



MULLEN
COUGHLIN^{LLC}
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December 5, 2023

VIA E-MAIL

Office of the Attorney General of Iowa
Consumer Protection Division
Security Breach Notifications
1305 E. Walnut Street
Des Moines, IA 50319-0106
E-mail: consumer@ag.iowa.gov

Re: Notice of Data Event

To Whom it May Concern:

We represent Welltok, Inc. (“Welltok”) located at 1515 Arapahoe St. #700, Denver, CO, 80202. Welltok operates a voluntary online wellness program used by healthcare providers and employers that encourages healthy lifestyle changes. Additionally, Welltok operates an online contact-management platform that enables healthcare clients to provide patients and members with important notices and communications. We are writing to notify your office of an event that may affect the security of certain personal information relating to approximately sixteen thousand twelve (16,012) Iowa residents. Welltok is reporting this incident on behalf of OrthoNebraska, which owns the data at issue. By providing this notice, Welltok does not waive any rights or defenses regarding the applicability of Iowa law, the applicability of the Iowa data event notification statute, or personal jurisdiction.

Nature of the Data Event

On July 26, 2023, Welltok was alerted to an earlier alleged compromise of its MOVEit Transfer server in connection with software vulnerabilities made public by the developer of the MOVEit Transfer tool. Welltok had previously installed all published patches and security upgrades immediately upon such patches being made available by Progress Software, the maker of the MOVEit Transfer tool. Welltok also conducted an examination of its systems and networks using all information available to determine the potential impact of the published vulnerabilities presence

on the MOVEit Transfer server and the security of data housed on the server. Welltok confirmed that there was no indication of any compromise at that time.

Upon being alerted to the alleged issue, Welltok moved quickly to launch an additional investigation with the assistance of third-party cybersecurity specialists and using additional information that had been discovered in the intervening period, to determine the potential for a hidden presence of vulnerabilities on the MOVEit Transfer server and the security of data housed on the server. After a full reconstruction of its systems and historical data, the investigation determined on August 11, 2023, that an unknown actor exploited software vulnerabilities, accessed the MOVEit Transfer server on May 30, 2023, and exfiltrated certain data from the MOVEit Transfer server during that time. Welltok subsequently undertook an exhaustive and detailed reconstruction and review of the data stored on the server at the time of this incident to understand the contents of that data and to whom that data relates. On October 19, 2023, OrthoNebraska learned the scope of the data present on the impacted server at the time of the event. Since then, Welltok has been coordinating efforts with OrthoNebraska to review and verify the affected information and provide direct notice to impacted individuals.

The information that could have been subject to unauthorized access includes name, address, phone number, email address, date of birth, treatment information and/or diagnosis information, provider name, medical record number and/or patient identification number, health insurance information, and treatment cost information.

Notice to Iowa Residents

On or about September 22, 2023, Welltok provided notice of this event to affected clients with an offer to provide notification services to potentially impacted individuals on their behalf and at their direction. On or about December 4, 2023, Welltok provided written notice of this event to potentially impacted individuals on behalf of OrthoNebraska, which owns the data at issue. This mailing includes notice to approximately sixteen thousand twelve (16,012) Iowa residents.

Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, Welltok moved quickly to investigate and respond to the event, assess the security of its systems, and notify potentially affected individuals. Welltok is providing access to credit monitoring services for twelve (12) to twenty-four (24) months, depending on state law requirements, through Experian, to individuals whose personal information was potentially impacted by this event, at no cost to these individuals.

Additionally, Welltok is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Welltok is providing individuals with information on how to place fraud alerts and credit freezes on their credit files, the contact

The Office of The Attorney General

December 5, 2023

Page 3

details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4839.

Very truly yours,

A handwritten signature in black ink that reads "Rebecca Jones". The signature is written in a cursive style and is placed on a white rectangular background.

Rebecca J. Jones of
MULLEN COUGHLIN LLC

RJJ/kzm

EXHIBIT A



Return Mail Processing
 PO Box 589
 Claysburg, PA 16625-0589

December 4, 2023



K4134-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345
 SAMPLE A SAMPLE - L01 ORTHONEBRASKA ADULT
 APT ABC
 123 ANY STREET
 ANYTOWN, ST 12345-6789



Notice of Data [Event/Breach]

Dear Sample A. Sample:

Welltok, Inc. writes on behalf of OrthoWest, LLC, dba OrthoNebraska Clinics and Nebraska Orthopaedic Hospital LLC, dba OrthoNebraska Hospital (“OrthoNebraska”) to inform you of an event that may affect the security of your personal information. Welltok operates an online contact-management platform that enables healthcare clients to provide patients and members with important notices and communications for OrthoNebraska and received your information in connection with these services. Although we have no indication of actual fraud or misuse of your information, we are providing you with information about the incident, our response to it, and resources available to you to help protect your information, should you feel it appropriate to do so.

What Happened. On July 26, 2023, we were alerted to an earlier alleged compromise of our MOVEit Transfer server in connection with software vulnerabilities made public by the developer of the MOVEit Transfer tool. We had previously installed all published patches and security upgrades immediately upon such patches being made available by Progress Software, the maker of the MOVEit Transfer tool. We also conducted an examination of our systems and networks using all information available to determine the potential impact of the published vulnerabilities’ presence on the MOVEit Transfer server and the security of data housed on the server. We confirmed that there was no indication of any compromise at that time.

Upon being alerted to the alleged issue, we moved quickly to launch an additional investigation with the assistance of third-party cybersecurity specialists and using additional information that had been discovered in the intervening period, to determine the potential for a hidden presence of vulnerabilities on the MOVEit Transfer server and the security of data housed on the server. After a full reconstruction of our systems and historical data, our investigation determined on August 11, 2023, that an unknown actor exploited software vulnerabilities, accessed the MOVEit Transfer server on May 30, 2023, and exfiltrated certain data from the MOVEit Transfer server during that time. We subsequently undertook an exhaustive and detailed reconstruction and review of the data stored on the server at the time of this incident to understand the contents of that data and to whom that data relates. On October 19, 2023, OrthoNebraska learned the scope of the data present on the impacted server at the time of the event. Since then, we have been coordinating efforts with OrthoNebraska to review and verify the affected information and provide direct notice to impacted individuals.

What Information Was Involved. *While we have no evidence that any of your information has been misused, we are notifying you and providing information and resources to help protect your personal information.* The following types of your information may have been impacted: your name and [data elements].

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What We Are Doing. We take this event and the security of personal information in our care very seriously. Upon learning of this event, we moved quickly to investigate and respond to the event and notify potentially affected individuals. As part of our ongoing commitment to the security of information, we are reviewing and enhancing our existing policies and procedures related to data privacy to reduce the likelihood of a similar future event.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by regularly reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors. You may also review the information contained in the enclosed *Steps You Can Take to Help Protect Your Information*. There you will also find more information on the credit monitoring and identity restoration services we are making available to you. While Welltok will cover the cost of these services, you will need to complete the activation process. Enrollment instructions are included in this letter.

For More Information. If you have additional questions, or need assistance, please call 1-800-628-2141 which is available Monday through Friday, between the hours of 6:00 a.m. and 8:00 p.m. Pacific Time, and Saturday and Sunday, between the hours of 8:00 a.m. and 5:00 p.m. Pacific Time, excluding major U.S. holidays.

We apologize for any inconvenience to you and remain dedicated to protecting the information in our care.

Sincerely,

Welltok, Inc.

STEPS YOU CAN TAKE TO HELP PROTECT YOUR INFORMATION

Enroll in Credit Monitoring

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for ## months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. 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 from the date of the incident (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 Identity Restoration is available to you for ## months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration.

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary ##-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by** February 29, 2024 (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code**: **ABCDEFGHI**

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 1-800-628-2141 by February 29, 2024. Be prepared to provide engagement number ENGAGE# as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR ##-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 file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARETM:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance^{**}:** Provides coverage for certain costs and unauthorized electronic fund transfers.

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

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.



Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a one-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a credit freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. To request a credit freeze, you may need to provide some or all of the following information:

1. Full name (including middle initial, as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a fraud alert or a credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you

ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, DC 20001; 1-202-727-3400; and oag.dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>. Welltok, Inc.'s address is 1515 Arapahoe St. #700 Denver, CO 80202.

For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus 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 credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active-duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov/>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; 1-401-274-4400; and www.riag.ri.gov. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There is 1 Rhode Island resident impacted by this event.

