

Privacy Policy

The following is information regarding the rules for processing personal data of patients, persons authorized by them or acting on their behalf.

The rules have been developed on the basis of the following, effective as of May 25, 2018. Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) ("GDPR")

CONTROLLER OF PERSONAL DATA

The administrator of your personal data is Optimals sp. z o.o. with its registered office in Michałów-Grabina (ul. Kwiatowa 25B) KRS 541558246, NIP 5361990570, hereinafter referred to as PL.

PL is the "controller of personal data", this means that it determines the purposes and scope of processing and is responsible for the security of data belonging to patients, i.e. "data subjects", who are entitled to a number of rights and freedoms.

PL uses appropriate technical and organizational measures to secure personal data against unauthorized access, loss or destruction.

In matters of processing of your personal data, please contact the controller via e-mail: office@optimalshealth.com

DATA PROTECTION OFFICER

PL has not appointed a Data Protection Officer

PURPOSES OF PROCESSING

PL processes patient's personal data in order to:

- 1) to take action at the request of the patient or a person acting on the patient's behalf to provide health care services to the patient (including establishing the patient's identity, registering the patient, providing information about scheduled appointments, cancelling or rescheduling appointments) (Article 6(1)(b) and Article 9(2)(h) of the GDPR);
- 2) provide health services to the patient (including making a medical diagnosis, providing health care, treatment, providing preventive health care) (Article 6(1)(b) and Article 9(2)(h) of the GDPR);
- 3) maintain and store medical records (Article 6(1)(c) and Article 9(2)(h) GDPR);
- 4) exercise patients' rights (e.g., to authorize others to access medical records or to provide them with information about the patient's condition) (Article 6(1)(c) and Article 9(2)(h) GDPR);

- 5) to fulfill PL's other legal obligations related to its medical activities (including bookkeeping and tax obligations) (Article 6(1)(c) and Article 9(2)(h) GDPR);
- 6) to establish, assert or defend claims (Article 6(1)(f) and Article 9(2)(h) GDPR);
- 7) pursue other legitimate interests of PL, i.e. marketing of services offered by PL and for internal administrative purposes of PL (Article 6(1)(f) GDPR);
- 8) to protect the vital interests of patients (Article 6(1)(d) and Article 9(2)(c) GDPR);
- 9) conducting communications in electronic channels (legal basis: Article 6(1)(a) GDPR),
- 10) Marketing of services offered by PL in electronic channels (legal basis: Article 6(1)(a) GDPR).
- 11) Fulfillment of the contract, including the contract for the provision of electronic services in accordance with the rules and regulations accepted by the patient and the contract for ordering a medical device for continuous glucose monitoring (legal basis: Article 6(1)(b) GDPR)
- 12) For purposes for which the patient has consented (legal basis: Article 6(1)(a) of the GDPR).

PL processes personal data of persons authorized by the patient or acting on behalf of the patient (e.g., legal representatives) in order to:

- 1) establish the authority of such person, including to act on behalf of the patient (Article 6(1)(c) GDPR);
- 2) maintain and store medical records (Article 6(1)(c) of the GDPR);
- 3) fulfill PL's other legal obligations related to its medical activities (including bookkeeping and tax obligations) (Article 6(1)(c) GDPR);
- 4) to establish, assert or defend claims (Article 6(1)(f) GDPR);
- 5) conducting communication in electronic channels (legal basis: Article 6(1)(a) of the GDPR);

Patient health data may be processed for the purpose of marketing and promoting PL services only on the basis of the patient's explicit consent (Article 9(2)(a) of the GDPR).

PL may process personal data on its social media profiles, such as Facebook, Instagram, LinkedIn, TikTok, X. This includes data such as name, nickname, image, content of comments or information that is sent through chat. PL processes the data of people who subscribed to the fanpage by clicking the "Like", "Observe" or similar icon, used the chat room, published a comment, under a post made on the profile.

This data is obtained from the owner of the platform (e.g. Meta Platforms Ireland Ltd. in the case of Facebook and Instagram) and from the person's public profile on the respective online platform.

The data is used for the purpose of administering and managing social media profiles, communicating and targeting marketing content (Article 6(1)(f) GDPR).

RECIPIENTS OF PERSONAL DATA

Personal data of the patient and persons authorized by the patient or acting on his behalf may be made available by PL to the following recipients or groups of recipients:

- 1) other medical entities cooperating with PL in the provision of health services,
- 2) entities providing PL with services in the field of ICT solutions and technical and organizational support, enabling the provision of health services and management of PL;
- 3) entities providing PL with marketing services;
- 4) entities providing legal or advisory services to PL;
- 5) other entities entrusted by PL with the processing of personal data;
- 6) other entities authorized to receive personal data on the basis of relevant legal provisions.
- 7) Data, to the extent necessary, may also be made available to Abbott Laboratories Poland Sp. z o. o. based in Warsaw, ul. Postępu 21B, 02-676 Warszawa for the purpose of providing the delivery service of a continuous glucose monitoring device, if the patient consents to ordering the device on his behalf.
- 8) Based on the patient's consent, PL may share the patient's data with third parties implementing health-promoting initiatives, such as those conducting clinical trials, scientific research, or offering health-promoting services.

STORAGE PERIOD

PL shall keep the personal data of patients and persons authorized by the patient or acting on his behalf stored for no longer than necessary for the purposes for which they were collected.

In the case of activities aimed at the provision or delivery of health services - until the completion of the provision of such services, and thereafter for the period and to the extent required by law or necessary to secure any claims of PL.

In the case of personal data processed in connection with the conclusion and performance of a contract - for the duration of the contract, and thereafter for the period required by law and the period necessary to establish and assert claims or defend against claims (no later than the expiration of the statute of limitations or the conclusion of the proceedings).

Data processed on the basis of consent will be processed for the time necessary to fulfill the purpose to which the consent relates, or until the consent is withdrawn. To the extent necessary, data may additionally be stored for the period necessary to establish and assert claims or to defend against claims (no later than the expiration of the statute of limitations or the termination of proceedings).

Data processed on the basis of the legitimate interest of the controller will be processed for the time necessary to fulfill the purpose for which they were processed, or until an objection is raised. To the extent necessary, data may also be stored for the period necessary to establish and assert claims or to defend against claims (no later than the expiration of the statute of limitations or the end of the proceedings).

If a patient uses the contact form, his or her data and the content of the message will be kept for the time necessary to process the request, not more than one year, unless the content of the message is of a nature that legally requires a longer retention (e.g., for the investigation or defense of claims, we keep the data until the expiration of the statute of limitations or the end of the proceedings).

Data processed for the purpose of fulfilling legal obligations will be processed for a period of time as required by relevant regulations, e.g. in the case of medical records retention in most cases for a period of 20 years counting from the end of the calendar year in which the last entry was made; in some cases, the law requires PL to keep records for a longer period, e.g. 30 years in the case of a patient's death) or a shorter period, e.g. 2 or 5 years in the case of referrals; in the case of bookkeeping and tax obligations for a period of 5 years counting from the end of the calendar year in which the tax obligation arose.

Data held to protect the vital interests of patients will be kept for the period necessary to ensure such protection.

RIGHT TO WITHDRAW CONSENT

If PL processes personal data solely on the basis of consent given by or on behalf of the data subject, the data subject has the right to withdraw this consent at any time. Withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

OTHER RIGHTS

A natural person whose data is processed by PL has the right to:

- 1) obtaining confirmation whether her data is processed by PL as well as the right to access her data (Article 15 of the GDPR);
- 2) rectification and supplementation of your data (Article 16 of the GDPR);
- 3) deletion of your data (Article 17 of the GDPR);
- 4) request to limit the processing of your data (Article 18 of the GDPR);
- 5) transferring your data to another administrator (Article 20 of the GDPR).

RIGHT TO OBJECT

A natural person whose data is processed by PL has the right to object at any time - for reasons related to his or her particular situation - to the processing of his or her data in order to perform a task carried out in the public interest or in order to implement the legally justified interests of PL, including profiling. In such a case, PL may process the data of this person if it demonstrates the existence of valid legitimate grounds for processing, overriding the interests, rights and freedoms of this person or grounds for establishing, pursuing or defending claims (Article 21(1) of the GDPR).

If personal data are processed for direct marketing purposes the data subject has the right to object at any time to the processing of his or her personal data for the purposes of such

marketing, including profiling, to the extent that the processing is related to such direct marketing (Article 21(2) of the GDPR) .

RIGHT TO MAKE A COMPLAINT

A natural person whose data is processed by PL has the right to lodge a complaint with the supervisory authority - the President of the Personal Data Protection Office.

SOURCE OF DATA

The source of the patient's personal data is the patient or a person acting on his behalf.

The source of personal data of persons authorized by the patient or acting on his behalf is the patient or the data subject.

CONSEQUENCES OF FAILURE TO PROVIDE DATA

Providing data by the patient, including health-related data, is voluntary. However, if they are not provided, PL may refuse to provide the patient with any or specific health services.

Providing persons authorized by the patient or acting on his behalf is voluntary, but is a condition for exercising the authorization or acting on behalf of the patient.

The patient acknowledges that the request for his/her personal data by PL results from the legal obligation to properly maintain medical records and the minimum scope of keeping medical records in accordance with the provisions of the Act on Patient Rights and the Patient Ombudsman.

PROFILING

PL will not carry out automated decision-making, including profiling, referred to in Art. 22 section 1 and 4

ADDITIONAL INFORMATION

In order to ensure the highest possible quality of service, I use third-party providers, such as IT support. Accordingly, your personal data may be transferred outside the European Union. In this case, the transfer of data will be based on the relevant contract containing standard data protection clauses adopted by the European Commission, or on the basis of the relevant decision of the European Commission.

COOKIES

When you first visit the Site, you see a notice about the use of cookies. Accepting and closing this notice means that you consent to the use of cookies in accordance with the provisions of this privacy policy. You can always withdraw your consent by deleting cookies

and changing the cookie settings on your browser. Note, however, that disabling cookies may cause difficulties in using the site, as well as many other websites that use cookies.

Cookies are small files that are stored on your device. They allow the Site to be displayed correctly, to use all its functionalities and for me to keep statistics on the Site's hits. In addition, cookies make it possible to remember your visits to the Site.

Cookies do not cause configuration changes to the device or software installed on your device. You can read more about how cookies work at <http://www.allaboutcookies.org> or <http://wszystkoociasteczkach.pl>.

Cookies are divided into session cookies and permanent cookies. Session cookies last for as long as you have the Site open, then they are deleted. Permanent cookies are also stored when you turn off the Site, or even when you turn off your browser or your entire computer.

Cookies can also be divided into own and third-party cookies. Proprietary cookies are primarily essential cookies of the Site that enable it to function properly and safely.