

HIRSLANDEN INTERNATIONAL

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DATA PROTECTION DECLARATION HIRSLANDEN INTERNATIONAL SECOND OPINION PORTAL

DATA PROTECTION DECLARATION FOR USE OF THE HIRSLANDEN PORTAL

1. PURPOSE AND AREA OF APPLICATION

This data protection declaration is an annex to the general terms and conditions of the Hirslanden International Second Opinion Portal (hereinafter referred to as the “**portal**”) and describes the way in which personal data is processed by Hirslanden. It is designed to create transparency, thereby enabling the portal user to gain a clear idea of which personal data is processed by which persons and for which purpose.

2. PRINCIPLES OF DATA PROCESSING

Hirslanden shall observe the following principles when processing personal data (when it is acquired, retained, used, disclosed, archived and deleted):

- a) The principles of proportionality and data economy: e.g. users’ personal data will only be submitted to the doctor commissioned to provide a second opinion;
- b) Personal data will only be processed for the purposes specified when it was acquired or provided for by law;
- c) Personal data will only be forwarded in accordance with this data protection declaration;
- d) Persons about whom Hirslanden processes data may exercise their statutory right to information or correction at any time.

3. CATEGORIES AND PROCESSING OF PERSONAL DATA

- 3.1. The following contains a list of the personal data which Hirslanden processes within the scope of operating the portal, administration and communication with users:

- a) Name, address, date of birth, sex, telephone, e-mail and credit card and account data (depending on payment channel) for the purposes of invoicing
 - b) Health data from users, answers to questions in questionnaires uploaded to the portal, scanned x-ray images, etc.;
 - c) Product-related data, contracts, invoice data;
 - d) Data regarding contact and correspondence with the user which has taken place;
 - e) Health-related data under a pseudonym for the purposes of quality assurance and evaluation and the further development of our second opinion service.
- 3.2. The accuracy of statements made during registration shall be checked by Hirslanden within the framework of quality assurance.
- 3.3. Hirslanden shall process the personal data specified under 3.1 within the scope of providing the second opinion. Hirslanden has commissioned Medexo GmbH, located in Berlin, Germany (hereinafter referred to as “**Medexo**”) in a support function to provide certain operative services, including operation of the portal (mainly maintaining a relationship with users, checking questionnaires, user documents, translations, etc.) and technical operation (maintaining the portal).

4. PROTECTION OF PERSONAL DATA

- 4.1. Hirslanden shall take all the organisational and technical measures to protect the personal data which are demanded by Swiss data protection legislation. This provides protection against the following risks in particular:
- a) unauthorised or accidental destruction;
 - b) accidental loss;
 - c) technical error;
 - d) forgery, theft or illegal use;
 - e) unauthorised amendments, copying, access or other unauthorised processing.
- 4.2. All health data will be hosted on servers in Switzerland which ensure state-of-the-art data security.
- 4.3. The protective measures shall be continuously adjusted so that they comply with the current state of the art.

5. FORWARDING OF PERSONAL DATA

- 5.1. With the exception of the cases described in the paragraph below, Hirslanden shall not forward any user data to third parties.
- a) Hirslanden shall transmit user data to specialists cooperating with Hirslanden insofar as the specialist is commissioned to provide a second opinion.
 - b) Hirslanden shall grant Medexo, which has been engaged by Hirslanden to operate and maintain the portal, partial access to user accounts. Hirslanden shall only grant access to Medexo to the extent to which this is necessary for Medexo’s services.
- 5.2. By using the portal and checking the corresponding consent box when commissioning the second opinion, the client is declaring consent to the forwarding or granting of access to personal data concerning the user in the cases described above.

6. RIGHT TO REVOCATION AND INFORMATION

- 6.1. Hirslanden shall only be permitted to use the data outlined above based on your explicit consent. Consent may be revoked at any time with future effect unless the data must be retained and saved by the specialist and/or Hirslanden based on statutory provisions.
- 6.2. In accordance with Swiss data protection laws, the user may contact Hirslanden and
 - a) Learn whether Hirslanden is processing information concerning the user;
 - b) Request that Hirslanden send a copy of the data concerned;
 - c) Instruct Hirslanden to correct incorrect personal data.
- 6.3. Requests for information or correction must be sent in writing to the following address:

Hirslanden AG
Hirslanden International
Boulevard Lilienthal 2
8152 Glattpark
Switzerland

7. INTERNET TRANSFER OF DATA

As stated in this data protection declaration, Hirslanden shall take the appropriate technical and organisational security precautions to protect users' personal data. As users upload data to the portal via the internet, please remember that there are inherent risks to any transfer of data online. Unauthorised third parties may, for example, access information which users send via the internet. This may result in information being disclosed, its contents altered or technical errors. Even if the sender and recipient are in the same country, it cannot be ruled out that data sent via the internet may leave the country and be forwarded to a country in which the data protection requirements are less stringent than in the country in which the user resides. Hirslanden is unable to check each online data transfer for these general risks. Portal users must be aware that Hirslanden is not responsible or liable for the security of user data while it is being transmitted via the internet to Hirslanden.

Acknowledging the right of revocation and after having read the above, I hereby consent to the use of my data for the purposes of providing a second opinion. I hereby explicitly release Hirslanden and the specialists from the obligation of professional secrecy as far as is necessary for the purposes determined above.