



# The Society for Assisted Reproductive Technology

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JACQUELYN MARSHALL

December 7, 2023

NASS@Westat.com

## Re: Westat Security Incident in May, 2023

To Whom It May Concern:

I am writing on behalf of the Society for Assisted Reproductive Technology (“SART”), an organization of over 1800 professionals dedicated to the practice of in-vitro fertilization and assisted reproductive technology. In that regard, SART is in receipt of the notice of data breach provided to SART’s member clinics (“Member Clinics”) concerning the Westat, Inc. (“Westat”) security incident experienced in May, 2023 and involving the MOVEit servers. Since SART assists its Member Clinics with reporting data to the National ART Surveillance System in accordance with legal requirements, SART has received a number of questions concerning the incident from its Member Clinics. Although this incident did not involve SART or any of its subcontractors, in an effort to assist our Member Clinics with investigating and analyzing the matter, SART is writing on behalf of its Member Clinics to obtain additional information regarding the security incident.

Accordingly, we ask that you provide written responses to the following questions, along with the requested documentation, to SART as soon as possible:

1. Please provide a copy of any forensic report or written analysis that was conducted in relation to this incident, either by a third-party forensics specialist or internally.
2. Please provide a copy of any state or federal regulatory filing in relation to this incident, including, but not limited to, any filings with the Office for Civil Rights (“OCR”) and relevant state attorney generals.
3. Please provide a copy of any press release that was issued in relation to this incident, along with details regarding the press outlets to whom it was released.
4. Please provide a copy of any substitute or website notice concerning this incident, along with a URL for accessing the posted substitute or website notice.
5. Please provide the total number of individuals that were impacted as a result of this incident.

*Setting the Standards for ART*

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6. To the extent not provided in response to the above requests, please provide additional details regarding the facts of the incident, including, but not limited to the following:
  - a. how the incident was discovered;
  - b. information regarding whether the incident concerned ransomware or another type of attack, as well as details surrounding the mode of attack;
  - c. what data (if any) was encrypted by the threat actor as a result of the incident;
  - d. what data (if any) was exfiltrated as a result of the incident;
  - e. if applicable, whether a ransom was paid to the threat actor and if the data was returned as a result of such payment;
  - f. whether there is evidence that any of the accessed data was publically leaked and what is being done to detect such leaks, if anything; and
  - g. whether there is evidence that any of the accessed data has been used for fraudulent purposes or identity theft.
  
7. Please describe in detail the mitigation and remediation steps that have been taken in light of this incident.

It was stated in the previous letter provided to the Member Clinics that notification by Westat was not possible since names and addresses were not included in the datasets that were impacted. Please address Westat's willingness to provide breach notification, both to consumers and to appropriate state and federal regulatory authorities, on behalf of the Member Clinics in the event name and address information is provided by the Member Clinics to Westat.

If you have any questions, please feel free to reach out to Jacquelyn Marshall, SART Coordinator, at (205) 978-5009 or [jmarshall@asrm.org](mailto:jmarshall@asrm.org). We thank you for your assistance with this matter, and we look forward to hearing from you soon with the requested additional information.

Sincerely,

A handwritten signature in black ink that reads "Steven D. Spandorfer, M.D." with a small "MD" superscript.

Steven Spandorfer, M.D.  
SART President 2024

cc: Rebecca Montalvan (Project Director, ART Surveillance Project, Westat)