

Schroeder, Chris N.

From: -Info-Attorney General
Sent: Friday, December 3, 2021 8:06 AM
To: Schroeder, Chris N.
Subject: FW: Courtesy Notice of Data Breach

From: Flint Ellen D <ellen.d.flint@doj.state.or.us>
Sent: Thursday, December 2, 2021 7:37 PM
To: -Info-Attorney General <ndag@nd.gov>
Subject: Courtesy Notice of Data Breach

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To Whom it May Concern-

This message is to notify the Office of the Attorney General of North Dakota, Consumer Protection and Antitrust Division, of an accidental disclosure of information that meets the definition of “personal information” in Oregon’s Consumer Protection Information Act (OCIPA) and in North Dakota Century Code Chapter 51-30.

This incident affected 40,098 individuals, including one North Dakota resident. Attached is a courtesy copy of the notice sent to affected individuals, provided in the spirit of sharing information amongst states. Oregon does not agree it is subject to the jurisdiction of North Dakota and does not waive its sovereign immunity.

The text of the notification is below the main body of this message. Please let me know if you have any questions.

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DAS
Department of Administrative Services
Office of The Chief Operating Officer

December 02, 2021

Notice of Data Breach

Dear [Recipient Name],

This letter is information for you about the inadvertent disclosure of your COVID-19 vaccination status. DAS is required to send you this Notice of Data Breach under the Oregon Consumer Information Protection Act (OCIPA).

What Happened

On October 18, 2021, the Department of Administrative Services (DAS) Communications office responded to a request from the Statesman Journal and The Oregonian on the status of COVID-19 vaccinations for Oregon's Executive Branch employees. DAS provided its response in spreadsheet form, which was thought to contain only information summarized by agency. Unfortunately, a file also included individual employees' COVID-19 vaccination status. That personal information was in rows hidden on one of the spreadsheets, and "unhiding" the rows showed individual employee information.

What Personal Information was Included

The personal information in the hidden rows was each employee's first name and last name, and a "1" for "yes" or "0" for "no" for each of the following:

- Vaccine requirement was acknowledged (yes or no)
- If verification of vaccination was provided (yes or no)
- If a religious exception was approved (yes or no)
- If a medical exception was approved (yes or no)
- If proof of vaccination is pending human resources review (yes or no)
- If a religious exception request is pending human resources review (yes or no)
- If a medical exception request is pending human resources review (yes or no)

No other identifying information was disclosed. The information did not include anyone's vaccination record or any exception request documentation. However, the disclosed vaccination status information is considered personal information under OCIPA. Because of this, DAS is required to send you this notice.

What We are Doing

State government's Cyber Security Services program investigated the incident and removed the spreadsheet with the personal information from DAS' systems. Cyber Security Services received confirmation from the Statesman Journal that it deleted the information without using it or further disclosing it. The Oregonian has declined to fulfill DAS' request to delete the information, and has not provided information assuring Cyber Security Services that it is protecting the confidentiality or security of the information.

Please know that the DAS Communications staff did not have direct access to individual employee information on COVID-19 vaccination status in Workday, and did not request it. DAS has put additional safeguards in place to guard against similar inadvertent disclosures.

How You Can Get More Information

You may call (833) 365-2596 to speak to someone about this event. Notices under OCIPA must also include the consumer information included with this letter. Please note the disclosed information was only the information described in this notice. It did not include social security numbers, or financial details.

We value all our employees and respect your privacy. We recognize the anger and frustration this has caused many state employees and sincerely regret the error.

Sincerely,

Katy Coba
State COO and DAS Director

Consumer Information

This is information on how you can learn more about how to protect your identity. Identity theft is when someone uses your personal information without your permission to open accounts, make purchases, or commit fraud or similar crimes using your information.

1. Contact Credit Reporting Agencies. You can contact the major credit reporting agencies for information and tools to help protect your identity. For example, you can get a free copy of your credit report from each of the three major credit reporting agencies once every 12 months. You may contact one or more of the agencies directly, or make a request through Free Annual Report.

The contact information for the three major credit reporting agencies and Free Annual Report is:

Equifax P.O. Box 105851 Atlanta, GA 30348 1-800-525-5191 www.equifax.com	TransUnion P.O. Box 1000 Chester, PA 19016 1-877-322-8228 www.transunion.com	Experian P.O. Box 9532 Allen, TX 75013 1-888-397-3742 www.experian.com	Free Annual Report P.O. Box 105281 Atlanta, GA 30348 1-877-322-8228 Annualcreditreport.com
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2. Report Identity Theft. If you ever believe you are the victim of identity theft, you should do two things. First, you should promptly notify the financial institution or company that holds the affected account. Second, you should report any suspected identity theft to local law enforcement, your state attorney general's office, and the Federal Trade Commission (FTC).

3. Additional Consumer Protection Information. You can get information on how to protect your identity, and what to do if you suspect identity theft, from your state attorney general's office and the FTC:

California Residents: Visit the California Office of Privacy Protection (www.oag.ca.gov/privacy) for additional information on protection against identity theft.

Kentucky Residents: Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601, www.ag.ky.gov, Telephone: 1-502-696-5300.

Maryland Residents: Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023.

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 agencies 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 a 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. You can 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.

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

North Carolina Residents: Office of the Attorney General of North Carolina, 9001 Mail Service Center Raleigh, NC 27699-9001, www.ncdoj.gov, Telephone: 1-919-716-6400.

Oregon Residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392.

Rhode Island Residents: Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, Telephone: 401-274-4400.

All US Residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, www.consumer.gov/idtheft, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.

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