



Sample Individual Notification Letter

Pine Bluff Scanning Center
P.O. Box 8848
Pine Bluff, AR 71611-8848

Office of Chief Counsel
Privacy and Security
P.O. Box 1437, Slot S260
Little Rock, AR 72203-1437



[DATE]

[INSERT CLIENT NAME]
[INSERT STREET ADDRESS]
[INSERT CITY, STATE, ZIP CODE]

Dear Recipient,

The Arkansas Department of Human Services (DHS) values the privacy and security of its clients and the information it must maintain to determine eligibility and delivery of services. To that end, we maintain comprehensive policies and procedures designed to safeguard our systems and the privacy of your information. We regret to inform you that despite the policies and procedures in place related to client record confidentiality, a breach of privacy concerning Medicaid Beneficiary information was discovered on or around August 7, 2017. We believe that on March 23, 2017, information containing Medicaid ID number, date of birth, billing codes, and diagnoses of DHS clients was accessed in an unauthorized way by a former DHS employee.

We are now notifying potentially affected individuals so that you may take any necessary personal action along with our organization's efforts to reduce or eliminate any harm. Please see below for recommended steps:

1. Register a fraud alert with the three credit bureaus listed here; and order credit reports:

Experian: (888) 397-3742; www.experian.com; PO Box 9532, Allen, TX 75013
TransUnion: (800) 680-7289; www.transunion.com; Fraud Victim Assistance
Division, PO Box 6790, Fullerton, CA 92834-6790
Equifax: (800)525-6285; www.equifax.com; PO 740241, Atlanta, GA 30374-0241

2. Monitor account statements, medical billing statements, Explanation of Benefits, and credit bureau reports closely.
3. Contact the Arkansas Attorney General's Consumer Protection Division, 323 Center Street, Suite 200, Little Rock, AR 7220: Phone Number: (501) 682-2007 or (800) 482-8982; Or by email: OAG@ARKANSASAG.GOV

DHS is taking these steps to protect your, personal information from further harm:

1. Conducting an ongoing forensic security investigation;
2. Coordinating with law enforcement officials to seek prosecution of the individual responsible;
3. Reviewing policies and procedures to determine where these processes might be strengthened and improved;
4. Strengthening technological safeguards to prevent such occurrences. (*Turn Over*)



Sample Provider
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Dear Provider,

The Arkansas Department of Human Services (DHS) values the privacy and security of its clients and the information it must maintain to determine eligibility and delivery of services. To that end, we maintain comprehensive policies and procedures designed to safeguard our systems and the privacy of your information. We regret to inform you that despite the policies and procedures in place related to client record confidentiality, a breach of privacy concerning some of your clients was discovered on or around August 7, 2017.

We believe that information containing your client's Medicaid ID number, date of birth, and diagnosis was accessed in an unauthorized way by a former DHS employee. The information also included provider names and the procedure codes submitted to Medicaid for reimbursement. **While no breach of confidential provider information has been detected**, in an effort to prevent fraudulent activity, we also will be working with the Office of Medicaid Inspector General (OMIG) to monitor and assess any questionable activity that may stem from this incident.

DHS is also notifying affected beneficiaries so necessary steps can be taken to reduce or eliminate any harm or further misuse of protected information. This incident is regrettable and represents a complete violation of the policies and procedures DHS has in place. We work diligently with our staff to stress the importance of following our processes and reiterate the severe consequences of not adhering to such. The employee involved has been terminated.

Again, while no breach of provider information has been detected, DHS is notifying you of this incident as a courtesy. Arkansas DHS is concerned about the privacy of beneficiary and provider information. If you have any questions or need additional assistance, please contact us at 1-888-275-5733.

This incident is regrettable and represents a complete violation of the policies and procedures DHS has in place. We work diligently with our staff to stress the importance of following our processes and reiterate the severe consequences of not adhering to such. The employee involved has been terminated.

The Privacy Office is notifying you of this incident in accordance with the Health Information Portability and Accountability Act, (HIPAA). Arkansas DHS is concerned about your privacy. If you have any questions or need additional assistance, please contact us at 1-888-275-5733.



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Date Posted: 09/15/2017

[DHS Identifies Breach of Personal Information for Some Medicaid Beneficiaries](#)

For Immediate Release:

Media Contact: Amy Webb, DHS Chief of Communications

& Community Engagement, 501-682-8946

DHS Identifies Breach of Personal Information for Some Medicaid Beneficiaries

Agency referring situation to local authorities for prosecution

The Arkansas Department of Human Services (DHS) has determined that spreadsheets with personal and health information for some Medicaid beneficiaries were emailed to an employee's home email address, constituting a breach of information as described in state and federal law and DHS policy.

After manually counting and sorting names to identify duplicates, DHS found that there were 26,044 unique names of Medicaid beneficiaries on the spreadsheets with linked Medicaid identification numbers, some social security numbers and codes for medical procedures that beneficiaries underwent.

"We at DHS want to make sure beneficiaries are aware of this situation, understand what happened and know the steps we are taking to ensure something like this doesn't happen again," said DHS Director Cindy Gillespie. "The privacy of beneficiaries is important to us, and we take this situation very seriously."

The emailed spreadsheets were discovered as attorneys prepared to represent DHS in court against a wrongful termination lawsuit. The DHS privacy officer was notified by attorneys of the emails and reviewed the materials to determine the scope of the

breach.

DHS is sending a letter to affected beneficiaries, and all DHS employees have been reminded about the responsibility DHS has to protect beneficiary information.

Gillespie noted that all DHS employees undergo security and privacy training and cannot gain internet access at work until they pass a test on what they were taught. The training includes the prohibition of emailing confidential information outside the scope of a person's job. DHS is working with attorneys to recover the spreadsheets and has contacted the Pulaski County Prosecuting Attorney's office to pursue criminal charges and prosecution.

The DHS Office of Security, Compliance and Integrity will review the situation to determine whether there are additional steps DHS can take ensure this does not happen again.

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Arkansas Department
of Human Services
(501) 682-1001

TTY: 1-800-285-1131 or dial
711 for Arkansas Relay
Service

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HIPAA DATA BREACH SPECIAL NOTICE

ARKANSAS DEPARTMENT OF HUMAN SERVICES BREACH OF PERSONAL INFORMATION SPECIAL NOTICE

The Arkansas Department of Human Services (DHS) has been affected by a privacy incident. On or around August 7, 2017, a potential breach of privacy concerning Medicaid claims data (including names, Medicaid ID numbers, dates of birth, and diagnoses) was discovered.

ADDITIONAL NOTICE

On or around March 23, 2017, information containing some Medicaid ID numbers, dates of birth, and diagnoses was accessed in an unauthorized way by a former DHS employee. DHS was made aware of the potential breach on August 7, 2017. Since that time, the Department has conducted a review of the materials to determine the number of affected individuals, the type of data that was accessed, and the scope of any use or misuse of that data. Additionally, the agency has referred the matter to local and federal law enforcement officials.

We are notifying affected individuals by mail so that they can take any necessary personal action along with our organization's efforts to reduce or eliminate harm. We recommend affected individuals take appropriate steps to protect their identity, including:

We recommend the steps below be taken to protect information from breach or harm:

- If you discover errors or suspicious activity on your credit card account, you should immediately contact the credit card company and inform them that you have received that you received a notice identifying you as an affected individual. Confirm the address they have on file for you is your current address, and that all charges on the account are legitimate.
- To obtain an annual free copy of your credit reports, visit www.annualcreditreport.com or call (877) 322-8228. Review your credit reports carefully for inquiries from companies you did not contact, accounts you did not open, or debts on your accounts that you do not recognize. Also make sure to verify the accuracy of your Social Security number, address(es), complete name,

and employer(s) information. If information on a report is incorrect, notify the credit bureau directly using the telephone number on the report. You can reach the credit reporting agencies at:

- **Equifax** P.O. Box 740241 Atlanta, GA 30374 (800) 685-1111 www.equifax.com
 - **Experian** P.O. Box 2104 Allen, TX 75013 (888) 397-3742 www.experian.com
 - **TransUnion** P.O. Box 2000 Chester, PA 19022 (800) 916-8800 www.transunion.com
- **Placing a fraud alert or security freeze on your credit file** – Credit bureaus have tools you can use to protect your credit, including fraud alerts and security freezes. A fraud alert is a cautionary flag, which is placed on your credit file to notify lenders and others that they should take special precautions to ensure your identity before extending credit. Although this may cause some short delay if you are the one applying for credit, it might protect against someone else obtaining credit in your name. Call any one of the three credit reporting agencies at the numbers below to place fraud alerts with all three of the agencies.
 - **Equifax** (888) 766-0008
 - **Experian** (888) 397-3742
 - **TransUnion** (800) 680-7289
 - A security freeze is a more dramatic step that will prevent lenders and others from accessing your credit report entirely, which will prevent them from extending credit. With a security freeze in place, even you will need to take special steps when applying for credit. A security freeze may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing or other services, **including the activation of credit monitoring services**. You must contact each credit agency separately to order a security freeze. You can obtain more information by visiting the credit bureaus at the following addresses:
 - **Equifax** https://www.freeze.equifax.com/Freeze/jsp/SFF_PersonalIDInfo.jsp
 - **Experian** http://www.experian.com/consumer/security_freeze.html
 - **TransUnion** <http://www.transunion.com/personal-credit/credit-disputes/credit-freezes.page>
 - **Reporting suspicious activity** – If you believe you are the victim of fraud or identity theft, file a police report and get a copy of the report to submit to your creditors and others that may require proof of a crime to clear up your records. The report may also provide you with access to services that are free for identity theft victims.
 - You may also contact the IRS Identity Protection Specialized Unit at (800) 908-4490. See identitytheft.gov/databreach for additional follow-up steps.

The Arkansas Department of Human Services understands the importance of safeguarding personal information and takes that responsibility very seriously. We will do all we can to work with our clients whose personal information may have been compromised and help them work through the process. We regret that this incident has occurred and are actively working to prevent such instances in the future.

Please direct all questions to 1-855-372-1084 option #2.