



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Carly Buffalo RMT (Organization)
Decision number (file number)	P2020-ND-042 (File #015634)
Date notice received by OIPC	April 6, 2020
Date Organization last provided information	April 6, 2020
Date of decision	April 20, 2020
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	The Organization is an "organization" as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA "personal information"	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name,• date of birth,• insurance policy,• ID number,• explanation of benefits. <p>This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On April 25, 2019, a home/office was broken into and a laptop containing the information at issue was stolen.• The breach was discovered the same day.• A suspect has been identified and charged for the break and enter. The laptop has not been recovered.

Affected individuals	The incident affected 20 individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Reported theft to law enforcement. • The Organization reported that the “laptop no longer saves copies of explanation of benefits”.
Steps taken to notify individuals of the incident	The affected individuals were notified by telephone between April 26 and 28, 2019, and again, in writing, after a suspect was identified and charged.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be “significant.” It must be important, meaningful, and with non-trivial consequences or effects.	<p>The Organization reported that the potential harm(s) that might result from the incident was “insurance fraud”.</p> <p>In my view, a reasonable person would consider that the identity and insurance information at issue could be used to cause the significant harms of identity theft and fraud.</p>
Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.	<p>The Organization reported that there was “minimal risk” of harm resulting from the breach.</p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased as it was the result of malicious intent (break-in and theft of laptop). The laptop has not been recovered.</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<p>Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals.</p> <p>A reasonable person would consider that the identity and insurance information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is increased as it was the result of malicious intent (break-in and theft of laptop). The laptop has not been recovered.</p> <p>I require the Organization to notify the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p>	

I understand the affected individuals were notified by telephone between April 26 and 28, 2019, and again, in writing, after a suspect was identified and charged. The Organization is not required to notify the individuals again.

Jill Clayton
Information and Privacy Commissioner