

Patient Information Notice
regarding cross-border transfer of personal health data

NOTICE FOR PATIENTS VISITING MALTA

The following information is provided to fulfil the requirement of the EU General Data Protection Regulation to inform citizens about the processing of their personal data.

1. What is the eHealth Digital Service Infrastructure?

The eHealth Digital Service Infrastructure (eHDSI) provides European citizens with a safe and easy way to transfer their medical data cross-border by electronic means if they need treatment abroad. The electronic data is provided to health professionals in countries across the European Union (EU) where the citizen is being treated. Personal data is transferred and stored in accordance with the laws of the country of treatment, which in this case is Malta.

2. The categories of your personal health data concerned

The Patient Summary is a basic medical dataset that is transferred for the purpose of receiving treatment in another country. It includes important patient data such as allergies, current medication, previous illnesses and surgeries, that is necessary to treat a patient properly abroad. Information is available in your Patient Summary insofar as your personal 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?

The eHDSI Patient Summary service will become available for you upon your explicit consent. An emergency situation may justify the use of your data for your treatment without your consent.

When you receive treatment in Malta, your Patient Summary data will be used and recorded in accordance with the EU General Data Protection Regulation (GDPR), the laws of Malta and the practices of the health service in Malta.

4. What is the purpose of processing?

Your Patient Summary data will only be used for your personal medical treatment. It will be stored as a medical record in the national health infrastructure, as required as standard for medico-legal reasons. The Medical Records Department at Mater Dei Hospital normally disposes of a visitor's records ten years after last contact with the Maltese health service. In exceptional circumstances, if there is a legal basis for it (e.g. ongoing investigation of crime), the Medical Records Department will retain the data for as long as necessary. Under certain conditions, your Patient Summary data may also be used for other purposes prescribed by law,

such as monitoring and research in order to improve the quality of public health, or hospital statistics. For these secondary purposes, the health service in Malta will apply appropriate technical and organisational safeguards, including de-identification of personal data whenever feasible.

5. Who processes and has access to this data? (recipients of personal data)

In Malta, your Patient Summary will be accessed only by identified and authorised health professionals involved in your treatment, under professional secrecy.

Each country of treatment participating in the eHDSI has undertaken to ensure that the participating health professionals and healthcare providers on their territory have adequate information and training about their duties.

Recipients of your Patient Summary data in Malta assume responsibility for the processing of such data within their scope of data processing activities. The recipients of the data who assume such responsibilities are:

- Mater Dei Hospital
- The National Contact Point for eHealth (NCPeH) in Malta

The Patient Summary data will be transferred through a secure technical gateway provided by the National Contact Point for eHealth designated by each country. Malta's technical gateway is operated by the Government's IT agency and a private software services company, both of which are bound by strict data protection clauses in their contracts.

6. Where and how long is the personal data stored?

Your Patient Summary data may be stored in information systems of the health institutions in Malta. The data shall be stored for no longer than is necessary for the purpose for which your personal data is processed. In Malta, the storage period of medical records of persons visiting from other countries is currently for ten years from the last contact with the health service.

Longer storage periods may only be used for archiving and scientific or historical research where particular privacy safeguards are in place (such as anonymisation).

7. Your access rights

If you consent for your Patient Summary data to be processed by the eHDSI, you can have access to it in the context of your treatment or by making a request either to the responsible authority in your own country (please refer to your own country's Patient Information Notice) or to the doctor treating you in Malta.

You have the right to:

- a) rectify any inaccurate data in your Patient Summary, according to Article 16 of the GDPR.
- b) obtain the erasure of your Patient Summary data, according to Article 17 of the GDPR.

- c) object to the processing of your Patient Summary data on grounds relating to your particular situation, according to Article 21 of the GDPR.

You have the right to withdraw your consent at any time. Withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

Finally, you have the right to lodge a complaint with a supervisory authority either in Malta or in the country of treatment, depending on the factual situation.

Contact details

Data controller representative in Malta

Data Protection Officer

Information Management Unit (Health)

Unit 17, Outpatients Building, St Luke's Hospital, G'Mangia, PTA1012

Phone: +356 2595 2813

Web: <https://www.health.gov.mt>

Email: dp.imu.health@gov.mt

Supervisory authority in Malta

Office of the Information and Data Protection Commissioner

Level 2, Airways House, High Street, Sliema, SLM1549

Phone: +356 2328 7100

Web: <https://idpc.org.mt>

Email: idpc.info@gov.mt

ACKNOWLEDGMENT OF PATIENT INFORMATION NOTICE AND CONSENT

I have read and understood this Patient Information Notice, and consent to the cross-border transfer and processing of my Patient Summary data for the purpose of receiving medical treatment in Malta.

Signature

Full Name

Date