

DATA CONTROLLER' INFORMATION CLAUSE FOR PATIENTS

Who is the Controller of my personal data?

The Controller of Patients' personal data is the entity performing medical activities **Marta Blumska-Janiak conducting business activity under the following name: Indywidualna Praktyka Lekarska Specjalistyczna Marta Blumska-Janiak (Marta Blumska-Janiak Individual Specialist Medical Office)**, ul. ul. Elizy Orzeszkowej 14, lok. 108, 02-374 Warsaw (NIP: 7811634239 REGON: 147149432), entered into the Register of Healthcare Institutions under number 000000191334, operating the FEMICLINIC medical facility at ul. ul. Elizy Orzeszkowej 14, lok. 108, 02-374 Warsaw (hereinafter referred to as the Controller).

Information about the Data Controller

Marta Blumska-Janiak running business activity under the business name: Indywidualna Praktyka Lekarska Specjalistyczna Marta Blumska-Janiak (Marta Blumska-Janiak Individual Specialist Medical Office)

running

FEMICLINIC Treatment Facility

Address: ul. Elizy Orzeszkowej 14, lok. 108, 02-374 Warsaw

Phone: 510-511-511

E-mail: recepcja@femiclinic.pl

The Data Controller is responsible for the use of personal data in a safe manner and in conformity with the applicable law.

Who can I contact in matters related to the processing of my personal data?

In any matter related to the processing of your personal data by the Controller, you can contact:

at the e-mail address: recepcja@femiclinic.pl

phone number: 510-511-511

or in person at the FEMICLINIC Clinic at ul. Elizy Orzeszkowej 14, lok. 108, 02-374 Warsaw

The Controller has not appointed the Data Protection Officer.

What is the source of my data - where are they obtained from?

We collect personal data directly from you - you give us most of the data yourself. We may also acquire your personal data from our patient when she/he indicates you as a person authorized to obtain information about the patient's health condition. We always acquire data of a medical nature directly from you.

What is the scope of personal data processed by the Controller?

In order to be able to verify your identity, before providing a health service, the Controller processes the following personal data: name (s), surname, PESEL number, gender and date of birth (in case of persons without PESEL number), address of residence. You can also enter your e-mail address and phone number, but these data are not necessary to provide health services.

If the patient is a minor, completely incapacitated or unable to give consent, the Controller processes additionally the name (s) and name of the statutory representative/ guardian and his / her address of place of residence. When providing health services, the Controller creates your medical records, in which all information about the treatment process is saved, in particular: information about your health condition, including information on health services provided, results of laboratory tests, diagnostic tests, etc. Medical records may also contain information about your addictions or sexual preferences, but only if this information is necessary to make a diagnosis and to properly guide your treatment process.

What is the purpose for the personal data processing?

The Controller processes your personal data for the following purposes indicated below.

Purpose of processing	Legal basis (full names of legal acts can be found at the end of the information clause)
<p style="text-align: center;">Processing of personal data for the preventative health care purposes of health</p> <p>This objective includes among others processing related to the process of informing the Patient about the possibility of providing the service, including sending invitations to screen tests, transferring of educational materials, as well as providing information about pro-health events.</p> <p>The Controller processes personal data for this purpose only if it is justified by the Patient's health condition or risk factors or the prognosis contained in the medical records that the Administrator has.</p>	<p>Art. 9(2)(h) of the GDPR in connection with Article 3(2) of the Act on Medical Activity and Art. 24 of the Act on Patient Rights and the Patient Rights Ombudsman</p>
<p style="text-align: center;">Providing health care and management of health care systems and services</p> <p>This purpose includes, in particular, processing related to the registration of the Patient, including the determination of your identity prior to the provision of a health service and the verification of data when arranging a visit remotely (e.g. by phone).</p> <p>In addition, personal data for this purpose are processed because of the need to ensure continuity of health care, including the process of coordinating the provision of services, which may include reminding about the date of the health service, confirmation of the visit, cancellation of the visit, etc.</p> <p>Your personal data is also processed in order to communicate with you after the service has been provided, for example to assess the patient's well-being or health, or for other auxiliary activities when providing health services, as well as activities related to the maintenance of the ICT system.</p>	<p>Art. 9(2)(h) of the GDPR in connection with Article 3(1) of the Act on Medical Activity Art. 24 of the Act on Patient Rights and the Patient Rights Ombudsman</p>
<p style="text-align: center;">Medical diagnosis and treatment</p> <p>This objective includes, in particular, processing related to the process of providing health (diagnostic and treatment) services, including keeping of medical records.</p>	<p>Art. 9(2)(h) of the GDPR in connection with Article 24(1) of the Act on Patient Rights and the Regulation of the Minister of Health.</p>
<p style="text-align: center;">Implementation of patients' rights</p> <p>Personal data are also processed in connection with the collection and archiving of your statements, in which you authorize other people to access your medical records and to provide them with information about your health condition. We also collect and archive your statements related to the treatment process (e.g. Your consent for the procedure).</p>	<p>Art. 6(1)(c) of the GDPR in connection with Article 9, Paragraph 3 and Article 26, Paragraph 1 of the Act on Patient Rights and § 8(1) of the Regulation of the Minister of Health</p>
<p style="text-align: center;">Contact in connection with visits</p> <p>We contact you at the phone number or e-mail address provided by you, on basis of the consent given by you, for example to confirm or cancel your reservation, to remind you about the consultation, to inform you about the need to prepare for the appointed procedure or to inform you about the possibility to collect test result.</p>	<p>Art. 6(1)(a) and (f) of the GDPR on basis of the consent and the so-called the legitimate interest of the controller, which is the care related with the patient service and more efficient graphics management.</p>
<p style="text-align: center;">Claim defense</p> <p>The Controller is also an entrepreneur and therefore he has the right to vindicate claims related to his business activity and thereby to process your data for this purpose.</p>	<p>Art. 6(1)(b) and (f) of the GDPR as the processing necessary for the performance of a contract or in order to take steps at the request of the individual prior to entering into a contract and as for taking the so-called the legitimate interest of the Controller, which is to assert our claims and defend our rights</p>
<p style="text-align: center;">Accounting</p> <p>The Controller is also obliged to keep accounting and fulfill tax obligations. Therefore, your data may be used, for example, to issue bills or invoices.</p>	<p>Art. 6(1)(c) of the GDPR in connection with Article 74 item 2 the Accounting Act.</p>

Who is my personal data transferred to?

The Data Controller takes care of the confidentiality and security of your personal data with the utmost care. Due to the need to provide an appropriate organizational and technical measures, e.g. in the field of IT infrastructure or current issues related to the business activity, as well as the implementation of your rights as a patient, personal data may be transferred to the following categories of recipients:

1. other therapeutic entities cooperating with the Controller in order to ensure the continuity of treatment - this situation may take place e.g. when we pass samples for laboratory tests or commission prosthetic works,
2. service providers supplying the Controller with technical and organizational solutions enabling the provision of health services and organizational management (in particular to IT service providers, e.g. software for keeping electronic medical records, suppliers of diagnostic equipment, courier and postal companies),
3. entities providing IT services to the Controller, including server suppliers on which personal data are stored,
4. entities providing booking and accounting services to the Controller, for example in a situation where you are requesting for the issue a personal receipt or invoice for a medical service,
5. providers of legal and advisory services and supporting services for the Controller in pursuing due claims (in particular law firms),
6. entities providing services related to the financing of health services, e.g. granting loans for the provision of health services - such disclosure is only made at your express request,
7. persons authorized by you as part of the execution of your patient rights.

Personal data may be made available to entities authorized by law.

Is my data transferred outside of the European Union?

We do not transfer your personal data outside of the European Union.

How long is my personal data processed?

The Controller, in connection with the creation and maintenance of medical records, is obliged to keep it for at least 20 years, calculated from the end of the calendar year from the date of making the last entry in it. In special cases, the medical records may be kept for accordingly shorter or longer period of time than 20 years indicated above. In such exceptional cases, the medical records are kept in accordance with the stipulated periods in the Law of on patients' rights and the Patient's Rights Ombudsman. Subject to above indicated period, if the data have been processed by us in order to vindicate claims (for example in debt collection proceedings), we process the data for this purpose during the period of limitation of claims, which results from the provisions of the Civil Code. All data processed for the needs of accounting purposes and for tax purposes are processed for 5 years, counting from the end of the calendar year, in which the tax obligation arose. After the expiration of the above mentioned periods your data are deleted or subjected to anonymization.

Is it my duty to provide data?

Use of the Controller's medical services is fully voluntary. However, the Controller, being a medical entity, is obliged to keep medical records in a manner prescribed by law, including determination of the patient's identity with the use of her/his personal data. In such a case, failure to provide the required data may result in the refusal to book the appointment or to provide a health care service. Also due to accounting or tax reasons, we have a legal obligation to process your data, and the lack of providing them may result in, for example, inability to issue an invoice or a personal receipt for you. If you give us your phone number or e-mail address, it is done on a voluntary basis - failure to do so will not result in the refusal to provide a health service, but you will not receive confirmation of the appointment from us or you will not be able to cancel it by e.g. SMS

What are my rights?

The Controller of your data, gives you the right to access data, you can also correct it, request its removal or limit their processing. You can also exercise the right to object the processing of your personal data and the right to transfer your data to another data controller. If your data is processed on basis of given consent, you have the right to withdrawn the consent at any time. Withdrawal of consent will not affect the lawfulness of the processing of the personal data, which was made on the basis of expressed consent before its withdrawal. If you want to exercise any of these rights - contact the Controller for the data provided at the beginning.

We would like to inform you that you have the right to lodge a complaint to the supervisory authority, i.e. the President of the Personal Data Protection Office, if you decide that processing of the personal data violates the provisions of the GDPR. .

Definitions and abbreviations

RODO - Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC,

Law on Patient Rights - Act of 6 November 2008 on patients' rights and the Patient's Rights Ombudsman,

Regulation of the Minister of Health - Regulation of the Minister of Health of 6 April 2020 on the types, scope and templates of medical documentation and the manner of its processing;