

Sid Siahpush MD, Ph.D, MPH, CGP

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Date: 6/24/20

WA State Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104

Dear Attorney General,

I am writing to inform you about a recent breach of a patient's protected health information at our clinic, the office of Dr. Sid Siahpush. Per RCW 19.255.030(1), a covered entity under HIPAA is deemed to have complied with Washington's data breach notification laws if it (a) provided notice as required under HIPAA and (b) notified the Attorney General's Office. Because (a) the breach occurred on May 7, 2020 and (b) my office notified the affected individuals of the breach on June 24, 2020, I have notified the affected individuals within HIPAA's 60-day notification timeline. Additionally, per requirements of HIPAA's breach notification rule, I notified the Secretary of HHS of the breach on June 24, 2020. Please see attached sample security breach notification letter for verification of other HIPAA notification requirements.

As this letter provides the information required under RCW 19.255.010(7) (see below), please regard this letter as providing notice of the breach to the Attorney General's Office and my office as complying with Washington's data breach notification laws.

- (1) The number Washington consumers affected by the breach: 1
- (2) Types of personal information that were subject of the breach: the patient's husband's email dated 4/14/20, which included the patient's Yale Brown Obsessive Compulsive Scale, was accidentally forwarded to another patient. The patient who received it realized the mistake and deleted the email immediately and brought it to our attention. The document included the patient's husband's name/email address, the patient's full name and information about her mental condition and/or about her medical diagnosis, such as her answers to the Y-BOCS.

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- (3) Timeframe of exposure: we became aware of the breach on May 7, 2020, the same day it occurred. The data breach exposure lasted less than one day, as the patient deleted the incorrectly sent e-mail the same day he discovered it.
- (4) Summary of steps taken to contain the breach: we immediately informed the patient who received the incorrectly sent e-mail to delete the e-mail and ensured that his e-mail trash can was emptied. Our clinic did a thorough review of the process and took several technical and educational provisions to avoid similar incidents and protect patient confidentiality. We have also updated our policies to prevent such e-mail errors from happening again. We also notified the affected patient of the breach on June 24, 2020 in a letter that was both compliant with HIPAA and Washington data breach notification laws; for example, we informed the patient of steps she could take to protect herself from potential harm, such as (a) placing a fraud alert (as well as providing the contact information of three major credit bureaus), (b) ordering a credit report; and (c) monitoring her accounts. We will continue to monitor patients' health information confidentially and closely and will notify patients if any possible concerns arise.
- (5) Sample security breach notification letter, excluding any personally identifiable information: see attached letter.

If you have any questions or concerns about this breach, you may contact our clinic at 425-821-1810 ext. 128 or info@drsidadpsychiatrist.com.

Sincerely,



Sid Siahpush, MD, Ph.D.