

October 15, 2015

John Q. Public
123 Wherever Street
Brooklyn, N.Y. 11201

Re: Notification Regarding Your Personal Health Information

Dear Patient,

The New York City Health and Hospitals Corporation (HHC), which operates the Woodhull Medical and Mental Health Center (“Woodhull”), values the importance of protecting the confidentiality of our patients’ medical records. Therefore, we regret to inform you of an incident that resulted in the possible unauthorized disclosure of protected health information (PHI), including your medical record number, test results and narrative physician summary. Although we have no evidence that your PHI was inappropriately used, we are, pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA)¹, informing you of this incident and advising you of the efforts we are taking in response.

DESCRIPTION OF INCIDENT:

The incident in question occurred between the night of August 18, 2015 and the afternoon of August 19, 2015 when a Woodhull physician discovered that a computer laptop that was physically secured by a lock to an electromyograph (“EMG”) machine was missing from a patient examination room. The theft of this laptop was reported to the New York City Police Department and the matter is currently under investigation. In addition to the physical security that was in place at the time of the incident, the laptop was also secured by the use of a password that restricted computer access to PHI on the laptop that included, with others, your PHI.

It is likely that the purpose of the theft was to steal the laptop and not your health information and there is no evidence that the health information contained on the laptop, whether pertaining to you or other patients, has been misused in any manner. Nonetheless, in an abundance of caution, we are notifying you of this incident and advising you of the actions that we have taken in response to this incident.

¹ HIPAA Privacy Rule, 45 CFR § 164.401 *et seq.* "HIPAA" stands for the Health Insurance Portability and Accountability Act of 1996, which was amended by the American Recovery and Reinvestment Act of 2009. The primary goal of HIPAA is to make it easier for people to keep health insurance, protect the confidentiality and security of healthcare information and help the healthcare industry control administrative costs.

WHAT WE HAVE DONE IN RESPONSE TO THE BREACH:

Woodhull has promptly taken a number of steps in response to this incident. First, Woodhull immediately notified law enforcement of the incident and an active investigation is ongoing into the theft. Second, Woodhull is undertaking a review of the physical security precautions currently in place to identify those areas in which security measures require supplementation. Third, Woodhull is reviewing additional security precautions that can be implemented for its biomedical devices – like the EMG machine laptop - and going forward will be encrypting new computer equipment. Fourth, Woodhull is reviewing its security-awareness training so as to emphasize to workforce members the importance of security awareness. Lastly, to help relieve concerns and restore confidence following this incident, we have secured the services of Kroll to provide identity theft protection at no cost to you for one year. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data.

Your identity theft protection services include Identity Theft Consultation and Restoration. Additional information describing these services is included with this letter.

Visit kroll.idMonitoringService.com and follow the online instructions to take advantage of your Identity Theft Protection Services.

Membership Number: #####

Should you have any questions, please call 1-866-779-0488 8 a.m. to 5 p.m. (Central Time), Monday through Friday. Kroll's licensed investigators are standing by to answer your questions or help you with concerns you may have. Please have your membership number ready.

WHAT YOU CAN DO:

In addition to what we are doing, you may wish to review your medical record to determine its accuracy and completeness. Depending on the findings of your review, you may file a request to amend your record to correct any information that you believe does not appropriately apply to, or belong in, your medical record.

To review, copy or make changes to your medical record, please contact the Woodhull Privacy Officer, Sherri Turner, or the HHC Deputy Corporate Compliance Officer/ Corporate Privacy and Security Officer, William Gurin, at the phone numbers provided below.

OUR APOLOGY

We at Woodhull take our role of safeguarding your personal information and using it in an appropriate manner very seriously. Woodhull apologizes for the concern this incident may have caused and assures you that we are doing everything we can to prevent an incident of this nature from reoccurring.

For any questions you may have concerning this incident you may contact Sherri Turner, the Woodhull Privacy Officer, at 718-963-8253, or William Gurin, Corporate Privacy and Security Officer, toll free, at 888-91-HIPAA (888-914-4722) or by email at CPO@nychhc.org.

Sincerely,



George M. Proctor
Senior Vice President/Executive Director
Woodhull Medical Center