

# EXHIBIT A

Newkirk Products, Inc.\* (“Newkirk”) is providing you with notice of a cyber security incident that may affect the security of the personal information of certain Oregon residents. Newkirk is a service provider that issues member healthcare ID cards on behalf of health insurance plans and third party administrators including Blue Cross and Blue Shield of Kansas City, Blue Cross Blue Shield of North Carolina, HealthNow New York Inc., BlueCross BlueShield of Western New York, BlueShield of Northeastern New York, and Capital District Physicians' Health Plan, Inc., CDPHP Universal Benefits, Inc. and Capital District Physicians' Healthcare Network, Inc. (collectively the “Plans”). This notice is being provided on behalf of Newkirk and the Plans. This notice will be supplemented if any new significant facts arise subsequent to its submission. By providing this notice, Newkirk and the Plans do not waive any rights or defenses regarding the applicability of Oregon law or personal jurisdiction.

### **Nature of the Cyber Security Incident**

On July 6, 2016, Newkirk discovered that a server containing member information was accessed without authorization. Newkirk shut down the server and started an investigation into the incident. Newkirk hired a third-party forensic investigator to determine the extent of the unauthorized access and whether the personal information of its clients' members may have been accessed. Newkirk also notified federal law enforcement. While the forensic investigation is ongoing, it appears that the unauthorized access first occurred on May 21, 2016. Although the information contained on the server may have been accessed, Newkirk has no evidence to date that such data has been used inappropriately. The data potentially subject to unauthorized access varies by plan but includes some combination of: the member's name, mailing address, type of plan, member and group ID number, names of dependents enrolled on the plan, primary care provider, and, in some cases, date of birth, Medicaid ID number, and premium invoice information.

### **Notice to Oregon Residents**

On August 5, 2016, Newkirk and the Plans began notifying impacted members via national media. In addition, the Plans will include an informational link on their homepages to [www.newkirkproductsfacts.com](http://www.newkirkproductsfacts.com). On August 8, 2016, Newkirk and the Plans began mailing notice letters to impacted members which includes (3,365) Oregon residents. The notice will be provided in substantially the same form as the letter attached here as *Exhibit B*.

### **Other Steps Taken and To Be Taken**

Newkirk is providing impacted members access to two (2) years of identity protection and restoration services with AllClear ID at no cost. Additionally, Newkirk and the Plans are providing impacted members with information on how to protect against identity theft and fraud, information on and encouragement to contact the Federal Trade Commission, the state attorney general, and law enforcement to report attempted or actual identity theft and fraud. Newkirk and the Plans are also providing written notice of this incident to the credit reporting agencies and other state regulators where required.

# **EXHIBIT B**

August 8, 2016

Newkirk Products, Inc.  
PO Box 62939  
El Dorado Hills CA 95762-9039

Re: Notice of Data Breach

Dear [Member Name],

Newkirk Products, Inc. (“Newkirk” or “we”), a service provider that issues healthcare ID cards for your health insurance plan, [plan name], has had a cyber security incident that may have affected your personal information.

Please be advised that [plan name’s] systems were not accessed or affected in any way.

### **What Happened?**

On July 6, 2016, Newkirk discovered that a server containing member information was accessed without authorization. We shut down the server and started an investigation into the incident. The server did **not** include Social Security numbers, dates of birth, banking or credit card information, medical information or any insurance claims information. We hired a third-party forensic investigator to determine the extent of the unauthorized access and whether the personal information of our clients’ members may have been accessed. We also notified federal law enforcement. While the forensic investigation is ongoing, it appears that the unauthorized access first occurred on May 21, 2016. Although the information contained on the server may have been accessed, Newkirk has no evidence to date that such data has been used inappropriately.

### **What Information Was Involved?**

**[For BCBS NC]**– The information potentially accessed consists of your name, mailing address, type of plan, member and group ID number, and other information found on your ID card.]

**[For HealthNow]** -- The information potentially accessed consists of your name, mailing address, type of plan, member and group ID number, Medicaid ID number, and other information found on your ID card such as, in some cases, names of members enrolled on your policy (dependents) and primary care provider.]

**[For Blue KC** -- The information potentially accessed consists of your name, mailing address, type of plan, member and group ID number, and other information found on your ID card such as, in some cases, primary care provider.]

**[For Capital District Physician's Health Plan (CDPHP)** -- The information potentially accessed consists of your name, mailing address, type of plan, member and group ID number, and other information found on your ID card as well as your member bill.]

### **Why Does Newkirk Have Your Information?**

Newkirk has your personal information because [plan name] hired Newkirk to create your health insurance ID cards.

### **What We Are Doing**

Newkirk and [plan name] take this incident very seriously.

Although we have no evidence that your personal information has been misused, we are offering two years of identity protection and restoration services with AllClear ID at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next two years.

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-303-9773 (TTY/TDD: 711) and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear Identity Theft Monitoring: This service offers additional layers of protection including identity theft monitoring that delivers secure, actionable alerts to you by phone and \$1 million identity theft insurance coverage. For a child under 18 years old, AllClear ID ChildScan identifies acts of credit, criminal, medical or employment fraud against children by searching thousands of public databases for use of your child's information. To use this service, you will need to provide your personal information to AllClear ID. You may sign up online at [newkirkproductsfacts.allclearid.com](http://newkirkproductsfacts.allclearid.com). Please note: Additional steps may be required by you in order to activate your phone alerts and monitoring options.

In addition Newkirk is taking measures to improve its cyber security controls so that this type of incident will not happen again.

### **What You Can Do**

While the information potentially accessed was limited, we encourage you to enroll with AllClear ID. You can also review the enclosed Additional Resources and Helpful Information.

We also encourage you to be vigilant against incidents of identity theft. You can do this by reviewing your account statements, medical bills, and health insurance Explanations of Benefits statements regularly for suspicious activity. Report all suspicious or fraudulent charges to [plan name].

### **For More Information**

Newkirk recognizes this issue is concerning to you and we are taking steps to help protect you. Should you have any questions regarding this incident, please visit [www.newkirkproductsfacts.com](http://www.newkirkproductsfacts.com) or call the AllClear ID dedicated call center we have set up regarding this incident at 1-855-303-9773 (TTY/TDD: 711) between Monday - Saturday, 8am - 8pm CST. This notice is available in other formats for members with special needs. Oral translation is an option for members who speak languages other than English and Spanish.

Newkirk and [plan name] take your privacy and the security of your protected health information seriously. We sincerely regret any inconvenience or concern this incident has caused you.

Sincerely,

[Name]

[Title]

\*Newkirk Products, Inc. was acquired by Broadridge Financial Solutions, Inc. on July 1, 2016.