



ZENUS FRANKLIN
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July 27, 2023

VIA EMAIL
CONFIDENTIAL

Office of the Attorney General
Attn: Security Breach Notification
200 St. Paul Place
Baltimore, MD 21202

RE: The Vitality Group, LLC

To Whom It May Concern:

In accordance with Maryland Code Ann. Com. Law §14-3501, et. seq., I am providing the following notice of a security incident on behalf of our client, The Vitality Group, LLC (“Vitality”), which is writing on behalf of American Financial Group, Inc. Welfare Benefits Plan.

NAME AND CONTACT INFORMATION OF THE PERSON REPORTING THE BREACH;

<u>Name:</u>	Zenus Franklin
<u>Position:</u>	Outside Counsel for Vitality
<u>Company</u>	Taft Stettinius & Hollister, LLP
<u>E-mail:</u>	zfranklin@taftlaw.com
<u>Address:</u>	40 N. Main Street, #900 Dayton, Ohio 45423
<u>Telephone number:</u>	937.245.6864

NAME AND ADDRESS OF THE BUSINESS THAT EXPERIENCED THE BREACH, AND THE TYPE OF BUSINESS; OWNER OF THE PERSONAL INFORMATION;

The Vitality Group, LLC (Vitality), 120 S. Riverside Plaza, Suite 400, Chicago, IL, 60606 is a business-to-business vendor that provides employee benefit services, such as wellness services, to the Data Owner. Vitality experienced the security incident.

The Data Owner of the personal information subject to this security incident is American Financial Group, Inc. Welfare Benefits Plan. Vitality, is a third party vendor of the Data Owner.

A GENERAL DESCRIPTION OF THE BREACH, INCLUDING THE DATE(S) OF THE BREACH, WHEN AND HOW THE BREACH WAS DISCOVERED, AND ANY REMEDIAL STEPS TAKEN IN RESPONSE TO THE BREACH;

Vitality, and hundreds of global companies and state agencies use a third-party file transfer program called MOVEit to transfer electronic data necessary to conducting business. MOVEit experienced a security vulnerability on May 30, 2023.

The zero-day vulnerability became known in established security networks and channels late on May 31, 2023, and was specifically picked up and identified by internal security personnel on June 1, 2023 at approximately 11:30 am CST. Within minutes of becoming aware of the vulnerability, Vitality disconnected the MOVEit software server. This prevented all public access to the server and removed the known exploitable risk.

Vitality took immediate action and temporarily disabled access to MOVEit to protect Vitality's members' data privacy and began forensics investigations to evaluate any impact. Vitality's security team conducted a thorough forensic analysis to ensure that no other servers or systems inside of the broader Vitality network were impacted. Please note that the MOVEit server is isolated on Vitality's network, which prevents any lateral movement to other Vitality systems. Vitality applied all available patches provided by MOVEit which Vitality believes fixed the vulnerability as well as followed all recommendations published by MOVEit. As an extra precaution, Vitality implemented a password reset on every account that accesses the server, along with additional security measures. Vitality is continuing to monitor the situation carefully.

After reviewing the incident, Vitality identified a two-hour span in which the vulnerability allowed the unauthorized third party to access the server that utilizes the MOVEit software. Vitality confirmed during its investigation that the Data Owner's information may have been accessed by the unauthorized third party. Vitality notified the Data Owner of the security incident on or about June 5, 2023. Vitality then worked with the Data Owner to understand what personal information may have been at risk and to identify any affected individuals. Vitality has received no reports of identity theft, financial fraud or tax fraud in connection with the impact of the incident on the Data Owner or its respective participants.

THE NUMBER OF STATE RESIDENTS AFFECTED BY THE BREACH;

Vitality's investigation identified 2 individuals with an Maryland address that may have been impacted. In the event that Vitality determines any additional Maryland residents are impacted, Vitality shall update this notice accordingly.

A DETAILED LIST OF CATEGORIES OF PERSONAL INFORMATION SUBJECT OF THE BREACH;

Name, gender, date of birth, social security number, and non-sensitive health information. For purposes of clarity, the information potentially at risk did not include address, diagnoses, financial or account information.

THE DATE(S) THAT NOTIFICATION WAS/WILL BE SENT TO THE AFFECTED STATE RESIDENTS;

July 27, 2023.

A TEMPLATE COPY OF THE NOTIFICATION SENT TO THE AFFECTED STATE RESIDENTS;

Please see attached a substantially similar template copy of the notification sent to the residents. Notice is also being provided to the Secretary of the U.S. Department of Health and Human Services in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Breach Notification Rule and federal regulations issued thereunder.

WHETHER CREDIT MONITORING OR IDENTITY THEFT PROTECTION SERVICES HAS BEEN OR WILL BE OFFERED TO AFFECTED STATE RESIDENTS, AS WELL AS A DESCRIPTION AND LENGTH OF SUCH SERVICES; AND

Credit monitoring and identity theft prevention services have been offered via Experian for 24 months at no charge to affected individuals. The deadline for individuals to sign up for credit monitoring and identity theft prevention services is October 31, 2023. Affected individuals are being provided an activation code and instructions detailing how to sign up for these services.

WHETHER THE NOTIFICATION WAS DELAYED DUE TO A LAW ENFORCEMENT INVESTIGATION (IF APPLICABLE).

No



[INSERT] July 2023

[Original First Name] [Original Last Name]
[Original Address 1]
[Original Address 2]
[Original City], [Original State]
[Original Zip Code]

RE: IMPORTANT SECURITY NOTIFICATION. PLEASE READ THIS ENTIRE LETTER.

Dear [Original First Name] [Original Last Name]

We are contacting you regarding a data security incident that has occurred on May 30, 2023 at Vitality, which administers certain wellness programs offered to you by your employer-provided benefit plan. As a result, your personal information may have been potentially exposed to others. Please be assured that we have taken every step necessary to address the incident.

What happened

Vitality, and hundreds of global companies and state agencies use a third-party file transfer program called MOVEit to transfer data necessary to conduct business. MOVEit experienced a security vulnerability on May 30, 2023.

Vitality's internal security personnel identified this risk at approximately 11:30 a.m. Central Standard Time on June 1. Within minutes of becoming aware of the vulnerability, Vitality disconnected the MOVEit software server. This prevented all public access to the server and removed the known exploitable risk.

After reviewing the incident, Vitality identified a two-hour span in which the vulnerability allowed the unauthorized third party to access the server that utilizes the MOVEit software. Vitality took immediate action and temporarily disabled access to MOVEit to protect our members' data privacy and began forensic investigations to evaluate any impact.

What information was involved

The information at risk could have included your name, gender, date of birth, social security number and non-sensitive health information. For purposes of clarity, the information potentially at risk did not include home address, diagnosis, financial or account information.

What we are doing

Vitality is partnering with Experian to offer two years of credit monitoring to affected members with compromised PHI. Also, as access to MOVEit is re-opened, we have implemented additional layers of security to protect against further unauthorized access, such as allowing only trusted IP addresses to have access to your employer's Vitality/MOVEit account, implementing password resets, and applying available patches.

What you can do

While we have received no reports or indication of such activity, the risks related to unauthorized use of personal information may include identity theft, financial fraud, and tax fraud. Please be vigilant about monitoring your personally identifiable information, in particular your credit report information and financial accounts, to protect against fraudulent activity. Please also take care and attention when submitting tax returns to protect against possible fraudulent submissions made on your behalf.

To assist you in this effort, we have provided complimentary credit monitoring and identity theft prevention services through Experian. If you are concerned about identity theft, please sign up for the complimentary monitoring and protection services by following the instructions enclosed or provided below from Experian. The deadline to sign up for this complimentary monitoring and protection service is October 31, 2023.

Other important information

You can also place an identity theft/fraud alert, get credit freeze information for your state, or order a free credit if you are concerned about identity theft. Please visit vitalitygroup.com/IDProtection for details. Lastly, under federal law, you may request a free copy of your credit report once every 12 months from the three major consumer credit reporting companies (Equifax, Experian, and TransUnion). You can request a free credit report by visiting www.annualcreditreport.com or by calling (877) 322-8228.

For More Information

Again, we sincerely regret that this incident has occurred. If you have any questions, please contact us at 833-901-4630.

Contact: The Vitality Group, LLC
Email: Wellness@powerofvitality.com
Telephone: 1-877-224-7117 & 1-800-828-9572
Address: Vitality Group
120 S Riverside Plaza
Suite 400
Chicago, IL 60606

Sincerely,



Lauren Prorok
SVP, General Counsel
Vitality Group

YOUR 24 MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

To help protect your identity, we are offering a complimentary 24-month membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: October 31, 2023** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code: [Activation Code]**

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 833-901-4630 by October 31, 2023. Be prepared to provide engagement number B096642 as proof of eligibility for the Identity Restoration services by Experian.

Additional details regarding your 24-month Experian IdentityWorks Membership:

A credit card is **not** required for enrollment in Experian IdentityWorks. You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARETM:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance^{**}:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 833-901-4630. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for 24 months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

* Offline members will be eligible to call for additional reports quarterly after enrolling

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

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