

Appendix

On March 1, 2022, Eye Care Leaders notified Summit Eye Associates (“Summit”) that Eye Care Leaders experienced a data security incident that may have resulted in unauthorized access to some patient information. Notably, this incident did **not** involve unauthorized access to any Summit systems. According to Eye Care Leaders, on or around December 4, 2021, an unauthorized party accessed myCare Integrity data and deleted databases and system configuration files. According to Eye Care Leaders, upon identifying the activity, Eye Care Leaders’ incident response team immediately stopped the unauthorized access and began investigating the incident.

On March 28, 2022, Eye Care Leaders informed Summit that Eye Care Leaders’ investigation is ongoing and that it does not know whether or not any Summit patient information was involved in the incident. Although Eye Care Leaders has not confirmed that any Summit patient information was accessed as a result of the incident, they have informed Summit that they cannot rule out that possibility. This information may have included patients’ names, dates of birth, medical record numbers, health insurance information, Social Security numbers, and information regarding care received at Summit.

On April 27, 2022, Summit will mail a notification letter via United States Postal Service First-Class mail to three Maine residents, in accordance with Me. Rev. Stat. Tit. 10, §1348 and 45 C.F.R. § 164.404. A copy of the notification letter is enclosed.¹ Summit is offering individuals whose Social Security numbers were involved complimentary credit monitoring and identity theft protection services. Summit has also established a dedicated toll-free incident response line to answer questions that patients may have.

To help prevent something like this from happening in the future, Summit is in the process of terminating its vendor relationship with Eye Care Leaders.

¹ This report is not, and does not constitute, a waiver of Summit’s objection that Maine lacks personal jurisdiction over Summit regarding any claims related to the data security incident.



Return to IDX
P.O. Box 989728
West Sacramento, CA 95798-9728

To Enroll, Please Call:
1-833-774-1769
Or Visit:
<https://app.idx.us/account-creation/protect>
Enrollment Code: <<ENROLLMENT>>

<<FIRST NAME>> <<LAST NAME>>
<<ADDRESS1>>
<<ADDRESS2>>
<<CITY>>, <<STATE>> <<ZIP>>
<<Country>>

April 27, 2022

Dear <<FIRST NAME>> <<LAST NAME>>:

Summit Eye Associates is writing to inform you about a data security incident experienced by Eye Care Leaders, a third-party provider of the myCare Integrity electronic medical record platform that is used by Summit Eye Associates. This notice provides information about the incident, measures that have been taken, and steps you can take in response.

On March 1, 2022, Eye Care Leaders notified Summit Eye Associates that Eye Care Leaders experienced a data security incident that may have resulted in unauthorized access to some of your information. According to Eye Care Leaders, on or around December 4, 2021, an unauthorized party accessed myCare Integrity data and deleted databases and system configuration files. According to Eye Care Leaders, upon identifying the activity, Eye Care Leaders' incident response team immediately stopped the unauthorized access and began investigating the incident. Notably, this incident did **not** involve unauthorized access to any Summit Eye Associates systems.

On March 28, 2022, Eye Care Leaders informed Summit Eye Associates that Eye Care Leaders' investigation is ongoing and that it does not know whether or not any Summit Eye Associates patient information was involved in the incident. Although Eye Care Leaders has not confirmed that any Summit Eye Associates patient information was accessed as a result of the incident, they have informed Summit Eye Associates that they cannot rule out that possibility. This information may have included your name, date of birth, medical record number, health insurance information, Social Security number, and information regarding care received at Summit Eye Associates.

To date, we have no indication that your information has been accessed, acquired, or misused. However, out of an abundance of caution, we wanted to let you know this happened and assure you that we take this very seriously. We recommend that you regularly review the statements you receive from your health care providers. If you see services that were not received, you should contact the provider immediately. In addition, we are offering you a complimentary one-year membership to IDX identity protection services, including credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. **For more information on IDX, including instructions on how to activate your complimentary one-year membership and steps you can take to protect your information, please call 1-833-774-1769 or go to <https://app.idx.us/account-creation/protect> and use the Enrollment Code provided above. Please note the enrollment deadline is July 27, 2022.**

Summit Eye Associates regrets any concern or inconvenience this incident may cause. Summit Eye Associates is in the process of terminating its vendor relationship with Eye Care Leaders. If you have any questions, please call 1-833-774-1769, Monday through Friday, between 8:00 a.m. and 8:00 p.m., Central Time.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Young', written in a cursive style.

Joshua O. Young, MD
Managing Partner

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit www.annualcreditreport.com or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, www.transunion.com, 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

- *Federal Trade Commission*, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.ftc.gov/idtheft

Fraud Alerts: There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report. For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

Credit or Security Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

How do I place a freeze on my credit reports? There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, www.experian.com
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, www.equifax.com

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

How do I lift a freeze? A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

Additional Information for Residents of the Following States:

Maryland: You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, www.oag.state.md.us

New York: You may contact and obtain information from these state agencies:

- *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and
- *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

North Carolina: You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, www.ncdoj.gov

Rhode Island: Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, www.riag.ri.gov

West Virginia: You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

A Summary of Your Rights Under the Fair Credit Reporting Act: The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited.
- You must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.