

Informing patients travelling to Estonia about the use of the cross-border service for patient health data summaries.

Purpose of the Patient Information Notice

This information is intended for patients travelling to the Republic of Estonia.

The aim of the notice is to inform the patient about how his or her personal data are processed and about the applicable legislation if a summary of the patient's health data is requested by a healthcare provider in another Member State of the European Union, a Member State of the European Economic Area or Switzerland.

Healthcare providers in Estonia process personal data in accordance with the legislation in force in Estonia.

What is the European eHealth Network?

The eHealth Digital Service Infrastructure (eHDSI) enables data to be exchanged securely and easily for pharmacists when medicines are purchased and for healthcare professionals involved in the treatment of patients. The eHDSI provides healthcare professionals across the EU with electronic access to the data related to EU residents' prescriptions and to summaries of their health data. Requests for data are submitted via a secure gateway (the cross-border data exchange platform for health data), access to which is granted by the national contact point for eHealth designated by each country. In Estonia, responsibility for the operation and management of the service lies with the Health and Welfare Information Systems Centre (*Tervise ja Heaolu Infosüsteemide Keskus – TEHIK*), which cooperates with the Estonian Health Insurance Fund and the State Agency of Medicines. The controller of the data exchange platform is the Ministry of Social Affairs.

Patient health data summaries are transmitted from the national health data infrastructure in the country where they were prepared via the national contact points to healthcare providers in other countries covered by the service. Each country is responsible for the operations of its national contact point. Patients' health data are processed in accordance with the EU's General Data Protection Regulation and with the legal acts in force in the countries involved in exchanging the data.

Who can use the cross-border service for patient health data summaries and on what basis (i.e. legal grounds)?

The cross-border service for patient health data summaries can be used by a patient who is in possession of an identification document issued in the European Union and whose personal data may be processed if there is a legal basis for this in his or her country, whether this means consent or any other legal grounds. It is not possible to give this consent when at a healthcare provider in a foreign country.

A patient health data summary is prepared for a patient receiving healthcare at a foreign healthcare provider. The transmission of data concerning a patient health data summary to a foreign healthcare provider via the cross-border data exchange platform for health data is permitted on the basis of Section 50⁹(2) of the Health Services Organisation Act [*tervishoiuteenuste korraldamise seadus*].

Before making a request for the health data of a patient, the healthcare provider will inform the patient how his or her health data will be processed when the summary is prepared. Only when the patient has confirmed that he or she understands the contents of the Patient Information Notice may the healthcare provider request the patient's health data from his or her home country.

For what purpose are a patient's data processed?

The aim of the service is to give the healthcare provider an overview of the patient's health data summary, which is recorded in his or her home country. A better overview of the health data will enable the healthcare provider to make higher quality and more rapid treatment decisions. The data included in the health data summary are processed solely for the purpose of providing healthcare services.

In certain circumstances set out by law, personal data (including health data) may also be processed in Estonia for other reasons, such as statistical and research purposes.

Which personal data of patients are processed?

The following data relating to the patient health data summary are processed using the data exchange platform:

- details about the document itself (date, reference number, country);
- general patient data (personal identification number or other identifier, first name and surname, gender, date of birth, address, telephone number, email, preferred language);
- details of the patient's representative (first name and surname, address, telephone, email);
- details of the patient's contact persons (first name and surname, address, telephone, email, type of contact person);
- details of the patient's general practitioner (name of institution, first name and surname of the general practitioner, address, telephone, email);
- details of the person who prepared the health data summary (first name and surname, identifier, telephone, email);
- details of the institution at which the person who prepared the health data summary works (name, identifier, address, telephone, email);
- details of medicines prescribed and administered, including details of the person who prescribed or administered the medicines (name, identifier, specialism) and details of the institution (name, identifier, address);
- details of allergies and undesirable side effects (date of diagnosis of allergy, type of allergy, allergen, description, severity);
- list of complaints (date of diagnosis, verbal diagnosis by a doctor, diagnosis of complaint);
- details of the use of medical devices (installation date, medical device and its identifier);
- details of procedures and operations carried out (type of procedure, description, date, location in the body, link to medical condition, cause);
- details of medical conditions suffered (period of time, verbal diagnosis by a doctor, diagnosis of complaint);
- immunisation details (date, method of administration, place of immunisation, single dose, vaccine, serial number of the immunisation dose, details of side-effects of immunisation, additional comments);
- details concerning social background (value of social background);
- pregnancy details and expected date of giving birth;
- details of vital signs (results of measuring systolic and diastolic blood pressure, date blood pressure taken);
- details of laboratory tests (name of test, date, result, method).

The healthcare provider will see the health data summary translated into Estonian. The healthcare provider will also be able to view the health data summary in the language of the patient's home country.

A health data summary prepared in an information system abroad will be transmitted to the healthcare provider through the national contact points and the healthcare provider's software.

Who can process a patient's data?

A patient's data can only be processed by healthcare providers directly providing the patient with a healthcare service, while at the same time observing the requirements set out in the General Data Protection Regulation and other legislation. Before joining the cross-border data exchange platform, the countries using the service were subject to an audit by the European Commission, during which it was ascertained that there was an adequate level of protection with regard to the processing of personal data and during which a data-protection-related impact assessment was carried out.

Where data are transmitted via the data exchange platform to another country participating in the service, every country that receives the data assumes responsibility for the processing of the data transmitted to it. The following parties are involved in processing data:

- the healthcare provider to which the health data summary is transmitted;
- the Estonian eHealth contact point, i.e. TEHIK;
- the eHealth contact point of the other country;
- the institution or information system transmitting the health data from the foreign country.

Where are a patient's data stored and for how long?

When a health data summary is transmitted to a healthcare provider, the patient's data are stored in the foreign country in accordance with the requirements set out in the General Data Protection Regulation and the legislation of the country in question.

The composition of the data exchanged and the periods for which logs are to be kept are laid down in the Health Services Organisation Act and in Regulation No 48 of the Minister for Health and Labour of 15 November 2018 on the composition of data processed using the cross-border data exchange platform, the organisation of the exchange of data and the periods for which logs are to be kept.

Patient data may be stored both in the healthcare provider's information systems in the foreign country in which the healthcare services were provided to the patient and in which preparation of the health data summary began, and in the information systems of the authorities processing health data in the patient's home country. TEHIK is required to keep the logs from the data exchange platform for 7 years.

A patient's health data summary may be included in documentation held by the healthcare provider. In that case, the data concerned must be kept in accordance with the procedure laid down in the Health Services Organisation Act.

Rights of the data subject

Patients have the right to access their personal data and to lodge a complaint with the supervisory authority of the country of residence or of the country from which the health data summary originates. In Estonia, the supervisory authority is the Data Protection Inspectorate. Contact details for EU Member State supervisory authorities can be found at <https://www.aki.ee/et>

Contacts

- *Data processor:* Health and Welfare Information Systems Centre, abi@tehi.ee, Helpline: +372 7 943 943 every day 7:00 – 22:00
- *Data controller:* Ministry of Social Affairs, info@sm.ee
- *Data protection officer of the data controller:* andmekaitse@sm.ee
- *Supervisory authority:* Data Protection Inspectorate, info@aki.ee