

### PRIVACY INFORMATION (user)

According to art. 13 of REGULATION (EU) 2016/679 (General Data Protection Regulation)

The ASST Bergamo Est guarantees that the processing of personal provided by data subject or acquired through medical certifications during examinations or visits or from other sources, is carried out with respect for the fundamental rights and freedoms, as well as the dignity of the data subject, with particular reference to confidentiality, personal identity and the right to personal data protection, according to the current legislation.

#### We inform you that:

- The Data Controller is ASST Bergamo Est (art. 24 Reg. 679/2016)
- **The Data Protection Officer (DPO)** (Article 13.1.b Reg. 679/2016) identified by the Institution is the following subject: LTA Srl - VAT no.14243311009 -- Via Della Conciliazione 10 - CAP 00193 - City of Rome - Name of the DPO: Dr. Luigi Recupero  
 who can be reached at [privacy@pec.asst-bergamoest.it](mailto:privacy@pec.asst-bergamoest.it)

#### 1. Purposes (art. 13.1, letter c) Reg.679/2016)

Personal and particular (sensitive) data are processed on the basis of one or more of the following conditions of lawfulness:

- Provision of services expressly requested by the data subject (Article 6.1, letter a) and Article 9.2, letter a Reg. 679/2016);
- Fulfillment of the obligations required by national and regional laws and rules and by the Community legislation as well as the provisions issued by the authorities legitimated by law (Article 6.1, letter c) and Article 9.2, letter g) Reg. 679/2016);
- Protection of the vital interests of the data subject and/or the community (Article 6.1, letter d) Reg. 679/2016);
- Performing a task of public interest or related to the exercise of public authority (Article 6.1, letter e) Reg. 679/2016).
- Processing is necessary to protect a vital interest of the data subject or another natural person if the data subject is physically or legally incapable of giving consent (Article 9.2, letter c) Reg. 679/2016);
- Processing is necessary for purposes of preventive or occupational medicine, assessment of employee's ability to work, diagnosis, health or social care or therapy or management of health and social systems and services on the basis of Union and Member State law or in accordance with contract with a health professional (Art. 9.2, letter h) Reg. 679/2016);
- Processing is necessary reasons of public interest in the field of public health, such as the protection from serious cross-border health threats or the assurance of high standards of quality and health safety and medicines and medical devices, based on the law of the Union or Member States that provides for appropriate and specific measures to protect the rights and freedoms of the data subject, in particular professional secrecy (Article 9.2, letter i) Reg. 679/2016);
- Processing is necessary for archiving purposes in the public interest, scientific or historical research or for statistical purposes (Article 9.2, letter j) Reg. 679/2016).

Listed (not exhaustive) are the purposes:

- the data subject therapeutic diagnostic and rehabilitation purposes;
- *for reasons of public interest*, to protect the health of the community;
- to comply with specific requests of the data subject;
- inclusion in the company's records and computer databases;
- management of accounting and tax obligations;
- management of accounting and fiscal obligations.;
- dispute management;
- reporting to the entities to which the legislation recognizes powers of monitoring and control towards ASST.

## 2. Mode

Data may be processed in paper and electronic form. All operators who access the computerized data are identifiable and provided with personal passwords; access to the data is allowed only for purposes related to the operator's role and only for the strict time necessary to process the service for which the patient visited the facility.

Data processing consists essentially (by way of example and not limited to):

- in the establishment of a personal record (clinical file, nursing file, outpatient file or other similar documents) containing personal, administrative and health data that are necessary and indispensable for therapeutic diagnostic purposes and for due administrative requirements;
- in using of an ID name bracelet to improve user recognition and security, only during certain processing operations;
- in drafting reports and certifications;
- in the preparation of mandatory documents for administrative, accounting and tax purposes and other purposes indicated above.

Data may also be processed anonymously in order to carry out epidemiological surveys, statistics and scientific research.

In addition, should the need arise and exclusively for diagnostic-therapeutic purposes, **photographs or video footage** may be used. Any processing of such documentation will be carried out by healthcare personnel exclusively for aforementioned purposes. The information produced will be processed in the same way as other medical material and will flow into medical records.

Processing will be developed in such a way as to minimize the risk of destruction or loss, unauthorized access, of processing that does not comply with the data collection itself. The personal data of the data subject shall be processed:

- in compliance with the principle of minimization, in accordance with articles 5.1.c and 25.2 of Regulation 679/2016/EU;
- lawfully and fairly.

The personal data of the data subject are collected:

- for specified explicit and legitimate purposes;
- accurate and updated (if necessary);
- relevant, complete and not excessive in relation to the processing purposes.

## 3. Storage (Article 13.2, letter a) Reg. 679/2016)

The data subject's data will be kept for the period necessary to comply with the retention terms established by the maximum gap approved by Lombardy Region (Decree n. 15229 of 1 December 2017) and in any case no longer than necessary for the management of possible appeals/disputes.



**4. Possible recipients or possible categories of recipients of personal data** (Article 13.1, letter e) Reg. 679/2016) the data subject's data, in cases where it is necessary, may be communicated (by this term meaning giving knowledge to one or more specific subjects), for aforementioned purposes, in compliance with principles of pertinence, non-excessiveness and indispensability:

- to subjects whose right of access to the data is recognized by provisions of the law, secondary legislation, Community legislation, as well as collective bargaining, in particular to Lombardy Region and to other entities of the regional and national health system (according to Regulations for processing of sensitive and judicial data approved by the regional council, of healthcare companies, of regional entities and agencies, of the entities supervised by Lombardy Region - Regional Regulation 24 December 2012 - n.3);
- to subjects to whom communication of personal data is necessary or in any case functional for the management service requested in ways and for purposes described above;
- to external Managers expressly identified ex Article 28 GDPR;
- to post offices, shippers and couriers for sending documentation and/or material;
- to banking institutions for the management of receipts and payments arising from the provision of services and the execution of contracts;
- to insurance companies for payments arising from the provision of services and the execution of contracts;
- to lawyers, medical examiners, specialists, appraisers, insurance companies/insurance brokers for litigation.

**5. Rights of the data subject** (Article 13.2, letter b) Reg. 679/2016)

We also inform you that the data subject is entitled to exercise at any time the rights provided for in articles 15 to 21 of EU Regulation 679/2016 (the data subject rights), with a request addressed to the Data Controller with letter with return receipt or e-mail to the following address: [privacy@pec.asst-bergamoest.it](mailto:privacy@pec.asst-bergamoest.it) In particular, you have right to request, if the conditions are met:

- to be able to access your own data (art. 15 Reg. 679/2016);
- to be able to rectify your own data (art. 16 Reg. 679/2016);
- to be able to delete your own data, where it does not conflict with current legislation on the retention of data and with the need to protect the Company and its operators in case of legal disputes (art. 17 Reg. 679/2016);
- to be able to limit personal data processing (art. 18 Reg. 679/2016);
- to oppose the processing (art. 21 Reg. 679/2016);
- only in the cases provided for in art. 20 of the reg. 679/2016, that the transmission of personal data is completed, provided by the data subject, to another Data Controller indicated by the data subject, in a format readable by an automatic device, if technically possible (not applicable to non-automated processing).

**6. Right to lodge complaints** (art. 13.2, letter d) Reg.679/2016)

The data subject has the right to lodge a complaint with the Guarantor Authority for the protection of personal data, for exercise of your own rights or for any other matter relating to the processing of your personal data.

This notice is posted on the company website.