

Medizinisches Versorgungszentrum
Labor Bavariahaus

Labor Bavariahaus ♦ Karlstraße 46 ♦ 80333 München

Ärztlicher Leiter

Priv.-Doz. Dr. med. F.-W. Tiller
Facharzt für Mikrobiologie, Virologie
und Infektionsepidemiologie

**INFORMATION TO BE SUPPLIED WHEN OBTAINING PERSONAL DATA
(as per Art. 13, 14 DSGVO in conjunction Art. 12 DSGVO)**

Dear patient,

for the purpose of implementing laboratory examinations, it is necessary to process personal data (name, address, contact details etc.) as well as medical information (diagnosis, results etc.). The following data protection notice will inform you on the processing of your personal data and the rights you have regarding data privacy on the grounds of the current data protection laws.

1. Who can I approach? – Responsibility for data processing:

Responsibility lies with the natural or legal person which, alone or jointly with others, determines the purposes and means of the processing of personal data. Controller as per Art.4(7) EU_DSGVO is:

MVZ Labor Bavariahaus
run by Bavaria Health Services GmbH
Karlstraße 46, 80333 Munich
Phone: +49 89 543 217 0

For any questions regarding data protection, please contact our data protection officer:

MVZ Labor Bavariahaus
run by Bavaria Health Services GmbH
c/o activeMind AG
Potsdamer Str. 3, 80802 Munich
E-Mail: Datenschutz@labor-bavariahaus.de
Phone: +49 89 418 560 17 0

2. What data is being processed?

As part of the contract and its administrative execution, data regarding the person (name, address, contact details and birth date) as well as medical information (anamnesis, diagnosis, treatment recommendations, results) are obtained, stored, processed, prompted, used, transferred etc. All of these activities are summarized as "processing".

3. Purpose of data processing and legal grounds

We process your data

- for the fulfilment of contractual obligations Art. 6(1). Data processing is necessary for the performance of laboratory services (lab analysis, transmission and storage of lab results and information connected to it) or for the conduction of pre-contractual obligations. Laboratory requests may be submitted by the patient directly or via their consultant.
- for the purpose of legitimate interests pursued (Art. 6 Abs(1f) DSGVO). If we are forced to make use of a lawyer or court, because for example your bill hasn't been settled, we have to reveal your personal data.
- on the grounds of legal obligations (Art. 6(1c) DSGVO) to which we are subject e.g. information provided to authorities
- as part of order processing (Art. 28 DSGVO), i.e. maintenance of IT-systems.
- as part of the consent you have given (Art. 6(1a) DSGVO). Provided you have given us your consent for the processing of personal data for certain purposes, legitimacy of this processing is given on the grounds of your consent. A given consent can be revoked at any time via an informal Email to geschaeftsfuehrung@lab4more.de. Please note that the withdrawal effects the future. Data that was processed before the withdrawal is not affected by it.

4. Who provides us with your information?

The data is either given by you directly or indirectly via other treating physicians which transmit your information and medical samples to us.

5. Who has access to your information?

Within MVZ Labor Bavariahaus access is given to the parties that need your information in order to fulfil their contractual and legal duties. Your data is only processed by expert staff or under their supervision. These professionals are subject to the so-called professional secrecy or an obligation to confidentiality. Thereby the confidential treatment of your personal data is ensured.

6. Possible recipients of your data

Your data will be obtained and transferred to a third party for an intended purpose with due regard to the current data protection regulations and any other informed consent, respectively. The following third parties come into consideration:

- General practitioners and specialists
- other institutions for health care or treatment

- Allied companies (the processing of data is performed by specialised companies depending on the chosen process; agreements regarding the processing of data were concluded intragroup)
- External laboratories (in exceptional cases we assign the examination of certain medical samples to special laboratories)
- External contractors, so-called data processing companies as per Article 28 DSGVO, e.g. IT-companies, external document destruction or recall-systems
- Further receivers, e.g. court (when legal duty of transfer is existent) or law offices (for the enforcement of demands)

7. Is my data transferred to third countries or other international organizations?

Transmission of data outside the EU or third countries does not take place.

8. How long is the personal data stored for?

We process and store your personal data for only as long as it is necessary for the fulfilment of our contractual and legal duties. Thereby the storage of evidence in accordance with the legal statute of limitations must be considered: according to §§195ff BGB this limitation period can go up to 30 years, but the regular statute of limitations lies at 10 years. After the expiration of the deadline the data is routinely deleted, provided it is no longer needed for the fulfilment or initiation of the contract.

9. What are your rights concerning your personal data?

Correspondent to the data protection regulations, the person concerned has certain rights regarding the processing of personal data for the reasons named above through those who are responsible. It is very important to us to acquaint you with your rights:

- Right of access, meaning the right to obtain information on the personal data stored by us, especially to what purpose the data is being processed and the duration of data storage (Article 15 DSGVO);
- Right to rectification, meaning you can demand to have your personal data rectified by us immediately, provided the given information is incorrect (Article 16 DSGVO);
- Right to erasure, meaning you can demand the deletion of your personal data. You may exercise this right, if we no longer need the personal data for the duties they were originally obtained and processed for, if we have wrongfully processed the data or you have justifiably contradicted to the processing or when there is a legal obligation to erase the data (Article 17 DSGVO);

- Right to restrict data processing, provided you have a justifiable reason for the restriction of the data handling. This right is exercised in particular when you have the right to erase but chose restricted processing of your personal data instead of the deletion. Restriction also occurs when the data is no longer needed for our purposes, but are still needed for the enforcement, administration or defence of legal claims (Article 18 DSGVO)
- Right of data portability, meaning you can receive the personal data you have provided to a controller in a structured, established and machine-readable format; this also includes the right to transfer the data to a different controller (Article 20 DSGVO)

If you wish to exercise your rights, please send us an Email to info@labor-bavariahaus.de or send a letter to MVZ Labor Bavariahaus i. Tr. d. Bavaria Health Services GmbH, Frau Petra Tschanett, Karlstraße 46, 80333 Munich.

- Right to object, meaning you have the right to object to the processing of your data, on grounds relating to your particular situation. In exercising this right, you can – without giving reasons – object in whole or in part to the consent you gave for data processing. This objection can be stated to Lab4more GmbH informally. The objection leads to the inadmissibility of the further processing of your data in the future. We will then discontinue the further processing of your data, unless we can verify an important cause worth being protected which outweighs your interest, right and liberties or if the processing is necessary for the enforcement, administration or defence of legal claims. The legality of the previous processing of your personal data remains untouched by your objection.

If you wish to exercise your right to object, please send us an Email to info@labor-bavariahaus.de or send a letter to MVZ Labor Bavariahaus i. Tr. d. Bavaria Health Services GmbH, Frau Petra Tschanett, Karlstraße 46, 80333 Munich. Note that in case of objection it might not be possible for us to perform the appointed service at all or in the agreed extent.

- You have the right to lodge a complaint to a regulatory authority, if you are under the impression that the processing of the regarding data offends the current legislations.

10. Am I obliged to provide personal data?

The elicitation of health data is a requirement for your treatment. A thorough treatment is not possible without the necessary information.