

Information notice, provided pursuant to EU Regulation 679/2016 (General Data Protection Regulation) and Italian Legislative Decree 196/2003 and subsequent amendments and integrations, for data processing aimed at facilitating access to cross-border healthcare regulated by Directive 2011-24-EU and implemented by the Italian State with Legislative Decree 38/2014.

Dear Sir/Madam,

pursuant to Art. 6 of Directive 2011-24-EU and Art.7 of Italian Legislative Decree 38/2014, a National Contact Point (NCP) for cross-border healthcare has been established within the Italian Ministry of Health. After receiving your voluntary request for information, the Italian Ministry of Health shall become the Data Controller of the data you provide, on the basis of a regulatory obligation deriving from EU law [Directive 2011-24-EU] and from the law of the Italian State [Legislative Decree 38/2014], which is also connected to the performance of a task in the public interest linked to the Ministry of Health exercising the public powers with which it is vested.

The Italian Ministry of Health, through the National Contact Point (NCP), hereby informs you of the following:

1. **Principle of lawfulness:** the National Contact Point (NCP) will only collect your data, as you have indicated, because you voluntarily wish to obtain information on how to access cross-border healthcare, what the related services entail and how they are provided;
2. **Principle of fairness:** with regard to cross-border healthcare services, provided pursuant to Directive 2011-24-EU, the regulations provided for by the legislation of the Member State of affiliation shall apply, with particular reference to identifying the types, limits and conditions of the services for which reimbursement of the related costs may be granted. In the case of the Italian State, regional health authorities are responsible for making the relative decisions. For the provision of the services in question, on the other hand, the regulations of the Member State where care is provided shall apply, with regard to identifying the entities authorised to provide health care and medical treatment. This is in accordance with the provisions of Article 168(7) TFEU, under which the organisation and provision of healthcare services and medical assistance remain the responsibility of the individual Member States;
3. **Principle of transparency:** all general information about access to cross-border healthcare is compiled and made available to you on the Italian Ministry of Health portal [<https://www.salute.gov.it/portale/cureUE/homeCureUE.jsp?lingua=english>]; this is the main tool used by the Ministry to disclose regulations governing access to cross-border healthcare to the public and to promote cooperation with other EU Member States regarding healthcare;
4. **Purpose of processing:** the purpose of the National Contact Point (NCP) is to provide you with adequate information on all the essential aspects of cross-border healthcare so that you can effectively exercise your rights regarding cross-border healthcare as regulated by EU law [Directive 2011-24-EU] and Italian State law [Legislative Decree 38/2014] in the appropriate fora; data relating to the country of affiliation, country of interest, response time and the reason for the service will be used in an anonymous and aggregated form for statistical purposes, to be provided to the appropriate authorities at European level (pursuant to Directive 2011-24-EU and European Regulation 2018/1724).

- list of data used for statistical purposes: country of affiliation, country of interest, reason for the service
 - list of data used for information purposes: first name, surname, city of residence, country of residence, nationality, telephone number, e-mail address, indication of the health system of the European Union country where you are registered, country of affiliation, country of interest, reason for the service
5. **Scope of processing:** if you intend to receive cross-border healthcare, you must first find out which regulations apply in the Member State where the care will be provided and those of the Member State of affiliation. This should help you to make an informed decision;
 6. **Relevance of data:** in order to help you make an informed decision when voluntarily seeking healthcare in another Member State, you should only provide the National Contact Point (NCP) with the information that is appropriate and necessary in order to find out how to access the relevant service provision and reimbursement procedures, without sending detailed information or documentation about your state of health. You should then contact the administrative authorities that are specifically authorised to decide on the matter;
 7. **Data minimisation:** in order to obtain information on access to cross-border healthcare, you do not necessarily have to send detailed information about your state of health and/or documentation proving your condition, as the National Contact Point (NCP) is only responsible for orienting your path of treatment;
 8. **How to submit data:** you may decide to contact the National Contact Point (NCP) by using the form available from the link [National Contact Point \(form\) \(salute.gov.it\)](#) or by sending an e-mail to ncpitaly@sanita.it;
 9. **Types of data:** you should only send essential data about your illness or condition via the contact form or to the dedicated e-mail address, avoiding any in-depth descriptions of your healthcare needs. As a rule, you should indicate the following in your request:
 - First name
 - Surname
 - City of residence
 - Country of residence
 - Nationality
 - Telephone number
 - E-mail address
 - Whether you are registered with the health system of a European Union country
 - Indication of the European Union country where you are registered
 - Country of interest
 - Reason for your request
 - Details of your request
 10. **Data processing:** the Italian Ministry of Health, through the National Contact Point, shall carry out the following processing operations on the data you provide, limited to what is necessary in relation to the fulfilment of the principles and purposes set out from point 1) to point 9) of this information notice: collection, storage, consultation, processing, deletion, disclosure and dissemination exclusively in an anonymous and aggregated form. Your data shall be processed and stored in accordance with the

provisions contained in Regulation (EU) 679/2016 and Italian Legislative Decree 196/2003 and subsequent amendments and integrations;

11. **Persons authorised to carry out the aforementioned processing operations:** the personal data you provide shall be processed exclusively by members of staff who have been specifically authorised and trained by the Data Controller for the purposes provided for in this information notice. The Data Controller may employ the services of persons authorised to carry out the aforementioned processing operations, subject to them being named Data Processors pursuant to Article 28 of EU Regulation 679/2016;
12. **Request response times:** once your request for information has been received, you will normally be entitled to a reply within 30 days. This deadline may be extended by two months, if necessary, taking into account the complexity and number of requests. The National Contact Point (NCP) will inform you of any such extension and the reasons for the delay within one month from receiving your request. All information provided by the National Contact Point is free of charge;
13. **Data transmission:** within the time limits set out in point 12) the National Contact Point (NCP) will provide the person who sent the request with a response in order to enable him/her to understand the safety and quality of care standards applied in the country where cross-border healthcare is being requested. We hereby inform you that the National Contact Point (NCP) may transfer your request, where necessary for the further continuation of the relevant procedure, to a Regional or Local Contact Point, in accordance with the regulations in force, depending on the organisation of the respective health system. In the latter case, the Regional or Local Contact Point receiving the request shall become the Data Controller of your personal data;
14. **Data retention:** the data you provide will be stored in the database of the National Contact Point (NCP) for a maximum of three years from the moment you receive the information on access to cross-border healthcare, without prejudice to possible exceptions due to the requirements of the specific case in question, which will be made known to the data subject;
15. **Rights of the data subject:** at any time, pursuant to Articles 15 to 22 and 77 of EU Regulation No. 2016/679, you may exercise the right to:
 - a) request confirmation as to whether or not personal data concerning you exist;
 - b) obtain information about the purposes of the processing, the categories of personal data, the recipients or categories of recipients to whom the personal data have been or will be disclosed and, where possible, the storage period;
 - c) have data erased if it is deemed that said information is not relevant;
 - d) ask the Italian Ministry of Health for access to and rectification of personal data concerning you, if you believe that this information is inaccurate;
 - e) withdraw the consent given when providing the data;
 - f) lodge a complaint with the Italian supervisory authority by writing to the following address: protocollo@pec.gpdp.it

Please be informed that you may exercise your rights by sending a written request to the postal address of the head office: *"Ministero della Salute - Direzione generale della programmazione sanitaria - viale Giorgio Ribotta, n. 5 - 00144 Rome"*, to the e-mail address: dp.segreteria@sanita.it, or to the certified e-mail address dgprog@postacert.sanita.it. The Data Protection Officer may be contacted at the following e-mail address: rpd@sanita.it.