



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

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March 24, 2023

VIA E-MAIL

Office of the Attorney General
Attn: Security Breach Notification
200 St. Paul Place
Baltimore, MD 21202
E-mail: idtheft@oag.state.md.us

Re: Notice of Data Event

To Whom It May Concern:

We represent American Pain & Wellness (“APW”) located at 3308 Preston Rd., #350-105 Plano, TX 75093, and write to notify your office of an incident that may affect the security of certain personal information relating to one (1) Maryland resident. This notice will be supplemented should any new significant facts be learned subsequent to its submission. By providing this notice, APW does not waive any rights or defenses regarding the applicability of Maryland law, the applicability of the Maryland data event notification statute, or personal jurisdiction.

Nature of the Data Event

On or about November 27, 2022, APW became aware of suspicious activity relating to certain systems and servers on their network. Upon further review, it was discovered that all files on APW’s network, including all backups, were encrypted with malicious ransomware. Upon discovery of the event, APW launched a forensic investigation to determine the nature and scope of the event and encryption. The investigation determined that the unauthorized actor may have accessed or acquired certain information contained in impacted APW systems between November 10, 2022 and November 27, 2022. On or about January 24, 2023, the investigation determined that certain APW employee and patient information may be impacted as a result of the event. The information that could have been subject to unauthorized access includes name, medical history information, mental and physical treatment information, diagnosis information, treating physician, medical record number, health insurance information, health insurance policy number, subscriber number, and health insurance group/plan number.

Notice to Maryland Resident

On or about March 24, 2023, APW provided written notice of this incident to one (1) Maryland resident. Written notice is being provided in substantially the same form as the letter attached here as ***Exhibit A***.

Other Steps Taken and To Be Taken

Upon discovering the event, APW moved quickly to investigate and respond to the incident, assess the security of APW systems, and identify potentially affected individuals. Further, APW notified federal law enforcement regarding the event. APW is also working to implement additional safeguards and training to its employees.

Additionally, APW is providing impacted individuals with guidance on how to better protect against identity theft and fraud. APW is providing individuals with 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 encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

APW is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion. APW is also notifying the U.S. Department of Health and Human Services event.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4888.

Very truly yours,

Richard Aponte-Boyd of
MULLEN COUGHLIN LLC

RAB/kld
Enclosure

EXHIBIT A



Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Mail ID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

NOTICE OF SECURITY INCIDENT

Dear <<Name 1>>:

American Pain and Wellness, PLLC (“APW”) writes to inform you of a recent event that may impact the confidentiality of information related to you. We are providing information about the event, our response, and steps potentially affected individuals may take to help protect against the possibility of identity theft and fraud, should you feel it is appropriate to do so.

What Happened? On November 27, 2022, APW became aware of suspicious behavior in its environment. Upon discovery, APW launched an investigation into the nature and scope of the incident with the assistance of third-party specialists. APW’s investigation discovered that files on their network were subject to unauthorized access by an unknown individual between November 10, 2022 and November 27, 2022. As a result, APW engaged in a time and labor-intensive review of all files subject to unauthorized access to determine whose information was contained within for purposes of providing notice.

What Information Was Involved? APW’s review determined that your name, address, <<Data Elements>> were present in the impacted files. APW has not received any reports of actual or attempted misuse of your information.

What We Are Doing. We take this incident and the security of patient information within our care very seriously. In addition to the steps described above, we are working to review our existing policies and procedures, to provide additional training to employees, and implementing additional safeguards to further secure information in our systems.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements, monitoring your free credit reports and Explanation of Benefits for suspicious activity, and to detect errors. You can find out more about how to protect against potential identity theft and fraud in the enclosed *Steps You Can Take to Protect Personal Information*.

For More Information. We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call our dedicated assistance line at 888-598-4632 from 9 am – 9 pm ET, Monday through Friday, excluding major U.S. holidays.

Sincerely,

American Pain & Wellness, PLLC

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, 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, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers 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 the consumer’s 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 to take control over who gets access to the personal and financial information in your credit report 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 security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, etc.); 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 credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and 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. 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 and your state Attorney General. 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; 1-410-528-8662 or 1-888-743-0023; and www.oag.state.md.us.

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, the consumer reporting bureaus 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 by visiting 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 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.