March 20, 2024

Joseph Fusz
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Via Online Portal
Attorney General Aaron Frey
Office of the Attorney General
6 State House Station
Augusta, ME 04333

Re:	**Our Client**	**:**	**Mercy Home for Children**
	Matter	**:**	**Data Security Incident on February 21, 2023**
	Wilson Elser File #	**:**	**15991.01418**

Dear Attorney General Frey:

We represent Mercy Home for Children ("MHC") located in Brooklyn, New York with respect to a potential data security incident described in more detail below. MHC takes the security and privacy of the information in its control seriously and has taken steps to prevent a similar incident from occurring in the future.

This letter will serve to inform you of the nature of the security breach, the number of Maine residents that were potentially affected, what information has been compromised, and the steps that MHC is taking to secure the integrity of its systems. We have also enclosed hereto samples of the notifications made to the potentially impacted individuals, which includes an offer of free credit monitoring.

1. Nature of the Security Incident

On February 21, 2023, MHC detected unusual activity on our network. Upon discovery of this incident, MHC immediately disconnected all access to the network and promptly launched an internal investigation with its IT provider to assist with securing the environment, as well as, to conduct a preliminary investigation to determine the nature and scope of the incident. In order to prevent further movement by the unauthorized user, the IT provider conducted a full wipe of MHC's system environment and restored from a viable backup. On March 27, 2023, MHC's IT provider concluded that an unauthorized user gained access to MHC's network environment. However, since the IT vendor restored MHC's systems prior to forensic collection, MHC could not conduct a specialized, third-party forensic investigation. Promptly, MHC began reviewing the potentially impacted systems to determine the specific individuals that may have had their sensitive personal information compromised. Due to the complex nature of the data involved, MHC proceeded with substitute notice which has been available on our website since June, 2023.

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MHC was alerted by a federal regulator that some additional MHC files had been accessed by an unauthorized actor in connection with the same incident. Based on this new information, MHC reviewed these identified files to determine the specific individuals and the types of information that were obtained.

As of this writing, MHC has not received any reports of related identity theft since the date of the incident (February 21, 2023, to present).

2. Number of Maine Resident(s) Notified.

A total of one resident of Maine were potentially affected by this security incident. This individuals is current or former patient of MHC. A notification letter to this individual will be mailed on March 20, 2024, by first class mail. A sample copy of the notification letter is included with this letter.

3. Steps Taken

Data privacy and security is among MHC' highest priorities, and we are committed to doing everything we can to protect the privacy and security of the personal information in our care. Upon discovery of the Incident, MHC moved quickly to investigate, respond, and confirm the security of our systems. to the Incident and assessed the security of its systems. Specifically, MHC disconnected all access to our network, restored operations in a safe and secure mode, strengthened password requirements, is in the process of implementing multi-factor authentication, enhanced cyber-monitoring security measures, transitioned to a new IT vendor, and took steps and will continue to take steps to mitigate the risk of future harm. MHC takes the protection and proper use of personal information very seriously.

MHC extended to all potentially impacted individuals an offer for free credit monitoring and identity theft protection through Cyberscout. This service will include 12 months of credit monitoring, along with a fully managed identity theft recovery service, should the need arise. Additionally, MHC provided guidance on how to better protect against identity theft and fraud, including providing information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and the contact details for the Federal Trade Commission.

4. Contact Information

MHC remains dedicated to protecting the sensitive information in its control. If you have any questions or need additional information, please do not hesitate to contact me at Joseph.Fusz@WilsonElser.com or 312.821.6141.

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Very truly yours,

Wilson Elser Moskowitz Edelman & Dicker LLP

Joseph M Fusz

Copy: Shaun G. Goodfriend, Esq. (Wilson Elser, LLP
Enclosures: *Sample Notification Letter*

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Mercy Home for Children
c/o Cyberscout
1 Keystone Ave., Unit 700
Cherry Hill, NJ 08003
DB08466

[redacted]

March 20, 2024

Re: Notice of Data Security Incident

Dear [redacted],

Mercy Home for Children ("MHC") is writing to inform you of a recent data security incident that may have resulted in an unauthorized access to your sensitive personal information. This letter serves to provide you with details about the incident, steps we are taking in response, and resources available to help you protect against the potential misuse of your information.

What Happened?

On February 21, 2023 MHC detected unusual activity on our network. Upon discovery of this incident, MHC immediately disconnected all access to the network and promptly launched an internal investigation with its IT provider to assist with securing the environment, as well as, to conduct a preliminary investigation to determine the nature and scope of the incident. In order to prevent further movement by the unauthorized user, the IT provider conducted a full wipe of MHC's system environment and restored from a viable backup. On March 27, 2023, MHC's IT provider concluded that an unauthorized user gained access to MHC's network environment. However, since the IT vendor restored MHC's systems prior to forensic collection, MHC could not conduct a specialized, third party forensic investigation. Promptly, MHC began reviewing the potentially impacted systems to determine the specific individuals that may have had their sensitive personal information compromised. Due to the complex nature of the data involved, MHC proceeded with substitute notice which has been available on our website since June, 2023.

MHC was alerted by a federal regulator that some additional MHC files had been accessed by an unauthorized actor in connection with the same incident. Based on this new information, MHC reviewed these identified files to determine the specific individuals and the types of information that were obtained.

What Information Was Involved?

Based on the investigation, the following information related to you may have been subject to unauthorized access: Name; Date of Birth; medical information; and Social Security number.

What We Are Doing

Data privacy and security is among MHC's highest priorities, and we are committed to doing everything we can to protect the privacy and security of the personal information in our care. Since the discovery of the incident, MHC moved quickly to investigate, respond, and confirm the security of our systems. Specifically, MHC disconnected all access to our network, restored operations in a safe and secure mode, strengthened password requirements, is in the process of implementing multi-factor

authentication, enhanced cyber-monitoring security measures, transitioned to a new IT vendor, and took steps and will continue to take steps to mitigate the risk of future harm.

In response to the incident, we are providing you with access to **Single Bureau Credit Monitoring/Single Bureau Credit Report/Single Bureau Credit Score** services at no charge. These services provide you with alerts for twelve (12) months from the date of enrollment when changes occur to your credit file. This notification is sent to you the same day that the change or update takes place with the bureau. Finally, we are providing you with proactive fraud assistance to help with any questions that you might have or in event that you become a victim of fraud. These services will be provided by Cyberscout through Identity Force, a TransUnion company specializing in fraud assistance and remediation services.

What You Can Do

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious or unauthorized activity. Additionally, security experts suggest that you contact your financial institution and all major credit bureaus to inform them of such a breach and then take whatever steps are recommended to protect your interests, including the possible placement of a fraud alert on your credit file. Please review the enclosed *Steps You Can Take to Help Protect Your Information*, to learn more about how to protect against the possibility of information misuse.

To enroll in Credit Monitoring services at no charge, please log on to **https://secure.identityforce.com/benefit/mercyhome** and follow the instructions provided. When prompted please provide the following unique code to receive services: [redacted].

In order for you to receive the monitoring services described above, you must enroll within 90 days from the date of this letter. The enrollment requires an internet connection and e-mail account and may not be available to minors under the age of 18 years of age. Please note that when signing up for monitoring services, you may be asked to verify personal information for your own protection to confirm your identity.

We encourage you to take full advantage of the services offered.

For More Information

If you have any questions or concerns not addressed in this letter, please call 1-800-405-6108 (toll free) Monday through Friday, during the hours of 8:00 a.m. and 8:00 p.m. Eastern Standard Time (excluding U.S. national holidays).

MHC sincerely regrets any concern or inconvenience this matter may cause, and remains dedicated to ensuring the privacy and security of all information in our control.

Sincerely,

Janice M. Aris, MSW, MS
Executive Director
Mercy Home for Children, Inc

Steps You Can Take to Help Protect Your Information

Credit Reports: You may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the three nationwide credit reporting agencies. To order your free credit report, please visit www.annualcreditreport.com, or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at https://www.consumer.ftc.gov/articles/0155-free-credit-reports) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

Fraud Alerts: You can place fraud alerts with the three credit bureaus by phone or online. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. As of September 21, 2018, initial fraud alerts last for one year. Victims of identity theft can also get an extended fraud alert for seven years.

Experian	**TransUnion**	**Equifax**
P.O. Box 9554	P.O. Box 2000	P.O. Box 105069
Allen, TX 75013	Chester, PA 19016	Atlanta, GA 30348
1-888-397-3742	1-800-680-7289	1-800-525-6285
www.experian.com/fraud/center.html	www.transunion.com/fraud-alerts	https://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/

Monitoring: You should always remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and by monitoring your credit report for suspicious or unusual activity.

Security Freeze: You have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans, and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse or a minor under the age of 16, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. As of September 21, 2018, it is free to place, lift, or remove a security freeze. You may also place a security freeze for children under the age of 16. You may obtain a free security freeze by contacting any one or more of the following national consumer reporting agencies:

Experian	**TransUnion**	**Equifax**
P.O. Box 9554	P.O. Box 160	P.O. Box 105788
Allen, TX 75013	Woodlyn, PA 19094	Atlanta, GA 30348-5788
1-888-397-3742	1-888-909-8872	1-888-298-0045
www.experian.com/freeze/center.html	www.transunion.com/credit-freeze	https://www.equifax.com/personal/credit-report-services/credit-freeze/

File Police Report: You have the right to file or obtain a police report if you experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide proof that you have been a victim. A police report is often required to dispute fraudulent items. You can generally report suspected incidents of identity theft to local law enforcement or to the Attorney General.

FTC and Attorneys General: You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, 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), 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. You can obtain further information on how to file such a complaint by way of the contact information listed above. Instances of known or suspected identity theft should also be reported to law enforcement.

For residents of *Iowa*: State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

For residents of *Massachusetts*: It is required by state law that you are informed of your right to obtain a police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

For residents of *New Mexico*: State law advises you to review personal account statements and credit reports, as applicable, to detect errors resulting from the security breach. 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, the 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 credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; 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 at www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For residents of *Oregon*: State law advises you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

For residents of *Rhode Island*: It is required by state law that you are informed of your right to file or obtain a police report in regard to this incident.

For residents of *Arizona, Colorado, District of Columbia, Illinois, Maryland, New York, North Carolina,* and *Rhode Island:* You can obtain information from the Offices of the Attorney General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

Federal Trade Commission - Consumer Response Center: 600 Pennsylvania Ave, NW, Washington, DC 20580; 1-877-IDTHEFT (438-4338); www.identitytheft.gov

Arizona Office of the Attorney General Consumer Protection & Advocacy Section, 2005 North Central Avenue, Phoenix, AZ 85004 1-602-542-5025

Colorado Office of the Attorney General Consumer Protection 1300 Broadway, 9th Floor, Denver, CO 80203 1-720-508-6000 www.coag.gov

District of Columbia Office of the Attorney General – Office of Consumer Protection: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; www.oag.dc.gov

Illinois office of the Attorney General - 100 West Randolph Street**,** Chicago, IL 60601**;** 1-866-999-5630**;** www.illinoisattorneygeneral.gov

Maryland Office of the Attorney General - Consumer Protection Division**:** 200 St. Paul Place**,** 16th floor, Baltimore, MD 21202; 1-888-743-0023; www.oag.state.md.us

New York Office of Attorney General - Consumer Frauds & Protection: The Capitol, Albany, NY 12224; 1-800-771-7755; https://ag.ny.gov/consumer-frauds/identity-theft

North Carolina Office of the Attorney General - Consumer Protection Division**:** 9001 Mail Service Center, Raleigh, NC 27699**;** 1-877-566-7226; www.ncdoj.com

Rhode Island Office of the Attorney General - Consumer Protection: 150 South Main St., Providence RI 02903**;** 1-401-274-4400**;** www.riag.ri.gov