Woodhull North Brooklyn Health Network
Kings County Hospital Center Est. 1831
HHC New York City Health and Hospitals Corporation nyc.gov/hhc
NYU Langone Medical Center
Dr. Susan Smith McKinney Nursing & Rehabilitation Center
Processing Center · P.O. Box 3825 · Suwanee, GA 30024

John Q. Sample
823 Congress Ave.
Ste. 300
Austin, TX 78701

October 9, 2014

Re: Notification Regarding Your Personal Health Information

Dear John Q. Sample,

The New York City Health and Hospitals Corporation ("HHC"), which operates the North and Central Brooklyn Health Network's East New York Diagnostic and Treatment Center ("East NY"), values the importance of protecting the confidentiality of our patients' medical records. Therefore, we regret to inform you of an incident that may have potentially resulted in the unauthorized disclosure of your protected health information ("PHI"), including your name, address, medical record number, treatment information, and social security number.

Although we have no actual evidence that your PHI was disclosed inappropriately to unauthorized viewers, we are required by the federal Health Insurance Portability and Accountability Act ("HIPAA") to inform you of this incident in writing, as well as the actions we are taking and the actions you may take to protect yourself from potential harm that may result from this incident.

Description of Incident

In the course of performing an HHC privacy and information security audit, we learned, on August 11, 2014, that a number of unsecured storage boxes containing medical and dental records were inappropriately stored inside the employee parking garage at East NY. These boxes contained the medical and/or dental records from several closed HHC clinics, including: (1) the Howard Houses Child Health Center; (2) the Brevoort Houses Child Health Clinic; (3) the Fifth Avenue Child Health Clinic and (4) dental records from the closed dental clinic at the Brownsville Child Health Clinic. These medical and dental records pertained to patients who, like you, had previously been treated at these now-closed clinics.

While there is no indication that these records, including yours, were ever accessed or improperly viewed, their storage in this location was certainly improper and created the risk for a potential misuse of personal information. Therefore, in an abundance of caution, we are notifying you of this incident**.**

What We Have Done In Response to the Breach

East NY has promptly taken a number of steps in response to this incident. First, upon discovery of the incident, arrangements were immediately made to secure the boxes, and on August 15, 2014, all boxes were moved to a remote and secure location.

Second, we have arranged for the availability of the services of a third-party vendor, AllClear ID, Inc., to provide you with credit monitoring for a period of one year at no cost to you. The services offered are as follows:

- AllClear SECURE: You are automatically eligible to use this service – there is no action required on your part. If a problem arises, simply call 1-866-979-2599 and a dedicated investigator will do the work to recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

- AllClear PRO: This service offers additional layers of protection including credit monitoring and a $1 million identity theft insurance policy. For a child under 18 years old, AllClear ID ChildScan identifies acts of credit, criminal, medical or employment fraud against children by searching thousands of public databases for use of your child's information. To use the PRO service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com or by phone by calling 1-866-979-2599 using the following redemption code: 999999999.

Please note: Additional steps may be required by you in order to activate your phone alerts.

Lastly, East NY is also in the process of examining its internal privacy practices and will implement, where appropriate, policies and procedures to prevent an incident of this nature from reoccurring in the future.

What You Can Do

In addition to contacting AllClear ID to arrange for free credit monitoring services, below are further steps you may wish to take to protect yourself from potential harm arising from this incident:

1) ***Order a free credit report***. Under the federal Fair Credit Reporting Act, you are entitled to receive a free copy of your credit report from each of the three national consumer reporting companies (Equifax, Experian and TransUnion) once every twelve months. After you receive your credit report you should review it to see if it contains activity that you do not recognize, such as accounts that you have not opened, or debts that you did not incur. If you discover information in your credit report that you believe to be fraudulent, contact the credit reporting company to remove this information. You may obtain your free credit report online at www.annualcreditreport.com or by telephone at 1-877-322-8228.

Although you may request credit reports from all three credit reporting companies at the same time, another strategy would be to order from one company immediately and from the other two over a period of weeks or months to see if any unrecognized activity appears over time.

2) ***Place a credit alert on your consumer credit files***. Call the toll-free number of any one of the three major credit reporting companies listed below to place a free 90-day fraud alert on your credit report. This can help prevent an identity thief from opening accounts in your name. As soon as the credit reporting company confirms your fraud alert, the other two credit bureaus will automatically be notified to place alerts on your credit report.

- **Equifax**: 1-800-525-6285/ www.equifax.com/ P.O. Box 740241, Atlanta, GA 30374-0241

- **Experian**: 1-888-EXPERIAN (397-3742) / www.experian.com / P.O. Box 9532, Allen TX 75013.

- **TransUnion**: 1-800-680-7289 / www.transunion.com / Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA 92834-6790.

3) ***Monitor your account activities***. Read your financial account statements and health insurance statements of services promptly upon receiving them to confirm that they are accurate. Also, make sure that you are receiving your regular bills to ensure that your accounts have not been switched. Be concerned if you receive credit cards that you did not apply for, or you receive communications from creditors regarding goods or services you did not purchase.

4) ***Request access to your medical record and, if appropriate, file a request to amend your record***. You may wish to review your medical record to determine whether your information has been compromised. Depending on your review, you may file a request to amend your record to correct any information that you believe does not appropriately apply to your medical record. To review your medical record, please file a HIPAA Request to Access form (HHC 2426) with Health Information Management ("HIM") at East NY. After your review, if you want to make an amendment, file a HIPAA Request for Amendment form (HHC 2415) with HIM.

5) ***Additional measures you may take***. You will also find additional useful information about these and other measures you may take to protect yourself on the following websites:

- **Federal Trade Commission** –
  http://www.ftc.gov/bcp/edu/microsites/idtheft/consumers/compromised.html

- **Office of the New York State Attorney General** –
  http://www.ag.ny.gov/consumer-frauds-bureau/identity-theft

- **New York City Police Department --**
  http://www.nyc.gov/html/nypd/downloads/pdf/crime_prevention/Identity_Theft.pdf

We at HHC take our role of safeguarding your personal information and using it in an appropriate manner very seriously. As a result of this incident, additional facility audits are planned to ensure that medical records are properly secured and stored. Further, HHC has planned additional training for its staff. Please be advised that the person responsible for improperly storing the medical records at the East NY site no longer works for East NY or at any other HHC facility. HHC 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 Mari Millet, Senior Associate Director, at (718) 240-0499 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

George M. Proctor
Senior Vice President
North and Central Brooklyn Health Network