> health insurance information, medical record number, patient account number, physician name, date(s) of service, and/or information related to radiology services.

**What We Are Doing:**

The safety of your information is of utmost importance to us. To help prevent something like this from happening again, we are continuing to implement additional safeguards and enhancements to our information security, systems, and monitoring capabilities.

**What You Can Do:**

As a precaution, we are offering you a complimentary one-year membership to Equifax Credit Watch™ Gold. This product helps detect possible misuse of your personal information and provides you with identity protection support focused on immediate identification and resolution of identity theft. Equifax Credit Watch™ Gold is completely free to you and enrolling in this program will not hurt your credit score. For more information on steps you can take and instructions on how to activate your complimentary membership, please see the additional information provided in this letter.

**For More Information:**

We deeply regret that this incident occurred and for any concern this may cause you. We value your trust and confidence in us and look forward to continuing to serve you. If you have questions about the incident, please call the dedicated call center at 1-855-604-1852, Monday through Friday, between 9:00 a.m. and 9:00 p.m. Eastern Time.

Sincerely,

Lynn McGivern  
Privacy Officer



Enter your Activation Code: <ACTIVATION CODE>  
Enrollment Deadline: <DEADLINE MMMM DD, YYYY>

**Equifax Credit Watch™ Gold** \*Note: You must be over age 18 with a credit file to take advantage of the product

## Key Features

- Credit monitoring with email notifications of key changes to your Equifax credit report
- Daily access to your Equifax credit report
- WebScan notifications<sup>1</sup> when your personal information, such as Social Security Number, credit/debit card or bank account numbers are found on fraudulent Internet trading sites
- Automatic fraud alerts<sup>2</sup>, which encourages potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock<sup>3</sup>
- Identity Restoration to help restore your identity should you become a victim of identity theft, and a dedicated Identity Restoration Specialist to work on your behalf
- Up to \$1,000,000 of identity theft insurance coverage for certain out of pocket expenses resulting from identity theft<sup>4</sup>

## Enrollment Instructions

Go to [www.equifax.com/activate](http://www.equifax.com/activate)

Enter your unique Activation Code of <ACTIVATION CODE> then click “Submit” and follow these 4 steps:

### 1. Register:

Complete the form with your contact information and click “Continue”.

*If you already have a myEquifax account, click the ‘Sign in here’ link under the “Let’s get started” header.*

*Once you have successfully signed in, you will skip to the Checkout Page in Step 4*

### 2. Create Account:

Enter your email address, create a password, and accept the terms of use.

### 3. Verify Identity:

To enroll in your product, we will ask you to complete our identity verification process.

### 4. Checkout:

Upon successful verification of your identity, you will see the Checkout Page.

Click ‘Sign Me Up’ to finish enrolling.

### **You’re done!**

The confirmation page shows your completed enrollment.

Click “View My Product” to access the product features.

<sup>1</sup>WebScan searches for your Social Security Number, up to 5 passport numbers, up to 6 bank account numbers, up to 6 credit/debit card numbers, up to 6 email addresses, and up to 10 medical ID numbers. WebScan searches thousands of Internet sites where consumers’ personal information is suspected of being bought and sold, and regularly adds new sites to the list of those it searches. However, the Internet addresses of these suspected Internet trading sites are not published and frequently change, so there is no guarantee that we are able to locate and search every possible Internet site where consumers’ personal information is at risk of being traded. <sup>2</sup>The Automatic Fraud Alert feature is made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC. <sup>3</sup>Locking your Equifax credit report will prevent access to it by certain third parties. Locking your Equifax credit report will not prevent access to your credit report at any other credit reporting agency. Entities that may still have access to your Equifax credit report include: companies like Equifax Global Consumer Solutions, which provide you with access to your credit report or credit score, or monitor your credit report as part of a subscription or similar service; companies that provide you with a copy of your credit report or credit score, upon your request; federal, state and local government agencies and courts in certain circumstances; companies using the information in connection with the underwriting of insurance, or for employment, tenant or background screening purposes; companies that have a current account or relationship with you, and collection agencies acting on behalf of those whom you owe; companies that authenticate a consumer’s identity for purposes other than granting credit, or for investigating or preventing actual or potential fraud; and companies that wish to make pre-approved offers of credit or insurance to you. To opt out of such pre-approved offers, visit [www.optoutprescreen.com](http://www.optoutprescreen.com) <sup>4</sup>The Identity Theft Insurance benefit is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company, under group or blanket policies issued to Equifax, Inc., or its respective affiliates for the benefit of its Members. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

## 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.identitytheft.gov](http://www.identitytheft.gov)

### Fraud Alerts and Credit or Security Freezes:

**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.

Windsong Radiology Group, P.C.'s physical address and phone number: 55 Spindrift Drive, Williamsville, NY 14221; 716-631-2500.

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

**Maryland:** 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)

**New York:** 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:** 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:** 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)

**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 NW, 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.