

Nebraska Skilled Nursing and Rehabilitation  
7410 Mercy Road  
Omaha, Nebraska 68124  
(402) 397 - 1220

December 8, 2017

To Whom It May Concern,

I am writing to you with important information about an incident involving your personal health information. On 10/17/17, we became aware that several employees of Nebraska Skilled Nursing and Rehabilitation engaged in the transmission of text messages containing protected health information (PHI) for 16 patients. These employees did not encrypt the messages or send them with any other electronic protections, meaning they were unsecured during transmission. We do not have any reasonable suspicion the text messages had been intercepted; however, there is no way for us to guarantee the information was not viewed by anyone else during transmission. We also learned that one of the employees had forwarded the texts she had stored on her phone to her union representative (to appeal her termination), and this individual was unauthorized to view the information.

The information in the text messages contained a Patient Identifier, such as Full Name, Room Number, Initials, First Name only, or Last Name Only; **and one or more of the following:**

- Demographic Information: Admission Date, Transfer Date, Discharge/Death Date (if applicable).
- Clinical Information: Prescription Information (medication use), Accident Information, Assessment Symptoms, Vital Signs, Blood Sugar Results, or Hospice Information (if applicable).

**You are receiving this notice because you were one of the patients, or a Responsible Party/Next of Kin of a patient affected by this incident.** Two of the employees involved have since been terminated and no longer work for us. The other employees involved, and the union representative have readily signed attestations confirming they deleted the text messages from their cell phones and had not disclosed any of the information to others. They validated they did not copy, screenshot, memorize, or otherwise attempt to retain any of your information; and, attested to the fact they have no intention of further using or disclosing any information they may have residual knowledge of.

We have investigated the matter and determined it was an inadvertent error with no malicious intent. The text messages did in fact reach their intended recipients; and, these individuals were authorized to view the information they received (except the union representative). We have since re-trained all facility nurses on facility practices for securely transmitting text messages containing protected health information.

There was no financial information (account numbers) or sensitive identifiers such as date of birth or social security numbers contained in the texts; therefore, the risk of identity theft or financial fraud is extremely low; however, the texts may have contained clinical information about you that you might not want others to know, so we decided to report this matter to you in an abundance of caution.

We sincerely apologize this unfortunate incident occurred. We are offering credit reporting monitoring for one (1) year to help you protect your identity and credit information at no cost to you. **If you choose to participate in this program, please contact Maria Barrios at: (949) 349 - 1208.**

In addition to the above, we also recommend that to take the following steps:

- Call the toll-free numbers of any one of the three major credit bureaus (below) to place a fraud alert on your credit report. This can help prevent an identity thief from opening additional accounts in your name. As soon as the credit bureau confirms your fraud alert, the other two credit bureaus will automatically be notified to place alerts on your credit report, and all three reports will be sent to you free of charge.
- Order your credit reports. By establishing a fraud alert, you will receive a follow-up letter that will explain how you can receive a free copy of your credit report. When you receive your credit report, examine it closely and look for signs of fraud, such as credit accounts that are not yours.
- Continue to monitor your credit reports. Even though a fraud alert has been placed on your account, you should continue to monitor your credit reports to ensure an imposter has not opened an account with your personal information.

Consumer Reporting Agency	Toll-Free Phone Number	Website	Address
Equifax	1-800-525-6285	<a href="http://www.equifax.com">www.equifax.com</a>	P.O. Box 740241, Atlanta, GA 30374
Experian	1-888-397-3742	<a href="http://www.experian.com">www.experian.com</a>	P.O. Box 9532, Allen, TX 75013
TransUnion	1-800-680-7289	<a href="http://www.transunion.com">www.transunion.com</a>	P.O. Box 6790, Fullerton, CA 92834

- Regularly review your explanations of benefits that you receive from your health insurance company. If you see any service that you believe you did not receive, please contact your insurance company at the number of the statement. If you do not regularly receive explanations of benefits statements, contact your health insurance company and ask that they them to you.
- Keep a copy of this notice for your records in case of future problems with your medical records.

If you need additional information or wish to contact us with concerns, we would be happy to speak with you. **Please contact Jacqueline Turner, our Covenant Care Privacy Officer at (916) 952 – 3054.** A toll-free compliance hotline has been established to provide employees and others with a confidential method for communicating concerns about HIPAA violations or suspected violations of our compliance program. **The compliance hotline number is: 1-888-505-2004.** You are welcome to use this toll-free number to verbalize concerns and/or request a call back from our HIPAA Privacy Officer.

We take very seriously our role of safeguarding personal information and using it in an appropriate manner. We apologize for this situation and we are taking appropriate measures to prevent this type of situation from reoccurring. We will continue our ongoing efforts to monitor and strengthen our information security program.

Sincerely,  
 Jacqueline Turner, R.N.  
 Covenant Care Privacy Officer