

## Patient information about data protection

Dear Patient,

we are committed to protecting your personal data. In accordance with the EU General Data Protection Regulation (GDPR), we would like to inform you about the purpose for which our practice collects, stores or forwards personal data. Personal data means all data that can be associated with you personally.

We have also listed for you which rights you are entitled to in connection with your personal data. If you have any questions about data protection, please do not hesitate to contact us.

### The data controller is:

HNO Praxis (ENO Practice) Dr. med. univ. Süssmann  
Dr. med. univ. Roy Süssmann  
Große Bockenheimer Str. 41  
60313 Frankfurt am Main, Germany  
Phone: +49 (0)69 1338 3095  
Email: kontakt@hno-fressgass.de

### You can reach our data protection officer at:

suessmann@frankfurter-datenschutz.de

### For what purpose do we process your personal data and why are we authorised to do so?

We are entitled to process your personal data and health data as a special category of personal data for health care purposes and on the basis of initiating, establishing, performing and terminating the treatment contract with us, if the data is necessary for executing contractual obligations. The legal basis for processing of your personal data is Art. 9 (2) lit. h of the GDPR in conjunction with § 22 (1) no. 1 lit. b of the BDSG (German Federal Data Protection Act).

In addition to your personal details, your personal data also includes health data, medical histories, diagnoses, treatment recommendations and findings that we or other doctors collect. For these purposes, other doctors or psychotherapists with whom you are under treatment may also provide us with data (physicians, e.g. in doctor's letters). The same applies to the transmission of this data by us to subsequent or co-treating doctors. Art. 9 (2) lit. h, (3) of the GDPR in conjunction with Section 22 (1) nr. 1 lit b of the BDSG serve as the legal basis.

In order to fulfil our documentation obligations, we keep an electronic patient file in which we record all measures and their results which, from a professional point of view, are essential for current and future treatment, in particular your medical history, diagnoses, examinations, examination results, findings, treatments and their effects, interventions and their effects, consents and explanations as well as discharge letters. The legal basis for the maintenance of an electronic patient record is § 630 f BGB (German Civil Code), Art. 9(2) lit. h, (3) of the GDPR in conjunction with § 22 (1) no. 1 lit. b of the BDSG (German Federal Data Protection Act).

In cases where it is not necessary to process data for executing the treatment agreement or is not based on legal obligations, we will obtain your express consent. The legal basis in these cases Art. 9 (2) lit. a of the GDPR. You may revoke your consent at any time without giving reasons and with effect for the future. The revocation shall not affect the lawfulness of the processing of data carried out on the basis of the consent up to the time of the revocation

Please understand that collection of this health data is a prerequisite for your treatment. If we do not receive the necessary information, we cannot fulfil our obligations under the treatment agreement and cannot provide prudent treatment.

### Does anyone else receive your data apart from us?

As a general rule, your data will only be processed by us and our employees who are sworn to secrecy. We only transfer personal data to third parties if this is permitted by law or you have provided your consent.

Recipients of your data can be, above all, other doctors/psychotherapists, medical associations, health insurance companies (in particular for billing purposes), the medical service of the health insurance company for the preparation

of an expert opinion for the health insurance company, accident insurance companies (employers' liability insurance associations), within the framework of accident treatment procedures or in the case of suspected occupational diseases, private medical clearing centres and tax consultants. Transmission is carried out for the purpose of billing or for clarifying medical questions and for further or joint treatment.

We use the Tomedo practice software by Zollsoft GmbH, Ernst-Haeckel-Platz 5/6, 07745 Jena, Germany to maintain the electronic patient file which may obtain knowledge of personal data for the purpose of care and maintenance in the event of technical problems. Furthermore, the employees of our external service providers have also been obligated to handle personal data confidentially and to maintain confidentiality. A data processing agreement in accordance with the GDPR is in place.

For optimal appointment management, we use the appointment management system of Doctolib. On the one hand, Doctolib offers us a modern calendar system and, on the other hand, our patients the possibility to make appointments with us online on the website <https://www.doctolib.de/>. Doctolib GmbH (Mehringdamm 51, 10961 Berlin) acts for us as a so-called data processor. A data processing contract in accordance with the GDPR is in place. Doctolib was carefully selected by us, is bound by our instructions and is regularly monitored.

The data protection provisions available on the website [doctolib.de](https://www.doctolib.de/) apply to online appointment booking. We also use the Doctolib calendar system for patients without a user account on [doctolib.de](https://www.doctolib.de/) in order to manage all appointments uniformly and to focus primarily on our patients. Doctolib processes all data in accordance with all applicable data protection regulations and applies the highest security standards.

To make an appointment, the following data is entered into the Doctolib calendar: surname, first name, date of birth, address, telephone number, e-mail address, GP, health insurance status, referring doctor, reason for visit and appointment history. Doctolib itself has no insight into which doctor you are being treated by. Only your doctor has this information.

Your data will be collected for the purposes of appointment management, as has been the case with us in the past. The legal basis for the processing of your data is Art. 6 (1) lit. b GDPR (the treatment order you give us), Art. 6 (1) lit. a GDPR (consent for appointment reminders via SMS and e-mail) and Art. 9 (2) lit. h GDPR (the purposes of health care). There is no forwarding of data by Doctolib to commercial providers. Just like your doctor, Doctolib is bound by the duty of confidentiality. A release from the duty of confidentiality is not required.

### **How long do we store your data?**

We store your data in accordance with the statutory retention periods. In the case of your patient file, this is ten years after the end of the calendar year in which your treatment ended. Longer retention periods may also result from other regulations, e.g. for X-rays in accordance with the Radiation Protection Ordinance. In these cases, you may not assert a claim for deletion before the expiry of these deadlines.

### **What are your rights?**

You have the following rights with regards to personal data relating to you which you may exercise against us:

- Right to information: You may request information in accordance with Art. 15 of the GDPR about your personal data that we process.
- Right to rectification: Should the information concerning you be not or no longer correct, you may request correction in accordance with Art. 16 of the GDPR. If your data is incomplete, you can request that it be completed.
- Right to erasure: You may request the deletion of your personal data in accordance with Art. 17 of the GDPR.
- Right to restriction of processing: Pursuant to Art. 18 of the GDPR, you have the right to demand a restriction on of your personal data.
- Right to object to processing: You have the right to object at any time to the processing of your personal data under Art. 6 (1) p. 1 lit. e or lit. f of the GDPR for reasons arising from your particular situation in accordance with Art. 21 (1) of the GDPR. In this case, we will not further process your data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or if the processing serves the purpose of asserting, exercising or defending legal claims under Art. 21 (1) of the GDPR. In addition, you have the right to object at any time to the processing of personal data concerning you for the purpose of direct marketing in accordance with Art. 21 (2) of the GDPR; this also applies to any profiling insofar as it is associated with such direct marketing. We draw your attention to the right to object in this data protection declaration in connection with the respective processing.
- Right to revoke your consent: If you have provided your consent to the processing of your data, you have a right of revocation in accordance with Art. 7 (3) of the GDPR.

- Right to data portability: You have the right to receive the personal data concerning you that you have provided to us in a structured, common and machine-readable format ('data portability') as well as the right to have this data transferred to another controller if the prerequisite of Art. 20 (1) lit. a, b of the GDPR is met (Art. 20 of the GDPR).

You can exercise your rights by notifying the contact details listed in the "Responsible party" section.

Furthermore, you may complain to the competent supervisory authority for data protection if you believe that your personal data has not been processed lawfully.

The following supervisory authority is responsible for us: Der Hessische Beauftragte für Datenschutz und Informationsfreiheit (The Hessian Commissioner for Data Protection and Freedom of Information), P.O. Box 3163, 65021 Wiesbaden, Germany.

Best regards,

Your medical practice team