

# FREEMAN MATHIS & GARY

A LIMITED LIABILITY PARTNERSHIP

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RECEIVED

MAY 03 2017

CONSUMER PROTECTION DIVISION  
SEATTLE

David A. Cole  
Partner

Writer's Direct Access  
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April 25, 2017

## VIA U.S. MAIL

Washington State Office of the Attorney General  
1125 Washington Street SE  
P.O. Box 40100  
Olympia, WA 98504-0100

### **Re: Notice of Breach in the Security of Protected Health Information**

To Whom It May Concern:

This office represents Hill Country Memorial Hospital ("Hill Country"), a Texas-based hospital. Pursuant to RCW § 19.255.010(10), enclosed is a copy of an electronic breach notification submitted with the U.S. Office for Civil Rights at the Department of Health and Human Services regarding a breach in the security of protected health information, which affected residents of the state of Washington.

I believe this provides you with all information necessary for your purposes and to comply with Washington law. However, if you have any questions or need further information, please contact me.

Very truly yours,

**FREEMAN MATHIS & GARY, LLP**



David A. Cole

DAC/acb  
Enclosure

cc: Amy C. Bender, Esq.  
2908711\_1

ATTORNEY GENERAL  
STATE OF WASHINGTON  
GSE/OLYMPIA

17 MAY -2 08:18

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Breach Tracking Number: DD3RQZPVBJ

Thank you for filing a breach notification via the website of the Office for Civil Rights (OCR) at the Department of Health and Human Services. This is an automated response to acknowledge receipt of your breach notification. Your breach notification will be assigned to an OCR staff member for review and appropriate action. If OCR has any questions about the breach notification you submitted, we will contact you directly. Otherwise, you will receive a written response indicating whether or not OCR has accepted your breach notification for investigation.

**Please do not fax, email, or mail a copy of this breach notification to us as that may delay the processing of your breach notification.**

If you have any additional information to add to your breach notification, you may call 1-800-368-1019. Please reference the number given by OCR when submitting your breach notification.

\* Breach Affecting: 500 or More Individuals  
\* Report Type: Initial Breach Report  
\* Are you a Covered Entity filing on behalf of your organization? Yes

**Covered Entity**

\* Name of Covered Entity: Hill Country Memorial Hospital  
\* Type of Covered Entity: Healthcare Provider  
\* Street Address Line 1: 1020 S State Hwy 16  
Street Address Line 2:  
\* City: Fredericksburg  
\* State: Texas  
\* ZIP: 78624

**Covered Entity Point of Contact Information**

\* First Name: David \* Last Name: Cole  
\* Email: dcoale@fmglaw.com  
\* Phone Number: (Include area code):

Phone Number	Usage
(770) 818-1287	Work

\* Breach Start Date: 02/21/2017 \* Breach End Date: 02/22/2017  
\* Discovery Start Date: 02/22/2017 \* Discovery End Date: 02/22/2017  
\* Approximate Number of Individuals Affected by the Breach: 8449

\* Type of Breach: Hacking/IT Incident

\* Location of Breach: \* Email

\* Type of Protected Health Information Involved in Breach:

- \* Clinical
  - \* Diagnosis/Conditions
  - \* Medications
  - \* Other Treatment Information
- \* Demographic
  - \* Address/ZIP
  - \* Date of Birth
  - \* Name
  - \* SSN

\* Type of Protected Health Information Involved in Breach (Other): Patient ID numbers, procedure information, prescription information

\* Brief Description of the Breach: On February 21, 2017, the Director of Hill Country's Emergency Room Department responded to a phishing email that she believed was legitimate, but which was instead used to compromise her account by tricking her into providing her username and password. The unauthorized person then used this information to access the email account. Our investigation to date suggests that the individual accessed the email account only in order to submit fraudulent invoices to Hill Country's accounts payable department for payment. However, Hill Country is not able to confirm which, if any, emails in the account the individual did or did not access. Therefore, out of an abundance of caution, Hill County identified which emails in the account contained PII or PHI and has notified all potentially affected individuals about this issue.

\* Safeguards in Place Prior to Breach:

- Privacy Rule Safeguards (Training, Policies and Procedures, etc.)
- Security Rule Administrative Safeguards (Risk Analysis, Risk Management, etc.)
- Security Rule Physical Safeguards (Facility Access Controls, Workstation Security, etc.)
- Security Rule Technical Safeguards (Access Controls, Transmission Security, etc.)

\* Individual Notice Provided Start Date: 04/21/2017

Individual Notice Provided Projected/Expected End Date: 04/21/2017

Was Substitute Notice Required? Yes  
10 or more

Was Media Notice Required? Yes

\* Select State(s) and/or Territories in which media notice was provided: • Texas

\* Actions Taken in Response to Breach:

- Changed password/strengthened password requirements
- Provided individuals with free credit monitoring
- Trained or retrained workforce members
- Other

\* Describe Other Actions Taken:

Updated the email banner with an additional warning to users when email contains links and is from outside the organization; Created an internal phishing inbox for users to submit potential threats; Enabled additional Office 365 auditing.

Under the Freedom of Information Act (5 U.S.C. §552) and HHS regulations at 45 C.F.R. Part 5, OCR may be required to release information provided in your breach notification. For breaches affecting more than 500 individuals, some of the information provided on this form will be made publicly available by posting on the HHS web site pursuant to § 13402(e)(4) of the Health Information Technology for Economic and Clinical Health (HITECH) Act (Pub. L. 111-5). Additionally, OCR will use this information, pursuant to § 13402(f) of the HITECH Act, to provide an annual report to Congress regarding the number and nature of breaches that are reported each year and the actions taken to respond to such breaches. OCR will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

I attest, to the best of my knowledge, that the above information is accurate.

\* Name: David Cole Date: 04/21/2017