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Information concerning cross-border electronic prescriptions in Finland

Brief outline of the service and the data it processes

1. Filling a prescription at a pharmacy in Finland

You can buy prescription medicines from Finnish pharmacies with an electronic prescription from another European country. Prescription data are collected from your country of residence for the purpose of filling the prescription. Once the prescription is filled, information concerning the medication supplied is sent to your country of residence. Your data are exchanged in electronic form, independently of time and place and in accordance with your wishes and rights.

Each country's organisation that has been designated as a national contact point for electronic health services is responsible as the data processor for collecting, storing and transferring data and for other processing activities.

Finland's national contact point for electronic health services is located within Finland's social-insurance institution, known as 'Kela'. Kela maintains Finland's national contact point and is responsible for ensuring that data processing is reliable and secure. Your data will be transferred and reviewed through a secure connection provided by the contact point.

2. What kinds of data about you are processed?

When you obtain medicines that were prescribed for you in your own country in Finland, the following data may be processed:

- A list of your valid prescriptions
- Details of the prescription containing the medication you wish to buy

The list of prescriptions may also include medicines not available on prescription in Finland.

The electronic prescription contains essentially the same information as a normal paper prescription: details of the doctor and patient and the medication prescribed. This information is available if your personal data are already registered in electronic form in your country of

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residence. When you are issued with medication on the basis of an electronic prescription, the medicine supply information is also processed.

The pharmacy transfers the supply information to your country of residence via the national contact points. Supply information includes the trade name of the preparation in Finland, the strength of the medicine and the quantity supplied, the date of supply and the pharmacy supplying the medicine.

3. On what grounds are your data processed?

Your data are disclosed to the pharmacy in accordance with Section 23 a of the Electronic Prescriptions Act (*Lääkemääräyslaki* 61/2007). At your request the pharmacy may obtain your prescription data for the purpose of making the medicine available. The pharmacy receives information concerning all your electronic prescriptions filled through the national contact point.

Your data are processed and stored at Finnish pharmacies in the manner authorised under the EU Data Protection Regulation, Finnish national legislation and pharmacy operating procedures.

4. What are your data processed for?

Your data are processed only for the purposes of supplying your medicines.

In Finland your data may also be used: to investigate and resolve technical problems, and to monitor service provision. The processing of prescription data for secondary purposes is governed by the Act (552/2019) on the secondary use of social and health data. For these secondary purposes, the Act requires the bodies processing the data to ensure adequate data protection.

5. Who can process your data?

In Finland, only authorised, identified pharmaceutical personnel bound by confidentiality legislation and involved in the supply of medicine have access to personal data. The confidentiality and professional secrecy of medical records (such as prescriptions) are regulated in Sections 4-5 of the Client Data Act (703/2023). The pharmacy's right to process your data is based on both the provisions of the Client Data Act and those of the Prescriptions Act. Rules on the confidentiality obligation of healthcare professionals are laid

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down in the Act (559/1994, Section 17) on Healthcare Professionals. Your data are not made available to unauthorised persons.

When your data are conveyed from your country of residence to a Finnish pharmacy, the responsibility for correctly processing it is also transferred to Finland. The parties responsible are:

- Your country of residence's national electronic health service contact point from which your data came
- Finland's national contact point
- The pharmacy where you bought the medicine

Your prescription supply information is transferred to your own country via a secure connection provided by the national contact points.

6. Where and for how long are your data stored?

Your data may be stored in the data systems of pharmacies which process data. Data may be stored only as long as is necessary for them to serve their intended purpose. The pharmacy keeps lists of filled prescriptions for five years. This right is based on Section 57a of the Medicines Act (395/1987).

Log data concerning the processing of your data is kept by Kela for 12 years in accordance with the Ministry of Social Affairs and Health Decree (485/2008) on electronic prescriptions.

7. Your rights

You have the right to request log data from Kela and information concerning who has processed prescription information and the reason for processing it.

You also have the right to submit a complaint to the supervisory authority in either your country of residence or in Finland, depending on your situation. In Finland the supervisory authority is the Finnish Data-Protection Ombudsman.

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Contact details of the supervisory authorities in each Member State can be found at https://edpb.europa.eu/about-edpb/board/members_en.

8. Contact

Controller for the Prescription Centre and Finland's national contact point: Kela, asiakaspalvelu@kanta.fi

Body responsible for data protection in Finland: Data-protection controller of Kela's Kanta Service, asiakaspalvelu@kanta.fi

Authority supervising the processing of personal data in Finland: Office of the Data-Protection Ombudsman, tietosuoja@om.fi