



WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor

HELENE GRADY
Secretary

MARC L. NICOLE
Deputy Secretary

Sent via email: ldtheft@oag.state.md.us

May 19, 2023

Office of the Attorney General
Attn: Security Breach Notification

RE: Health Insurance Portability and Accountability Act (HIPAA) Incident

Dear Sir or Madam:

I am writing to inform you of a HIPAA incident involving Occupational Medical Services (OMS), a subcontractor of Pivot Occupational Health, a State vendor. Following the discovery of the incident, the Department of Budget and Management immediately brought in its Acting Division Director and Assistant Attorney General (AAG), Clifton Gray, to review the incident and offer guidance on next steps.

Pivot Occupational Health entered into a contract with the State of Maryland on 2/3/2017 to provide services for the State Medical Director and Occupational Medical Services contract. The Pivot Occupational Health contract includes a HIPAA Business Associate Agreement, and the contract expired on 3/31/2022. Although the contract expired on 3/31/2022, both Pivot Occupational Health and Occupational Medical Services are required to retain and maintain all records and documents relating to the contract for a period of five (5) years after final payment on the contract.

On 3/11/2023, the Department of Budget and Management (DBM), Office of Personnel Services and Benefits (OPSB), Contract Management Division (CMD) discovered that a Protected Health Information (PHI) incident occurred with OMS on 3/10/2023 when medical records were left unsecured outside overnight at the OMS Arbutus facility located at 4807 Benson Ave, Baltimore, MD 21227. CMD contacted OMS on 3/11/2023 and instructed OMS to immediately secure the unprotected medical records. It was identified on 3/11/2023 that there were six (6) boxes of State of Maryland applicants and employees that received services under State Medical Director contract at the OMS Belcamp facility located at 1200 Brass Mill Rd C, Belcamp, MD 21017 involved in the incident. The State recovered the six (6) identified boxes from the Arbutus facility on 3/21/2023.

It was later determined that the incident impacts approximately 509 State of Maryland applicants and employees who received services under the State Medical Director contract. The information in the

medical records contained first and last name, date of birth, mailing address, agency, social security number, last four of social security number, medical codes, driver's license, work badge, facility location, and chart type (i.e.: examination, labs, drug test).

On 3/26/2023, CMD provided Pivot Occupational Health with a reminder of their responsibilities as a Business Associate and prepared notification letters to send to the 509 impacted State of Maryland members.

On 4/7/2023 DBM mailed out notification letters to the 509 impacted State of Maryland members. The notifications included description of the information compromised, contact information for the business; three (3) easy ways to obtain a free credit report from Equifax, Experian, and TransUnion; toll-free numbers, addresses, and websites for the Federal Trade Commission (FTC) and the Maryland Office of the Attorney General (OAG); and a statement that the individual can obtain information from these sources about steps to avoid identity theft (see attached).

On 5/2/2023, DBM notified the US Department of Health and Human Services of this incident.

The Department of Budget and Management takes the security and confidentiality of Protected Health Information and Personally Identifiable Information very seriously. We will continue to work to reinforce existing policies and communication of those policies to our contractors to help prevent future HIPAA incidents.

Sincerely,

Sherreon Washington

Sherreon Washington, Director of Contract Management Division, OPSB, DBM

cc. Raquel Coombs, Chief of Staff, DBM
Cindy Kollner, Executive Director, OPSB, DBM
Marcy Hersl, Deputy Director, CMD, OPSB, DBM
Clifton Gray, AAG, DBM
Hisham Amin, AAG, DBM



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April XX, 2023

First and Last Name
Address
Address (Suite or Apt)
City, State Zip code

Dear First and Last Name:

The Department of Budget and Management (the Department) is informing you of a security incident where your Personally Identifiable Information (PII) and Protected Health Information (PHI) may have been compromised.

On March 11, 2023, the Department discovered that a security incident involving medical records occurred on March 10, 2023. The security incident involved Occupational Medical Services (OMS), a subcontractor for PTN WorkPro Holdings LLC, d/b/a WorkPro Occupational Health which provided services under the State Medical Director and Occupational Medical Services contract from April 2017 through March 2022. OMS left several boxes outside the Arbutus location on March 10, 2023, and they were not secured by the subcontractor until March 11, 2023.

On March 27, 2023, it was determined that 509 State of Maryland applicants and employees were impacted; and an additional 94 State of Maryland applicants and employees were potentially impacted. The medical records referenced are from the OMS location in Belcamp, Maryland. The information in the medical records contained first and last name, date of birth, mailing address, agency, social security number, last four of social security number, medical codes, driver's license, work badge, facility location, and chart type (i.e.: examination, labs, drug test).

We understand that the notification that you may be potentially impacted by an incident involving PII and PHI is a cause of concern and we want to provide you with more information on how to obtain a free credit report and how to avoid identity theft.

FREE Credit Report

Pursuant to the Federal Trade Commission (FTC) Consumer Advice, you have the right to get a free copy of your credit file disclosure, commonly called a credit report, once every 12 months, from each of the nationwide consumer credit reporting companies, Equifax, Experian and TransUnion. In addition, the FTC indicates that Annual Credit Report.com is the only way to order your free annual credit reports.

Below are three (3) easy ways to obtain your free credit report.

1. Online: Visit www.annualcreditreport.com, select "Request your credit reports" and follow the 3 steps (e.g.: Fill out a form; Pick the reports you want; Request and Review your reports). Repeat this step for each of the consumer credit reporting companies. You will have access to your report immediately.

2. Phone: Call (877) 322-8228. You will go through an identity verification process over the phone. Your request will be processed, and the report will be mailed to you within 15 days.
3. Mail: Download the [annual credit report request form](#) (requires an Adobe viewer). Print and complete the form and mail the completed form to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. Your request will be processed, and your report will be mailed to you within 15 days of receipt of your request.

Your free annual credit reports are available in Braille, large print or audio formats. It takes about three (3) weeks to get your credit reports in these formats.

If you are a person who is blind or print disabled, call 877-322-8228, give personal information to verify your identity, give additional information to certify that you're visually impaired according to the Americans with Disabilities Act, then pick the format you want.

If you are a person who is deaf or hard of hearing, call 7-1-1 to access your local TDD service, then refer the Relay Operator to AnnualCreditReport.com's TDD service at 1-800-821-7232.

Identity Theft Resources

For more information on how to avoid identity theft, contact the following for further assistance.

Federal Trade Commission, Headquarters https://www.ftc.gov	Maryland Office of the Attorney General https://www.marylandattorneygeneral.gov
Federal Trade Commission, Headquarters 600 Pennsylvania Avenue, NW, Washington, DC 20580 Telephone: (202) 326-2222 Toll Free: 1-877-FTC-HELP (1-877-382-4357) Report fraud, scams, and bad business practices at ReportFraud.ftc.gov. Report identity theft at IdentityTheft.gov. or by phone at 1-877-438-4338 (9:00 AM - 8:00 PM, EST)	Maryland Office of the Attorney General 200 St. Paul Place, Baltimore, MD 21202 Telephone: 410-576-6300 En Español: 410-230-1712 Toll Free: 1-888-743-0023 TTY: Dial 7-1-1 or 800-735-2258 Jeff Karberg Identity Theft Program Administrator Phone: 410-576-6574 Identity Theft Unit (410) 576-6491 idtheft@oag.state.md.us.

The Department is committed to meeting the requirements of the law to protect and keep sensitive data secure and takes PII and PHI seriously. If you have questions for the Department of Budget and Management, please call 410-767-4721.

Sincerely,

Cynthia Kollner
Executive Director
DBM Office of Personnel Services and Benefits