



**BlueCross BlueShield  
of Tennessee**

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October 15, 2010

**VIA FEDERAL EXPRESS**

The Honorable Attorney General Michael A. Delaney  
New Hampshire Office of Attorney General  
33 Capitol Street  
Concord, New Hampshire 03301

Dear General Delaney:

Please allow this letter to serve as a follow-up notice to you of the final number of members involved in your state in BlueCross BlueShield of Tennessee's ("BCBST's") data breach which occurred in the State of Tennessee. As you may recall from our correspondence of December 16, 2009, BCBST sustained a theft of 57 hard drives from a leased location in Chattanooga, Tennessee. BCBST assigned all members involved to a "risk tier" as required by the federal HITECH Act. Tier 3 was for those members who had a social security number at issue (along with other information), Tier 2 involved members whose social security number was not at issue but included a diagnosis code or diagnosis (along with other identifying information), and Tier 1 involved any member whose name, address, and/or date of birth or other information were contained on the stolen drives. The total number of members involved was 1,023,209 in the following risk tiers: 239,730 in Tier 3; 319,325 in Tier 2; and 451,274 in Tier 1. In the State of New Hampshire, there were 731 members involved which is comprised of 165 members in Tier 3; 205 members in Tier 2; and 361 members in Tier 1.

BCBST has no reason to believe at this time that the stolen drives have been accessed, particularly since of approximately 240,000 members with a social security number at risk, BCBST has received less than 10 requests for restoration of credit services. BCBST believes that the identity theft which these few members sustained was not related to BCBST's data breach, however, BCBST nevertheless approved and paid for restoration for the members at issue. BCBST also purchased credit monitoring for one year for all members who had a social security number at issue through Equifax (for adults) and LifeLock® (for minors), and paid for enrollment of all members, regardless of risk tier, in Kroll's I.D. TheftSmart® Program for one year.

BCBST has now notified all members which were reasonably capable of being identified on the stolen drives, and it continues to monitor this case for any alleged harm to its members, wherever located. BCBST also continues to work with federal authorities on investigation of the theft.

Attorney General Michael A. Delaney  
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We are sending your final state statistics to our own Attorney General, General Robert Cooper, the 3 major credit reporting agencies, and the United States Department of Health and Human Services, Office of Civil Rights. We did, however, want your office to have this information as well, as we indicated in our previous correspondence.

If you have any questions or concerns whatsoever, please do not hesitate to contact me.

Sincerely,



Tena T. Roberson  
Chief Privacy Officer and  
Deputy General Counsel

cc: Tennessee Attorney General Robert Cooper  
Mr. Roosevelt Freeman, Regional Director, HHS-OCR – Via Email  
Adam Greene, Office of Counsel to HHS, Civil Rights Division – Via Email  
Chris Griffin, Assistant Regional Counsel to HHS – Via Email

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