

Information for European citizens about the conditions, the purpose of the processing and the storage of personal data provided at the treatment in the Czech Republic and the use of eHDSI — eHealth Digital Services Infrastructure.

1. What is the European eHealth Digital Services Infrastructure?

The European eHealth Services Infrastructure (MyHealth@EU services) offers European citizens a safe and simple tool to transfer health data from a patient's home country to a healthcare provider in another EU country. The treating doctor in another EU country has the possibility to obtain verified and safe medical information about the patient in care.

Personal data is transmitted across borders via secure information gates — the so-called national contact points for eHealth. In the Czech Republic, the Ministry of Health is the organization responsible for the National Contact Point for eHealth (see contacts below). Patients' personal data are always processed and stored in accordance with the legislation of the country where the patient is treated (see data in point 6).

2. Categories of personal data transmitted

As part of the cross-border electronic transmission of the patient's summary, two types of personal data are being processed:

- Administrative personal data of the patient for the purposes of identification (name, surname, identifier, date of birth, residence). The controller of these personal data is the administrator of the National Contact Point for eHealth.
- Personal health data included in the patient's summary. The controller of this sensitive personal data is the health service provider providing healthcare to the patient.

Patient summary contains relevant information regarding the patient's health, which is provided to the treating doctor in order to ensure the coordination and continuity of the medical treatment of the patient being treated in another EU country. The patient summary includes, for example, information on allergies, medications, diseases, or past surgical procedures.

Information in your patient summary is available insofar as your personal health data is already recorded and provided in electronic form by your own country. Please refer to your own country's Patient Information Notice for details on the content of your patient summary.

3. What is the legal basis for the use of your personal data in the Czech Republic?

Your personal data are transferred, processed and stored in accordance with:

- the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the General Data Protection Regulation (GDPR),
- Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare,
- Act No. 372/2011 on health services and the conditions for their provision (Health Services Act) and related provisions (decrees),
- Act No. 110/2019 Coll., on the processing of personal data.

In accordance with Articles 6 and 7 of the GDPR, MyHealth@EU services will only be available if all the legal assumptions of the patient's home country are met for the transmission of health data to healthcare professionals in the Czech Republic. This concerns, for example, any legal obligation on the patient to give



consent to the transfer of health data (patient summary) in the home state prior to travelling to another EU country. If the patient's consent is required and not granted, health data (patient summary) may not be issued by MyHealth@EU services to the Czech Republic.

4. What is the purpose of the processing of your personal data?

Personal data will be requested, processed and stored exclusively for the purpose of providing medical care by a health service provider in the Czech Republic. In the Czech Republic, health data contained in a patient summary may be processed secondarily for archiving purposes in the public interest, scientific and historical research and statistical purposes. This is performed in a form which does not permit identification of the data subject.

5. Who processes and has access to data from patients?

The access to health data contained in your patient summary shall be restricted to verified and identifiable healthcare professionals in the Czech Republic (physicians) who are subject to professional secrecy.

The National Contact Point (NCPeH) operator has access to and stores only administrative/operational data related to the identification of the patient, which must be verified by the healthcare professional order to request the patient summary (the patient's identifier). These data are stored for security reasons in order to trace and demonstrate the non-repudiation of a transaction.

6. Where and how long are the personal data kept?

According to the Ministerial Decree on Medical Documentation, the documentation, including the requested patient summary, is kept for a minimum of 5 years. This minimum period relates to ambulatory treatment. However, the retention periods are often longer — for example, 30 years in the case of hospitalization.

7. Patients' right of access to information

Each health service provider in the Czech Republic is obliged to maintain, store and provide the patient access to medical documentation. Patients have the right to have their data corrected. The right of the patient to the erase personal data is limited by the legal retention period.

In the case of the processing of traffic data (the patient's identifier), all the data subject's rights under the applicable legislation, i.e. right and access to data, rectification, erasure, restriction of processing, are maintained.

**National eHealth Contact Point for the Czech Republic — <https://www.nixzd.cz/verejnost>
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