

CIPRIANI & WERNER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

DANIEL J. HAIER
dhaier@c-wlaw.com

450 Sentry Parkway, Suite 200
Blue Bell, Pennsylvania 19422

JOHN P. CLARK
jclark@c-wlaw.com

Telephone: (610) 567-0700
Fax: (610) 567-0712

September 19, 2023

Via online submission:

Office of the Maine Attorney General
6 State House Station
Augusta, ME 04333

RE: Notice of Data Security Incident

To Whom It May Concern:

We continue to serve as counsel for Mount Desert Island Hospital, Inc. (“MDIH”) located at 10 Wayman Lane, Bar Harbor ME 04609 and provide this notification of a recent data security incident. By providing this notice MDIH does not waive any rights or defenses under Maine law, including the data breach notification statute.

As we originally notified your office on July 17, 2023, MDIH experienced a network security incident on May 4, 2023. MDIH immediately began an investigation, which included working with third-party specialists. MDIH also notified law enforcement. The investigation determined an unauthorized party gained access to certain files on the MDIH network between April 28, 2023 and May 7, 2023. Therefore, MDIH initiated a thorough review of the impacted portions of its network to determine the type of information contained therein and to whom the information related.

The MDIH review is ongoing, but to date, has determined certain information related to current and former MDIH employees, dependents, and beneficiaries may have been impacted, including name in combination with one or more of the following: date of birth, driver’s license/state identification number, Social Security number, and financial account information.

The MDIH review to date has determined certain information related to MDIH patients may have been impacted, including name in combination with one or more of the following: address, date of birth, driver’s license/state identification number, Social Security number, financial account information, medical record number, Medicare or Medicaid identification number, mental or physical treatment/condition information, diagnosis code/information, date of service, admission/discharge date, prescription information, billing/claims information, personal representative or guardian name, and health insurance information.

MDIH began providing notice of this incident on its website on June 5, 2023. The website posting includes instructions for potentially impacted individuals to access complimentary credit monitoring and identity protection monitoring. MDIH first mailed notice to 22,104 residents of Maine on June 30, 2023. MDIH continued its review of potentially impacted data and mailed additional notifications to 907 residents of Maine on August 17, 2023, and 3033 additional residents of Maine on September 19, 2023.

All notices were sent via First Class U.S. Mail and included instructions for potentially impacted individuals to access complimentary credit monitoring and identity protection services. A template copy of the individual notification letters sent to potentially impacted individuals in Maine is attached hereto as *Exhibit A*.

In response to this incident, MDIH conducted a full forensic investigation with the assistance of third-party specialists, changed password strength, implemented new technical safeguards, implemented periodic technical and nontechnical evaluations, bolstered firewall and user access policies, disabled vendor accounts associated with the suspected attack vector, and revised its policies and procedures.

Thank you for your attention to this matter. Please contact me should you have any questions

Very truly yours,

CIPRIANI & WERNER, P.C.

By: 

Daniel Haier, Esq.

Exhibit A



P.O. Box 989728
West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>
<<Address1>>
<<Address2>>
<<City>>, <<State>> <<Zip>>

Enrollment Code: <<Enrollment Code>>

To Enroll, Scan the QR Code Below:



Or Visit:
<https://app.idx.us/account-creation/protect>

September 19, 2023

Dear <<First Name>> <<Last Name>>:

Mount Desert Island Hospital, Inc. (“MDIH”) writes to notify you of an incident that may affect the privacy of certain information provided to us. In an abundance of caution, we are providing you information about the incident, our response, and steps you can take to help protect your information.

On May 4, 2023, MDIH became aware of unusual activity on our computer network and immediately began an investigation with the assistance of third-party specialists. The investigation determined that certain portions of our network were accessed by an unauthorized party between April 28, 2023 and May 7, 2023. Therefore, we are conducting a thorough review of the information potentially impacted to determine the type of information and to whom it related.

Although our review is ongoing, on June 21, 2023, we determined that your information may be affected by this incident. The types of information may include your name and the following: address, date of birth, driver’s license/state identification number, Social Security number, financial account information, medical record number, Medicare or Medicaid identification number, mental or physical treatment/condition information, diagnosis code/information, date of service, admission/discharge date, prescription information, billing/claims information, personal representative or guardian name, and health insurance information.

In response to this incident, we worked with third-party specialists to investigate, re-secure our network, and implement additional security precautions. We also notified law enforcement and we are reviewing our policies and procedures related to data protection. Additionally, in an abundance of caution, we are offering you access to <<Variable Text #1: Credit Monitoring Length (12/24)>> months of complimentary credit monitoring and identity protection services.

We encourage you to enroll in the complimentary credit monitoring and identity protection services we are making available to you. Information about how to enroll in these services along with additional resources available to you are included in the attached *Steps You Can Take to Help Protect Your Information*.

We sincerely regret any concern this incident may cause you. If you have questions, you may call our dedicated assistance line at 1-888-220-4877, go to <https://app.idx.us/account-creation/protect>, or scan the QR image and use the Enrollment Code provided above. IDX representatives are available Monday through Friday from 9 a.m. to 9 p.m. Eastern, excluding major U.S. holidays. Please note the deadline to enroll is December 30, 2023. You may also write to us at 10 Wayman Ln, Bar Harbor, ME 04609.

Sincerely,

Christina J. Maguire
President and Chief Executive Office, Mount Desert Island Hospital, Inc.

STEPS YOU CAN TAKE TO HELP PROTECT YOUR INFORMATION

Enroll in IDX Identity Monitoring Services

- 1. Website and Enrollment.** Scan the QR image or go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.
- 2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.
- 3. Telephone.** Contact IDX at 1-888-220-4877 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

Monitor Your Accounts

We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your credit reports/account statements and explanation of benefits forms for suspicious activity and to detect errors. Under U.S. law, you are entitled to one free credit report annually from each of the three major credit reporting bureaus, TransUnion, Experian, and Equifax. To order your free credit report, visit www.annualcreditreport.com or call 1-877-322-8228. Once you receive your credit report, review it for discrepancies and identify any accounts you did not open or inquiries from creditors that you did not authorize. If you have questions or notice incorrect information, contact the credit reporting bureau.

You have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a one-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert, 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 lasting seven years. Should you wish to place a fraud alert, please contact any of the three credit reporting bureaus listed below.

As an alternative to a fraud alert, you 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 your 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 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 credit freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., III, etc.);
2. Social Security number;
3. Date of birth;
4. Address for the prior two to five years;
5. Proof of current address, such as a current utility or telephone bill;
6. A legible photocopy of a government-issued identification card (e.g., state driver’s license or identification card); 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:

| | | |
|---|---|--|
| TransUnion 1-800-680-7289 www.transunion.com | Experian 1-888-397-3742 www.experian.com | Equifax 1-888-298-0045 www.equifax.com |
| TransUnion Fraud Alert P.O. Box 2000 Chester, PA 19016-2000 | Experian Fraud Alert P.O. Box 9554 Allen, TX 75013 | Equifax Fraud Alert P.O. Box 105069 Atlanta, GA 30348-5069 |

| | | |
|--|---|---|
| TransUnion Credit Freeze P.O. Box 160 Woodlyn, PA 19094 | Experian Credit Freeze P.O. Box 9554 Allen, TX 75013 | Equifax Credit Freeze P.O. Box 105788 Atlanta, GA 30348-5788 |
|--|---|---|

Additional Information

You can further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the credit reporting bureaus, the Federal Trade Commission (FTC), or your state Attorney General. The FTC also encourages those who discover that their information has been misused to file a complaint with them. The FTC may be reached at 600 Pennsylvania Ave. NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261.

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, your state Attorney General, and the FTC. This notice has not been delayed by law enforcement.

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. Mount Desert Island Hospital, Inc. may be contacted at 10 Wayman Ln, Bar Harbor, ME 04609.

For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act: (i) the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information; (ii) the consumer reporting agencies may not report outdated negative information; (iii) access to your file is limited; (iv) you must give consent for credit reports to be provided to employers; (v) you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; (vi) and you may seek damages from violators. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active-duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting https://files.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, FTC, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

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>.

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 Rhode Island residents, the Rhode Island Attorney General may be contacted at 150 South Main Street, Providence, RI 02903; 1-401-274-4400; and www.riag.ri.gov. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 22 Rhode Island residents impacted by this incident.

For Washington, D.C. residents, the District of Columbia Attorney General may be contacted at 441 4th Street NW #1100, Washington, D.C. 20001; 202-727-3400, and <https://oag.dc.gov/consumer-protection>. Mount Desert Island Hospital, Inc. may be contacted at 10 Wayman Ln, Bar Harbor, ME 04609.