



November 16, 2021

Attorney General Wayne Stenehjem
Office of the Attorney General
Consumer Protection and Antitrust
1050 East Interstate Avenue, Suite 200
Bismarck, ND 58503-5574
Email: ndag@nd.gov

Re: Notice of Data Privacy Matter

Attorney General Stenehjem:

I am writing on behalf of Alcon to inform you of a recent matter that impacted the personal information of eleven (11) North Dakota residents, pursuant to N.D. CENT. CODE ANN. § 51-30-02.

On October 5, 2021, Alcon sent an email to health care providers that, due to a technical error, included limited information about patients who recently received an Alcon intraocular lens implant. The email, which we sent to facilitate billing, should have only contained patient information relating to each health care provider's own account. Instead, the communication inadvertently contained limited information about a broader set of 9,974 patients, including 11 North Dakota residents, who received an Alcon intraocular lens implant.

The information disclosed to health care providers was patient first and last name, device serial number, date of implant, and treating physician. The communication did not include any other health or medical information or any financial information or Social Security numbers. **At this time, Alcon has no reason to believe that any personal information has been misused or further disclosed.**

Once we discovered that this email disclosure had occurred, we notified all of the health care providers who received the communication that they should delete the information that was inadvertently sent to them. We also immediately began reviewing our internal processes and procedures to determine the sources of the technical error and correct it. Moving forward, these billing-related communications will no longer include patient name.

On November 16, 2021, Alcon again contacted health care providers in North Dakota in order to provide instructions and support to facilitate notification of this matter to affected patients as soon as reasonably possible. Attached is a sample notification to be sent to those residents.

We take our responsibility to protect the personal information of patients seriously, and are taking additional steps to protect against future unintended disclosure of data. Please feel free to contact me at privacy@alcon.com if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. McKinney", is written over the typed name.

David McKinney
Regional Privacy Officer



November 15, 2021

RE: Notice of Data Privacy Matter

Dear Valued Patient:

We are writing to notify you of a recent matter involving some of your personal information. We take the privacy of personal information seriously, which is why we want to make you aware of this matter and the steps we are taking in response. There is no evidence that anyone has taken or misused your information as a result of this matter and neither **your financial information nor Social Security number were involved.**

What Happened?

On October 5, 2021, Alcon sent an email to health care providers that, due to a technical error, included limited information about patients who recently received an Alcon intraocular lens implant. The email, which we sent to facilitate billing, should have only contained information about each health care provider's own patients. Instead, the communication inadvertently contained limited information about a broader set of patients who received an Alcon intraocular lens implant.

We are informing you of this matter because you recently received an Alcon intraocular lens implant and your information was included in the communication sent to health care providers.

What Information Was Involved?

The information disclosed to health care providers was your first and last name, device serial number, date of implant, and treating physician. **The communication did not include any other health or medical information or your financial information or Social Security number.**

What We Are Doing.

Once we discovered that this email disclosure had occurred, we took immediate steps to correct the issue. We notified all of the health care providers who received the communication that they should delete the information that was inadvertently sent to them. We also immediately began reviewing our internal processes and procedures to determine the sources of the technical error and correct it.

What You Can Do.

We do not have reason to believe your personal information will be used inappropriately because of this matter. However, should you have any questions about this matter, please contact us using the information below.

For More Information.

Alcon is committed to protecting the privacy and security of your personal information. We deeply regret any inconvenience or concern this matter may have caused. If you have questions, please contact us at unbilled.implants@alcon.com.

Sincerely,

Sara Kelly

Vice President, Head of U.S. Commercial Operations

Alcon