

**MEMORANDUM**

To: Health Care Oversight Committee  
Rep. Michael Fisher, Chair, House Committee on Health Care  
Sen. Claire Ayer, Chair, Senate Committee on Health and Welfare

From: Mark Larson, Commissioner

Cc: Doug Racine, Secretary, Agency of Human Services  
Lindsey Tucker, Director, VHC; Deputy Commissioner, DVHA  
Rep. Shap Smith, Speaker of the House  
Sen. John Campbell, Senate President Pro Tem

Date: December 16, 2013

Re: Vermont Health Connect Privacy Incident

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I am writing to notify you of a privacy incident that occurred on December 13<sup>th</sup>, 2013. The incident was isolated to two unique VHC users with similar names, was caused by a manual human error, and based on our analysis, does not pose a risk to other VHC users. This matter did not include any breach in security or reveal any technology issues that require mitigation.

The incident occurred when a VHC user called the Customer Support Center for assistance with his application. In attempting to assist the user, a call center representative inadvertently connected the user account of a VHC user with the same first and last name to the request to update the initial caller's account information. When processed, this gave the initial caller access to the other user's account information for a limited period of time. Upon logging into his account, the initial user realized the account information was inaccurate and alerted the Customer Support Center. This issue was self-reported and resolved promptly. Therefore, there is no reason to believe any user's personal information was misused.

In responding to this incident, all privacy protocols were followed. VHC has reported the incident to CMS and has communicated with both individuals involved. VHC is also making every effort to ensure that the Customer Support Center procedures are sufficiently detailed and VHC workers are adequately trained to avoid any such incidents in the future.