

## **HR Department Talking Points for Use with Members Regarding Express Scripts Data Incident Update**

The following background is available for Human Resources leaders and generalists to address any questions from members about the recent Express Scripts data security incident update. The information below is intended to guide discussion only. This document is not for distribution.

### **I. BACKGROUND**

- In October 2008, Express Scripts received a letter from an unknown person or persons trying to extort money from the company. The perpetrator threatened to expose millions of Express Scripts members' records on the Internet if an extortion payment was not made.
- The extortion letter included information about 75 members, including their social security numbers, dates of birth and, in some cases, prescription information.
- Express Scripts immediately notified the FBI which continues to investigate. At the same time, the company notified all the affected members.
- Express Scripts offered identity restoration services provided by Kroll, a New York-based risk consulting firm and global data security leader, to anyone who suspected they were victims of identity theft as a result of the incident.
- In the wake of the 2008 incident, the company took aggressive action to enhance its security operations and data handling procedures.
- Express Scripts offered a reward of \$1 million to anyone with information leading to the arrest of the perpetrator of the crime.
- Express Scripts stood firm and refused to give in to the demands of the perpetrator.

### **II. LATEST DEVELOPMENTS**

- Late last week, Express Scripts was informed by the FBI that the perpetrator of the crime had recently forwarded a letter and data file to a law firm. The FBI contacted Express Scripts immediately and provided the data earlier this week.
- This is not a new data security breach. The latest developments concern the same data security incident Express Scripts reported last fall. The data reveals that the extortionist has additional member records from the same period of time as those identified in the 2008 extortion attempt.

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- While there does not appear to be any Protected Health Information (PHI) in the data file, there is personal information including names, birth dates and member ID numbers or social security numbers.
- To date, there have been no reported cases of misuse of member information resulting from the incident.
- The company continues to offer free identity restoration services provided by Kroll.
- Express Scripts continues to stand firm in its refusal to give in to the demands of the extortionist. Express Scripts continues to offer a reward of \$1 million to anyone with information leading to the arrest of the perpetrator of this crime.

## QUESTION AND ANSWERS

### **Q. How did Express Scripts find out about this latest development?**

A. Express Scripts was informed by the FBI that the perpetrator of the crime had recently forwarded a letter and data file to a law firm.

### **Q. When did Express Scripts find out about this situation?**

A. The FBI contacted Express Scripts in late August.

### **Q. Will I be notified if my data was included in the security incident?**

A. Yes. Express Scripts is in the process of notifying these members. The letters are expected to be mailed the week of September 10, and will include information on how members can receive free identity restoration services if they become victims of identity theft. These services will be provided by Kroll, a New York-based risk-consulting firm and global data security leader.

### **Q. Is there any evidence that my data has been misused?**

A. Not that Express Scripts is currently aware of.

### **Q. What is Express Scripts doing to protect my identity?**

A. Express Scripts continues to offer free identity restoration services provided by Kroll, a New York-based risk consulting firm and a global leader in data security, to anyone who suspects

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they have been victims of identity theft as a result of this incident. You can visit [www.esisupports.com](http://www.esisupports.com) for more information.

**Q. What types of liability protection are being offered to Express Scripts clients and members?**

A. Express Scripts is offering identity consultation, investigation and restoration services through Kroll. These services can be accessed by dialing 1-866-795-9350. [Read more.](#)

**Q. Will Kroll Call Center agents be able to assess and recommend to members an appropriate approach to fraud protection (or, at least go over the pros and cons of each approach) including: no fraud alerts, vs. fraud alerts, vs. credit freeze, vs. credit monitoring?**

A. Yes. Kroll Call Center agents will be able to assess and recommend to members an appropriate approach to fraud protection. In extreme situations where it is clear identity theft has taken place, Kroll can arrange for a credit freeze. If Kroll finds that the individual's situation is not extreme and believes a credit freeze is not warranted but the member still wishes to proceed, the representative will direct them to the credit agencies to proceed with that process on their own.

**Q. I think my personal records were exposed from this incident, what should I do?**

A. If you believe your information was included in this security incident visit [www.esisupports.com](http://www.esisupports.com) for more information. On the site you will find information to contact Kroll, a New York-based risk consulting firm and global data security leader.

**Q. Which law enforcement agencies are investigating?**

A. The FBI is investigating.

**Q. Has this perpetrator been caught yet?**

A. Express Scripts is working closely with the FBI as part of their ongoing investigation, but the perpetrator has not been identified to date.

**Q. What is being doing to make sure this doesn't happen again?**

A. Express Scripts has aggressively enhanced their security operations and data handling procedures to prevent such an incident from happening again.