Privacy policy for the patient register of SYNLAB Finland

This document describes the processing of personal data included in the patient register of SYNLAB Suomi Ltd (hereinafter referred to as “**SYNLAB**”, business ID 2674625-7) and the basis for processing said personal data. The document also explains the rights of the data subject with regard to the processing of personal data.

The privacy policy was updated

30 December 2022. Included in the update: The grounds for processing related to the Act on the Secondary Use of Health and Social Data and the Communicable Diseases Act have been specified, the consent descriptions have been supplemented. Added information regarding the right of guardians to receive information.

27 October 2021. Included in the update: Language revised, withdrawal of consent clarified, information on the use of online services added, processed personal data and the description of data disclosure supplemented.

# SYNLAB’s laboratory and imaging services

When the patient purchases laboratory and imaging services directly from SYNLAB, a patient care relationship is formed between the patient and SYNLAB. When the patient care relationship is formed, SYNLAB acts as the controller of the personal data. The patient can purchase laboratory and imaging services with or without a referral.

If the patient purchases services from another healthcare operator who outsources the laboratory and imaging services to SYNLAB, the patient care relationship is formed between the patient and the other healthcare operator. In that case, the controller of the patient information is the healthcare operator from which the patient purchases the service, and SYNLAB acts as the processor of the personal data related to the ordered laboratory and imaging services. SYNLAB will serve the patient according to the agreements between the companies.

In terms of personal data of customers received through a service purchasing agreement, such as a service voucher or another type of financial obligation, the controller may be the organiser of the service, such as a sickness fund or a municipality. In that case, SYNLAB will comply with the instructions of the issuer of the payment obligation in carrying out the treatment.

SYNLAB is a private healthcare service provider that complies with national healthcare regulations in its operations. This means that SYNLAB has a legal obligation to prepare patient document entries of any service events of the patient when the patient uses the physical or online services of SYNLAB.

The patient care relationship is valid:

* when the patient has a pending appointment for the services
* when the patient uses the services (has an appointment or tests)
* when ordering tests and examinations through the online services
* when using other customer services, for example requesting access to personal patient information

The **purpose of patient information** is to arrange, plan, implement and monitor the patient’s treatment. Patient information recorded by a healthcare professional according to their competent assessment is considered essential. Healthcare professionals can only process essential patient information when the patient care relationship is valid and only in the manner required by the patient care relationship.

# Basis for the processing of personal data

SYNLAB processes personal data in accordance with the General Data Protection Regulation of the EU. The processing is based on

* consent to the processing of personal data (Article 6, Section 1. (a) of the General Data Protection Regulation of the EU (EU 2016/679))
* the performance of a contract concluded with the controller (Article 6, Section 1. (b) of the General Data Protection Regulation of the EU)
* compliance with a legal obligation to which the controller is subject (Article 6, Section 1. (c) of the General Data Protection Regulation of the EU)
* if the processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data (Article 6, Section 1. (f) of the General Data Protection Regulation of the EU).

Special categories of personal data (data concerning health and biometric data) are processed according to Article 9, Section 2. (a) (consent), c, f, h and i of the General Data Protection Regulation of the EU and Section 6, subsection 1(2) and 1(4) of the Finnish Data Protection Act (1050/2018).

The central national legislation in the operations include

* Decree of the Ministry of Social Affairs and Health on Patient Documents (298/2009)
* Act on the Electronic Processing of Client Data in Healthcare and Social Welfare, “Client Data Act” (159/2007)
* Act on the Status and Rights of Patients, “Patient Act” (785/1992)
* Health Care Act (1326/2010)
* Act on Private Healthcare (152/1990)
* Communicable Diseases Act (1227/2016)

Data created when using the services can be processed according to legislation as follows:

* Invoicing (Accounting Act 1336/1997)
* Planning, organisation, implementation and monitoring of the patient’s care (Decree on Patient Documents)
* Storing data created in healthcare services (Decree on Patient Documents)
* Obligations of healthcare service providers (Communicable Diseases Act)
* Processing of data to ensure the quality of treatment and patient safety (Patient Act)
* Access control of the processors of patient information, prevention of misconduct, ensuring information security and enabling data rectification (Client Data Act)
* Research and statistical purposes (Act on the Secondary Use of Health and Social Data)
* Data are processed on the basis of legitimate interests (Act on the Secondary Use of Health and Social Data)
* to plan, develop, manage, report and monitor SYNLAB’s operations, unless based on the aforementioned legal grounds
* to prepare, present and defend against a potential legal claim connected to the relationship between the customer and SYNLAB

# The following processing is based on consent

* Acquisition and disclosure of patient information
* Making information available in the Health Folder portal for professional users (retrieving information from the portal is based on consent given to the doctor)
* Marketing purposes

Consent shall be given to the party requesting or disclosing the information. The person requesting the information must confirm that the consent has been duly obtained and keep the consent documents.

Consent can be given or withdrawn at any time by informing SYNLAB. After withdrawing the consent, the personal data will no longer be processed insofar as the processing is based on consent. Withdrawing consent does not affect the legality of the processing before the withdrawal. Given and withdrawn consent is stored for as long as is necessary to prepare, present or defend against any legal claims.

# Use of online services

SYNLAB also offers digital online services. The use of the service is explained in the online services and the personal data are processed as required by the service. The online services are part of the healthcare service offering. Their use is voluntary; customers can alternatively use the services over the phone or at a clinic.

In **LOUNA Lab**, customers can select testing services without a doctor’s referral, book an appointment, pay online and view their results. Customers visit SYNLAB’s clinics for the tests and examinations.

In the **Testaakotona.fi service**, customers can order a laboratory test to be taken at home, pay for it online and view their results. The equipment needed for taking the sample and mailing it to the laboratory is sent to the customer’s home, and the customer sends the samples to SYNLAB by post.

The **Health Folder for Customers (minun.synlab.fi)** is the primary method for delivering results to the patient. In the Health Folder for Customers, SYNLAB grants the patient access rights to their information using strong authentication (mobile ID and banking credentials). The use of the service is voluntary and does not create a separate user account. SYNLAB has a legitimate interest in transferring the patient information to the Health Folder for Customers where the patient can access it and to the Health Folder for Professionals where the treating party and the referring physician can access it. The patient has the right to object to granting others access rights to their information, and SYNLAB can prevent access to the information (for more information, please see the terms and conditions of the Health Folder for Customers).

**Appointments** can be booked on our website without logging in or by logging in to the Health Folder for Customers.

# Personal data to be processed

The personal data are primarily obtained from the patient when using the services or during the customer relationship.

Personal data may also be obtained from the following sources:

* Population Information System
* Finnish Cancer Registry when producing screening services for municipalities
* Finnish Institute for Health and Welfare
* individual, family member or guardian attached to your profile
* party offering identification, authentication, address, updating, credit status, payment forwarding or similar services
* another healthcare service provider or self-employed person providing healthcare services
* a cooperation partner, based on the patient’s consent

The social security number is used to identify the patient (Section 29 of the Data Protection Act 1050/2018) Patient information cannot be processed without identifying the individual. If the person does not have a Finnish social security number, an ID number similar to a social security number is created to identify the individual. Other personal or event identifiers may also be used.

Contact information (address, municipality of residence, telephone number and e-mail) and, in the case of minors, the guardian’s contact information, is processed to contact the patient when necessary. Such situations include

* Mailing patient information or invoices
* Cancellation of appointments
* Reinviting a customer to a test or an examination
* Informing the customer of a test result that is life-threatening or a health hazard
* Requesting for additional information related to planning, organising, implementing or monitoring treatment
* Contacting the customer in accordance with the Communicable Diseases Act
* Disclosure of the municipality of residence to the authority in the notification in accordance with the Communicable Diseases Act and Decree
* Sending a payment reminder or collecting invoices

The patient can provide identification and contact information of a guardian or a family member as required by their services as well as information of healthcare professionals in connection to the processing of a referral or results, for example.

Moreover, the following personal data may also be processed under rights based on legislation as required by the use of the services

* Name and contact information of a legal representative designated to an adult
* Customer number or other ID number
* Kela card for the purpose of granting Kela reimbursement
* First language or communication language
* Appointed family member or other contact person, potential family relationship and contact information
* Dependants
* Profession
* Information concerning appointments
* Information obtained or saved in a telephone discussion with the patient or parties entitled to process the information
* Medical record information
* Consents and refusals concerning the processing of personal data
* Patient-related information obtained from third parties, such as other healthcare units (based on an agreement on service provision or consent)
* Invoicing information
* Images
* Biological materials

In terms of the users of online services, the following information can be processed for a justified reason

* IP address
* Information related to identification
* Information on service purchases, use, history and log data

According to the contractual relationship, the patient is obligated to provide their personal data that is necessary for the performance of the agreement and the implementation of the rights and obligations related to the contractual relationship, including the presentation of or defence against legal claims based on the contractual relationship. If no personal data concerning the patient is available, the agreement cannot be performed and the health services cannot be provided.

# Disclosure of data

Patient information can be disclosed to another healthcare organisation, the authorities or other parties specified in legislation only on the patient’s consent or based on legislation. (Section 13 of the Act on the Status and Rights of Patients). Disclosure and reception of the patient’s information is recorded in the patient information. The patient has the right to be informed of who has used their information, to whom their information has been disclosed and what the grounds for the use or disclosure are upon a written request for the purpose of assessing or implementing the patient’s rights related to the processing of their customer information.

Information can only be disclosed to the family member appointed by the patient if the patient is unable to express their consent due to unconsciousness or another reason, unless there is reason to assume that the patient would object to the disclosure (Section 13 of the Act on the Status and Rights of Patients).

Information can be disclosed to a collection agency for debt collection purposes (Section 16 of the Debt Collection Act (513/1999)).

Information can be disclosed to the patient archive of customer information in Kela’s Kanta services, where the disclosure of information is based on the patient’s disclosure permits and consent (Act on the Electronic Processing of Client Data in Healthcare and Social Welfare).

Information can be disclosed to another natural person or legal person whose vital interests require the disclosure of the information if the information is necessary and the right to privacy does not take precedence over the aforementioned requirement (Article 6, Section 1 (d) of the General Data Protection Regulation of the EU).

Patient information can be disclosed for research and statistical purposes (Section 31 of the Data Protection Act).

# Retention of data

SYNLAB’s obligation to retain patient information is based on the Decree of the Ministry of Social Affairs and Health on Patient Documents (Sections 22 and 23, 298/2009) and its appendix, which specifies the duration of retention periods, and on the Act on the Electronic Processing of Client Data in Healthcare and Social Welfare (159/2007).

# Other information on the processing of patient information

The processing of personal data in SYNLAB Finland’s patient register does not involve automated processing, such as profiling or similar activities. The controller does not transfer any personal data outside the EU/EEA. SYNLAB can outsource services to support its operations.

In that case, an agreement is concluded on the processing of personal data, and the data are processed in the EU/EEA.

The data are protected both technologically and organisationally in each step of their lifecycle, and the level of protection is constantly evaluated. Information security measures are used to prevent unauthorised access to personal data as well as destruction, loss or unauthorised editing of the personal data.

# Rights of the data subject related to the processing of personal data

**The controller must be contacted so that the rights of the data subject can be implemented.** Please note! If the patient has a patient care relationship with a healthcare organiser that uses SYNLAB’s services as outsourcing or SYNLAB’s Health Folder as a patient information system, the healthcare organiser with which the patient has a patient care relationship is considered the controller. In that case, SYNLAB is not considered the controller.

Due to the confidentiality obligations concerning the patient register, SYNLAB must reliably identify the patient whenever a data subject wishes to use their rights (right of access, rectification, erasure, restriction of processing). Only general assistance can be offered via e-mail.

A guardian may not exercise the right of inspection of an incapacitated person or a person under guardianship, unless the decision on the right of guardianship has been explicitly extended to also apply to the patient data. Proof of guardianship must be presented.

* 1. Right to be informed of the processing of personal data

With this release, SYNLAB aims to describe the processing of personal data at SYNLAB. Please contact the data protection officer at tietosuojavastaava@synlab.fi if you want to learn more about the processing of your personal data. You can also send feedback on the SYNLAB website.

* 1. Right of access

Each person shall have the right to obtain confirmation as to whether or not personal data concerning him or her are being processed in the register. If the data are processed in SYNLAB’s register, the patient has the right to receive a copy of the data, unless SYNLAB has legal grounds to refuse the implementation of this right.

When a patient requests access to their data, SYNLAB must identify the person submitting the request in a reliable manner. SYNLAB may also ask for additional information if the situation is unclear.

Data subjects can check their contact information, referrals, privacy form and received responses in the online services if they have signed up for the services and have not disabled the display of their data in the customer portal.

* 1. Right to rectification

Data subjects may request SYNLAB to rectify their data if the data are incorrect or expired. If SYNLAB is unable to rectify the data, legal grounds for the inability must be provided.

Contact information can be edited in the online services after electronic identification or when visiting a SYNLAB clinic.

Patients can also manage some of their information in the Health Folder.

* 1. Right to erasure

Patient information retained due to legal obligations cannot be erased upon the patient’s request. SYNLAB’s obligation to retain patient information is based on the Decree of the Ministry of Social Affairs and Health on Patient Documents (Sections 22 and 23, 298/2009) and its appendix, which specifies the duration of retention periods, and on the Act on the Electronic Processing of Client Data in Healthcare and Social Welfare (159/2007).

The display of the patient’s information in online services can be disabled. Re-enabling the display may be subject to a charge in accordance with the service price list. The patient may request that the display of their information be disabled in the online services when visiting a SYNLAB clinic. After this, the information will be available at the clinic.

* 1. Right to restriction of processing

If the patient considers their processed data incorrect or unlawfully processed or objects to the processing of their data, the patient can request that SYNLAB restrict the processing of their data. The patient must provide grounds for the request. In that case, the patient’s data will only be processed

* + - upon their consent
		- if SYNLAB needs the data for the purposes of preparing, presenting or defending against a legal claim
		- for the public interest, or
		- to protect the rights of another person

Should SYNLAB restrict the processing of the data based on the request, SYNLAB is obligated to report the restriction to anyone to whom the data have previously been disclosed, if possible.

* 1. Right to object

The patient has the right to object to the processing of their personal data. This can be done anytime on grounds related to unusual personal circumstances. In that case, SYNLAB will no longer have the right to process your personal data unless there is an extremely important, justified reason for the processing that takes precedence over the data subject’s interests, rights or liberties or if the processing of the data is necessary for the purposes of preparing, presenting or defending against a legal claim.

* 1. Further information

For further information about your rights, please visit the website of the Office of the Data Protection Ombudsman: https://tietosuoja.fi/en/know-your-rights

# Data protection officer

If you have any questions about your rights, please contact SYNLAB’s data protection officer:

E-mail: tietosuojavastaava@synlab.fi Telephone: +358 50 536 0414