



## Data Protection for Outpatients



**NARDINI KLINIKUM**  
Landstuhl · Zweibrücken



## Dear Patients,

In the context of your treatment or care, it is necessary to process personal and medical data about you. Since the processes within our outpatient clinic as well as in interaction with other persons / institutions of the health care system involved in your treatment are not easy to survey, we have compiled the following information for you:

### ***Purposes for which your personal data will be processed***

As part of your treatment, data about you, your social status and the medical data necessary for the treatment will be collected, recorded, stored, processed, queried, used, transmitted, etc. Altogether one speaks of the „processing“ of your data. This concept of „processing“ is the generic term for all these activities. For data protection reasons, we can only process patient data if this is prescribed or permitted by law or if you as a patient have given your consent.

For your patient-related care/treatment, it is particularly necessary to process your data for preventive, diagnostic, therapeutic, curative and aftercare reasons. Processing also takes place - in the sense of the best possible care - with regard to interdisciplinary conferences for the analysis and discussion of diagnostics and therapy, for pre-, co- and further care with regard to diagnostics, therapy, findings as well as disease/vital status. In addition, doctor's letters/reports are written and processing is carried out for quality assurance reasons as well as for the detection and control of infections.

In addition to this patient-related processing, your treatment must also be processed administratively. This essentially requires the processing of your data for the settlement of your treatment, for reasons of controlling/invoice verification, for the assertion, exercise and defence of legal claims, etc. Furthermore, data processing is carried out for the purposes of training, further education and training of physicians and members of other professions in the health care system, for research or for statutory reporting obligations (e.g. to state health authorities on the basis of the Infection Protection Act, to cancer registers) and not least for reasons of the support and maintenance of IT systems and applications, etc.

## From whom do we receive your data?

As a matter of principle, we collect the corresponding data from you ourselves - if possible. In some cases, however, we may also receive personal data concerning you from other service providers (registered doctors, specialists, medical care centres (MVZ), etc.) who have carried out your initial or preliminary treatment. We merge these with your other data in the sense of uniform documentation.

## Who has access to your data?

The persons involved in your treatment have access to your data, including physicians who participate in interdisciplinary treatment or administration that invoices your treatment.

Your data will be processed by professionals or under their responsibility. These professionals are either subject to so-called professional secrecy or an obligation of secrecy.

**The confidential handling of your data is guaranteed!**

## Legal basis for the processing of your data by the hospital operator

The basis for the fact that we are allowed to process your data in accordance with data protection law mainly results from the fact that we are responsible for the care and treatment of patients. On this basis, there are various laws and regulations that allow us to process the data.

In particular, the so-called EU General Data Protection Regulation (DS-GVO) e.g. Art. 6, 9 DS-GVO and the Act on Church Data Protection (KDG) e.g. Sections 6, 11 KDG should be mentioned here, which expressly regulate that patient data may be processed. In addition, the basic principles of German law can be found, for example, in the Social Code Book Five (SGB V), e.g. Sections 295, 301 SGB V, in the Federal Data Protection Act (BDSG), in particular Sec. 22 BDSG, and in the Civil Code (BGB), in Sections 630 et seqq. of the German Civil Code, which require the processing of your data.

### *Examples of legal bases for processing are given here:*

**Data processing for the purpose of carrying out and documenting the treatment process**, including intramedical and interprofessional exchange about the patient for the treatment (Art. 9 Para. 2h), Para. 3, Para. 4 DS -GVO / Sec. 11 Para. 2 h), Para. 3 KDG / Sections 630a et seqq., 630 et seq. BGB in conjunction with corresponding national regulations, if any)

**Data transmission to „external professionals“ in the sense of joint treatment** (in a team), consultation of ex-

ternal consultants, e.g. laboratory, telemedicine and consultation of external therapists (Art. 9 Para. 2h), Para. 3, Para. 4 DSGVO / Sec. 11 Para. 2 h), Para. 3 KDG in connection with corresponding national regulations, if available)

**Data transfer to the statutory health insurance funds / the associations of statutory health insurance physicians** for the purpose of billing (Art. 9 Para. 2h), Para. 3, Para. 4 DS-GVO / Sec. 11 Para. 2 h), Para. 3 KDG in conjunction with Sec. 295, 301 SGB V)

**Data transmission for quality assurance purposes** (Art. 9 Para. 2i) DS-GVO / Sec. 11 Para. 2 i) KDG / Sec. 299 SGB V in conjunction with Sec. 136 SGB V or the guidelines of the G-BA)

etc.

In addition, processing is also permitted in cases in which you have given us your consent.

The processing and storage of your data may also take place at the other Nardini Klinikum GmbH locations.

## Necessity to provide your personal details

The proper administrative handling of your treatment requires the recording of your personal data.

## Possible recipients of your data

Your data will be collected within the scope of the intended purpose and in compliance with the relevant data protection regulations or any existing declarations of consent and may be transferred to third parties.

Examples of such third parties are, in particular, the following:

- » statutory health insurances, if you are covered by statutory health insurance
- » associations of statutory health insurance physicians, if you are covered by statutory health insurance
- » private health insurance, if you are privately insured
- » Accident insurer
- » Family doctors
- » doctors providing further, follow-up or co-therapeutic treatment
- » other health care or treatment facilities
- » Rehabilitation facilities
- » Nursing facilities
- » external data processors (so-called processors)

## Settlement with private medical clearing office

If you are privately insured, the services rendered will be invoiced via the private medical clearing office Mosel-Saar GmbH, Boxbergweg 3A, 66538 Neunkirchen Germany. For this purpose, it is necessary to provide and transmit the personal treatment data required for billing, such as name, address, date of birth, date of treatment, services rendered in accordance with the scale of fees (GOÄ/GOZ) and associated diagnosis. The employees of the accounting office are subject to confidentiality and data protection regulations.

## Which data are transmitted in detail?

If data is transmitted, it depends in individual cases on the respective recipient which data this is. For example, the following data is involved in a transmission in accordance with Sections 295, 301 SGB V to your health insurance fund / the responsible association of statutory health insurance physicians:

- » Name of the insured person
- » Date of birth
- » Address
- » Health insurance number
- » Insured status
- » Day, time and reason for treatment (diagnoses)

## Treatment due to aesthetic operations, tattoos or piercings

In the event of a disease which is suspected to be the result of a non-medically indicated aesthetic operation, tattoo or piercing, a report must also be made to the health insurance company.

## Revocation of consents given

If the processing of your data is based on a consent that you have given us, you have the right to revoke your consent at any time.

You can address this declaration - in writing / by mail / fax - to us. It is not necessary to give reasons for this. However, your revocation only applies from the point in time at which we receive it. It has no retroactive effect. The processing of your data up to this point remains lawful.

## Protecting the legitimate interests of the hospital operator

If, in order to enforce our claims against yourself or your health insurance company/association of statutory health insurance physicians, we are forced to seek legal or judicial assistance because the invoice we have issued is not paid, we must disclose (for purposes of rights enforcement) the necessary personal data about you and your treatment.

## How long is your data stored?

In accordance with Sec. 630 et seq. of the German Civil Code (BGB), we are obliged to keep documentation on your treatment. This obligation can be fulfilled in paper form or electronically (patient file). This patient documentation will be kept for a long time even after your treatment has been completed. We are also legally obliged to do so.

Many special legal regulations deal with the question of how long the individual documents are to be kept. These include the Radiation Protection Act (StrlSchG), the Pharmacy Operating Regulations (ApBetrO), the Transfusion Act (TFG) and many more. These legal regulations stipulate different retention periods.

If no special statutory periods apply in your case of treatment, we generally keep the records for 10 years from the end of treatment (Sec. 630 et seq. Para. 3 BGB).





## Right of access, rectification, deletion, etc.

You are entitled to so-called data subject rights, i.e. rights that you can exercise as a data subject in an individual case. You can assert these rights against us. They result from the EU General Data Protection Regulation (DS-GVO) / the Act on Church Data Protection (KDG):

### **Right to rectification**, Art. 16 DS-GVO / Sec. 18 KDG

If you find that incorrect data concerning your person are being processed, you may request rectification. Incomplete data must be completed taking into account the purpose of the processing.

### **Right to deletion**, Art. 17 DS-GVO / Sec. 19 KDG

You have the right to demand the deletion of your data if certain reasons for deletion exist. This is in particular the case when they are no longer necessary for the purpose for which they were originally collected or processed.

### **Right to limitation of processing**, Art. 18 DS-GVO / Sec. 20 KDG

You have the right to limitation of processing of your data. This means that although your data will not be deleted, it will be marked to restrict its further processing or use.

### **Right to object to unreasonable data processing**, Art. 21 DS-GVO / Sec. 23 KDG

In principle, you have a general right to object, including to lawful data processing that is in the public interest, in the exercise of official authority or due to the legitimate interest of a body.

## Complaint to the supervisory authority about data protection violations

Irrespective of the fact that you are also free to take legal action, you have the right to complain to a supervisory authority if you are of the opinion that the processing of your data is not permitted under data protection law. This results from Art. 77 DS-GVO / Sec. 48 KDG. The complaint to the supervisory authority can be made informally.

### **Katholisches Datenschutzzentrum Frankfurt/M.**

Domplatz 3  
Haus am Dom  
60311 Frankfurt/M.

### **Contact**

Phone: 069 – 8008 718 800  
Fax: 069 – 8008 718 815  
Email: [info@kdsz-ffm.de](mailto:info@kdsz-ffm.de)

## Data protection officer of the hospital

We have appointed a data protection officer. His contact details are as follows:

### **Christian Simon**

[datenschutz@nardiniklinikum.de](mailto:datenschutz@nardiniklinikum.de)

For further questions please do not hesitate to contact us.

## Responsible for data processing

Depending on your location and practice, the following contact persons are available to you:

### *Location Landstuhl*

**Dirk Bleymehl**  
Nardini Str. 30  
66849 Landstuhl  
Tel.: 06371 84-2301

**Dr. med. Sascha Schläger**  
Nardini Str. 30  
66849 Landstuhl  
Tel.: 06371 84-2701

**Dr. Andreas Kopp**  
Nardini Str. 30  
66849 Landstuhl  
Tel.: 06371 84-2401

**Muayyad Al-Alime**  
Nardini Str. 30  
66849 Landstuhl  
Tel.: 06371 84-2801

**Dr. med. Wolfgang J. A. Hoffmann Schwáb, MR**  
Nardini Str. 30  
66849 Landstuhl  
Tel.: 06371 84-2401

### *Location Zweibrücken*

**Dr. Holger Wehrfritz**  
Kaiserstr. 14  
66482 Zweibrücken  
Tel.: 06332 82-8270

**PD Dr. Peter Schiedermaier**  
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