

Dominic A. Paluzzi
Direct Dial: 248.220.1356
E-mail: dpaluzzi@mcdonaldhopkins.com

October 25, 2023

VIA EMAIL: Idtheft@oag.state.md.us

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

Re: Client – Fredericksburg Foot & Ankle Center

Dear Sir or Madam:

McDonald Hopkins PLC represents Fredericksburg Foot & Ankle Center (“FFAC”) of Fredericksburg, Virginia. I am writing to provide notification of an incident at FFAC that may affect the security of personal information of approximately eight (8) Maryland residents. By providing this notice, FFAC does not waive any rights or defenses regarding the applicability of Maryland law or personal jurisdiction. Notice is being provided under the Health Insurance Portability and Accountability Act Breach Notification Rule, 45 C.F.R. §§ 164.400-414 (“HIPAA” or “Final Rule”).

FFAC determined that as a result of a recent data security incident, an unauthorized party accessed FFAC’s computer systems. Upon detecting the unauthorized activity, FFAC commenced an immediate and thorough investigation. As part of its investigation, FFAC engaged leading cybersecurity experts to identify what personal information, if any, might have been present in files accessed by the unauthorized party.

After an extensive forensic investigation, FFAC discovered on September 5, 2023 that one or more of the files accessed by the unauthorized party on or about April 21, 2023 contained personal information pertaining to certain individuals, such as full names, addresses, dates of birth, Social Security numbers, driver's license/state identification numbers, clinical information, and health insurance information. Not all information was included for all individuals.

To date, FFAC is not aware of any reports of identity fraud or improper use of any information as a direct result of this incident. Nevertheless, out of an abundance of caution, FFAC wanted to inform you (and the affected residents) of the incident and to explain the steps that it is taking to help safeguard the affected residents against identity fraud. FFAC is providing the affected residents with written notification of this incident commencing on or about October 25, 2023 in substantially the same form as the letter attached hereto. FFAC is offering the affected residents whose Social Security numbers were impacted complimentary one-year memberships with a credit monitoring service. FFAC is advising the affected residents about the

October 25, 2023

Page 2

process for placing fraud alerts and/or security freezes on their credit files and obtaining free credit reports. The affected residents are also being provided with the contact information for the consumer reporting agencies and the Federal Trade Commission. The affected residents whose medical information was impacted are also being provided steps to take to safeguard themselves against medical identity theft.

At FFAC, protecting the privacy of personal information is a top priority. FFAC is committed to maintaining the privacy of personal information in its possession and has taken many precautions to safeguard it. FFAC continually evaluates and modifies its practices and internal controls to enhance the security and privacy of personal information.

Should you have any questions regarding this notification, please contact me at (248) 220-1356 or dpaluzzi@mcdonalddhopkins.com. Thank you for your cooperation.

Sincerely,



Dominic A. Paluzzi

Encl.

October 25, 2023

***IMPORTANT INFORMATION
PLEASE REVIEW CAREFULLY***

Dear [REDACTED]:

We are writing to inform you of a data security incident at Fredericksburg Foot & Ankle Center involving some of your information. We wanted to provide you with information about the incident, explain the services we are making available to you, and let you know that we continue to take significant measures to protect your information.

What Happened?

As a result of a recent data security incident, an unauthorized party accessed our computer systems.

What We Are Doing.

Upon detecting the unauthorized activity, we immediately contained the incident and commenced an immediate and thorough investigation. As part of our investigation, we engaged leading cybersecurity experts to identify what personal information, if any, was involved.

What Information Was Involved?

After an extensive forensic investigation and manual document review, we discovered on or about September 5, 2023 that one or more of the files accessed by the unauthorized party on or about April 21, 2023 potentially contained your [REDACTED]

What You Can Do.

We have no evidence that any personal information has been or will be misused as a direct result of this incident. Out of an abundance of caution and to protect you from potential misuse of your information, 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

[REDACTED]

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.

This letter also provides other precautionary measures you can take to protect your personal information, including placing a Fraud Alert and Security Freeze on your credit files, and obtaining a free credit report. Additionally, you should always remain vigilant in reviewing your financial account statements and credit reports for fraudulent or irregular activity on a regular basis. To the extent that it is helpful, we are also suggesting steps you can take to protect your medical information on the following pages.

For More Information.

Please accept our apologies that this incident occurred. We are committed to maintaining the privacy of personal information in our possession and have taken many precautions to safeguard it. We continually evaluate and modify our practices and internal controls to enhance the security and privacy of your personal information.

If you have any further questions regarding this incident, please call our dedicated and confidential toll-free response line that we have set up to respond to questions at [REDACTED]. This response line is staffed with professionals familiar with this incident and knowledgeable on what you can do to protect against misuse of your information. The response line is available Monday through Friday, excluding holidays from 8:00am to 8:00pm Eastern Time.

Sincerely,

Fredericksburg Foot & Ankle Center

– OTHER IMPORTANT INFORMATION –

1. Enrolling in Complimentary twelve (12) months Credit Monitoring

To enroll in Credit Monitoring services at no charge, please log on to [REDACTED] 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.

2. Placing a Fraud Alert.

Whether or not you choose to use the complimentary twelve (12) month credit monitoring services, we recommend that you place an initial one-year “Fraud Alert” on your credit files, at no charge. A fraud alert tells creditors to contact you personally before they open any new accounts. To place a fraud alert, call any one of the three major credit bureaus at the numbers listed below. As soon as one credit bureau confirms your fraud alert, they will notify the others.

Equifax

P.O. Box 105069
Atlanta, GA 30348-5069
<https://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/>
(800) 525-6285

Experian

P.O. Box 9554
Allen, TX 75013
<https://www.experian.com/fraud/center.html>
(888) 397-3742

TransUnion

Fraud Victim Assistance Department
P.O. Box 2000
Chester, PA 19016-2000
<https://www.transunion.com/fraud-alerts>
(800) 680-7289

3. Consider Placing a Security Freeze on Your Credit File.

If you are very concerned about becoming a victim of fraud or identity theft, you may request a “Security Freeze” be placed on your credit file at no cost. A security freeze prohibits, with certain specific exceptions, the consumer reporting agencies from releasing your credit report or any information from it without your express authorization. You may place a security freeze on your credit report by sending a request in writing, by mail, to all three nationwide credit reporting companies. To find out more on how to place a security freeze, you can use the following contact information:

Equifax Security Freeze

P.O. Box 105788
Atlanta, GA 30348-5788
<https://www.equifax.com/personal/credit-report-services/credit-freeze/>
(888)-298-0045

Experian Security Freeze

P.O. Box 9554
Allen, TX 75013
<http://experian.com/freeze>
(888) 397-3742

TransUnion Security Freeze

P.O. Box 160
Woodlyn, PA 19094
<https://www.transunion.com/credit-freeze>
(888) 909-8872

In order to place the security freeze, you’ll need to supply your name, address, date of birth, Social Security number and other personal information. After receiving your freeze request, each credit reporting company will send you a confirmation letter containing a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

If you do place a security freeze prior to enrolling in the credit monitoring service as described above, you will need to remove the freeze in order to sign up for the credit monitoring service. After you sign up for the credit monitoring service, you may refreeze your credit file.

4. Obtaining a Free Credit Report.

Under federal law, you are entitled to one free credit report every 12 months from each of the above three major nationwide credit reporting companies. Call **1-877-322-8228** or request your free credit reports online at **www.annualcreditreport.com**. Once you receive your credit reports, review them for discrepancies. Identify any accounts you did not open or inquiries from creditors that you did not authorize. Verify all information is correct. If you have questions or notice incorrect information, contact the credit reporting company.

5. Protecting Your Medical Information.

We have no evidence that your medical information involved in this incident was or will be used for any unintended purposes. However, the following practices can provide additional safeguards to protect against medical identity theft.

- Only share your health insurance cards with your health care providers and other family members who are covered under your insurance plan or who help you with your medical care.
- Review your “explanation of benefits statement” which you receive from your health insurance company.
- Follow up with your insurance company or care provider for any items you do not recognize. If necessary, contact the care provider on the explanation of benefits statement and ask for copies of medical records from the date of the potential access (noted above) to current date.
- Ask your insurance company for a current year-to-date report of all services paid for you as a beneficiary.
- Follow up with your insurance company or the care provider for any items you do not recognize.

6. Additional Helpful Resources.

Even if you do not find any suspicious activity on your initial credit reports, the Federal Trade Commission (FTC) recommends that you check your credit reports periodically. Checking your credit report periodically can help you spot problems and address them quickly.

If you find suspicious activity on your credit reports or have reason to believe your information is being misused, call your local law enforcement agency and file a police report. Be sure to obtain a copy of the police report, as many creditors will want the information it contains to absolve you of the fraudulent debts. You may also file a complaint with the FTC by contacting them on the web at www.ftc.gov/idtheft, by phone at 1-877-IDTHEFT (1-877-438-4338), or by mail at Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580. Your complaint will be added to the FTC’s Identity Theft Data Clearinghouse, where it will be accessible to law enforcement for their investigations. In addition, you may obtain information from the FTC about fraud alerts and security freezes.

North Carolina Residents: You may obtain information about preventing identity theft from the North Carolina Attorney General’s Office: Office of the Attorney General of North Carolina, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, www.ncdoj.gov/, Telephone: 1-877-566-7226.

Maryland Residents: You may obtain information about avoiding identity theft from the Maryland Attorney General’s Office: Office of the Attorney General of Maryland, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, <https://www.marylandattorneygeneral.gov/>, Telephone: 1-888-743-0023.

New York Residents: You may obtain information about preventing identity theft from the New York Attorney General’s Office: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; <https://ag.ny.gov/consumer-frauds-bureau/identity-theft>; Telephone: 800-771-7755.

Oregon Residents: You may obtain information about preventing identity theft from the Oregon Attorney General’s Office: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392