

Version V2.0, 2021/07/16 – NCPeH-NL

Patient information notice on the cross-border electronic exchange of the Patient Summary

THE NETHERLANDS

This notice is intended to ask you for your consent to allow healthcare professionals in the Netherlands to access your Patient Summary through the eHDSI. Furthermore pages 2 to 4 of this notice are used to inform you about the processing of your personal data and your rights.

Cross-border electronic exchange of the Patient Summary

The Patient Summary is exchanged electronically via a safe and trustworthy European infrastructure called the eHealth Digital Services Infrastructure (eHDSI) linking the National Contact Points for eHealth (NCPeH).

There are two types of personal data processed for the cross-border electronic exchange of the Patient Summary,:

- the patient's **administrative details**, for identification purposes, and
- the patient's health data as specified in the **Patient Summary**.

Your health data will be used solely for the purpose of providing you with healthcare, i.e. as part of your treatment by healthcare professionals (doctors/nurses) in the Netherlands.

Consent Form

By signing this form you are confirming that you consent to the processing of your personal data for the following purposes:

- ▶ For the healthcare professional to consult the National Contact Point for eHealth Netherlands (NCPeH-NL) in order to access your health data;
- ▶ For the NCPeH-NL to process your personal information to confirm that your Patient Summary is available through the eHealth Digital Services Infrastructure;
- ▶ For the NCPeH-NL to deliver your available health data to the consulting healthcare professional in the Netherlands.

Name patient: _____

Date of Birth: _____

Name hospital: _____

Signature: _____ Date: _____

More information about the usage of your data can be found on pages 2 - 4 of this document.

You can withdraw or change your consent at any time by contacting the NCPeH-NL, see more details in point 7. Please note that all processing of your personal data will cease once you have withdrawn consent, other than where this is required by law, but this will not affect any personal data that has already been processed prior to this point.

Information Notice

1. What is the eHealth Digital Services Infrastructure?

The Patient Summary is transferred electronically via the eHealth Digital Services Infrastructure (eHDSI) which links the National Contact Points for eHealth (NCPeH) of the member states of the European Union.

The eHDSI is a cross-border electronic system that offers European citizens, with their prior given consent, a safe and simple means of exchanging their health data if they need (unplanned) treatment abroad: the cross-border ehealth information services.

These personal health data are provided electronically to healthcare professionals in European Union (EU) member states where the citizen concerned is treated. The data are exchanged by the NCPeH with, and processed and stored by, these healthcare professionals in accordance with the law of the Netherlands as the country of treatment; see details in point 6.

2. Categories of personal data concerned

There are two types of personal data processed after the patient's consent for the cross-border electronic exchange of the Patient Summary:

- the patient's **administrative details**, for identification purposes, and
- the patient's health data as specified in the **Patient Summary**.

The Patient Summary covers a standardised set of health data relating to the patient exchanged for the purpose of medical treatment and care in another EU Member State. In accordance with Article 4 of the General Data Protection Regulation (GDPR), 'data concerning health' covers personal data related to physical or mental health, including the provision of health care services, which reveal information about the patient's health.

Therefore the Patient Summary includes essential health data concerning the patient, such as allergies, current medications, previous illnesses and surgical procedures, as well as relevant information on the care pathway, to ensure proper treatment of the patient abroad is provided.

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

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

- the provisions of the GDPR, Directive 2011/24/EU on the application of patients' rights in cross-border healthcare,
- the agreement between EU Member States on participation in the European programme 'Connecting Europe Facility' (CEF) eHDSI, and
- the Agreement between National Authorities or National Organisations responsible for National Contact Points for eHealth on the Criteria required for the participation in Cross Border eHealth Information Services, designating CIBG as an executive agency of the Ministry of Healthcare, Welfare and Sport as the National Contact Point for eHealth in the Netherlands.

Finally, in accordance with Articles 6, 7 and 9 of the GDPR, the eHDSI services will be available **only with your explicit prior consent**. If you did not give your explicit consent before travelling **and/or** before care is actually to be provided to you in the Netherlands, your data will not be available via the eHDSI to the healthcare provider, not even in an emergency.

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

Your health data will be used solely for the purpose of providing you with health care, i.e. as part of your treatment by healthcare professionals (doctors/nurses) in the Netherlands.

In the Netherlands, the health data as contained in your Patient Summary will not at any time be processed for research or statistical purposes. Only administrative data for your identification will be processed anonymously for the purpose of compiling statistics, more specifically quantitative statistics on the number of cross-border electronic transfers carried out.

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

The health data contained in your Patient Summary will be accessible only to the authorised health professionals in the Netherlands who are involved in your care and are bound by the obligation of professional secrecy.

The CIBG, as the National Contact Point for eHealth, has access only to the administrative data related to your identity, which must be verified by the health professional in the Netherlands as part of the request for the Patient Summary.

Each country allowing treatment to be provided under the CEF eHDSI has undertaken to ensure that healthcare professionals and healthcare providers in its territory have all of the information and training required to perform their tasks and fulfil their obligations related to the eHDSI services, and in particular to fulfil the patient information obligation under Article 13 GDPR.

For further details concerning participating countries, please consult the website of the National Contact Point eHealth in the Netherlands www.ncpeh.nl.

Finally, the health data in the Patient Summary will be transferred via a secure gateway provided by the countries participating in the CEF eHDSI as the National Contact Point for eHealth.

6. Where and for how long are personal data stored?

In accordance with the provisions of the medical Treatment Agreement Act in the Netherlands, the data in the Patient Summary are stored for a minimum period of 20 years in the information systems of healthcare providers in the Netherlands. The NCPeH-NL only stores the consent forms which will be stored for 5 years. Both the healthcare provider and the NCPeH-NL can delete all, or parts, of your personal data upon your request. See point 7 for more details about your privacy rights and how to invoke them.

7. Your access rights

If you agree to the exchange of your personal data as available in the Patient Summary for the purpose of medical treatment in the Netherlands, through the eHDSI services, you can:

- exercise your right to access your data towards the local healthcare provider that will include the data in the medical file;
- request the modification of any inaccurate data pursuant to Article 16 of the GDPR;
- upon request, obtain the erasure of your data pursuant to Article 17 of the GDPR;
- object to the processing of your data pursuant to Article 21 of the GDPR;
- withdraw your consent

by sending a request to the healthcare professional providing your care in the Netherlands and/or the healthcare provider where the care was received or, alternatively, to the National Contact Point for eHealth's data protection unit, directly via the email address: info-ncpeh@minvws.nl.

As already indicated in point 3 above: if you do not give your explicit consent to the processing of your personal data in the context of eHDSI services before travelling and/or before care is actually

provided to you in the Netherlands, your data will not be available via the eHDSI to the healthcare provider, not even in an emergency.

8. Contact:

National Contact Point for eHealth – the Netherlands

CIBG

Postbus 16114 2515 XP Den Haag
Hoftoren, Rijnstraat 50 2500 BC Den Haag
The Netherlands
Tel (+3170) 340 5487

<https://www.ncpeh.nl/contact/contactformulier>

Data Protection Officer

CIBG is an executive agency of the Ministry of Health, Welfare and Sport (VWS) of the Netherlands. The Ministry of VWS has an independent Data Protection Officer whose role is to ensure that personal data by or under the control of the Ministry or its agencies, are processed in accordance with the GDPR and other relevant regulatory provisions regarding data protection. It is this Officer who receives all requests from data subjects to exercise their rights, as well as all queries and complaints.

The Data Protection Officer may be contacted by post at the address of the CIBG referred to above (for the attention of the data protection unit) or by e-mail or by regular mail at the following addresses:

- fg-vws@minvws.nl; or
- Ministerie van Volksgezondheid, Welzijn en Sport
FG VWS, Directie Bestuurlijke en Politieke Zaken
Postbus 20350
2500 EJ Den Haag

An acknowledgement of receipt of the request will be issued, and all data exchanged within this framework will be protected as private correspondence.

In case of complaints or questions regarding your rights arising from the GDPR in the Netherlands, you can contact the Dutch Supervisory Data Protection Authority (Autoriteit Persoonsgegevens) through the available contact form at [Contact us | Autoriteit Persoonsgegevens](#).