

**[PRACTICE LETTERHEAD]**

<<date>>

Attorney General Martha Coakley  
Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Dear Attorney General Coakley:

Pursuant to Section 5 of M.G.L. c. 93H, we are writing to notify you of a security breach that involved our practice, XXXX, located in XXXX, Massachusetts. All of the XX patients affected are Massachusetts residents.

**NATURE OF THE SECURITY BREACH**

On mm/dd/yy, a thief smashed a window of a parked car in XXXX and stole a briefcase that held a laptop and some paper files used by a subcontractor to one of our vendors, the Massachusetts eHealth Collaborative (“Collaborative”), who was helping us to upgrade our computers. The electronic files on the laptop consisted of “exception” reports – spreadsheets showing data that had not migrated properly during the upgrade. The Collaborative was using these exception reports to resolve the corresponding migration errors. The paper files consisted of excerpted appointment logs, which the practice consultant was using to spot check and ensure that the appointment records also were properly migrating to the upgraded system.

The files involved were **not** complete medical records. Instead, the files generally represented only certain data elements about patients in differing combinations. For example, differing data elements included social security numbers, dates of birth, and possibly some other information about a patient such as name, address and phone number. In other words, some patients had name and date of birth, others had phone numbers, address and date of birth, and so on.

The police were immediately notified and are investigating. The Collaborative hired a private investigator to help recover the laptop and paper files, but so far has not been successful. Given the circumstances of the theft, we believe that the thief was after the tangible items in the car, and not the information on the laptop or in the briefcase.

**NUMBER OF MASSACHUSETTS RESIDENTS AFFECTED**

XX Massachusetts residents from our practice were affected in the incident. Simultaneously with this letter, we sent a notice (a template copy is enclosed) to the affected patients, and

the Collaborative is providing credit monitoring protection for one year through a highly reputable vendor, at no cost to the patient.

**STEPS WE HAVE TAKEN OR PLAN TO TAKE RELATING TO THE INCIDENT**

We are cooperating with police in the investigation of this matter. That investigation is ongoing. The Collaborative already had in place a policy that prohibited carrying personal or protected health information on portable devices. The Collaborative informs us that they are now rolling out mandatory encryption on all laptop devices. The Collaborative will continue to work through the private investigator and law enforcement to try and recover the laptop.

**OTHER NOTIFICATION AND CONTACT INFORMATION**

We have provided similar notification to the Undersecretary of the Office of Consumer Affairs and Business Regulation. If the Office of the Attorney General would like to contact us to discuss the incident further, you may contact me at: XXX-XXX-XXXX

Sincerely,

<<signature>>

Enclosures (1)