



**STATE OF WASHINGTON**  
**DEPARTMENT OF SOCIAL AND HEALTH SERVICES**  
**Developmental Disabilities Administration**  
PO Box 45310, Olympia, WA 98504-5310

August 14, 2020

Dear DDA client,

We regret to inform you that your protected health information (PHI) was shared without proper authorization. On June 22, 2020, we made an error when sending an email to Developmental Disabilities Administration (DDA) clients and their representatives. The purpose of the email was to notify DDA clients of their rights as required by a new law that went into effect in June 2020. The email was sent to you and/or a representative of yours. The email mistakenly listed the email addresses of recipients in the "To" line rather than the "Bcc" line. As a result, each recipient's email address was visible to all the other recipients. Six hundred and forty eight (648) DDA clients were affected by this breach.

Your email address and that of your relatives or household members is confidential and classified as protected health information (PHI), and may have been accessed by others who are not authorized by law to see it. Because the program serving you is covered by the HIPAA Privacy Rule, we are notifying you of the breach as required by that rule in 45 CFR section 164.404.

Specifically, the following items of PHI may have been exposed:

- Your email address and/or the email address of a relative or household member;
- In some cases the email address included a client or a representative's name.

There are important things for you to know:

1. On June 25, 2020, the Privacy Officer for DDA sent a follow up email to the recipients of the email sent in error. The follow up email asked that they delete the email received in error. The original email was then re-sent to the same recipients, with the email addresses hidden on the "Bcc" line.
2. On June 26, 2020, a new process was implemented whereby client rights information is mailed, rather than emailed, to each individual.

As a result of this incident, the staff involved have received additional training regarding the handling of confidential client information and DDA has begun a review of its practices when emailing large groups of people.

While we have no evidence that the PHI has been further disclosed or used for any malicious purpose, we are notifying every person who might be affected. We are extremely sorry for this situation and understand it may cause concern and inconvenience. We try very hard to earn your trust, and that includes protecting sensitive information about you. We take client confidentiality very seriously. We strive to protect all of our client data.

### **What You Can Do**

We do not think that the PHI that was disclosed is sufficient for someone to steal your identity or impact your credit. However, if you are concerned, you can find information on actions you can take to protect yourself on the websites of the Washington State Office of the Attorney General at: <https://www.atg.wa.gov/identity-theftprivacy> and of the Federal Trade Commission at: <http://www.ftc.gov/bcp/edu/microsites/idtheft/>. We will tell you if we receive any more information that shows your credit or identity may be at risk.

If there is anything we can do to assist you, or if you have questions, please contact Geoff Nisbet, DDA Privacy Officer, [geoff.nisbet@dshs.wa.gov](mailto:geoff.nisbet@dshs.wa.gov), 360-407-1571.

Sincerely,

A handwritten signature in black ink, appearing to read 'Geoff Nisbet', with a long horizontal flourish extending to the right.

**Geoff Nisbet**

Privacy Officer

Developmental Disabilities Administration

Washington State Department of Social and Health Services

**Contact:**

Lisa Copeland  
Office of Communications  
August 14, 2020

## Email addresses erroneously disclosed to distribution list

OLYMPIA—The Department of Social and Health Services’ Developmental Disabilities Administration confirmed today that on June 22, 2020, email addresses of clients and their representatives were improperly disclosed through an addressing error.

The purpose of the email was to notify DDA clients of their rights, as required by a new law that went into effect in June 2020. The email mistakenly listed the email addresses of recipients in the “To” line rather than the “Bcc” line. As a result, each recipient’s email address was visible to all the other recipients.

Under the [HIPAA Privacy Rule](#), email addresses of patients or their relatives or household members are confidential and classified as protected health information or PHI.

The breach affected 648 DDA clients and was discovered the same day it occurred, when one recipient reported to DDA that all the email addresses were visible. DDA sent a second, correctly addressed email to the recipients asking them to delete the inadvertent message. DDA then resent the required client rights information in a new email. No street addresses, phone numbers, social security numbers or client financial data were in the email.

“We are entrusted with confidential patient information,” explained Evelyn Perez, Assistant Secretary for DDA. “One instance of disclosing personal information is one too many. We do not take this mistake lightly and staff have been retrained on proper email protocol.”

DSHS is notifying all clients affected by this breach. At this time, there is no reason to believe that the disclosure of the email addresses will result in identity theft or harm to credit scores. Those with questions or concerns can find more information on the [Washington State Attorney General’s website](#) as well as the [Federal Trade Commission’s site](#).

Since this incident, staff received additional training around handling confidential patient information and email practices. Anyone with questions or concerns related to this incident can contact [Geoff Nisbet via email](#) or DDA Help at 844-935-3468 (toll free).

###