

Notice of Data Security Incident

Frank Eye Center was recently notified of an incident that may have involved the personal information or protected health information of certain Frank Eye Center patients. **Certain patients' medical record and demographic information may have been viewed or acquired by a cyber attacker.** Although Frank Eye Center has no evidence that any personal information or protected health information has been misused for the purpose of committing fraud or identity theft, it is notifying its patients to advise them about the steps it has taken to address the incident and provide them with guidance on what they can do to protect themselves.

Frank Eye Center uses Eye Care Leaders (“ECL”), a third-party service provider, to store electronic patient medical records and related information. ECL recently notified Frank Eye Center and other eyecare providers that on December 4, 2021, an unknown third party accessed ECL's network. ECL advised us that upon discovering the incident, ECL contained the incident, notified law enforcement, conducted an investigation, and began restoring data from backups where available. **This incident occurred completely outside of Frank Eye Center's control, as the involved medical records were not stored at Frank Eye Center, but at the medical record company ECL.**

On March 1, 2022, ECL notified Frank Eye Center that this incident may have involved unauthorized access to protected health information or other personal information. Although ECL has not identified evidence confirming unauthorized access, acquisition, or disclosure of any personal information or protected health information, ECL has indicated they cannot rule out the possibility that the third party may have accessed or acquired information stored within ECL's myCare Integrity EMR (Electronic Medical Records). As a result, out of an abundance of caution, and as required by law, Frank Eye Center is notifying all of its patients who had personal information stored by myCare Integrity EMR. That information included, depending on the individual, the individual's name, address, telephone number, date of birth, Social Security number, and medical treatment and diagnosis information. Frank Eye Center does not have any evidence of harm as a result of this incident.

On April 29, 2022, Frank Eye Center began sending written notifications to individuals whose personal information or protected health information was contained in the potentially accessed or acquired files for whom it has contact information. Frank Eye Center also arranged for complimentary identity theft protection services for those individuals. Notified individuals should refer to the notice they will receive in the mail regarding steps they can take to protect themselves. Again, Frank Eye Center has no reason to believe that any personal information has been misused for the purpose of committing fraud or identity theft, but as a precautionary measure, individuals should remain vigilant to protect against potential fraud or identity theft by, among other things, reviewing their account statements and monitoring credit reports closely. They should promptly report any suspected fraudulent activity or identity theft to proper law

enforcement authorities, including the police and their state's attorney general. Potentially affected individuals may also wish to review the tips provided by the Federal Trade Commission ("FTC") on fraud alerts, security/credit freezes and steps that they can take to avoid identity theft. For more information and to contact the FTC, please visit www.ftc.gov/idtheft or call 1-877-ID-THEFT (1-877-438-4338).

Frank Eye Center regrets any concern this incident may cause. Frank Eye Center is transitioning to a new electronic medical records service provider. New patient records will not be stored by ECL. While Frank Eye Center transitions to its new service provider, ECL has assured Frank Eye Center that it has implemented additional security measures to lessen the likelihood that an incident like this will occur in the future. Additional information is available via a confidential, toll-free inquiry line at (855) 788-2533 from 8:00 a.m. to 5:30 p.m. Central, Monday through Friday.