



October 2, 2018

Sent via email to: SecurityBreach@atg.wa.gov

Washington State
Office of the Attorney General

RE: Notice of Report of a HIPAA Breach

Dear Sir or Madam:

In follow up to my letter dated September 21, 2018 and in compliance with Subsection 10 of RCW 19.255.010, which requires a disclosure notice of a security breach, we are providing timely notice to the Washington Attorney General that we are a business associate of a covered entity as those terms are defined under the Health Insurance Portability and Accountability Act of 1996, as amended ("HIPAA"), and we are deemed to comply with the requirements of RCW 19.255.010 with respect to protected health information (PHI) since we are complying with the breach notification requirements under Section 13402 of the Health Information Technology for Economic and Clinical Health Act (HITECH), which requires breach notification no later than 60 days after the discovery of a breach by a covered entity. The attached breach notification, as required by HIPAA, was provided on September 21, 2018 to the 30 affected Washington residents.

Please feel free to contact me if you require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Patricia Kuchenreuther".

Patricia Kuchenreuther, AIRC, CHP
Privacy Officer

Attachment



[[Date]]

[Insert Recipient's Name]

[Insert Address]

[Insert City, State, Zip]

RE: Important Security and Protection Notification
Please read this entire letter.

Dear [Insert member name]:

We are contacting you regarding an incident that was discovered on August 17, 2018 at Zenith American Solutions, the administrative office for the Washington-Idaho Operating Engineers and Employers Health & Security Trust Fund. This incident potentially exposed your personal information, including your full name, address, full Social Security Number, date of birth and claims information. Please be assured that we have taken every step necessary to address the incident, and that we are committed to fully protecting all of the information that you have entrusted to us.

On August 13, 2018, a package that was intended to be mailed via UPS but which was too big for the UPS drop box was placed on top of the UPS drop box for pickup. The drop box is in a public area outside of the administrative office. On August 17, 2018, Zenith American Solutions received a call from a neighboring business advising that they had found some documents in the bushes outside of their office space that belonged to Zenith American Solutions. The records were retrieved and inspected and it was noted that the contents were still fully intact (bound with a cover sheet), as originally prepared for mailing. It is believed that the individual that took the package did not find the contents to be of any value and, therefore, discarded the documents in the bushes. While the contents were recovered, your personal information was potentially exposed to an unknown individual(s). We want to assure you that we have taken additional steps to prevent this type of issue from recurring; specifically, employees have been instructed to no longer use the public UPS drop box – going forward, UPS will pick up packages directly from the staff in the administrative office.

What we are doing to protect your information:

To help protect your identity, we are offering a complimentary one-year membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: December 31, 2018** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your **activation code:** [code]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877-890-9332 by **December 31, 2018**. Be prepared to provide engagement number [insert #] as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance**:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 877-890-9332. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you, free of charge, for one year from the date of this letter and does not require any action on your part at this time. You do not need to enroll in the IdentityWorksSM to enroll in the Identity Restoration Program. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

We sincerely apologize for this incident and regret any inconvenience it may cause you. Should you have questions or concerns regarding this matter, please do not hesitate to contact us at 800-351-6480.

Sincerely,

Patricia Kuchenreuther, AIRC, CHP
Privacy Officer

* Offline members will be eligible to call for additional reports quarterly after enrolling

** Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions