

CONTROLLER INFORMATION CLAUSE FOR PATIENTS

Who is the Administrator of my personal data?

The Controller of Patients' personal data is Marta Blumska-Janiak, conducting medical activity under the name Indywidualna Praktyka Lekarska Specjalistyczna Marta Blumska-Janiak, ul. Elizy Orzeszkowej 14, lok. 108, 02-374 Warsaw (NIP: 7811634239 REGON: 147149432), registered in the Register of Entities Conducting Medical Activity under the number 000000191334, running a medical facility FEMICLINIC at ul. Elizy Orzeszkowej 14, lok. 108, 02-374 Warsaw (hereinafter referred to as the Controller).

Contact details of the Personal Data Administrator:

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

Phone: 510-511-511

E-mail: recepcja@femiclinic.pl

The Administrator is responsible for the use of personal data in a safe manner and in accordance with the applicable law.

Who can I contact regarding the processing of my personal data?

In all matters related to the processing of your personal data by the Administrator, you can contact:

by e-mail: recepcja@femiclinic.pl

by phone: 510-511-511

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

The Administrator did not appoint a Personal Data Protection Officer.

What is the source of my data - where is it sourced?

We obtain personal data directly from you – you provide most of the data to us yourself.

We may also obtain your personal data from our patient when they indicate you as the person authorized to obtain information about the patient's health. We always obtain medical data directly from you.

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

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

In a situation where the Patient is a minor, completely incapacitated or unable to give informed consent, the Administrator additionally processes the name(s) and surname of the legal representative/guardian and his/her address of residence.

During the provision of health services, the Administrator creates your medical records, in which all information regarding the treatment process is recorded, in particular: information about your health condition, including information about the health services provided, the 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 guide your treatment process properly.

What is the purpose of personal data processing?

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

Purpose of processing	Legal basis (see the full names of the legal acts at the end of the information clause)
<p>Processing of personal data for health prevention purposes</p> <p>This purpose includes, m.in, processing related to the process of informing the Patient about the possibility of providing the service, including sending invitations for screening tests, providing educational materials. The Administrator processes personal data for this purpose only if it is justified by the Patient's health condition or risk factors or prognosis for the Patient contained in the medical documentation at the Administrator's disposal.</p>	<p>Article 9(2)(h) of the GDPR in conjunction with Article 3(2) of the Act on Medical Activity and Article 24 of the Act on Patients' Rights and the Patients' Rights Ombudsman</p>
<p>Healthcare delivery and management of health care systems and services</p> <p>This purpose includes, in particular, processing related to the Patient's registration, including establishing your identity before providing a health service and verifying data when arranging a remote appointment (e.g. by phone).</p> <p>In addition, personal data for this purpose are processed due to the need to ensure the continuity of health care, including in the process of coordinating the provision of services, which may include, m.in, a reminder of the date of the health service, confirmation of the visit, cancellation of the visit, etc.</p> <p>Your personal data are also processed for the purpose of communicating with you after the provision of the service, e.g. in order to assess the patient's well-being or health, or to perform other auxiliary activities in the provision of health services, as well as activities related to the maintenance of the ICT system.</p>	<p>Article 9(2)(h) of the GDPR in conjunction with Article 3(1) of the Act on Medical Activity, Article 24 of the Act on Patients' Rights and the Patients' Rights Ombudsman</p>
<p>Medical diagnosis and treatment</p> <p>This purpose includes, in particular, processing related to the process of providing health services (diagnostic and therapeutic), including keeping medical records.</p>	<p>Article 9(2)(h) of the GDPR in conjunction with Article 24(1) of the Act on Patients' Rights and the Regulation of the Ministry of Health.</p>
<p>Realization of patients' rights</p> <p>Personal data is also processed in connection with the receipt and archiving of your statements, in which you authorize other persons to access your medical records and provide them with information about your health. We also collect and archive your statements related to the treatment process (e.g. your consents to the procedure).</p>	<p>Article 6(1)(c) of the GDPR in conjunction with Article 9(3) and Article 26(1) of the Act on Patients' Rights and § 8(1) of the Ministry of Health Regulation</p>
<p>Contact regarding visits</p> <p>We contact you at the phone number or e-mail address you provide to, for example, confirm your reservation or cancel its date, remind you about the consultation, inform you about the need to prepare for the scheduled procedure or inform you about the possibility of receiving the test result.</p>	<p>Article 6(1)(f) of the GDPR, as the so-called legitimate interest of the administrator, which is the care of the patient and more efficient management of schedules, as well as Article 9(2)(h) of the GDPR, as processing necessary to provide healthcare and organize the provision of health services.</p>
<p>Defending claims</p> <p>The Data Controller is also an entrepreneur, and therefore has the right to pursue claims for its business activity and thus to process your data for this purpose.</p>	<p>Article 6(1)(f) of the GDPR, as a legitimate interest of the controller for the limitation period of claims specified by separate regulations, which is to pursue our claims and defend our rights</p>
<p>Accounting</p> <p>The Data Controller is also obliged to keep accounts and meet tax obligations. Accordingly, your data may be used, for example, to issue bills or invoices.</p>	<p>Article 6(1)(c) of the GDPR in conjunction with Article 74(2) of the Accounting Act</p>
<p>Marketing of own services</p> <p>This purpose includes the processing of data for the purpose of providing marketing information about the services and medical activities carried out by FemiClinic</p>	<p>Art. 6 ust. 1 lit. a RODO, tj.. zgoda</p>

To whom is my personal data transferred?

The Personal Data Administrator takes the utmost care to ensure the security and confidentiality of your personal data. Due to the need to ensure appropriate organization, e.g. in the field of IT infrastructure or current matters related to your business, as well as the exercise of your rights as a patient, personal data may be transferred to the following categories of recipients:

1. other medical entities cooperating with the Administrator in order to ensure the continuity of treatment – such a situation may occur, for example, when we hand over samples for laboratory tests or order prosthetic works,
2. service providers supplying the Administrator with technical and organizational solutions enabling the provision of health services and organizational management (in particular, 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 Administrator, including suppliers of servers on which personal data are stored,
4. entities providing accounting and accounting services to the Administrator, e.g. in a situation where you ask for a personal receipt or invoice for a medical service,
5. providers of legal and advisory services and supporting the Administrator 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 performance of health services – such disclosure takes place only upon your explicit instruction,
7. persons authorised by you as part of the exercise of your patient rights.

Personal data may be made available to entities authorized to do so under the law.

Is my data transferred outside the European Union?

We do not transfer your personal data outside the European Union. Your data will not be processed in an automated manner, including in the form of profiling.

For how long is my personal data processed?

The administrator, in connection with the creation and maintenance of medical records, is obliged to store them for a period of at least 20 years, counted from the end of the calendar year in which the last entry was made in them. In special cases, medical records may be stored for a shorter or longer period than the 20 years indicated above. In such exceptional cases, medical records are stored in accordance with the periods indicated in the Act on Patients' Rights and the Patients' Rights Ombudsman. Subject to the above-mentioned deadline, if the data was processed by us for the purpose of pursuing claims (e.g. in debt collection proceedings), we process the data for this purpose for the period of limitation of claims, resulting from the provisions of the Civil Code. We process all data processed for accounting purposes and for tax reasons for 5 years counted from the end of the calendar year in which the tax obligation arose. After the expiry of the above-mentioned periods, your data is deleted or anonymised.

Is it my responsibility to provide data?

The use of the Administrator's medical services is fully voluntary. However, the Administrator, being a medical entity, is obliged to keep medical records in the manner specified by law, including to mark the patient's identity using his personal data. In such a case, failure to provide data may result in the refusal to book an appointment or provide a health service. Also for accounting or tax reasons, we have a legal obligation to process your data, failure to provide them may result, for example, in the inability to issue an invoice or a personal receipt in your favour. If you provide us with your phone number or e-mail address, it is done on a voluntary basis - failure to provide them will not result in a refusal to provide a health service, but you will not receive a confirmation of the appointment from us or you will not be able to cancel it by, for example, SMS.

What rights do I have?

The administrator of your data provides you with the right to access the data, the right to rectify them, delete them or limit their processing. You can also exercise the right to object to the processing of your data and the right to transfer the data to another data controller. If your data is processed on the basis of consent, you have the right to withdraw it at any time, provided that the withdrawal of consent does not affect the lawfulness of processing that was carried out on the basis of consent granted before its withdrawal. If you want to use any of these rights - contact the Administrator for the data provided at the beginning.

We would also like to inform you that you have the right to lodge a complaint regarding the protection of personal data to the supervisory authority, i.e. the President of the Office for Personal Data Protection.

Definitions and abbreviations

GDPR - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC; **Act on Patients' Rights** – the Act of 6 November 2008 on Patients' Rights and the Patients' Rights Ombudsman; **Regulation of the Ministry 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.