

**Information for European citizens about the conditions, the purpose of the processing and the storage of personal data provided during the dispensation of medicines in the Czech Republic and the use of MyHealth@EU services.**

### 1. What is the European eHealth Digital Services Infrastructure?

The European eHealth Services Infrastructure (MyHealth@EU) offers European citizens a safe and simple tool to transfer health data from a patient's home country to a healthcare provider in another EU country. The pharmacist in another EU country has the possibility to obtain verified and safe information about the medicines prescribed to the patient.

Personal data are transmitted across borders via secure information gates — the so-called national contact points for eHealth. In the Czech Republic, the Ministry of Health is the organization responsible for the National Contact Point for eHealth (see contacts below).

Patients' personal data are always processed and stored in accordance with the legislation of the country where the patient is treated (see data in point 6).

### 2. Categories of personal data transmitted

As part of the cross-border electronic transmission of the electronic prescription, two types of personal data are being processed:

- Administrative personal data of the patient for the purposes of identification (name, surname, identifier, date of birth, residence). The controller of these personal data is the administrator of the National Contact Point for eHealth and the administrator of the electronic prescription information system (see contacts below).
- Personal health data included in the patient's electronic prescription and electronic dispensation record (data on prescribed medicine and dispensed medicine). The controller of these sensitive personal data is the administrator of the electronic prescription information system and specific healthcare provider (pharmacy) dispensing a medicine to the patient.

The electronic prescription contains all the information necessary for dispensation of the prescribed medicine. This information is provided to the dispensing pharmacist for the purpose of safe dispensation of medicines to the patient in another EU country. The electronic prescription contains, in addition to the information on the prescribed medicine, data identifying the patient, the healthcare provider and the healthcare professional who prescribed the medicine. The electronic dispensation record also contains data identifying the pharmacy and the pharmacist who dispensed the medicine.

### 3. What is the legal basis for the use of your personal data in the Czech Republic?

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

- the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the General Data Protection Regulation (GDPR),
- 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,
- Act No. 378/2007 on Pharmaceuticals and related provisions (decrees),
- Act No. 372/2011, on Health Services and Conditions of Their Provision and related provisions (decrees),
- Act No. 110/2019, on Personal Data Processing.



***In accordance with Articles 6 and 7 of the GDPR, eHDSI services will only be available if all the legal assumptions of the patient's home country are met for the transmission of health data to healthcare professionals in the Czech Republic. This concerns, for example, any legal obligation on the patient to give consent to the transfer of health data (ePrescription) in the home state prior to travelling to another EU country. If the patient's consent is required and not granted, health data (ePrescription) may not be issued by eHDSI to the Czech Republic.***

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

Personal data will be requested, processed and stored exclusively for the purpose of dispensing medicine by a healthcare provider in the Czech Republic.

In the Czech Republic, health data contained in the electronic prescription may be processed for purposes of archiving in the public interest, for scientific and historical research and for statistical purposes. This is performed in a form that does not allow identification of the data subject.

#### 5. Who processes and has access to data from patients?

The access to the data contained in electronic prescription is restricted to verified and identifiable healthcare professionals in the Czech Republic (pharmacists) who are subject to professional secrecy.

The administrator of the electronic prescription information system also has access to the data contained in the electronic prescription, but only under the conditions stipulated by law as a main supervisory body in handling pharmaceuticals.

The National Contact Point (NCPeH) operator has access to and stores only administrative/operational data related to the identification of the patient, which must be verified by the healthcare professional order to request the ePrescription. These data are stored for security reasons to trace and demonstrate the non-repudiation of a transaction.

#### 6. Where and how long are the personal data kept?

Your personal data are stored in the information system of the pharmacy that provided you the prescribed medicine. According to Decree No. 84/2008, on Good Pharmacy Practice, pharmacies in the Czech Republic are obliged to keep records of issued electronic prescription for 5 years.

In accordance with Act No. 378/2007, on Pharmaceuticals, the electronic dispensation record is also kept by the administrator of the electronic prescription information system for 5 years.

Personal data can be kept longer only for the purpose of archiving and scientific or historical research, but only in a form that does not allow the identification of the data subject.

#### 7. Patients' right of access to information

Each healthcare provider in the Czech Republic is obliged to maintain and store dispensed medical prescription documentation. The right of access to information can be exercised at the healthcare provider (pharmacy) where the medicine was dispensed. The right of access can also be exercised at the administrator of the electronic prescription information system (see contacts below).

You have the right to request restriction of the data processing, right to rectification of the data, as well as right to data portability where applicable. The right to erasure of your personal data is limited by the legal retention period (see data in point 6).

Finally, you have the right to lodge a complaint with a supervisory authority in either in your country of residence or in the Czech Republic, depending on the factual situation. The supervisory authority in the Czech Republic is Data Protection Authority (see contacts below).



## 8. Contacts

### National eHealth Contact Point for the Czech Republic — <https://www.nixzd.cz/verejnost>

<b>ADMINISTRATOR</b>	<b>Czech Republic —Ministry of Health</b> Palackého nám.4, 128 01 Prague 2, Czech Republic Tel:+ 420 224 971 111 Email: <a href="mailto:mzcr@mzcr.cz">mzcr@mzcr.cz</a> <a href="http://www.mzcr.cz/">http://www.mzcr.cz/</a>
<b>DATA PROTECTION OFFICER</b>	<b>Czech Republic —Ministry of Health</b> Tel:+ 420 224 972 457 Email: <a href="mailto:oia@mzcr.cz">oia@mzcr.cz</a>
<b>OPERATOR</b>	<b>Vysočina Region</b> Žižkova 57, 583 01 Jihlava, Czech Republic Tel:+ 420 650 660 997 <a href="mailto:Cz-ehealth-dsi-support@nixzd.cz">Cz-ehealth-dsi-support@nixzd.cz</a>

### Electronic prescription information system — [www.epreskripce.cz](http://www.epreskripce.cz)

<b>ADMINISTRATOR AND OPERATOR</b>	<b>State Institute for Drug Control</b> Šrobárova 48, 100 41 Prague 10, Czech Republic tel.: +420 800 900 555 e-mail: <a href="mailto:erecept@sukl.cz">erecept@sukl.cz</a> <a href="http://www.sukl.cz/">http://www.sukl.cz/</a>
<b>DATA PROTECTION OFFICER</b>	<b>State Institute for Drug Control</b> e-mail: <a href="mailto:poverenec@sukl.cz">poverenec@sukl.cz</a>

### National data protection authority — [WWW.UOOU.CZ](http://WWW.UOOU.CZ)

<b>National data protection authority</b>	<b>Data Protection Authority</b> Pplk. Sochora 27, 170 00 Prague 7, Czech Republic tel.: +420 234 665 111 e-mail: <a href="mailto:posta@uouu.cz">posta@uouu.cz</a> <a href="https://www.uouu.cz">https://www.uouu.cz</a>
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