



# PRIVACY POLICY

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## 1. THE PRIVACY POLICY

This policy apply within the institutions or services that are part of Meditel Groep BV and its operating companies, hereinafter referred to as "Meditel". This also includes Aviation Medical Center. The policy focuses on the protection of privacy in the processing and registration of personal data. The English version of the privacy policy is a translated copy of the Dutch Privacyreglement. In case of unclarity or contradiction, the Dutch version is considered the source version.

## 2. DEFINITIONS

If names and concepts in this policy are written in capital letters, they have the following meaning:

- A. Personal Data**  
Data that is directly or indirectly traceable to an individual natural person. Unless otherwise stated, Personal Data also means Medical Data.
- B. Medical Data**  
Personal data relating directly or indirectly to the physical or mental condition of the Data Subject, collected by a healthcare practitioner in the course of his professional activity.
- C. Personal Registration**  
A coherent set of data relating to different persons, including Medical Data.
- D. Providing data from the Personal Registration**  
To disclose or make available Personal Data contained in the Personal Registration.
- E. Personal Registration Holder or Holder**  
The person who controls the Personal Registration and is responsible for compliance with the rules of the Regulations: the Medical Director.
- F. Data Subject**  
The person whose Personal Data and / or Medical Data is included in the Personal Registration, or his legal representative.
- G. Debtor**  
A business relationship with which Meditel has concluded an agreement to provide services.
- H. Administrator of the Personal Registration**  
A person who is responsible for the daily care of a Personal Registration or a part thereof under the responsibility of the Personal Registration Holder.
- I. Processor of the Personal Registration**  
The person authorized by the Personal Registration Holder to enter or change data in the Personal Registration.
- J. Processor of the Personal Registration**  
The person authorized by the Personal Registration Holder to enter or change data in the Personal Registration.
- K. Privacy Officer**  
The person who is authorized by the Holder of Personal Data to supervise the processing of the Personal and Medical Data internally.

Where this document speaks of "he" or "his", it should be read "he or she" or "his or her".

### 3. OBJECTIVE OF REGISTRATION

The Personal Registration Holder describes the purpose of the registration referred to in Article 2 under C accurately and clearly. This description is laid down in Annex I and forms a whole with this policy.

The Personal Registration Holder will not record more data in the registry than necessary for the objective of the Personal Registration.

### 4. Privacy Officer

The Privacy Officer (PO) works at holding level and all companies that fall under it. At the time of writing, the companies are FirstCompany Group, AtHomeFirst, Meditel Group and LekkerLeven. The PO is approachable for privacy issues.

The PO is responsible for investigating, establishing and reporting the data breach to the Dutch Data Protection Authority and possibly the Data Subject. This is established in an operational instruction which can be found on the intranet for all employees of the Holder. The PO is also responsible for keeping an overview of personal data breach. This overview contains the facts about the breach, the consequences and the corrective measures taken.

### 5. OPERATION OF PERSONAL REGISTRATION

#### A. Description

The Holder describes the operation of registration referred to in Article **Fout! Verwijzingsbron niet gevonden.** under C. This description is set out in Annex II and forms a whole with this policy.

In this description are mentioned at least:

- the name and place of business for which registration is required
- the Holder and who acts on behalf of the Holder,
- the Administrator (s),
- the possible Processor,
- the Processor of the Personal Registration,
- the method of the Personal Registration

#### B. Functioning

The Holder is responsible for the proper functioning of the Personal Registration. His actions relating to the operation of the Personal Registration and the disclosure of data from that registration are restricted by this Policy. The Holder is liable for any damage resulting from non-compliance with this policy.

The Holder obliges the Processor to comply with this policy. The Processor is responsible for the proper functioning of its managed facilities. He shall take the necessary measures regarding the security of, inter alia, equipment, software and the data with which the Personal Registration is being executed.

#### C. Precautions

The Holder takes the necessary precautions to ensure the correctness and completeness of the recorded data and ensures that care is taken for the necessary technical and organizational provisions against loss or corruption of the data and against unauthorized access, modification or disclosure thereof. Equal duty rests on the Processor for all or part of the facilities that he has.

#### D. Permission

The Holder enables the Data Subject to grant permission to the Holder for processing the Personal Data relating to him, prior to processing.

#### E. Access to Personal Data

Access to Personal Data is limited to the person who has gathered these data, the Holder, the Keeper, the Administrator and the Processor, but only in so far as this is required for management and processing purposes or by law.

Annex III specifies the type of access required for different groups of employees.

### 6. RIGHT OF THE DATA SUBJECT

#### F. Notification

The Holder will make a general public notice of the existence of the registration and this policy, including the manner in which the policy may be reviewed and obtained, and how further information on this matter can be obtained.

#### G. Provision to third parties

Personal and Medical Data will not be provided to third parties, except with the prior consent of the Data Subject.

#### H. Removal of data

The Data Subject shall have the right to request Meditel to destroy his Personal Data. To this end he shall submit a written request to the Personal Registration Holder. This request can only be refused if preservation is required by a statutory provision, or if the retention periods as stipulated in Article 7 require preservation.

If the request is granted, the relevant data will be destroyed or made anonymous.

The Personal Registration Holder shall inform the Data Subject in writing of his decision within one month.

#### I. Exchange of data from a Personal Registration

Within Meditel, Personal Data may be exchanged to the extent necessary for the performance of duties by:

- those directly Data Subject in the provision of services to the Data Subject or Debtor.
- persons and organisations whose task is to monitor and supervise the services.

Outside Meditel, Personal data may be provided to:

- those directly Data Subject in the actual medical care of the Data Subject, but only after the Data Subject has given written consent and only to the extent necessary for their duties.
- the Data Subject.
- the insurance company that has commissioned collection of personal data, as far as it concerns matters specifically covered by this commissioning.

This article does not cover other data than Personal Data or Medical Data.

#### J. Access to Personal Data

The Data Subject has the right of access to inspect his Personal Data.

To obtain access, the Data Subject should submit a written request to the Administrator. The requested inspection must take place within one month. If requested, the Administrator will provide the Data Subject with a copy of his Personal Data.

A request to inspect or copy can only be refused if this would violate important interests of others than the Data Subject, including the Holder.

If the Administrator suspects that direct access can cause damage to the Data Subject, or can lead to misinterpretation of the Medical data, the Administrator can recommend that inspection is carried out only under the supervision of a qualified physician or a counsellor of the Data Subject.

#### K. Access to recorded Personal Data

The Data Subject has the right to take cognizance of the Personal Data relating to him and to be the Holder. To obtain access, the Data Subject submits a written request to the Holder. The requested

inspection must be able to take place within one month. If so requested, the Holder will provide the Data Subject with a copy of his data.

A request for access or copy can only be refused if there are important interests of others other than Data Subject, including the Holder.

If the Holder suspects that direct inspection may result in damage to the Data Subject or incorrect interpretation of the Medical Data recorded, Holder may recommend that inspection is only carried out under the supervision of an expert physician or a person of trust of the Data Subject.

This is in principle 20 years for the medical file on the basis of the Medical Treatment Contracts Act or as much longer as the care of a good care provider.

#### L. Correction of registered Personal Data

The Data Subject may request correction, addition or deletion of his Personal Data if these are actually incorrect, for the purpose of the registration incomplete or not are relevant, or when they are in violation of a legal provisions. The Data Subject will submit a written and motivated request to the Holder.

The Holder responds to this request within one month.

The Holder ensures that a decision is effectuated within two weeks and informs the Data Subject of the outcome.

The request of the Data Subject will be refused if the Personal Data are necessary for the performance of a task in the public interest or for compliance with legal requirements imposed on Meditel. The Data Subject is informed of such refusal.

## 7. RETENTION PERIOD

The Personal Registration Holder determines how long to preserve the Personal Data contained in the records (the "retention period"). Applicable legal requirements are observed.

Based on the Dutch Law on Medical Treatment Agreement, is the retention period in principle 15 years for the medical files, or as much longer as the care of a good care provider<sup>1</sup>.

If the legal requirements prescribe other retention periods, the Holder will use that. This is the case with medical examinations; these may only be kept as long as it is necessary for the purpose of the inspection<sup>2</sup>. It is also necessary to look at the circumstances of each case for each case. As a result, the applicable retention periods may deviate from the standard term set out above<sup>3</sup>.

If the retention period has expired, the associated Personal Data are removed from the records within one year. Anonymization of data to the effect that such data is not traceable to living individuals is considered to be identical to removal.

## 8. COMPLAINTS

If the Data Subject is of the opinion that the provisions of this policy are not adhered to, he submits such opinion in writing to the Personal Registration Holder. The Holder responds to the complaint within one month.

If the Data Subject believes that his complaint was not answered, he should contact the Dutch Autoriteit Persoonsgegevens with the request to mediate or to advise in his dispute with the Holder. This must take place within two months of receipt of the Holder's reply, or if the Holder has not replied within the stipulated deadline within two months after the expiry of that period.

This does not affect the possibility of recourse to the court, for which action the same terms apply as for the involvement of the Autoriteit Persoonsgegevens.

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<sup>1</sup> Article 7: 454 under 3 Dutch Civil Law.

<sup>2</sup> Article 7:464 under 2 sub a Dutch Civil Law.

<sup>3</sup> Directive of The Royal Dutch Medical Association (KNMG) 'Omgaan met medische gegevens' 2016.

## 9. EXTENSION OF TERMS

The terms as mentioned in article H, article K, article L and article **Fout! Verwijzingsbron niet evonden.** may be extended for a further two months, if the complexity of the request so requires. The Holder will inform the Data Subject about such extension within one month of receipt of the relevant request.

## 10. APPLICABILITY OF THE POLICY

### M. Duration

This policy is in force for the entire period that Personal Data are registered and stored by Meditel.

### N. Changes in the policy

Changes to the policy are made by the Personal Registration Holder. Changes in this policy are in force one month after publication on the website of Meditel.

### O. Entry into force and versions

This privacy policy entered into force for the first time on July 1, 1990. The twelfth review was adopted on February 19th 2019.

## 11. ANNEXES

### Annex I: PURPOSE OF REGISTRATION

1. Insurance reports: Gathering specific Personal and Medical Data on the request of insurance companies in order to carry out insurance procedures.
2. Preventive Medical Examination: Reaching an individual medical advice to improve personal health or to preserve a healthy lifestyle through the gathering of Medical Data.
3. Travel advice: Collecting of Medical Data in order to advise individual travellers on vaccinations and preservation of health during travel.
4. Mandatory medical examinations: On behalf of a Debtor, gathering of Personal and Medical Data in order to assess whether an individual is legally permitted to carry out his functions.
5. Stop Smoke Coaching: Collection of Medical Data for coaching an individual client in his effort to stop smoking.

### Annex II: OPERATION OF THE REGISTRATION

Name	Meditel Groep BV, P.O.Box 8096 3009 AB Rotterdam
Holder	Medisch directeur (medical director)
Acting on behalf of Holder	Hoofd Binnendienst (head of backoffice)
Administrator	Medical and paramedical staff
Processor	Medical and paramedical staff, administrative and / or support staff

#### Operation:

Administrative staff at the backoffice register Personal Data of a Data Subject in order to make an appointment.

During the execution of this appointment, Medical Data are collected by the medical and paramedical staff. They store these data in a medical file, for which two routes are available:

1. The Medical Data are stored directly into the digital file of the Data Subject.
2. The Medical Data are registered on paper. Paper files are sent to the backoffice by surface mail. At the backoffice, administrative staff add the data to the digital file of the Data Subject.

Reports are sent to the Data Subject, by email or surface mail.



### Annex III: USERS

1. Employees at the Centraal Afspraken Bureau (Central Bureau for Appointments, CAB). They register Personal Data in order to make appointments. Medical Data are not registered by them.
2. Doctors. They register Personal Data and Medical Data. These data are obtained from questionnaires, anamneses, physical examination and additional measurements.
3. Assistants. They register Personal Data and Medical Data. These data are obtained from questionnaires, biometrics, and additional measurements.
4. Employees at the backoffice and the head of the backoffice. They add laboratory results to the client files and assemble medical reports for the Data Subject or the Debtor.
5. Bookkeeper. He bills the costs of the services of Meditel to the Debtor, by using the minimum set of Personal Data required.