

From: [Frazer, Dylan](#)
To: ["jmelchior@nationalreview.com"](mailto:jmelchior@nationalreview.com)
Subject: RE: Response to Public Records Request
Date: Monday, June 30, 2014 12:56:00 PM

Hello Jillian,

I have sought out additional information/documentation for this request in response to our phone conversation from Friday afternoon. To summarize our call, you asked for specific information regarding cybersecurity threats and breaches. DVHA's initial response regarding these items stated that your request was too broad to appropriately respond to. When asked to specify what you were looking for, you stated that providing any further level of specificity would run the risk of excluding documents that you may want. As such, you only slightly elaborated upon your request for 'cybersecurity threats and breaches'.

From our conversation, I gathered that by 'cybersecurity threats,' you meant any attempts at breaching, hacking, or otherwise attacking the VHC system that were not successful. A 'cybersecurity breach' would be any event where someone successfully got through the VHC security system.

Below are the follow-up responses:

- Cybersecurity threats—attempted but unsuccessful breaches and attacks: The disclosure of records of this nature would threaten the security of public property and are exempt from public records disclosure pursuant to 1 V.S.A. § 317(c)(25).
 - o 'Cybersecurity threat' is truly defined as the possibility of an attempt. These possibilities exist in large numbers for a system operating on the open Internet. Even if the request was not exhaustively broad, areas of weakness would not be released pursuant to 1 V.S.A. § 317(c)(25).
- Cybersecurity breaches: The technical details of these records would threaten the security of public property and are exempt from public records disclosure pursuant to 1 V.S.A. § 317(c)(25). However, the wrap-up of the incident in January 2014 has already been provided in the document that was previously attached. The undersigned custodian has no other records of security incidents such as this in his possession.

If the additional information contained here does not address what you had been seeking based on our phone conversation, then I suggest that you provide a response in writing as to your specific request. Please be advised that, pursuant to 1 V.S.A. § 318(a)(2), you have the right to appeal the denial of any part of your request to Doug Racine, Secretary of the Agency of Human Services.

Sincerely,

Dylan Frazer

Program Consultant – Policy Unit
Dept. Of Vermont Health Access
289 Hurricane Lane

Williston, VT 05495

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From: Frazer, Dylan
Sent: Thursday, June 26, 2014 9:18 AM
To: 'jmelchior@nationalreview.com'
Subject: Response to Public Records Request

Dear Ms. Melchior,

The Department of Vermont Health Access (DVHA) responds to your public records request dated June 16, 2014 regarding security controls for Vermont Health Connect. Specifically, you requested:

- 1) All records of any vulnerability scans of the health exchange that have been conducted by CMS, Vermont Health Connect or other state-based agencies using an automated tool.
- 2) All records in Vermont Health Connect's possession that identify or assess possible methods of attack that could lead to unauthorized access of enrollee information or to the exfiltration of enrollee data from the health exchange.
- 3) All reports of cybersecurity threats, cybersecurity breaches, attacks and consumer fraud that have been identified for the health exchange.

Please find below DVHA's respective responses to your three requests:

- 1) The disclosure of records responsive to request No. 1 would threaten the security of public property and are exempt from public records disclosure pursuant to 1 V.S.A. § 317(c)(25).
- 2) The disclosure of records responsive to request No. 1 would threaten the security of public property and are exempt from public records disclosure pursuant to 1 V.S.A. § 317(c)(25).
- 3) Addressed as sub-bullets below:
 - a. Cybersecurity threats: The request for a list of cybersecurity threats is insufficiently broad to appropriately respond to this request item.
 - b. Cybersecurity breaches: The request for a list of cybersecurity breaches is similarly broad to cybersecurity threats, though the contents of the attached document may address what you have requested. Portions of this document have been redacted pursuant to 1 V.S.A. § 317(c)(25).
 - c. Cybersecurity attacks: Please refer to the attached document.
 - d. Consumer fraud: DVHA is not aware of any confirmed cases of consumer fraud that

have been directly related to Vermont Health Connect.

Please be advised that, pursuant to 1 V.S.A. § 318(a)(2), you have the right to appeal the denial of your request to Doug Racine, Secretary of the Agency of Human Services.

Sincerely,

Dylan Frazer

Program Consultant – Policy Unit

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