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August 4, 2010

VIA OVERNIGHT MAIL

Office of the Attorney General
33 Capitol Street
Concord, NH 03301
Attention: Attorney General Delaney

Re: Incident Notification

Dear Attorney General Delaney:

We are writing on behalf of my client, Walsh Pharmacy of Fall River, MA, to notify you of a data security incident.

A DVD was mailed to Walsh Pharmacy by its business associate systems vendor, McKesson Pharmacy Systems, on June 3rd. However, upon receipt on June 5, 2010, the sealed envelope was found to be empty. The files on the DVD contained the personal information of Walsh Pharmacy patients, including names and in some instances social security, health care numbers, and driver's license numbers, as well as prescription information. No credit card, debit card, or bank account numbers were on the DVD. Despite diligent searches by both Walsh Pharmacy and its vendor, the DVD has not been found.

The information on the DVD pertained only to Walsh Pharmacy patients and does not affect all of its customers. We have no reason to believe that the DVD was the target of a theft or that any information contained on the DVD has been used improperly. The envelope that was received showed no evidence of tampering. The files on the DVD were created by a UNIX computer system and the information contained in those files cannot be easily extracted in a comprehensible format without UNIX technical expertise and tools.

Notification is being sent to the affected individuals in the form attached hereto. As a precaution, Walsh Pharmacy is offering two year's worth of free credit monitoring to the affected individuals. There is one (1) New Hampshire resident potentially affected by this incident.

Walsh Pharmacy has in place, and requires that its business associates have in place, administrative and technical procedures consistent with safeguarding personal and health information in order to avoid a reoccurrence of any such incidents. Walsh Pharmacy is also continually reviewing its policies and procedures and its contracts with its business associates to further enhance security of any data received by its business associates. Going forward, Walsh Pharmacy business associates will no longer return media containing this type of information, but will instead destroy it.

Walsh is committed to fully protecting all of the information entrusted to it and regrets that this incident occurred.

Sincerely,



Paul M. Garbarini, Esq.

Attachment

August ____, 2010

Dear _____

The privacy and security of your personal information is of utmost importance to Walsh Pharmacy and we take significant measures to protect it. Regrettably, we are writing to notify you of an incident that may have involved your information.

A DVD was mailed to Walsh Pharmacy by its business associate systems vendor on June 1st. However, upon receipt on June 5, 2010, the sealed envelope was found to be empty. The files on the DVD contained the personal information of Walsh Pharmacy patients, including names and in some instances social security, health care numbers, and driver's license numbers, as well as prescription information. No credit card, debit card, or bank account numbers were on the DVD. Despite diligent searches by both Walsh Pharmacy and our vendor, the DVD has not been found.

The information on the DVD pertained only to our pharmacy patients and does not affect all of our customers. We have no reason to believe that the DVD was the target of a theft or that any information contained on the DVD has been used improperly. The envelope that was received showed no evidence of tampering. The files on the DVD were created by a UNIX computer system and the information contained in those files cannot be easily extracted in a comprehensible format without UNIX technical expertise and tools.

In an abundance of caution, we are providing you with a free XXX membership in Triple AlertSM from ConsumerInfo.com, Inc., an Experian® company, to provide you with credit monitoring capabilities and assistance in identity theft protection, including identity theft insurance¹. To enroll in TripleAlert please see page 2 of this letter.

Walsh Pharmacy regrets this unfortunate incident and is taking the necessary and appropriate steps to prevent this type of incident from occurring in the future. We are committed to maintaining the privacy of our customer's information and we take many precautions to safeguard it. We continually evaluate and modify our practices, and the practices of our vendors, in order to enhance the security and privacy of our customer's information. Going forward, our business associates will no longer return media containing this type of information, but will instead destroy it. If you have questions regarding this incident, please call xxxxxxxxxx.

Sincerely,

TRIPLE ALERT ENROLLMENT INFORMATION:

¹Insurance coverage is not available in US overseas Commonwealth or Territories (i.e. Puerto Rico).