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## **INFORMATION CLAUSE**

### **concerning the processing of personal data by the National Health Fund in the scope of implementing the statutory tasks and statutory obligations**

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Pursuant to Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, GDPR), we provide the following information:

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#### **• THE PERSONAL DATA CONTROLLER is**

The National Health Fund with its registered office in Warsaw, represented by the President of the National Health Fund, with whom you can contact in the following ways:

- by post, to the address of the data controller's office: 02-528 Warszawa, ul. Rakowiecka 26/30
- using the ePUAP platform: NFZ-Centrala/SkrytkaESP
- by e-mail: sekretariat.gpf@nfz.gov.pl

#### **• DATA PROTECTION OFFICER**

The President of NFZ has appointed a Data Protection Inspector to contact you in matters regarding the processing of personal data and the exercise of rights related to data processing, who can be contacted as follows:

- by post, to the address of the data controller's office: 02-528 Warszawa, ul. Rakowiecka 26/30
- using the ePUAP platform: NFZ-Centrala/SkrytkaESP
- e-mail: iod@nfz.gov.pl

#### **• PURPOSE AND BASIS OF PROCESSING**

Your personal data will be processed to implement the statutory tasks and statutory obligations of the National Health Fund, in particular those indicated in the Act of 27 August 2004 on health care services financed from public funds (including conducting administrative procedures and considering cases in connection with applications for providing public information, petitions, complaints and requests). Your data may also be processed in connection with the functioning of the websites of the National Health Fund, in accordance with the privacy and cookies policies.

The legal basis for the processing of your personal data is, in particular:

- Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, including:
    - Article 6(1)(a), (b), (c), (e) and (f) and Article 9(2)(f), (g), (h), (i) of the GDPR;
  - Act of 10 May 2018 on the protection of personal data;
  - Act of 27 August 2004 on health care services financed from public funds;
  - Act of 12 May 2011 on the reimbursement of medicines, foodstuffs intended for particular nutritional uses and medical devices;
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- Act of 14 June 1960 Code of Administrative Procedure;
  - Act of 23 April 1964 Civil Code;
  - Act of 27 August 2009 on public finance;
  - Act of 29 September 1994 on accounting;
  - Act of 17 June 1966 on enforcement proceedings in administration;
  - Act of 6 September 2001 on access to public information;
  - Act of 11 July 2014 on petitions;
  - Act of 14 July 1983 on the national archive resources and archives.

#### ● **RECIPIENTS OF PERSONAL DATA**

In a situation where the National Health Fund turns out to be incompetent for considering the case, your data will be transferred to the entity competent for consider it, pursuant to the provisions of generally applicable law. The petition may contain consent to the disclosure, on the website of the National Health Fund, of your personal data or personal data of the entity on behalf of which you submit the petition. The recipient of your personal data may be entities authorised to obtain personal data pursuant to the provisions of generally applicable law. Personal data may be transferred to entities with which the Personal Data Controller has concluded an agreement of entrusting the processing of personal data, inter alia, to entities providing services in the field of IT systems/software and postal operators. Your personal data may also be transferred to a third country pursuant to the provisions of generally applicable law.

#### ● **DATA STORAGE PERIOD**

Your personal data will be stored for the period necessary for the purposes of implementing the statutory tasks, purposes of personal data processing, pursuing claims, defending against claims and tasks resulting from special acts, including the Act of 14 July 1983 on the national archive resources and archives.

#### ● **RIGHTS OF DATA SUBJECTS**

With regard to the data processed for the above-mentioned purposes, you, as the Applicant, have the right to:

- access the content of your personal data;
- rectify your personal data;
- erase your personal data (if applicable in a given case);
- restrict the processing of personal data;
- object to the processing of personal data (if applicable in a given case);
- withdraw consent at any time without affecting the lawfulness of processing (if processing takes place based on consent), which was made pursuant to the consent before its withdrawal;
- lodge a complaint to the President of the Personal Data Protection Office.

Each application regarding the exercise of the above-mentioned rights will be considered pursuant to the GDPR.

#### ● **INFORMATION ABOUT THE REQUIREMENT TO PROVIDE DATA**

Providing your personal data is obligatory pursuant to the provisions of generally applicable law (including, in particular, the Act of 27 August 2004 on health care services financed from public funds and the Act of 14 June 1960 – Code of

Administrative Procedure), which also specify the procedure in the event of failure to provide them. Failure to provide personal data by you may affect the settlement of the case.

- **INFORMATION ON AUTOMATED DECISION-MAKING AND PROFILING**

Your data will not be used for automated decision-making as well as for profiling.

- **OTHER INFORMATION**

The National Health Fund processes personal data pursuant to the GDPR and the provisions of generally applicable law, including the Act of 27 August 2004 on health care services financed from public funds, specifying the source and scope of personal data processed, including, insured persons, uninsured persons, recipients, healthcare providers, staff demonstrated in offers and in connection with the implementation of contracts for the provision of health care services, pharmacy/limited service pharmacy staff, persons authorised to represent the entity, persons issuing prescriptions for reimbursed medicines, foodstuffs intended for particular nutritional uses and medical devices, persons issuing an order for the supply of medical devices, persons applying for access or using applications made available by the Fund in order to use IT services and to communicate with the Fund.

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