

Informing patients travelling to Estonia about the use of the cross-border service for electronic prescriptions

Aim of the Patient Information Notice

The aim of the Patient Information Notice is to provide patients with an overview of cross-border exchanges of prescription data and of the data protection practices in place in cases where medicines are dispensed by a pharmacy of another EU country. If a patient wishes to purchase a prescribed medicine in a foreign pharmacy, his or her data will be processed by the foreign pharmacy in accordance with the law of the country in which the medicine is purchased.

This information is intended for patients travelling to the Republic of Estonia.

Who can use this service?

The service can be used by patients whose country of residence is part of the cross-border health data exchange system and who hold an appropriate identification document and are in possession of an electronic prescription enabling them to purchase medicine in another country. Only the person to whom the prescription is issued may purchase medicines in a pharmacy. The person must always be identified and each country has stipulated which identification documents the patient must present when using the service.

The transmission of prescription purchase data to Estonian pharmacies via the cross-border data exchange platform is regulated by legislation in the patient's home country. In most cases, the patient's agreement/consent to buy medicines abroad is required. This can be set up via the website of the appropriate authority of the patient's home country.

Once the patient has been identified, the pharmacist informs him or her about how his or her data are processed in Estonia. Regardless of whether the patient has been informed about data processing in their country of residence, he or she must be informed about data processing in the country to which he or she has travelled (Republic of Estonia). Once the patient confirms to the pharmacist that he or she understands the information and gives consent for his or her prescription to be retrieved, the pharmacist continues with the retrieval request. If the patient does not confirm that he or she understands the information or does not give consent for his or her prescription to be retrieved, performing a retrieval request is prohibited.

The patient is required to pay the full price chargeable for the medicine in question in the country of purchase and is entitled to reimbursement from his or her insurer in his or her country of residence. Reimbursement may be granted or refused, depending on the national health insurance system.

What is the eHealth Network?

The eHealth Digital Service Infrastructure (eHDSI) provides safe and easy access to patient health data to healthcare professionals and pharmacists involved in dispensing medicines or treating patients. The eHDSI provides healthcare professionals across the EU, EEA and Switzerland with electronic access to the data from EU residents' prescriptions, at any time and across the whole of the EU. Requests for data are submitted via a secure gateway (the cross-border data exchange platform for health data), access to which is granted by the national contact point (NCP) for eHealth designated by each country. In Estonia, responsibility for setting up and administering the service lies with the Health and Welfare Information

Systems Centre (*Tervise ja Heaolu Infosüsteemide Keskus* – TEHIK), while the system owner is the Ministry of Social Affairs.

Patient prescription data are transmitted from the national health data infrastructure in the country where the electronic prescription was issued via the NCPs to pharmacy service providers in other countries covered by the service. Each country is responsible for the operations of its national contact point. Patient prescription data are processed in accordance with the EU's General Data Protection Regulation and with the legal acts in force in the countries involved in exchanging the data.

Which personal data of patients are processed?

The data transmitted from the patient's home country via the NCP to a pharmacy in Estonia include a list of the patient's valid electronic prescriptions that can be used to purchase medicines. In addition, detailed information is provided on the medicines the patient wishes to buy.

The electronic prescription covers essentially the same information as a paper prescription: patient's name and surname, identification number, date of birth, gender, patient's country of insurance, name and surname of the prescribing doctor, doctor's code, address of the health institution issuing the prescription, diagnosis, and information on the prescribed medicine.

The data transmitted via contact points from the information system of the patient's country of residence to an Estonian pharmacy include a list of valid prescriptions for medicines (if the patient has given his or her consent for access to his or her prescriptions in other EU countries) and detailed information about the prescription medicine the patient wishes to buy. The list of prescriptions may include medicines that cannot be purchased with a prescription in another EU country. However, these medicines are indicated on the list, so that the person dispensing medicines can take them into account when assessing the interaction between and safe use of the medicines.

Through the contact points of the patient's home country and Estonia and the pharmacy's software, the pharmacist can access the patient's prescription in PDF format and its translated content. Once the medicine has been sold, the pharmacy information system notifies the contact point of the patient's home country, via the NCP, that the medicine has been dispensed.

On what grounds are the patient's data processed?

When patients purchase medicines in an Estonian pharmacy, their data are stored in Estonia in accordance with the EU General Data Protection Regulation, other EU legislation and Estonian national legislation.

The composition of the data exchanged and the periods for which logs are to be kept are laid down in the Health Services Organisation Act (*tervishoiuteenuste korraldamise seadus*) and in Regulation No 48 of the Minister for Health and Labour of 15 November 2018 on the composition of data processed using the cross-border data exchange platform, the organisation of the exchange of data and the periods for which logs are to be kept.

For what purpose are a patient's data processed?

The purpose of the service is to enable patients to purchase medicines at an Estonian pharmacy on the basis of an electronic prescription issued to him or her in his or her home

country. Data contained in electronic prescriptions are processed solely for the purpose of dispensing medicines.

Under certain conditions and for other purposes set out by law, personal data may also be processed in Estonia for other reasons, such as statistics, monitoring and research to improve the quality of healthcare.

In Estonia, patients' data are also used in the following cases:

TEHIK stores and collects event logs (in accordance with eHDSI requirements) to monitor service provision and must, where necessary, be able to retrace the process of dispensing medicines.

Who can process a patient's data?

Patient data may only be processed by regulated pharmacists who are involved in dispensing medicines and adhere to the Republic of Estonia's confidentiality principles. Before joining the cross-border data exchange platform, the countries offering the electronic prescription service were subject to an audit by the European Commission, during which it was ascertained how pharmacies ensure personal data are processed in a protected way. Data are not made available to unauthorised persons.

When data are transmitted via the eHDSI to another country participating in the service, every country that receives the data assumes responsibility for the processing of the data, in accordance with its own data processing procedures. The following parties are involved in processing data:

- pharmacies in which medicines are dispensed on the basis of cross-border prescriptions;
- the Estonian eHealth contact point, i.e. TEHIK;
- the eHealth contact point of the other country, i.e. NCP;
- the Health Information System, for the administration of cross-border prescription processing rights;
- the Prescription Centre, where information on prescriptions issued to a given person is kept;
- the Population Register, for the purpose of consulting identification information;
- the Register of Medicinal Products, to check prescribed medicines.

Where is a patient's data stored and for how long?

Patient data may be stored both in the information systems of the authorities processing health data in the country where the prescription is dispensed and in the home country of the patient. TEHIK is required to keep the logs from the data exchange platform for 7 years.

The general data retention conditions in the Estonia are as follows:

The Prescription Centre keeps prescriptions and related dispensing information for 7 years.

Medical histories are kept for at least 30 years after completion.

Data access rights

Prescription data may be released to a pharmacy in Estonia only if the patient has consented to this in his or her country of residence, confirmed to the pharmacist that he or she understands the Patient Information Notice, and given consent for his or her prescriptions to be accessed. Without such consent, data are not made available to pharmacists in Estonia.

Any confirmation given to a pharmacist is valid for one retrieval of the patient's prescriptions before the medicine is dispensed.

Contact

In Estonia, responsibility for services lies with TEHIK, which cooperates with the Estonian Health Insurance Fund and the State Agency of Medicines.

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