



# Legal Briefs

From the Fort Knox Legal Assistance Office

## STOLEN TRICARE INFORMATION (You may have received a letter from SAIC)

### WHO IS SAIC?

Science Application International Corporation (SAIC) is a contractor performing work on behalf of TriCare Management Activity. SAIC may have sent you a letter regarding the loss of personally identifiable and protected health information (PII/PHI).

### WHAT HAPPENED?

On 4 November 2011, TriCare announced that a loss of computer tapes by a SAIC employee containing 4.9 million military clinic and hospital patients in Texas, or those patients who had laboratory exams sent to the military hospitals in Texas, were stolen. The data on the tapes may include names, Social Security numbers, addresses, and phone numbers. Some personal health data, such as clinical notes, may possibly be on the stolen tapes. **TriCare states there is NO financial data, such as credit card or bank account information, on the backup tapes.**

TriCare has reported that the risk of harm to patients is assumed to be low. This is because retrieving the data on the tapes would require access to specific hardware and software. Knowledge of the system, including the data structure, is also needed.

### WHAT IS BEING DONE ABOUT IT?

The Assistant Secretary of Defense (Health Affairs) determined that SAIC should notify potentially impacted persons or households of this incident by letter. Additionally, **TriCare directed SAIC to provide free credit monitoring and credit restoration services for one year to patients requesting them.** TriCare states that the services being provided exceed current industry standards for responding to a data breach.

### WAYS TO PARTICIPATE:

1. To receive online credit monitoring through email, please visit [www.idintegrity.com](http://www.idintegrity.com) to complete your credit authorization; OR
2. To receive your credit monitoring through the US Postal Service mail, please fill out and return the Consumer Credit Report and Credit Monitoring Authorization Form included in your SAIC letter.

*Note that if you fill out and return the authorization to receive credit monitoring through the mail, you cannot sign up online.*

If you **elect to participate**, you will need to provide certain identifying information such as your Social Security Number. This is the only way to affirmatively identify you and monitor your credit. Without the SSN, there is a chance your name cannot be authenticated and you will NOT receive the services.

If you **choose to not participate** in the program being offered by SAIC, you are still able to monitor your credit report yourself. Under the Fair and Accurate Credit Transaction Act, you can request a free copy of their credit report annually from each of the three major consumer reporting agencies (Equifax, Experian, and Trans Union). To request and receive your report go to [www.annualcreditreport.com](http://www.annualcreditreport.com). Regularly reviewing your credit report you will notice open or attempts to open accounts in your name.

If you have additional questions about the SAIC credit monitoring program, you can contact the SAIC Incident Response Call Center, Monday through Friday, 9 a.m. to 6 p.m. Eastern Time, at (855) 366-0140 (toll free). If you wish to discuss any other issues relating to credit or identity theft, you can call the Legal Assistance Office at (502) 624-2771 to schedule an appointment.

## **IF YOU BECOME AN IDENTITY THEFT VICTIM**

The Federal Trade Commission recommends taking the following immediate steps:

**1. Place a fraud alert on your credit reports.** Fraud alerts can help prevent an identity thief from opening any more accounts in your name. Contact the toll-free fraud number of any of the three consumer reporting companies below to place a fraud alert on your credit report. You only need to contact one of the three companies to place an alert. The company you call is required to contact the other two, which will place an alert on their versions of your report, too.

**Equifax: 1-800-525-6285; [www.equifax.com](http://www.equifax.com); P.O. Box 740241, Atlanta, GA 30374- 0241**

**Experian: 1-888-EXPERIAN (397-3742); [www.experian.com](http://www.experian.com); P.O. Box 9554, Allen, TX 75013**

**TransUnion: 1-800-680-7289; [www.transunion.com](http://www.transunion.com); Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA 92834-6790**

**2. Close the accounts that you know, or believe, have been tampered with or opened fraudulently.** Call and speak with someone in the security or fraud department of each company. Follow up in writing, and include copies (NOT originals) of supporting documents. It is important to notify credit card companies and banks in writing. Send your letters by certified mail, return receipt requested, so you can document what the company received and when. Keep a file of your correspondence and enclosures.

**3. File a report with your local police or the police in the community where the identity theft took place.** Then, get a copy of the police report or at the very least, the number of the report. It can help you deal with creditors who need proof of the crime.

**4. File a complaint with the Federal Trade Commission.** By sharing your identity theft complaint with the FTC, you will provide important information that can help law enforcement officials across the nation track down identity thieves and stop them. The FTC can refer victims' complaints to other government agencies and companies for further action, as well as investigate companies for violations of laws the agency enforces. You can file a complaint online at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft). If you do not have Internet access, call the FTC's Identity Theft Hotline, toll-free: 1-877-IDTHEFT (438-4338); TTY: 1-866-653- 4261; or write: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

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If you have any questions concerning these matters, please call the Legal Assistance Office for an appointment at (502) 624-2771 or visit our website at [www.knox.army.mil/center/sja/](http://www.knox.army.mil/center/sja/). Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Fort Knox Legal Assistance Office is located in Building 1310, Pike Hall at the corner of Knox and Third Street.

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