



CASA DI CURA
LA MADONNINA

Information Notice under Article 13 of Regulation (EU) 2016/679

Dear Madam/Sir,

pursuant to Article 13 of Regulation (EU) 2016/679 ("Regulation" or "GDPR"), Casa di Cura La Madonnina S.p.A., as Data Controller, with registered office in Milan, Via Quadronno, 29/31, email address dirgen.cclm@grupposandonato.it, provides you with the relevant information relating to the processing of your personal data, including special categories of personal data (for example, personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation), with reference to the activities that may overall be exercised within the company and/or hospital structures, as related to the service of prevention, treatment, diagnosis and rehabilitation that you may request or require.

Personal data indicated above may be referred to, jointly, as "Personal Data".

The Data Protection Officer (hereinafter, "**DPO**"), appointed under Article 37 and seq. of the Regulation, may be reached at the following e-mail address: rpd.cclm@grupposandonato.it

1. Purposes and legal bases of the processing

Personal Data is/will be processed as part of the regular activity performed by the Controller, and only upon receiving your specific and free consent, for the purposes listed below:

- a) prevention, treatment, diagnosis and rehabilitation activities, administrative- accounting activities, strictly connected and instrumental to the management of the relationship with the patient (acceptance, booking of visits and exams registration, issuance of certification relating to a health status, etc.);
- b) communication of information on health to third parties (e.g., family members or acquaintances) as explicitly indicated by the data subject, where applicable;
- c) on behalf and in the name of GSD Foundation, excluding special categories of personal data, for promotion and information activities - in the clinical/scientific field - also with the aim of raising awareness in fundraising for the support and development of scientific research;
- d) excluding special categories of personal data, to send you promotional and marketing communications, including the sending of newsletters and market research, through automated means (SMS, MMS, email, push notifications, fax) and traditional means (paper mail, telephone with operator); the Data Controller collects a single consent for the marketing purposes described herein, in accordance with the Decision issued on 4 July 2013 by the Italian Data Protection Authority "Guidelines on promotional activities and the fight against spam"; in any case, you may oppose to the processing of your personal data for marketing purposes performed with the means indicated herein, as well as revoke the consent given, at any time by contacting the Data Controller at dirgen.cclm@grupposandonato.it, without prejudice to the lawfulness of the processing based on consent given prior to its revocation

Personal Data is/will be processed, as part of the regular activities performed by the Controller, without your consent, for the purposes listed below:

- e) in order to comply with obligations established by laws, regulations and Union law (in particular, with regards to health, tax obligations, administrative audits, inspections of bodies responsible for health supervision, investigations by the police authorities, etc.);
- f) the establishment, exercise or defense of legal claims;
- g) excluding special categories of personal data, for benefiting of electronic notifications via SMS and/or email.

Personal Data is/will be processed by the Controller, strictly in anonymous form, for the purposes listed below:

- h) planning, management, and control of health care, also carried out through surveys and questionnaires;
- i) non-interventional scientific research activities. In this regard, clinical data collected in the performance of the requested activities may be used in retrospective observational research projects related to the pathology for which you have been treated. In this case, your personal data shall appropriately be anonymized, so as to avoid your identification. Such research activities, which include only activities with drugs prescribed under their commercialization license, excluding that which provide for a patient to be assigned to a specific therapeutic scheme determined in advance by an experimentation protocol, is part of the standard clinical practice whose results will be shared with other Research Centers, only in anonymous and aggregate form.



CASA DI CURA LA MADONNINA

For the purposes referred to in letters a) and b), the legal basis of the processing is your specific consent, pursuant to article 6.1.a) and article 9.2.a) of the GDPR. This information is normally collected orally by Controller's authorized staff, who will document your consent by registering it in the Hospital Information System, which will record the date and time of the registration. The consent is given upon the first access to our structure and it shall be deemed valid until its revocation. It means that, for any services requests after your first access, you will no longer be asked to give you consent to the processing of your personal data. Notwithstanding what above specified, we inform you that the present information notice, together with the consent provided, shall be deemed effective with regards to the plurality of services provided by each separate Operative Unit belonging to the Controller's organization;

For the purpose referred to in letters c) and d), the legal basis of the processing is your specific consent, pursuant to article 6.1.a) of the GDPR;

For the purposes referred to in letter e), the legal basis of the processing is article 6.1.c), as well as articles 9.2.g), 9.2.h), and 9.2.i) of the GDPR; while for the purpose referred to in letter f), the legal basis of the processing is article 6.1.f) and article 9.2.f) of the GDPR.

For the purpose referred to in letter g), the legal basis of the processing is article 6.1.b) of the GDPR.

2. Nature of the provision of data and consequences of the refusal

Except in case of urgency and/or health emergency, the provision of data required for the purposes of health care, including any administrative purposes related to those, as indicated in paragraph 1 letter a) is mandatory; failure to provide such data makes it impossible for the data subject to receive the assistance and/or the service requested.

The provision of personal data for the purposes referred to in letters b), c), d), and g) is optional, and failure to provide such data will have no consequences in accessing the assistance and/or the services requested, however, only with regard to the purpose referred to in letter g), it may prevent from benefiting of electronic notification services.

3. Means of the processing

In relation to the aforementioned purposes, the processing of personal data if performed by the Data Controller by manual and automated means, with logic strictly related to the achieve such purposes and, in any case, in such a way as to guarantee the security and confidentiality of the data, in addition to compliance with specific obligations imposed by law. The availability, management, access, preservation and accessibility of data is secured by the adoption of adequate technical and organizational measures to ensure appropriate security, in accordance with articles 25 and 32 of the GDPR.

4. Retention of personal data

Your Personal Data will be stored by the Data Controller for the time necessary to achieve the purposes for which they have been collected, in accordance with the minimization principle referred to in article 5.1.c) of the GDPR and the legal obligation which the Controller shall comply with.

The Controller has set such retention periods in accordance with those established in the *“Versione 04” del “Titolario e Massimario del Sistema Sociosanitario Lombardo, già Sistema Sanitario e Sociosanitario di Regione Lombardia”, Allegato 1, parte integrante del presente atto, che sostituisce integralmente il precedente, approvato con Decreto del D.G. Welfare n. 11466 del 17.12.2015 e s.i.m.,* approved by Regione Lombardia, and that applies to the whole Region Social Health System.

You may obtain additional information on retention periods from the Data Controller, by writing at the address above indicated.

5. Communication of Personal Data

In carrying out its activities and for achieving the purposes referred to in paragraph 1, the Controller may communicate your Personal Data, including special categories of personal data, to:

- Individuals who have been authorized by the Data Controller to process your Personal Data, after having signed a confidentiality agreement (e.g., the Data Controller's employees and system administrators);
- Parties that are in a contractual relationship with Data Controller (e.g., some of the health care services may then be performed by other highly qualified third parties);



CASA DI CURA LA MADONNINA

- Health control bodies, public authorities, agencies or other bodies, acting as independent Data Controllers, with which it may be mandatory to share your Personal Data under the applicable law or to comply with binding orders from those authorities;
- Third parties who exercise specific rights and whomever the individual expressly indicates as family member, treating physician, etc. In case of hospitalization, the data subject has the right to request that no communication shall be made of his stay in the hospital;
- Service providers (such as consultants, financial institutions, certification bodies, companies that manage the medical records archive, the communications and booking services, etc.) in their capacity as data processor, pursuant to article 28 of the Regulation.
- Insurance Companies or other institutions selected by you, to guarantee their involvement in concurring towards the sanitary costs, as per your specific request and interest (article 9.2.h). Compliant to Reg. 2016/679/UE.

We also inform you that any disputes regarding third-party liability - including what concerns professional health care - will be handled, on behalf of the Controller, by GSD Sistemi and Servizi S.C. a r.l. (duly appointed as data processor, under article 28 of the GDPR), with registered offices in Milan, Corso di Porta Vigentina 18, to which personal data, including those belonging to special categories, will be disclosed.

If you consent to the processing of your personal data for promotion and information activities - in the clinical/scientific field, referred to in letter c) of paragraph 1, the data will be collected by us on behalf of GSD Foundation (data controller), with registered office in Milan, Corso di Porta Vigentina 18; for carrying out such activity, we have been appointed as data processor, pursuant to article 28 of the GDPR.

Personal data may be communicated to other companies belonging to Gruppo San Donato for the purposes listed above and/or for administrative and accounting purposes, pursuant to Article 6 and to Recitals 47 and 48 of the GDPR.

You may obtain additional information on recipients and appointed data processor from the Data Controller, by writing at the address above indicated.

6. Dissemination, Transfer of Personal Data to Third Countries

Personal Data will not be disseminated (this meaning, by giving access to unidentified parties, in any form), except when it is required, in compliance with the law, by police authorities, judicial authorities, information and security bodies or other public entities for defense or State security purposes, or for the prevention or prosecution of criminal offenses.

With regard to any transfer of personal data to third countries, the Controller informs that the processing will take place according to one of the means permitted by the applicable law, such as the consent of the data subject; the conclusion or execution of a contract concluded between the data controller and another natural or legal person in the interest of the data subject; the adoption of Standard Contractual Clauses approved by the European Commission, appropriate safeguards (e.g. EU-US Privacy Shield), adequacy decisions. Further information is available upon request to the Controller.

7. Data subject's rights

You have the right to request to the Data Controller, at any time, to access your data, correct, or cancel them, to request the limitation of processing, or to obtain in a structured, commonly used and machine-readable format, the data concerning you in the cases provided for by Article 20 of the Regulation. At any time, under Article 7 of the Regulation, you may revoke, the consent already provided, without prejudice to the lawfulness of the processing carried out prior to the withdrawal of such consent.

In any case, you are always entitled to lodge a complaint with the competent supervisory authority (Personal Data Protection Authority), pursuant to Article 77 of the Regulation, if you believe that the processing of your data is illicit.

You may oppose to the processing of your data, pursuant to Article 21 of the GDPR, and by justifying such opposition: the Controller reserves the right to evaluate your request, which may not be accepted in case of compelling legitimate grounds for the processing which override the your interests, rights and freedoms. Requests should be sent in writing to the Data Controller or to the DPO at address indicated above.