

**Information for patients of S.G.B.P. Srl relating to the processing of personal data through the telemedicine platform (sanhub.it), developed and owned by Collaborazioni Digitali SRL, pursuant to art. 13 Regulation (EU) 2016/679 (GDPR)**

Dear Madam/ Dear Sir,

**S.G.B.P. SRL**, with registered office in Milan, via G. Frua 21/8, 20146, Cod. Fisc. 06308400966, P.IVA 06308400966, e-mail [info@sanhub.it](mailto:info@sanhub.it), represented by Dr. Paola Boria and Dr. Simone Giordano, CEO and legal representative, as owner of the processing of personal data (the "**Owner**"), intends to provide you, in your capacity as interested party (the "**Data Subject**" ") the specific information on the processing of your personal data that is necessary with reference to the health services provided through the **telemedicine platform** available on **the sanhub.it website** (hereinafter the "**Platform**"), pursuant to art. 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 ("**GDPR**") and of the European and national legislation that supplements and/or amends it, including Legislative Decree no. 196/2003, as amended by Legislative Decree no. 101/2018 (hereinafter, "**Privacy Code**") ("**Applicable Privacy Law**") "). The platform is developed by Collaborazioni Digitali SRL, based in Milan, Via L. Muratori 29, 20135, P.IVA 11899440967.

**Data Protection Officer**

The Data Controller has appointed a data protection officer ("**Data Protection Officer**" or "**DPO**"), as required by the GDPR, with tasks of surveillance, supervision and specialist advice in the field of privacy who can be contacted for any support at the following e-mail address: [privacy@sgbp.it](mailto:privacy@sgbp.it).

**Personal data subject to processing**

The Data Controller will process your common personal data, collected on the occasion and as part of your request to access the health services (request for consultation / video-visit) provided by the Data Controller through the Platform, which include, by way of example and not exhaustively, name, surname, number mobile phone, e-mail address and, in general, your contact details (the "**Common Data**"). The Data Controller will also process your data relating to particular categories referred to in Article 9 of the GDPR, i.e. data suitable for revealing, among other things, racial and ethnic origin, as well as genetic data, biometric data intended to uniquely identify a natural person, data relating to the state of health and sex life (the "**Particular Data**") (the Common Data and the Particular Data, hereinafter, jointly, the "**Personal Data**") voluntarily provided when requesting a consultation / video-visit through the Platform (such as, for example, uploading the reports of clinical examinations), or which are included in the opinions provided by the Professionals operating on the Platform.

**Purpose and legal basis of the processing**

Your Personal Data will be processed as part of the services provided by the Data Controller through the Platform, for the purposes and in compliance with the conditions of lawfulness indicated below:

1. purposes of prevention, treatment, diagnosis, rehabilitation and health or social assistance or therapy, on the basis of European Union or national law or in accordance with the contract with a health professional, pursuant to Articles. 6, par. 1, letter e) and 9, par. 2, letter h) of the GDPR;
2. on the basis of an important public interest pursuant to art. 2-sexies of the Privacy Code, with reference to specific personal data, executable operations and appropriate and specific measures to protect the rights of the interested parties determined by law or by legal regulations, for
  - b1)** the performance of administrative and certification activities strictly related to the achievement of the purposes of prevention, treatment, diagnosis, rehabilitation and health or social assistance or therapy indicated above, including those related to organ and tissue transplants and human blood transfusions, as well as to the management of relations with the patient, in the acceptance phases, booking of visits and examinations, registration of exemptions, certificates relating to the state of health, etc.);
  - b2)** carry out tasks of the national health service and of the subjects operating in the health sector, as well as hygiene and safety tasks in the workplace and safety and health of the population, civil protection, protection of life and physical safety;

**b3)** purposes of planning, management, control and evaluation of health care, including the establishment, management, planning and control of relations between the interested parties and the administration of the Data Controller;

1. reasons of public interest in the field of public health, such as protection against serious cross-border threats to health or the guarantee of high standards of quality and safety of healthcare and medicines and medical devices on the basis of European Union or national law, which provides for appropriate and specific measures to protect the rights and freedoms of the data subject, in particular professional secrecy, pursuant to art. 9, par. 2, letter i), of the GDPR;
2. to fulfill obligations under laws, regulations and community legislation, pursuant to Articles. 6, letter c) and 9, paragraph 2, letter b), of the GDPR;
3. to assert or defend a right in court or in a preparatory phase to the judgment, pursuant to art. 9 para. 2, letter f), of the GDPR.
4. for further purposes of scientific research, in particular for observational studies, pursuant to art. 9 par. 2, letter j), of the GDPR and 110-bis paragraph 4 of Legislative Decree 196/2003;
5. to allow the patient to be contacted by email, in relation to health treatments already undertaken, also for prevention purposes to be implemented periodically, as well as for promotion and information activities of services similar to those already used, pursuant to art. 130 paragraph 4 of Legislative Decree no. 196/2003. The interested party can oppose this treatment at any time, by writing to [privacy@sgbp.it](mailto:privacy@sgbp.it) using the unsubscription option contained in the email footer.
6. execution of the "General Conditions of Use" for the use of the Platform;
7. identification of the interested party on the Platform;
8. administrative-accounting obligations related to the management of requests received from data subjects on the Platform pursuant to art. 9 par. 2, letter g), of the GDPR and art. 2-Sexies c.2 letter t) of the Privacy Code;
  1. activities related to the electronic payment of services rendered through the Platform;
  2. sending service communications by e-mail concerning requests for consultation on the Platform;
  3. programming of telemedicine activities through the Platform;
  4. technical and administrative support to users of the Platform;
  5. storage / storage of personal information and data relating to health and other particular data (including genetic information) deducible from the information processed, which are voluntarily provided when requesting a consultation / video-visit through the Platform (such as, for example, by uploading the reports of clinical examinations), or which are included in the opinions provided by the Professionals operating on the Platform;
6. management of users and detection of the degree of satisfaction of users of the Platform.

The Personal Data collected for the purposes referred to in letter a) above, will be processed by or under the responsibility of a professional subject to professional secrecy or by others subject to the obligation of secrecy in accordance with European Union or national law or the rules established by the competent national bodies, pursuant to art. 9, par. 3, of the GDPR. For the purposes referred to in points (a), (b), (c), (d), (e) (f), (g) and j) the interested party is not required to give prior consent, as the processing is necessary and legitimized by one of the legal bases indicated above.

The legal basis of the processing carried out for the purposes indicated in letters h), i), k), l), m), n), o) is the execution of a contract between the Data Controller and the Data Subject; the legal basis of the processing carried out for the purposes indicated in letters p) is the exercise of a legitimate interest of the Data Controller to verify the satisfaction of its customers with reference to the services provided through the Platform.

Personal Data will also be processed only with your specific consent, for further purposes and on the legal bases indicated below:

1. communication of your Data exclusively Common to Collaborazioni Digitali SRL, e-mail: [info@codigi.it](mailto:info@codigi.it); with the Data Protection Officer accessible at the e-mail address

[info@collaborazionidigitali.it](mailto:info@collaborazionidigitali.it) who, as an independent owner, will process them for their own communication and marketing purposes, also focused on prevention and follow-up paths in the best interest of the patient, through tools such as, for example, sms and email.

communication of your Personal Data, including those relating to your health, to the Professional, whose identification and contact data are indicated in the previous point and who, as an independent owner, will process them to create your patient profile and send you personalized promotional communications, also focused on prevention and follow-up paths in the best interest of the patient, through tools such as, for example, sms and email.

For the purposes referred to in letters q) and r) indicated above, the basis of legitimacy of the processing is your specific consent *pursuant* to Article 6, paragraph 1, letter a) and, where applicable, pursuant to Article 9, paragraph 2, letter a), of the GDPR. We inform you that your consent is optional and that any refusal will not affect the possibility of using health services. You may, however, and at any time revoke your consent without having to provide any justification by contacting the Data Controller or the DPO at the addresses indicated and without prejudice to the lawfulness of the processing based on the consent given before the revocation.

### **Nature of the provision of data and consequences of any refusal**

The provision of the data required for the purposes of health care and administrative purposes strictly related to these is indispensable; failure to provide it will make it impossible for the interested party to access the health services provided by the Data Controller through the Platform.

### **Processing methods**

The processing of Personal Data will take place – according to the principles of correctness, lawfulness and transparency – through it, manual and / or telematic supports and / or tools, with logic strictly related to the purposes of the processing and, in any case, guaranteeing the confidentiality and security of the data and compliance with the specific obligations established by law. The availability, management, access, storage and usability of data is guaranteed by the adoption of technical and organizational measures to ensure appropriate levels of security pursuant to Articles. 25 and 32 of the GDPR, as well as, in relation to the specific processing purposes identified by the applicable legislation. The processing is carried out by subjects duly authorized and instructed by the Data Controller and in compliance with the provisions of art. 29 GDPR.

### **Retention of personal data**

Personal Data will be kept only for the time necessary for the purposes for which they are collected, respecting the principle of minimization referred to in Article 5, paragraph 1, letter c) of the GDPR, as well as in execution of the legal obligations to which the Data Controller is bound.

Documents containing Personal Data uploaded by data subjects when requesting a consultation/video-visit through the Platform (such as, for example, radiological reports/images, clinical examinations, etc.) will be kept by the Data Controller for a period of one (1) year from the date of closure of the account on the Platform. At the end of this period, the documents will be archived, always in encrypted form, only for the purposes of the law and for the duration of the civil prescription; after such, further, period will be irreversibly deleted.

More information is available from the Data Controller or from the DPO at the addresses indicated above. If the interested party decides not to use the Platform anymore, he will have the right to download the documentation uploaded by him and a copy of the same will be kept by the owner and supplier of the Platform for the period strictly necessary to protect his position in relation to possible disputes according to the laws on the subject.

With reference to the purposes referred to in letters q) and r) personal data will be kept until the request for withdrawal of consent by the interested party. The withdrawal of consent does not affect the lawfulness of the data processing carried out by the Data Controller before the revocation.

## Scope of communication of personal data

Your Personal Data will not be disseminated, except in the event that the communication or dissemination is required, in accordance with the law, by public entities for defense or security purposes or for the prevention, detection or repression of crimes.

In carrying out its activities and for the pursuit of the purposes referred to in paragraph 3 above, the Data Controller may communicate your Personal Data, also concerning your state of health, to:

third parties, as part of a contractual or conventional relationship with the Data Controller, to allow the execution of some health services in favor of the interested party by highly qualified external subjects for that specific service, or to carry out analyzes at external laboratories in "service", which will typically act as *data processors ex art. 28 of the GDPR* or, in specific situations, as data controllers or joint controllers;

1. public and private health and hospital bodies, regional and national health service bodies, health control bodies, public administration bodies, public security authorities, judicial authorities and insurance bodies and other subjects, bodies or authorities acting in their capacity as independent data controllers, to whom it is mandatory to communicate Personal Data by virtue of legal provisions or orders of the authorities;
1. hospitalization or residential institutions or facilities in order to guarantee continuity of care once the hospital path has ended, through post-discharge pathways, continuous assistance or activation of home care, for the purposes of health or social assistance or therapy or management of health or social systems and services that typically act in their capacity as autonomous owners;
2. suppliers of services strictly related and functional to the activity of the Data Controller who typically act as data processors pursuant to art. 28 of the GDPR, including IT service providers for the management of technological infrastructure, information systems and telecommunications networks;
3. subsidiaries and associates of the Data Controller for administrative and accounting purposes, meaning those related to organizational, administrative, financial and accounting activities, regardless of the nature of the data processed;
4. Collaborazione Digitali SRL and SGBP, only with your consent, which will process them for their own marketing purposes,

These subjects will act, as a rule, as independent Data Controllers of their respective processing operations, unless they act on behalf of the Data Controller as Data Processors and have therefore signed a specific contract that punctually regulates the treatments entrusted to them, pursuant to art. 28 of the GDPR.

The complete and updated list of the recipients of the data may be requested from the Data Controller or the DPO, at the addresses indicated above.

We also inform you that any disputes for civil liability – including that for professional health liability – will be managed, in the name and on behalf of the Data Controller, by Collaborazioni Digitali SRL to which all Personal Data will be communicated, also belonging to the special categories referred to in art. 9 of the GDPR, which concern the event subject to dispute. Collaborazioni Digitali SRL has been appointed by the Data Controller in charge of the processing of personal data *pursuant to Article 28 of the GDPR*.

If the chosen Professional deems it necessary or appropriate, he may involve, through the Platform, other professionals also of SGBP SRL - also registered on the Platform - belonging to other thematic areas of specialty, if he should believe that the request of Consultation that has been presented to him requires the joint intervention of several specialists (multidisciplinary consultation). Your Personal Data will not be transferred to third countries with respect to the European Union or international organizations.

In carrying out its activities and for the pursuit of the purposes referred to in paragraph 3 above, the Data Controller will communicate your Personal Data, also concerning your state of health, to the company that owns the platform called "Sanhub", provided and managed at a technological level by

**Collaborazioni Digitali SRL** as Data Processor designated by the Data Controller, as well as its employees and / or collaborators duly authorized and trained, exclusively for the purposes indicated in this information and in compliance with the provisions of EU Regulation 2016/679.

Through the Platform provided by Collaborazioni Digitali SRL, the Professionals contracted by SGBP SRL and Collaborazioni Digitali SRL provide remote medical and health advice to patients on the basis of the medical documentation shared by them.

SGBP SRL therefore operates as a Telemedicine Provider Center through its Professionals, through the use of the Sanhub Platform; Collaborazioni Digitali SRL operates as a Service Center and provides an IT service to facilitate communication between the Professional and the Patient in order to allow the exchange of documents, data and information between them.

Collaborazioni Digitali SRL subject to your express consent will process some of your personal and particular data as an independent data controller to proceed with the anonymization of the data contained in the documentation uploaded on the platform, obtaining aggregated and anonymized data to pursue scientific research purposes, as well as in order to improve the services offered to Doctors on the platform and to optimize the path of care of Patients, as better described in the information provided by Collaborazioni Digitali SRL and available on the Platform. For any clarification you can contact directly the Data Protection Officer designated by Collaborazioni Digitali SRL at the following address: [info@codigi.it](mailto:info@codigi.it).

### **Rights of the interested party**

Pursuant to articles 15 to 22 of the GDPR, you have the right to:

1. obtain, from the Data Controller, confirmation as to whether or not personal data concerning you are being processed and in this case, obtain access to your data, as well as, if the data are not collected from the interested party, receive all available information on their origin;
2. know the purposes of the processing, the categories of data in question, the recipients or categories of recipients to whom the data have been or will be communicated, in particular if recipients of third countries or international organizations, the envisaged data retention period or the criteria used to determine this period;
3. ask the Data Controller to rectify, delete the data or limit the processing of data concerning you;
4. oppose the processing of data, without prejudice to the right of the Data Controller to evaluate your request, which may not be accepted in the event of the existence of binding legitimate reasons to proceed with the processing that prevail over your interests, rights and freedoms;
5. revoke the consent at any time, without prejudice to the lawfulness of the processing based on the consent given before the revocation;
6. be made aware of the existence of an automated decision-making process, including profiling;
7. obtain data portability, in the cases provided for by law;
8. lodge a complaint with a supervisory authority (Privacy Guarantor).
- 9.

Requests should be sent in writing to the Data Controller or to the DPO at the addresses indicated above ([privacy@sgbp.it](mailto:privacy@sgbp.it)).

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