

September 9, 2010

Facsimile: (603) 271-2110

Attorney General Michael Delaney  
33 Capital Street  
Concord, NH 03301

Dear Mr. Delaney:

I write to you on behalf of South Shore Hospital in Weymouth, Massachusetts to follow-up on a letter we sent to you dated July 19, 2010.

As you will recall, the Hospital reported that back-up computer files potentially containing personal, health and financial information of some of your state's residents may have been lost by a vendor while being shipped for offsite destruction. In the July 19 letter and the media announcements issued around the time of the letter (including those provided to media outlets in your state), as well as on its website, the Hospital stated that it was continuing to investigate this matter. The Hospital's investigation is now complete and the attached news statement summarizes the findings, including the Hospital's conclusion that there is little to no risk that the data has been or could be acquired, accessed, used, or disclosed in an unauthorized manner.

The Hospital previously relayed that it anticipated sending individual written notices to those whose information may have been on the back-up computer files. In light of the investigation findings, the Hospital does not plan to send individual notices but is providing updated information about this matter through its website at [www.southshorehospital.org](http://www.southshorehospital.org) and its toll-free information line at (888) 533-3000.

Visitors to the Hospital's website and callers to the toll-free information line may obtain:

- An explanation of the situation and the investigation findings;
- A summary of the report by the computer forensic experts from Huron Consulting Group, a national consulting firm retained by the Hospital;
- Answers to questions individuals may have about this matter; and
- Steps individuals may take to protect their information.

We also are issuing the attached revised notices to media outlets in your state as an update to the media notices previously provided.

Sincerely,

A handwritten signature in cursive script that reads "Karen Baxter".

Karen Baxter  
Risk Manager  
South Shore Hospital

Encls.



For Release: September 8, 2010

Media Contact: Sarah Darcy, (781) 624-8970

### **SOUTH SHORE HOSPITAL REPORTS FINDINGS FROM INVESTIGATION INTO MISSING BACK-UP COMPUTER FILES**

South Shore Hospital announced on September 8, 2010 that it has completed its investigation into the loss of its back-up computer files. All available evidence indicates that the files are unrecoverable and that there is little to no risk that information on the files has been or could be acquired, accessed or misused. South Shore Hospital has reported the findings of its investigation to the Massachusetts Attorney General's Office and to the US Department of Health and Human Services.

South Shore Hospital publicly reported on July 19, 2010 that back-up computer files containing personal, health and financial information may have been lost. On February 26, 2010, South Shore Hospital engaged Iron Mountain Data Products (now called Archive Data Solutions) to destroy back-up computer files that were stored on computer tapes that were in a format the hospital no longer used. Iron Mountain Data Products subcontracted the work without South Shore Hospital's prior knowledge to Graham Magnetics, which arranged for three boxes of the computer tapes to be shipped to its Texas facility for destruction. When certificates of destruction were not provided to the hospital in a timely manner, South Shore Hospital repeatedly asked Iron Mountain Data Products for an explanation. The hospital was informed on June 17, 2010, that Graham Magnetics had received and destroyed the contents of one of the three boxes of computer tapes, but had not received the other two boxes.

South Shore Hospital, along with other involved parties, immediately launched a search for the two missing boxes. The search included hiring an outside private investigative team to interview individuals with knowledge about the shipment. The hospital also engaged computer forensic experts from Huron Consulting Group to assess whether information on the missing back-up computer files could be acquired, accessed, used, or disclosed in an unauthorized manner that could pose a significant risk of financial, reputational or other harm to an individual. Huron Consulting also assessed whether there is knowledge or reason to know that personal information that may have been on the files was acquired or used by an unauthorized person or for an unauthorized purpose.

South Shore Hospital has concluded that there is little to no risk that information on the files has been or could be acquired, accessed or misused based on the following key investigation findings:

- The back-up computer files were stored on unmarked computer tapes that were packed in three sealed boxes. The boxes were wrapped together on a shipping pallet and had no indication on the outside or inside that they contained confidential information.
- South Shore Hospital, the private investigation team, and Ohio-based R+L Carriers – the company that transported the files for offsite destruction – conducted multi-state searches for the two missing boxes. All available evidence indicates that the three boxes of computer tapes were likely separated from each other during transport. Once separated, two of the three boxes were unidentifiable because they were unmarked and appeared to be of no value. As a result, those two boxes of computer tapes are believed to have been disposed of in a secure commercial landfill that R+L Carriers uses to dispose of unclaimed materials and are therefore unrecoverable.
- Even if the computer tapes were found, Huron's experts have concluded that specialized equipment, proprietary software, sophisticated knowledge, time and financial resources would be required to access, aggregate, interpret and ultimately use information on the files. An executive summary of Huron's report is available by visiting the hospital's website at [www.southshorehospital.org](http://www.southshorehospital.org).
- There remains no evidence that any information on the missing back-up computer files has ever been acquired, accessed, or used by anyone.

(continued)

To determine what information may have been on the back-up computer files, South Shore Hospital worked under the assumption that the files could have contained everything on the hospital's computer system during the file back-up period of January 1, 1996 to January 6, 2010. As originally reported on July 19, 2010, the back-up computer files could have contained personal, health and financial information for approximately 800,000 individuals, including patients, employees, physicians, volunteers, donors, vendors and other business partners associated with South Shore Hospital. The hospital's original files remain protected and intact.

South Shore Hospital initially notified the public about this matter while its investigation was still underway. At that time, the hospital anticipated sending individual written notices to those whose information may have been on the back-up computer files. In light of the investigation findings, South Shore Hospital does not plan to send out individual notices. Anyone with questions may:

- Visit South Shore Hospital's website at [www.southshorehospital.org](http://www.southshorehospital.org)
- Call South Shore Hospital's automated toll-free information line at (888) 533-3000.

"The investigation into this matter has been extremely thorough and has involved numerous qualified independent experts. Based on what we've learned, I am confident that there is little to no risk that information on the files has been or could be accessed," said Richard H. Aubut, South Shore Hospital president and chief executive officer. "Nevertheless, I remain deeply sorry about this situation and any concern it may have caused."

###