



Patient Information Notice about the Electronic Cross - border Prescription Services for patients traveling to Croatia

Purpose of the Patient Information Notice

This Patient Information Notice aims to inform the patients about the exchange of their data in cross-border settings and data protection practices that are in place in case that the dispensation of medicine takes place in a pharmacy of another European Country.

When seeking the dispensation of medicine in a pharmacy abroad, patient personal data will be handled in accordance with the infrastructure and laws of the country in which the medicine is being dispensed.

This information is intended for patients travelling to Croatia.

Who can use this service?

Patients whose country of residence participates in the electronic data exchange system, and who possess appropriate identification document, as well as prescribed electronic prescription based on which they can purchase medicine in another country.

The medicine must always be purchased at a pharmacy by the person named on the prescription. This person must be identified. Each country has defined the type of identification document that patients have to submit when using the service.

Once the patient has been identified, the pharmacist informs the patient about the post on the website regarding the treatment of their data in Croatia. Patient Confirmation on the data handling shall be made after the request for Patient Identification has been made, but prior to the retrieval of the patient medical data. The reason for this is the fact that the unique patient identifier, necessary for retrieving the medical data, might be unknown to the pharmacist.

Regardless of whether the patient has been informed about the data processing in their country of residence, the patient must be informed about the treatment of their data in the country they have travelled to. Once the patient confirms to the pharmacist that they understand the information and allow the retrieval of the prescription, the pharmacist shall continue with the retrieval request. If the patient does not confirm that they understand the information or does not allow their prescriptions to be retrieved, the prescriptions shall not be retrieved.

The patient is required to pay the full amount of the medication and is entitled to reimbursement from their insurer in the country of residence. Reimbursement may then be granted or not, depending on their national health insurance system.

The purchase of medicine in Croatia is possible based on the electronic prescription prescribed in Finland, and in the coming months, it will be possible to purchase medicines with electronic prescriptions from other European countries.

What is eHealth Digital Service Infrastructure?

The eHealth Digital Service Infrastructure (eHDSI or eHealth DSI) enables secure and easy access to medical data for health care professionals involved in the treatment / dispensing medicines. This infrastructure provides the health care professionals with access to medical data for the residents of the EU, by electronic means - anytime and anywhere within the EU. This is done via a secure gateway provided by a National Contact Point for eHealth (further on in the text: NCPeH), designated by each country.

Your prescription data will be transmitted from the national infrastructure in the country of residence to the pharmacy in Croatia via the national contact points. The Croatian Health Insurance Fund acts as the Croatian contact point. Each country is responsible for the operations of the national contact point in their own country. Your prescription data will be processed under the EU General Data Protection Regulation and national legislation in the respective country participating in the exchange.

What data about you is processed?

The electronic prescription contains mainly the same information as a regular paper prescription: patient name and surname, identification number, date of birth, gender, country

of insurance, physician's name and surname, identification number, address of the health institution prescribing the medicine, diagnosis and information about prescribed medicine.

The data transmitted from national infrastructure in the country of residence via contact points to the pharmacy in Croatia include a list of valid prescriptions for dispensation prescribed to you in case you have allowed retrieval from other EU countries, as well as detailed information about the drug prescription that you wish to buy. The list of prescriptions may also include medicines that cannot be purchased with a prescription in another European country. These medicines are, however, shown on the list so that the person dispensing the medicines can consider them when assessing the interaction and the safe use of the medicines.

When travelling to Croatia, the original PDF version of the prescription and the translated content of the electronic prescription will be available to pharmacists through the NCP Portal for medicine dispensation, and they will have access to it via their pharmacy software solution. When dispensing the medicine, the pharmacist enters the data onto the NCP portal and logs the dispensation of the medicine. The pharmacy will then submit the information of the medicine dispensation via national contact points to the infrastructure in the patient's country of residence.

On what grounds is your data processed?

The eHDSI services will be available to you, upon your unequivocal consent, on the basis of several legal acts: Directive 2011/24/ EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare transposed to Compulsory Health Insurance Act, stipulating that the Croatian Health Insurance Fund implements compulsory Health Insurance. CHIF governs the agreements with compulsory health care service providers, including General terms and conditions of the agreements (General Terms of Contract for Primary Health Care Provision of Compulsory Health Insurance). Through amendments to the general conditions of agreements, CHIF has complied with the provisions of the General Data Protection Regulation (GDPR). CHIF contracted Health Care Providers are obliged to fully implement the provisions of protecting personal data that they encounter while providing health care services.

When receiving medicines in Croatia, your data will be stored in Croatia as a country of treatment according to the EU General Data Protection Regulation, legislation and the operational practices of pharmacies in Croatia.

For what purpose is your data processed?

Prescription data is processed only for the dispensation of medicines.

In Croatia, NCPeH and software solutions for pharmacies included in the communication possess mechanisms for recording the flow of information, as well as the possibility to subsequently access and reproduce messages in accordance with the privacy and security rules on patient data.

For additional information on the purpose of further processing according to the laws of Croatia as country of affiliation / treatment, see: General Terms of Contract for Primary Health Care Provision of Compulsory Health Insurance (published in the Official Gazette 160/13, 17/15, 129/17) and for CHIF as operator of the national infrastructure, Ordinance on data privacy and the right of access to information is applied, posted on CHIF web page: Pravilnik o tajnosti podataka i pravu na pristup informacijama Hrvatskog zavoda za zdravstveno osiguranje – released on May 20th, 2013.

Who can process your data?

Your data can only be processed by authorised and verified healthcare professionals involved in the process of dispensing medicines while observing the confidentiality principles in the country of treatment. Data shall not be made available to unauthorised persons. Each country is responsible for ensuring that participating health care professionals (including physicians, nurses, pharmacists and other health care professionals relevant for cross-border medical data exchange) and healthcare providers in their territory have access to adequate information and training regarding their duties.

When the data is transferred to another EU country through eHDSI, each of the recipients of the data assumes responsibility for the processing of such data within their scope of data processing activities. Regarding the dispensation in Croatia, recipients of data assuming such responsibilities are the national contact point in Croatia and a pharmacy in which you receive the prescribed medication.

Where is your data stored and for how long?

Your data can be stored in the data systems of health institutions both in your country of residence and the country of treatment. Data may be stored only for as long as is necessary for the purposes for which it is being processed.

Data may be stored for longer periods only for the purpose of archiving, scientific or historical research, with specific measures for protecting privacy in place (such as data anonymisation).

Data retention periods in Croatia are as follows:

- according to the Law on Accounting, accounting records based on which data are entered are kept for at least eleven years.
- according to the Law on Pharmacy, medical documentation in pharmaceutical practice includes records maintained in the pharmacy practice and medical records for prescribing and dispensing medicines and medical products.
- according to the Law on data and health information, medical records will be kept for ten years after the death of a natural person, and after the expiration of this deadline, the documentation is processed following the regulations on archives.

Your access rights

Your prescription data may be released to a pharmacy in Croatia only if you have consented to this in the country of residence, confirmed to the pharmacist that you understand the patient information notice and allow the retrieval of your prescriptions. Without your confirmation to the pharmacist, your data will not be available at the pharmacy in Croatia. The confirmation given to the pharmacist is valid for one retrieval of your prescriptions before the medicine is dispensed.

You have the right to lodge a complaint related to the processing of your data with a supervisory authority, either in your country of residence or the country of treatment, depending on the factual situation.

Submitting a claim for reimbursement of costs

If you purchase medicine in Croatia based on an electronic prescription, upon your return to the country of residence you can apply for a reimbursement of the cost from your insurer. Reimbursement may then be granted or not, depending on your national health insurance system.

Access to patients data abroad

It is the duty of the country participating in the exchange to ensure that the PIN is provided to the patient at the point of care, informing them how their data will be treated in that particular member state. It is up to each county to decide on how the PIN will be presented to the patient, i.e. its form or method of implementation.

The pharmacist dispensing medicine in Croatia shall inform the patient about the website containing information on handling their data, where the patient can find information in their respective language. The software solution used by a pharmacist displays the following text: "Regardless of whether the patient is informed about data processing in their country of residence, you need to provide this information to the patient <link to the website> and ask them for the approval to retrieve their prescriptions." The pharmacist shall signal his confirmation by pressing the button saying that the patient acknowledged they understood the information and allowed for the retrieval of their prescriptions. If this button is not pressed, the prescription data will not be retrieved.

Contact information

In the context of personal data protection related to cross-border electronic prescription services, Data Controller and Data Processor is CHIF. Contact: <https://www.hzzo.hr/kontaktirajte-nas/>.

Data Protection Officer is appointed by the Director of the CHIF, zastita.podataka@hzzo.hr

Croatian Personal Data Protection Agency is the supervisory authority, under the General Data Protection Regulation and the Law on the Implementation of the Data Protection. Contact <https://azop.hr/data-protection-agency>.

Customer Support for patients for Health Care Information in the Member State, on all major aspects of cross-border healthcare. Contact: + 385 1 644 90 90 (working hours Monday to Friday, 8 am to 4 pm) or mail ncp-croatia@hzzo.hr.

Customer Support to Health Care providers and Software Producers. Contact telephone + 385 72 11 22 33 (working hours Monday to Friday, 7 am to 8 pm and Saturday from 7 am to 3 pm) or mail helpdesk@hzzo.hr.

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