

# Information Regarding a Recent Breach of Confidential Patient Information

## **What happened?**

Holyoke Medical Center has become aware of a breach of patient confidentiality caused by an external billing agency's improper disposal of paper records containing patient information.

Based on our investigation thus far, this breach affected some patients of Holyoke Medical Center and three other Massachusetts hospitals.

The billing agency, Goldthwaite Associates, provides billing services for Pioneer Valley Pathology Associates, P.C., and receives documentation from Holyoke Medical Center for billing purposes.

Goldthwaite Associates has informed Pioneer Valley Pathology Associates, P.C. and Holyoke Medical Center that no more than three years of these documents (dating back from February 28, 2010) were disposed of at a transfer station in Georgetown, MA by the prior owner of Goldthwaite Associates upon his retirement.

State and federal regulations require that documents with personal health care information and/or personal identification information be protected and destroyed under controlled conditions. The Boston Globe informed us that on July 26, 2010, a Boston Globe employee, who was off duty and at the Georgetown Transfer Station, witnessed this disposal of Goldthwaite Associates' billing documents. At that time, the Boston Globe employee retrieved a sample of these documents, and a reporter from the paper later informed us and three other hospitals affected by the breach.

We have been assured by the Georgetown Transfer Station that the documents remaining at the Transfer Station were transferred to a waste station in Maine to be pulverized and recycled. At this time we are unaware of how many documents are still in the possession of the Boston Globe.

## **Whose information was involved?**

Based on our initial investigation, the breach appears to be limited to patients who received pathology services from Pioneer Valley Pathology Associates, P.C. between January 1, 2007 and February 28, 2010. At this time, we believe that Pioneer Valley Pathology Associates, P.C. provided services to between 16,000 and 24,000 patients during this period of time.

### **What type of information was on the documents?**

The information on the documents included demographic information such as individuals' full names, addresses, dates of birth, Social Security numbers, insurance information (including policy numbers), patient identification numbers, as well as protected health information such as diagnoses relating to pathology testing. No bank account information and/or credit card numbers is included in the documentation at issue.

### **Can you tell me if my confidential information is involved?**

If you had pathology tests conducted by Pioneer Valley Pathology Associates, P.C., at Holyoke Medical Center between January 1, 2007 and February 28, 2010, your personal information may have been involved. You will receive a letter if it is determined that any of your information may have been included in this breach. We expect these letters to be sent in the next several weeks.

Pathology testing can be performed on tissues taken from the body during many types of procedures. Some of the most common surgeries in which tissue samples may be sent to pathology include: hernia repairs, appendectomies, knee surgeries, hip surgeries, gastrointestinal surgeries, colon surgeries, colonoscopies and gastroscopies, colectomies and nephrectomies. Other specimens commonly sent to pathology for testing are fluids and cells from in and around the lungs, the abdomen, the throat and joints. Pathology test specimens most commonly come from four locations at Holyoke Medical Center: 1) the operating room, 2) the endoscopy unit, 3) occasionally the emergency department or an inpatient unit, and lastly, 4) physician offices in Holyoke Medical Center's medical office building. Specimens (such as blood samples) drawn from our outpatient laboratory drawing station are not involved in this breach.

### **Have the confidential documents involved been compromised?**

We have no knowledge that any of these records have been improperly used or otherwise compromised at this time.

Some of the documents disposed of at the Georgetown Transfer Station were gathered by an employee of the Boston Globe, and delivered to the Boston Globe for purposes of reporting the improper disposal. Pioneer Valley Pathology Associates, P.C., and Holyoke Medical Center have no reason to believe that any of the confidential information in those documents has been compromised, and they have been assured by the Transfer Station that the remaining documents have been appropriately transferred and pulverized.

### **When were these documents improperly disposed?**

Our investigation indicates that the documents were disposed of in July 2010.

## **What can I do to protect my information?**

While Holyoke Medical Center has no knowledge that any personal information has been improperly used, there are a number of steps you can take to protect yourself:

- Some state laws, including those in Massachusetts, allow you to place a security freeze on your credit reports. This would prohibit a credit reporting agency from releasing any information from your credit report without your written permission. You should be aware, however, that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing or other services.
- If you believe that you have been a victim of identity theft and you provide the credit reporting agency with a valid police report, the reporting agency cannot charge you to place, lift or remove a security freeze on your credit reports. In all other cases, a credit reporting agency may charge you up to \$5.00 each time you place, temporarily lift, or permanently remove a security freeze.
- You may also want to place a fraud alert on your credit report. This can help prevent someone from opening additional accounts in your name or changing the information attached to your existing accounts. You can call any one of the three major credit bureaus listed below in order to place a fraud alert. As soon as one credit bureau confirms your fraud alert, the others will be notified automatically of the alert.
- You may wish to order a copy of your credit report. You are entitled to receive a free credit report annually from each of the three credit bureaus. Even if you do not find suspicious activity on your initial credit reports, the Federal Trade Commission recommends that you check your credit reports and credit card statements periodically. For more information, visit [www.annualcreditreport.com](http://www.annualcreditreport.com), call 877-322-8228 or contact these agencies:

***Equifax***  
**800-525-6285**

***Experian***  
**888-397-3742**

***TransUnionCorp***  
**800-680-7289**

- In addition, if you believe that you have been the victim of identity theft, you have the right to file a police report and to obtain a copy of that report. Many creditors will require the information from the police report before excusing you from paying for any fraudulent charges or debts.
- You can also file a complaint with the Federal Trade Commission at

[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or at 1-877-ID-THEFT (877-438-4338).

• Here are some things that could help you determine that your medical information may have been used by someone else:

- Getting a bill for medical services you didn't receive
- Being contacted by a debt collector about medical debt you don't owe
- Seeing medical collection notices on your credit report that you do not recognize
- Attempting to make a legitimate insurance claim and being told by your health plan that you've reached your limit on benefits
- Being denied insurance because your medical records show a condition you don't have
- Noticing on a statement from your health plan that the health plan paid claims for care you did not receive.

If you believe someone else may have used your medical information, you may wish to consider taking additional steps which are outlined on the Federal Trade Commission's website at [www.ftc.gov](http://www.ftc.gov).

### **How long has Holyoke Medical Center been aware of this situation?**

Holyoke Medical Center was notified of the improper disposal of patient information on August 5, 2010. It is our understanding that legal responsibility to report and respond to this incident rests with Pioneer Valley Pathology Associates, P.C., and Goldthwaite Associates. However, Holyoke Medical Center is making every effort to provide assistance and information to our patients in order to address this matter, including posting this information online, and working with Pioneer Valley Pathology Associates, P.C., to distribute notification letters to all patients potentially affected.

### **What is Holyoke Medical Center doing to address this situation?**

Holyoke Medical Center is addressing this issue in many ways.

Within hours of being alerted to the potential information breach, we launched an extensive internal investigation to determine the cause of the breach.

We have compiled information in order to determine the scope of the breach. We have prepared information to share with past patients whose information may have been involved. We have also been working with Pioneer Valley Pathology Associates, P.C., and Goldthwaite Associates to ensure that all requirements for reporting to federal and state agencies, as well as to patients, are met.

We have made this information available for patients, and we are preparing to launch a telephone hotline so that patients may easily obtain information regarding the risk of identity theft and monitoring credit accounts.

Finally, we have launched an internal review to confirm that our current practices for handling confidential information provide the utmost protection for that information, both within the hospital, and among our external vendors.

**Can you provide more details about what happened?**

The most important details have already been publicly released, such as the potential scope and types of information that were contained in the documents in question, the approximate number of individuals whose information may be involved, and what we know of how the documents were improperly disposed. The release of this information is consistent with federal law. We are working with Pioneer Valley Pathology Associates, P.C., and Goldthwaite Associates, to ensure that all relevant details are reported to regulatory agencies and patients as required by law. Updates about this matter will be posted here. **If you have specific questions you can contact us via email at [breach@holyothealth.com](mailto:breach@holyothealth.com), or by leaving a voice mail message by calling 413-533-3748. We will respond to your message within 5 to 10 business days.**

**How can I be confident that Pioneer Valley Pathology Associates, P.C., and Holyoke Medical Center take information security seriously?**

The security of patient information is of critical importance to us. Both Holyoke Medical Center and Pioneer Valley Pathology Associates, P.C., are fully committed to safeguarding confidential patient information internally, and we demand that external vendors with legitimate access to this information strictly adhere to the same high standards.

Our first priority is our patients, and we sincerely apologize for this breach of confidential information.