



For Patients

Data Protection Notice



uke.de/datenschutz/patienten



ALTONAER
KINDERKRANKENHAUS



MARTINI-KLINIK

UKE Outpatient Center

University Medical Centre Hamburg-Eppendorf

In accordance with Article 13 and 14 GDPR, this data protection notice provides information on the processing of your personal data by the following data protection controllers of the UKE group (jointly „UKE Group“):

Controller

Universitätsklinikum Hamburg-Eppendorf (UKE)*
Körperschaft des öffentlichen Rechts*
Martinistraße 52
20246 Hamburg

** University Medical Center
Hamburg-Eppendorf (UKE)
* Corporation under Public Law*

Data Protection Officer

Per post: Same address as Controller plus the following information
– Datenschutzbeauftragter* –
** Data Protection Officer*

E-Mail: dsb@uke.de
Telefon*: 040 7410 - 56890

** Telephone*

Ambulanzzentrum des UKE GmbH
Martini-Klinik am UKE GmbH (MK)*
Martinistraße 52
20246 Hamburg

** Outpatient Center of the UKE GmbH
Martini-Klinik at UKE GmbH (MK)*

Per post: Same address as Controller plus the following information
– Datenschutzbeauftragter* –
** Data Protection Officer*

E-Mail: dsb@uke.de
Telefon*: 040 7410 - 56890

** Telephone*

AKK Altonaer Kinderkrankenhaus
gGmbH (AKK)*
Bleickenallee 38
22763 Hamburg

** Altona Paediatric Clinic gGmbH
(AKK)*

Per post: Same address as Controller plus the following information
– Datenschutzbeauftragter* –
** Data Protection Officer*

E-Mail: datenschutz@
kinderkrankenhaus.net

1. Processed data

In the context of your treatment, it is necessary to process personal data concerning you (patient data). Patient data includes your master information (e.g., name, date of birth, address, contact details), medical history, diagnoses, suggested treatments, findings (both internal and external findings, findings from imaging procedures and bio-monitoring), and individual medical records. Depending on the treatment, genetic data, biometric data, data about your sex life and sexual orientation, as well as religious and/or philosophical beliefs may also be processed.

Furthermore, we process billing data (e.g., insurer/cost-bearing third party, insurance number, payment history), data of relatives, accompanying persons, as well as referring entities (referrers, admitting physicians, other doctors), and other contacts (e.g., guardians, representatives).

To ensure proper administrative processing and billing of your treatment, it is necessary to collect your personal information; with the sole exception of confidential births.

2. Purposes

We process your personal data for the primary purpose of providing and documenting the services and treatments you have requested. This includes preventive, diagnostic, therapeutic and after-care purposes, as well as the drafting of medical reports and discharge reports.

Your personal data may also be processed for quality assurance purposes, for the detection and combating of hospital infections, as well as for spiritual counselling, social care, and discharge management.

Furthermore, we process your patient data as part of our administrative tasks; in particular, for billing your treatment, for controlling, and during invoice audits. Data processing is also carried out for the following purposes: education, training, and further vocational training of doctors and other healthcare professionals, or to fulfil statutory obligations (e.g., reporting obligations to the relevant authorities in accordance with registration laws, to health authorities pursuant to the German Infection Protection Act, or to cancer registries).

Your patient data may also be processed for research purposes; subject to separate notification.

3. Legal Basis

Processing patient data in hospitals is only permissible if required by law or upon your consent. There are various laws and regulations that permit the hospital operator to process data. The following are particularly relevant: the General Data Protection Regulation (GDPR), e.g. Articles 6 and 9 GDPR, the German Federal Data Protection Act (BDSG), the Fifth Book of the German Social Code (SGB V), or (as applicable to processing by AKK, MK, or UKE) the Hamburg Hospital Act (HmbKHG).

They are applicable as follows:

Purpose / Service	Legal Basis
Treatment, Treatment Documentation	Article 6(1)(b), (c), (d), Article 9(2)(h), Article 9(3) GDPR in conjunction with Section 22(1)(1)(b) BDSG in conjunction with Sections 8, 10, 11 HmbKHG*
Consultation of "External Parties"	Article 6(1)(b), (c), (d), Article 9(2)(h), Article 9 (3) GDPR in conjunction with Section 22(1)(1)(b) of the BDSG, Section 11 (1)(1) HmbKHG*
Billing to Statutory Health Insurance Companies	Article 6(1)(b), (c), (d), Article 9(2)(h), Article 9(3) GDPR in conjunction with Section 301 SGB V
Quality Management	Article 6(1)(e), Article 9(2)(i) GDPR in conjunction with Section 299 SGB V in conjunction with Section 136 SGB V or the guidelines of the G-BA as well as Section 22(1)(1)(c) BDSG in conjunction with Section 10(1)(7) HmbKHG*
Training and Further Education	Article 6(1)(e), Article 9(2)(h), Article 9(3), Article 9(2)(i) GDPR in conjunction with Section 10(1)(8) HmbKHG*
Research	Article 5(1)(b) GDPR as well as Article 6(1)(a), (f), Article 9(2)(a), (j) GDPR in conjunction with Section 27 BDSG, Section 6 GDNG (Gesundheitsdatennutzungsgesetz/Health Data Use Act), Section 12 HmbKHG*
Statistical Purposes	Art. 6 Abs. 1 lit. c, e, Art. 9 Abs. 2 lit. i, j GDPR in conjunction with Article 6(1)(Nr.3) GDNG, Article 10(1)(Nr.5) HmbKHG*

4. Duration of Data Processing / Retention Period

We retain your personal data only for the duration necessary to provide your treatment, or as mandated by law. Applicable sources of law include the GDPR, the Hamburg Hospital Act (HmbKHG), the Radiation Protection Act (StrlSchG), the Genetic Diagnostics Act (GenDG), the Commercial Code (HGB), and the Fiscal Code (AO). The following list includes respectively applicable time periods and sources of law:

Document Type	Time	Source of Law
Treatment documentation, unless specified otherwise below	30 years ¹	Article 6(1)(b), Article 9(2)(h), Article 9(3) GDPR in conjunction with Section 4a HmbKHG*, Article 6(1)(f), Article 9(2)(f) GDPR
Billing documents	10 years ²	Article 6(1)(c), Article 9(2)(g) GDPR in conjunction with Sections 257(1)(4) HGB, 147(1)(4) AO
Communication with you (unless it is part of billing documents or treatment documentation)	6 years ³	Article 6(1)(c), Article 9(2)(g) GDPR in conjunction with Sections 257(1)(2) and 257(1) (3) HGB, 147(1) (3) AO

5. Origin and Recipients

We collect the relevant data directly from you. In some cases, however, we may also receive additional patient data from hospitals, medical care centers (so-called MVZ), or medical practices that have treated you previously, or are treating you concurrently (see also section 6 below). Furthermore, we may receive data from emergency services or the persons who brought you to hospital; in particular, if you were unable to communicate at the time. We may also receive external findings from medical laboratories or other doctors, provided you have named them as sources, or we have commissioned them with your consent.

Your data will be collected in accordance with the designated purpose, while complying with the respective data protection regulations or any consent declarations you have provided, and may be transmitted to third parties, if necessary. Such third parties may include:

- prior, concurrently, or subsequently treating healthcare or treatment facilities, medical practices, rehabilitation or care facilities;

¹ The retention period commences on the date of the last treatment.

² The retention period begins at the end of the year in which the billing or communication took place.

- third parties bearing the costs of your treatment (statutory or private health insurers, accident insurers, etc.);
- Medical Service North (Medizinischer Dienst Nord), a public law corporation (quality and billing audits for statutory health insurance companies);
- statutory or contractual representatives;
- relatives, unless you have objected;
- spiritual counsellors, if no contradicting wish is discernible;
- external data processors (e.g., billing service providers, technical service providers);
- group-internal service providers (e.g., for catering, patient transport, pre-surgery preparation); or
- as part of research projects pursuant to Section 12 HmbKHG: the trust office of the UKE.

Inter alia, the UKE Group* has established a specific procedure for research projects on the basis of Section 12 HmbKHG: Pseudonymization is initially performed by a trust office that has specifically been established for this purpose and operates under a strict confidentiality obligation in accordance with the Articles of the Medical Faculty. Once this process has been completed, patient data can be made available to researchers at the UKE Group. This occurs in a particularly secure area or on-site within the protected environment of the UKE Group, where the researchers can then further process the data. This ensures that researchers do not have access to personally identifiable information, such as your name, first name, insurance number, address, or patient ID. However, the aforementioned trust office of the UKE Group receives personally identifiable information such as your name, first name, date of birth, insurance number, address, and patient ID in order to perform pseudonymization. Subject to separate notification, processing for research purposes is also possible by other means.

6. Joint Controllers

To ensure comprehensive treatment, we offer a joint and standardized electronic patient management and patient record system. The data from your treatments and the periods when you were with the UKE Group are summarized in the joint patient record. These medical service providers are joint controllers in accordance with Article 26 of the GDPR. Utilizing the joint patient record, your respective medical service provider at the UKE Group can access

information for your current treatment from previous treatments within the entire UKE Group.*

7. Transfers to Third Countries

Usually, your personal data is processed within Germany, the EU, or the European Economic Area. If new applications are used, transfer to a third country may occur. If your patient data is processed outside the European Economic Area, we will ensure an adequate level of protection at the recipient's end and will implement sufficient security measures.

8. Data Subject Rights

You are entitled to all data subject rights under Articles 15 et seq. of the GDPR. In accordance with Article 15 of the GDPR, you have the right to request information about stored personal data. If you find that inaccurate data concerning you is being processed, you can, under certain conditions, request rectification in accordance with Article 16 of the GDPR. Incomplete data must be completed with consideration of the processing purpose. If the conditions of Article 17 GDPR are met, you can demand that we delete your data; in particular, if the data is no longer necessary for the original purpose, or the retention periods have expired. Under Article 18 of the GDPR, you may, in some cases, request that we restrict the further processing of the data. This means that your data will not be deleted but marked, and further processing will be restricted. If the processing of your patient data is based on public or legitimate interest within the meaning of Article 6(1)(e), (f) GDPR, you can object to the processing on grounds relating to your particular personal situation under Article 21 GDPR.

You can assert at the UKE your data subject rights against the UKE Group and its medical service providers.

Under Article 77(1) GDPR, you can also lodge a complaint with a supervisory authority, for example, with the Hamburg Commissioner for Data Protection and Freedom of Information (Hamburgischer Beauftragter für Datenschutz und Informationsfreiheit/HmbBfDI), Ludwig-Erhard-Strasse 22, 20459 Hamburg, E-mail: mailbox@datenschutz.hamburg.de.

* The processing is solely governed by the corresponding rule in the HmbKHG if processing is carried out by the UKE, Martini-Klinik, or AKK.

Impressum:

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