

# **BUDAI SZEMÉSZETI KÖZPONT**

**(BUDA EYE CENTER, OPHTHALMOLOGY CENTER OF BUDA)**

## **PRIVACY POLICY, DATA PROCESSING INFORMATION**

**Our Ophthalmology Clinic wishes to notify the data subjects (Patients) using this Privacy Policy right prior to the processing on facts related to processing of personal data, in particular the purpose, legal basis and duration of processing. The notification included in this Privacy Policy also covers the rights and remedies of Data Subjects related to the data processing.**

**We would like to inform you that our Ophthalmology Clinic referred in the Privacy Policy - BUDAI SZEMÉSZETI KÖZPONT KFT. is deemed Data Controller pursuant to the regulations in force.**

**Data Controller's name: BUDAI SZEMÉSZETI KÖZPONT Szolgáltató Korlátolt Felelősségű Társaság**

**Controller's contact details: BUDAI SZEMÉSZETI KÖZPONT KFT.**

Head office: 1126 Budapest, Tartsay Vilmos utca 14.

VAT No.: 22919171-1-43

Representative: Dr. Attila Sándor Nagymihály

**Clinic's address: 1126 Budapest, Tartsay Vilmos utca 14.**

**Data Protection Officer's contact details:**

info@budaiszemeszet.hu

**Controller's representative:**

Attila Haas

### **I. PURPOSE AND SCOPE OF OUR PRIVACY POLICY**

The purpose of our Privacy Policy is to inform You about the data protection and processing principles of **OPHTHALMOLOGY CENTER OF BUDA** Private Healthcare Service. The privacy policy governed by the Privacy Policy & Data Processing Information is acknowledges by our Ophthalmology Clinic as Controller as a mandatory regulation.

When setting out the provisions of the Information, our Healthcare Service considered in particular the provisions of Regulation (EU) 2016/679 of the European Parliament and Council (General Data Protection Regulation or "GDPR"), and Act CXII of 2011 on Informational self-determination and freedom ("Infotv.").

## II. GENERAL TERMS AND DEFINITIONS

**Personal data:** Any data or information making a natural person “Data Subject”, either directly or indirectly, identifiable.

**Data Subject:** Any identified or identifiable through personal data, either directly or indirectly, Patient subject to our Service (in certain cases, relatives too).

**Consent:** Freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

**Private Healthcare Service Provider:** The private praxis, where the healthcare is availed, where the patient is diagnosed or treated, in this case the BUDAI SZEMÉSZETI KÖZPONT KFT.

**Processing:** Irrespective of the applied method, any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Controller:** Who determines the purposes and tools of processing, independently or collectively with others. In this case, our Ophthalmology Clinic, i.e. the BUDAI SZEMÉSZETI KÖZPONT KFT.

**Data Processor:** The Service Provider processing personal data on behalf of Controller.

**Data Processing:** Our data processors shall not make own decisions, they may act only in accordance with the contract with the Controllers and the instructions received. Since 25<sup>th</sup> May 2018, the Data Processors record, control and process personal data disclosed by the Controllers in accordance with the provisions of the GDPR, and issue statement to the Controllers. Controllers control the Processors' work.

**Recipient:** That natural or legal person, who the personal data are disclosed to.

**Personal data breach:** a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

### **III. PRINCIPLES AND METHODS OF DATA PROCESSING**

Our Ophthalmology Clinic, as Controller processes personal data in a lawful and fair manner, in accordance with the principle of transparency, complying with the effective laws and the regulation of Privacy Policy.

We process personal data required to avail the Service for the purposes provided by the laws, or upon the consent of the Data Subject i.e. the Patient, exclusively to achieve the particular purpose. The scope of personal data processed are in proportion to the purpose of processing without superseding it.

In all such events, where Controller (our Ophthalmology Clinic) is willing to use personal data for a purpose other than the purpose of the original collection, You receive proper notification, and we obtain your prior express consent, and/or enable our Patients to prohibit such use.

As Controllers, we do not check the provided personal data. The only party liable for the accuracy of the provided data is the providing person i.e. You.

Personal data of a person under 16 years may be processed only upon the consent of the adult person exercising parental control. As Controller, we are unable to check the authority and the content of the statement provided by the consenting person, thus Patient and the person exercising parental control over him/her shall guarantee that the consent complies with the laws.

Personal data processed by our Ophthalmology Clinic shall not be disclosed to any third parties other than the Data Processors determined in this Privacy Policy and certain Recipients referred in this Policy.

Our Ophthalmology Clinic shall notify Patient and all persons on the rectification, restriction or erasure of personal data processed, who it has disclosed the personal data for processing purposes. We ignore such notification only if it does not infringe the lawful interests of the Data Subject in regards the purpose of processing.

#### IV. LIST AND PURPOSES OF OUR PROCESSING

##### 1. PROCESSING OF PERSONAL DATA RELATED TO THE HEALTHCARE SERVICE PROVIDED BY THE OPHTHALMOLOGY CENTER OF BUDA

When You contact the Ophthalmology Clinic and avail the healthcare service, we present your data into your documentation certifying and describing the care. The purpose of data processing is to promote prevention, improvement and maintenance of health, supporting effective therapy, including specialist's activity too. Another purpose is to monitor the medical status of the Data Subject and to enforce patient rights.

<i>Purpose of the proposed processing of personal data: to provide medical care to our Patients and document such care.</i>
<i>Legal basis of processing: Act CLIV of 1997 on Healthcare, Act LXXXIII of 1997 on mandatory health insurance care, 62/1997. (XII. 21.) NM Decree on certain matters of processing medical and related personal data.</i>
<i>Categories of data subject_ Patients availing the care.</i>
<i>Personal data processed: Data required for identification: Name, birth name, SSN No., address, place &amp; date of birth, data related to the care.</i>
<i>Recipient of personal data: National Health Insurance Fund Manager (NEAK)</i>
<i>Data Processor: Kardisoft Zrt.'s patient management software, Synlab Hungary Kft. Medserv Kft., Our self-developed customer service software, CronMail, MailChimp, Redda Motor Kft. Courier Service when delivering</i>
<i>Proposed duration of processing: The proposed duration provided by Act XLVII of 1997 on the processing and protection of medical and related personal data and Act LXXXIII of 1997 on mandatory healthcare insurance and 62/1997. (XII. 21.) NM Decree on certain matters of processing medical and related personal data (Pursuant to Eütv. Section 30 (1), 30 years from the data recording, in case of discharge summary: 50 years, in case of diagnostic imaging records: 10 years).</i>

We hereby inform You that if You assume that a specialist other than the one treating You at our Ophthalmology Clinic shall be involved to improve your convenience and the service quality, to ensure the security and quickness of the care, You may grant access exclusively to your data related to the care.

**We would like to inform our Patients, that we are going to call You by name in the waiting room! Please acknowledge that! If our Patient is not willing to consent to this method, please inform us when registering at the reception!**

**2. PROCESSING OF DATA RELATED TO PHOTO DOCUMENTATION FOR SCIENTIFIC PURPOSES RELATED TO HEALTHCARE AND THEIR USE FOR SCIENTIFIC PURPOSES**

Using this photo documentation, we would like to monitor and document the process of the therapy, enabling our Ophthalmology Clinic to demonstrate the achieved result following the performed therapy compared to the previous medical status (if enabled by the nature of the therapy) to the You, as a Patient, and to use such documentation for scientific purposes of the special cases of the profession.

<i>Purposes of the proposed processing of personal data: Healthcare's photo documentation.</i>
<i>Legal basis of processing: Your, as Patient's consent.</i>
<i>Categories of data subjects: Patients availing the medical care.</i>
<i>Personal data processed: name, photos of medical care processes.</i>
<i>Our Ophthalmology Clinic does not use data processor in this case.</i>
<i>Proposed duration of processing: until the revocation by subject Patient.</i>

**3. OPINION DISCLOSURE RELATED TO MEDICAL CARE, PHOTO DOCUMENTATION AND IT'S USE FOR ONLINE PUBLICATION AND PROCESSING OF DATA RELATED TO RECORDING BY CREW.**

Using the photo documentation, we would like to monitor and document the therapy process, which enables our Ophthalmology Clinic to use the photos on our website and community portal. The footages help the visitors of the website as online publication to learn our special, spectacular and unique therapies. We notify the Patients arriving to the Clinic on the footage date of the third party crews. The footage helps the visitors learn the process of the interventions. Our Clinic has the opportunity (upon your consent) to show in reports, TV shows, and occasionally, in commercials.

<i>Purpose of the proposed processing of personal data: Medical photo documentation.</i>
<i>Legal basis of processing: Your as Patient's consent.</i>
<i>Categories of data subjects: Patients availing the medical care.</i>
<i>Personal data processed: Name, photo and video footages of medical care processes.</i>
<i>Data processor: Self-developed customer service software, Brandlift Kft. (website's operator, agency responsible for marketing).</i>
<i>Proposed duration of processing: until the revocation by subject Patient.</i>

#### **4. PROCESSING OF DATA RELATED TO INVOICES**

We process this category of your data when we issue the invoice during the payment of the medical care.

<i>Purpose of the proposed processing of personal data: Financial settlement, accounting order</i>
<i>Legal basis of processing: Legal basis of legal obligation (Act C of 2000 on Accounting; Act CXXVII of 2007 on Value Added Tax)</i>
<i>Categories of data subjects: those Patients, who cash invoices are issued to.</i>
<i>Personal data processed: Name and billing address of invoice recipient, occasionally Health Insurance Fund ID.</i>
<i>Recipient of personal data: National Taxing Authority.</i>
<i>Data processor: Kardisoft patient management software, Accounting (Barbara Asbóth-Rácz, sole proprietor, FINESOURCE Consulting Kft.).</i>
<i>Proposed duration of processing: (in accordance with the provisions of Act C of 2000 on Accounting; Act CXXVII of 2007 on Value Added Tax).</i>

***If it displays the personal data of your relative or other person (as third party), then You should ensure to obtain authorization from the third party!***

## 5. PROCESSING OF DATA RELATED TO LOGIN TO OUR WEBSITE

These data are processed when You book an appointment prior to the medical care on our online platform (when filling out “Book an appointment online”, “Call me back, give me free information”, “I apply for laser eyes examination”, “I have question/I would like to write a message”, “Online suitability test” contact forms), contact our Ophthalmology Clinic to send You discount offers or send You free information material.

<i>Purpose of the proposed processing of personal data: Patient date arrangement purpose contacts and booking.</i>
<i>Legal basis of processing: Contractual basis</i>
<i>Categories of data subjects: Patients initiating availing medical care.</i>
<i>Personal data processed: Name, phone No., e-mail address, chosen care, date.</i>
<i>Data processor: Self-developed customer service software, Brandlift Kft. (website’s operator, agency responsible for marketing).</i>
<i>Proposed duration of processing: If no Contract for Services is arranged, in the end of the 24<sup>th</sup> month from the creation of the data until the request for erasure from the data subject.</i>

***If it displays the personal data of your relative or other person (as third party), then You should ensure to obtain authorization from the third party! If You book a date for your minor child as parent/guardian, your consent is required to process the data of your children.***

## 6. PROCESSING OF DATA RELATED TO PATIENT SATISFACTION MEASUREMENT INQUIRIES

These data are processed when during or following your therapy, medical care at our Ophthalmology Clinic, we inquire in a questionnaire („Patient satisfaction”) about your experiences regarding your therapy or medical care. Your feedback (by filling the “Provide feedback” form) is used by our Ophthalmology Clinic to provide higher level medical care to its Patients and to align its processes to your needs or demands if necessary. Patient satisfaction may be measured anonymously too. In such case, your personal data are not processed. We process your personal data only in the event You provide them in the questionnaire.

<i>Purpose of the proposed processing of personal data: Measurement of satisfaction of Patients involved in the care, quality assurance and management of polls.</i>
<i>Legal basis of processing: Your, as Patient's consent.</i>
<i>Categories of data subjects: those Patients, who availed medical care at our Ophthalmology Clinic.</i>
<i>Personal data processed: Name, phone No.,</i>
<i>Data processor: Self-developed customer service software, Brandlift Kft. (website operator, agency responsible for marketing)</i>
<i>Proposed duration of processing: until the revocation by subject Patient.</i>

## **7. PROCESSING OF DATA RELATED TO SENDING NEWSLETTERS**

These data are processed when our Ophthalmology Clinic wishes to inform You about new therapies and potentially the latest discounts available at our Ophthalmology Clinic as part of its marketing communication.

<i>Purpose of the proposed processing of personal data: informing existing and prospective Patients for marketing purposes.</i>
<i>Legal basis of processing: Your consent</i>
<i>Categories of data subjects: Subscribers to newsletters</i>
<i>Personal data processed: Name, e-mail address.</i>
<i>Data processor: Self-developed customer service software, Brandlift Kft. (website's operator, agency responsible for marketing), MailChimp</i>
<i>Proposed duration of processing: until the revocation by subject Patient.</i>

***If it displays the personal data of your relative or other person (as third party), then You should ensure to obtain authorization from the third party!***

## 8. RECOMMENDING NEW PATIENT BY AN EXISTING PATIENT

These data are processed when You provide the data of another Data Subject interested about our Ophthalmology Clinic (by filling out the “I recommend laser eyes therapy to my friend” form) by request our Ophthalmology Clinic to inform your friend about the therapies, methods, potential actual discounts available at our Ophthalmology Clinic.

<i>Purpose of the proposed processing of personal data: informing existing and prospective Patients for marketing purposes.</i>
<i>Legal basis of processing: Your consent</i>
<i>Categories of data subjects: New prospective Patients offered by existing</i>
<i>Personal data processed: Name, e-mail address, phone No.</i>
<i>Data processor: Self-developed customer service software, Brandlift Kft. (website’s operator, agency responsible for marketing), MailChimp</i>
<i>Proposed duration of processing: until the revocation by data Subject.</i>

***If it displays the personal data of your relative or other person (as third party), then You should ensure to obtain authorization from the third party!***

## 9. ORGANIZING DRAWS VIA OUR WEBSITE FOR OUR PROSPECTIVE OR EXISTING PATIENTS

These data are processed when our Ophthalmology Clinic promotes a draw and draws a prize. Our Rules prepared for the individual game includes the conditions to participate as well as those data that You have to provide us.

<i>Purpose of the proposed processing of personal data: informing existing and prospective Patients for marketing purposes.</i>
<i>Legal basis of processing: Your consent</i>
<i>Categories of data subjects: Persons participating to the draw.</i>
<i>Personal data processed: Name, e-mail address, phone No. (data specified by the Rules).</i>
<i>Data processor: Self-developed customer service software, Brandlift Kft. (website’s operator, agency responsible for marketing).</i>
<i>Proposed duration of processing: Max. 24 months or until the revocation by data Subject.</i>

***If it displays the personal data of your relative or other person (as third party), then You should ensure to obtain authorization from the third party!***

## 10. PROCESSING OF DATA OCCURRED IN THE COURSE OF CAMERA SURVEILLANCE

We hereby inform You, that our Ophthalmology Clinic uses electronic surveillance system in the areas and premises marked with table, which enables both image capture and storage. The operation of the camera surveillance and recording system is the lawful interest of Controller and Patients. We use camera at the reception to ensure financial security. The camera placed at the reception also stores footages. At those parts of the waiting room, where there are areas invisible from the reception, the Camera enables watching live image, without recording. Our rules regarding Cameras are governed by our Camera Regulation in details.

<i>Purpose of the proposed processing of personal data: Security and personal and property protection of You and the Ophthalmology Clinic.</i>
<i>Legal basis of processing: Lawful interest.</i>
<i>Categories of data subjects: All Data Subjects (natural persons) entering the area of the Ophthalmology Clinic, who following the notification placed there (pictogram) enter the area of the Ophthalmology Clinic (they accept the notification by implied contract)</i>
<i>We do not use any data processor!</i>
<i>Proposed duration of processing: Max. 3 days or until the erasure, objection by data Subject.</i>

## V. PATIENT RIGHTS, METHODS OF EXERCISE

### 1. Notification and access to personal data

You, as Patient may request our Ophthalmology Clinic to notify You whether it processes your personal data or not, and if yes, then to grant access to your personal data processed by us.

In regards the processing of your personal data, You may contact us in writing, You may ask for information by registered-certified mail sent to our Ophthalmology Clinic's address, or via the **info@budaiszemeszet.hu** e-mail address. The request for information sent by mail is deemed valid, when the Patient may be certainly identified upon the request sent. The Ophthalmology Clinic deems any request sent in e-mail credible only if such request is sent from the Patient's registered e-mail address. This shall not exclude, however, that our Ophthalmology Clinic may identify the Patient in another manner.

The request for information may cover the Patient's data processed by Controller, their resources, the purpose, legal basis, duration of processing, the name and address of potential data processors, activities related to processing, and in the event of transferring personal data, who and for what purposes

receive(d) your data.

## **2. Right to rectification**

You may ask our Ophthalmology Clinic to rectify your inaccurate personal data processed by us. Taking the purpose of the processing into consideration, You may also request the amendment of deficient personal data.

## **3. Right to erasure**

The Patient may request the erasure of his/her personal data processed by our Ophthalmology Clinic. **The erasure may be denied if such processing is authorized by the laws!** So if You see the “legal basis of legal obligation” marking at certain processing listed in the “List and purposes of processing” Chapter stated in Section IV, then we shall not erase those data, because the storage of personal data is required by the laws for Controller (our Ophthalmology Clinic). Such data are in particular processed related to medical care and invoicing. We notify You on the denial of request for erasure at all times, providing the cause to deny the erasure. Following the performance of any claim aimed at the erasure of personal data, however, the previous (erased) data cannot be recovered anymore.

## **4. Right to restrict processing**

You as Patient may request our Ophthalmology Clinic to restrict the processing of your personal data, if You object the accuracy of the personal data processed. In this event, the restriction is valid for that period, which enables Controller to check the accuracy of the personal data.

You may request our Ophthalmology Clinic to restrict the processing of your personal data even if the processing is unlawful, but You, as Patient objects to erase the personal data, and requests the restriction of their use instead.

The Patient may also request our Ophthalmology Clinic to restrict the processing of your personal data, when the purpose of processing is already achieved, but You request Controller to process them to submit, enforce or protect your lawful interests.

## **5. Right to portability**

Patient may request our Ophthalmology Clinic, as Controller to receive your personal data made available and processed in automated manner in a machine-readable format, or to transfer them to another Controller.

## **6. Right to objection**

Patient may object against the processing of his/her personal data if such processing is conducted for direct marketing purposes.

## **VI. DUE PROCESS LAWS**

If our Ophthalmology Clinic receives a request, then we notify You as soon as possible, but latest within 30 days, on the measures taken.

If required by the complexity of the request or other objective circumstances, the above deadline may be extended once for max. 60 days. We send You notification in writing on the extension of the deadline including the proper reasoning of such extension.

We provide the first notification free of charge except if:

- the Patient repeatedly requests notification, measure with substantially unchanged content;
- the request is obviously ungrounded;
- the request is excess.

If Requesting Party requests the transfer of data on paper-based or on electronic data storage unit (CD or DVD), then Controller shall transfer the copy of the subject data free of charge according to the requested method (except when the chosen platform would mean technically undue efforts). For every further requested copy, Controller may charge administrative fee, on which it shall inform Requesting Party in advance.

Controller shall provide its answer on the request by electronic means, except if:

- Data Subject expressly requests the answer in another manner, and it does not cause undue additional expenses for the Ophthalmology Clinic;
- Our Ophthalmology Clinic does not know Data Subject's contact details.

## **VII. DATA SECURITY**

The data processed by the OPHTHALMOLOGY CENTER OF BUDA are retained both paper-based and electronic form at its head office.

To protect data processed by electronic means, we apply solutions providing security appropriate to the actual state of technology. During the compliance test, we pay extra attention to the level of risk arising in the course of data processing at our Ophthalmology Clinic. The IT security ensures, that the stored data shall not

be rendered to or associated with the Data Subjects – unless permitted by the law.

Our Ophthalmology Clinic makes all efforts to ensure the security of the data of Data Subjects (Patients), and takes all necessary technical and organizational measures and establishes those due process rules, that are required to enforce the Regulation and other data and privacy laws. Only employees with express authorization may access to data stored in the database of our Ophthalmology Clinic to the extent rendered to each authorization level. We ensure that the recorded, stored and processed data shall be protected, and prevent those accidental loss, unauthorized access, use or modification, or even disclosure. Our Ophthalmology Clinic calls all third parties to fulfil this obligation, who it transfers personal data to. The IT system of our service is protected against unauthorized access using a firewall. Controller, and potentially availed Data Processor shall provide protection at all times against fraud, espionage, viruses, vandalism and natural disasters via their IT system. Our Ophthalmology Clinic, as Controller, as well as our Data Processors apply server and application level security methods. Our Data Processors ensure our Ophthalmology Clinic on these security methods in statements or agreements.

The devices used to store data are password-protected, the authorization levels are strictly regulated as provided by our Service. In case of documents stored paper-based, such closed storage is used, that prevents unauthorized access. Access to paper-based documents are regulated by our Ophthalmology Clinic by implementing authorization levels.

Messages sent to our authorization via the Internet (in any form) are highly exposed to such network threats, which may lead to unauthorized access or other illegal activity. Our Ophthalmology Clinic, however, makes its best efforts to remove such risks, that are reasonable and appropriate according to the actual state of technology. For this purpose, the applied systems are monitored to record security deviations and obtain evidence regarding data breach, and to test the efficiency of security measures.

## VIII. COMPLAINT MANAGEMENT

Your privacy-related request, objection, complaint, or your questions and remarks regarding processing are managed by our Ophthalmology Clinic.

If your objection, complaint, requests regarding your personal data cannot be normally resolved, or You deem anytime that breach occurred in regards the processing of your personal data, or there is such direct risk, then You are entitled to report the case to the National Authority for Data Protection and Freedom of Information.

You may directly contact the National Authority for Data Protection and Freedom of Information with your complaint regarding processing:

<p>National Authority for Data Protection and Freedom of Information Head of.: 1125 Budapest, Szilágyi Erzsébet fasor 22/c Postal address: 1530 Budapest, Pf.: 5. Phone No.: +36 1391 1400 E-mail: ugyfelszolgalat@naih.hu</p>
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If our Ophthalmology Clinic receives an official request from the authorized authorities, then it shall hand-over the specified personal data. We transfer only such data, that are absolutely necessary to achieve the purpose designated by the respective authority.

## IX. DATA BREACH

In the event of data breach, our Ophthalmology Clinic shall report to the Supervisory Authority without undue delay, but latest within 72 hours from learning such breach, unless the data breach is not likely to pose risk to the rights and freedoms of natural persons.

If the data breach is likely to pose high risk to the rights and freedoms of natural persons, our Ophthalmology Clinic shall notify You (the Data Subject – Patient) without undue delay on the data breach, and takes all measures required by its internal policies.

**Our Ophthalmology Clinic, as Controller shall not use the provided personal data for any purposes other than those set out in this Policy. Personal data may be transferred to Data Processors specified in this Policy without Patient's separate consent. Personal data may be transferred to third parties**

**or authorities, unless otherwise provided by the laws, only upon the respective authority's consent or the subject Patient's prior express consent.**

## **X. AMENDMENTS TO THE POLICY**

Our Ophthalmology Clinic reserves the right to amend or update this Policy anytime without prior notification, and to disclose the fresh version. Any amendment shall be valid only for the data collected following the disclosure of the amended version.

**Please regularly check our Policy to track the changes and get informed how You are affected by such changes!**

**Date of entry of the Privacy into force: 25<sup>th</sup> May 2018.**

BUDAI SZEMÉSZETI KÖZPONT KFT.  
Dr. Attila Sándor Nagymihály