

Consent to the collection and use of personal health information and confidentiality release statement



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The provisions of the Insurance Contract Act, the Federal Data Protection Act, and other data protection regulations do not contain adequate legal basis for the collection, processing, and use of personal health information by insurance companies. In order to collect your personal health information for this application and the contract, the coverage-providing insurance company and its business partner, Care Concept AG (hereinafter called CC AG), require your declaration(s) of consent under Data Protection Law. Moreover, we need your confidentiality release in order to collect your personal health information from confidentiality-bound entities, such as doctors. As a personal insurer, we also need your confidentiality release to pass your personal health information and other protected data pursuant to § 203 German Criminal Code (StGB), such as the fact that you have entered a contract with us, to other agencies such as assistance companies or IT service providers. The following declarations of consent and confidentiality releases are required in order to review this application, as well as for the conclusion, implementation, or termination of your insurance contract with the coverage-providing insurance company and CC AG. If you do not provide these declarations, the contract will not technically be concluded.

These declarations concern the handling of your personal health information and other protected data pursuant to § 203 StGB

- by the coverage-providing insurance company and CC AG (section 1),
- in connection with requests from third parties (section 2),
- for passing data on to entities other than the coverage-providing insurance company and CC AG (section 3), as well as
- if a contract is not concluded (section 4).

1. Collection, storage, and use of the personal health information provided by you to the coverage-providing insurance company and CC AG

I agree that the coverage-providing insurance company and CC AG may collect, store and use the personal health information provided by me in this application and in the future insofar as this is necessary for a review of the application and the conclusion, implementation, or termination of this insurance contract.

2. Retrieval of personal health information by third parties

2.1. Retrieval of personal health information by third parties for risk assessment and verification of performance obligations

It may be necessary to retrieve information from institutions that have your personal health information for the assessment of the risks to be insured. Moreover, in order to verify performance obligations it may be necessary that the coverage-providing insurance company and CC AG check the information concerning your health situation on which you are basing claims or which arise from submitted documents (such as invoices, prescriptions, or assessments) or notifications, for example, from a doctor or other health care practitioner.

This verification will be done only to the extent necessary. The coverage-providing insurance company and CC AG need your consent including a confidentiality release for themselves and for involved entities if personal health information or other protected data pursuant to § 203 StGB must be passed on to a third party.

I request that the coverage-providing insurance company and CC AG inform me in every case which persons or institutions information is required from and for what purpose the information is required. I will then decide in each case whether I

- consent to the collection and use of my personal health information by the coverage-providing insurance company and CC AG and absolve such listed persons or entities and their employees from their confidentiality duty and consent to the transmission of personal health information to the coverage-providing insurance company and CC AG or
- will provide the required documents myself.

I understand that this may cause a delay in processing the application or the verification of performance obligations. Insofar as the above declarations relate to my information on an application, it is valid for a period of five years after the contract. If, after conclusion of the contract, the coverage-providing insurance company and CC AG become aware of specific evidence that deliberately false or incomplete information was provided on the application affecting the risk assessment, the declarations are valid up to ten years after the conclusion of the contract.

3. Sharing of personal health information and other data protected pursuant to § 203 StGB outside of the coverage-providing insurance company and CCAG

The coverage-providing insurance company and CC AG obligate the respective service providers to comply with the rules on data protection and data security.

3.1. Passing on of data for medical assessments

It may be necessary to consult a medical examiner to assess the risks to be insured and verify performance obligations. The coverage-providing insurance company and CC AG require your consent and confidentiality release, if your personal health information and other protected data pursuant to § 203 StGB are passed on to third parties in this context. You will be informed about the respective data transmission.

I consent that the coverage-providing insurance company and CC AG provide my personal health information to a medical examiner insofar as this is required and used appropriately for risk assessment or verification of performance obligations, and providing that the results are returned to the coverage-providing insurance company and CC AG. I release the persons working for the coverage-providing insurance company and CC AG and the medical examiners from their confidentiality obligation with regard to my personal health information and other protected data pursuant to § 203 StGB.

3.2. Data forwarding to reinsurance agencies

In order to secure the fulfillment of your claims, the coverage-providing insurance company and CC AG can utilize reinsurance agencies, who will assume the risk in whole or in part. In some cases, the reinsurance agencies themselves fall back on other reinsurance agencies and will also pass your data on to them. In order for the reinsurance company to form their own opinion about the risk or the insured event, it

is possible that the coverage-providing insurance company and CC AG will provide them your insurance application or claim. This is especially the case if the insured sum is particularly high or it is difficult to assess risk.

Moreover, it is possible that the reinsurance company will assist the coverage-providing insurance company and CC AG in the risk assessment or performance obligation verification and in the evaluation of procedures because of their special expertise.

- If reinsurance companies assume coverage of the risk, they may verify whether the coverage-providing insurance company or CC AG have estimated the risk or claim correctly.
- Moreover, data about your existing contracts and applications will be passed on to reinsurance agencies, to the extent required so that they can check whether and to what extent they can participate in the risk. Data on your existing contracts can be passed on to reinsurance agencies for the purpose of billing premiums and handling of claims.
- For the above purposes, anonymous or pseudonymous data will be provided, but also personal health information.
- Your personal information will be used by the reinsurance agencies only for the aforementioned purposes. You will be informed about the transmission of your personal health information to reinsurance agencies by the coverage-providing insurance company or CC AG.

I agree that my health information can be passed to reinsurance companies and used for those purposes specified above. As required, I release the persons working for the coverage-providing insurance company or CC AG from their confidentiality obligation with regard to personal health information and other protected data pursuant to § 203 StGB.

3.3. Delegation of tasks to other entities (companies or individuals)

The coverage-providing insurance company and CC AG might not perform certain tasks themselves but delegate them to another entity, including the processing of claims or telephone customer service. This may result in collection, processing, or use of personal data. In cases where data protected under § 203 StGB needs to be passed on, we need your confidentiality release for us and, if necessary, for the other entities.

The coverage-providing insurance company and CC AG keep a continuously updated list of the categories of entities that collect, process, or use personal health information as agreed for the coverage-providing insurance company or CC AG, specifying the tasks assigned. The current list can be requested in writing. The coverage-providing insurance company and CC AG require your consent for the disclosure of your health information to and use by those entities mentioned on the list.

I agree that coverage-providing insurance company and CC AG may pass on my health information to the entities mentioned on the list and that my personal health information may be collected, processed, and used for the purposes mentioned above by these entities to the same extent as is granted to the coverage-providing insurance company and CC AG. Insofar as necessary, I release the staff of the coverage-providing insurance company and CC AG and other entities from their confidentiality obligation with regard to the passing on of my personal health information and other protected data pursuant to § 203 StGB.

4. Storage and use of your personal health information, if the contract is not concluded

If a contract is not concluded, the coverage-providing insurance company and CC AG will save personal health information collected as part of the risk assessment in case you apply for insurance again. The coverage-providing insurance company and CC AG will also store your data so that they may answer inquiries from other insurance agencies. Your data will be stored by the coverage-providing insurance company and CC AG until the end of the third calendar year following the year of application.

I consent that coverage-providing insurance company and CCAG store and use my personal health information for a period of three years from the end of the calendar year of the application for the above stated purposes if the contract is not concluded.