

**If you are or were an inmate at the Mike Durfee State Prison, 1412 Wood Street, Springfield, SD 57062, between October 1, 2016 and December 13, 2019, your Protected Health Information (PHI) may have been comprised. Please review the following notice:**

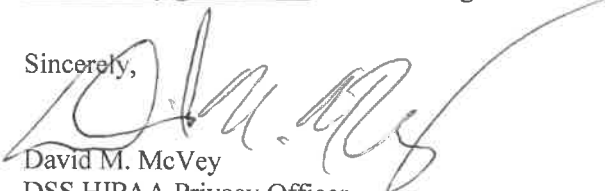
**HIPAA SUBSTITUTE NOTICE  
DATA BREACH**

We are sending this letter to you as part of the South Dakota Department of Social Services (DSS) commitment to privacy. The DSS takes the privacy of your protected health information (PHI) very seriously. On December 13, 2019, two boxes containing treatment plans, attendance sheets, or discharge summaries relating to 159 inmates were left unattended in an unsecured hallway. After reviewing camera footage, it appears that the boxes were placed in the hallway at approximately 9:27 A.M. on December 12, 2019 and remained there until they were discovered at approximately 7:50 A.M. on December 13, 2019. No camera footage was available to determine whether the boxes were accessed during that time, though evidence suggests the boxes were opened. The PHI could include some combination of diagnosis codes, prescription information, dates of service, and recommendations for further treatment. No financial information such as social security numbers or banking information was present in the PHI.

We do not believe there are any additional steps you should take to protect yourself as the disclosure did not contain Social Security numbers or financial information, such as account numbers, and thus there is little risk for identity theft. Additionally, it is unclear if any PHI was actually viewed; we are notifying you as your PHI could have been viewed. We have thoroughly investigated the breach and have concluded that it extends no further than as described above. We have reviewed our policies and procedures and provided additional training to our employees. These measures were taken to prevent such an error from recurring in the future.

You may contact us with questions and concerns in the following ways: By calling our toll free number 1-800-597-1603 between the hours of 8:00 A.M. and 5:00 P.M. Monday to Friday, sending an email message to [david.mcvey@state.sd.us](mailto:david.mcvey@state.sd.us), or addressing a letter to me at the address appearing above.

Sincerely,



David M. McVey  
DSS HIPAA Privacy Officer  
Assistant Attorney General  
Office of the Attorney General