

INFORMATION UNDER ART. 14 OF THE GENERAL DATA PROTECTION REGULATION (GDPR)

FOR INVOICING BY ZA ZAHNÄRZTLICHE ABRECHNUNGSGESELLSCHAFT DÜSSELDORF AG



Dear patient,

To enable it to devote more time to you, your treating entity cooperates with **ZA Zahnärztliche Abrechnungsgesellschaft Düsseldorf AG (ZA AG)** for short) as its client. This allows it to focus more on your treatment, while **ZA AG** takes care of invoice processing.

For that purpose, the treating entity requires that you grant consent using the enclosed declaration. By providing the following information, we would like to inform you about the processing of your personal data (hereinafter referred to as data).

1. Who is responsible for processing your data?

ZA Zahnärztliche Abrechnungsgesellschaft Düsseldorf AG
Werftstr. 21
40549 Düsseldorf
Tel.: +49 211 56 93 100
E-mail: info@zaag.de

is responsible for the processing of your data. **ZA AG** processes your data in accordance with the provisions of data protection law, in particular those of the GDPR and the Federal Data Protection Act (Bundesdatenschutzgesetz).

ZA AG has appointed a data protection officer to fulfil its obligations under data protection law. You can contact our data protection officer by post at the above address or by e-mail at datenschutz@zaag.de.

2. What categories of data are processed?

Your data, such as surname, first name, address and date of birth, as well as data from the treatment relationship such as service codes and treatment dates/service times and, if applicable, findings and creditworthiness information, is processed by **ZA AG** if that data is required for invoicing in accordance with the relevant fee regulations or other accounting regulations and for the assertion of the claim. Furthermore, other data voluntarily provided by you (e.g. payment transaction data), including objections raised against the claim, may also be processed.

3. What are the processing purposes and legal bases?

Personal data, including special categories of data within the meaning of Art. 9 (1) GDPR (in particular in the form of your health status), is processed, provided you have given your consent, for the purposes of invoicing, asserting and refinancing claims sold and therefore assigned to **ZA AG**.

Because **ZA AG** makes advance payment to its clients (including your treating entity) and, at the same time, its refinancing of the receivables purchased must be guaranteed, **ZA AG** would also like to make sure that the receivables sold and thus assigned to it are enforceable. Therefore, provided you have given your consent, before purchasing the receivables **ZA AG** requests credit rating information from credit agencies. This information is entered into **ZA AG**'s own software-based credit rating tool (**ZA:riskmanager**) and further processed by **ZA AG** employees. With the aid of the **ZA:riskmanager** tool, an up-to-date assessment is made on the basis of your data as to whether and to what extent a claim against you can be successfully enforced even if payment is not made on time.

The processing of the personal data is based on your consent in accordance with Art. 9 (2) point a) in conjunction with Art. 6 (1) point a) GDPR. In the event that **ZA AG** intends to enforce its claims – as outlined above – after you have given your consent, **ZA AG** also relies on its legitimate interest in the data processing pursuant to Art. 6 (1) point f) GDPR or on the right to enforce legal claims pursuant to Art. 9 (2) point f) GDPR. The legitimate interest arises from factors including **ZA AG**'s obligation as a regulated financial services institution to enforce claims or defend against legal claims of third parties, and generally requires sufficient documentation.

4. To whom is personal data transmitted?

Personal data may be transferred to various data recipients – some as independent controllers and others (such as in the context of payment booking, sending invoices or the technical infrastructure) acting as contract processors in accordance with Art. 28 GDPR.

As part of our business processes, we use AI-based technologies to optimise certain tasks such as sorting documents or providing voice bot services. We also use cloud services. These technologies are used exclusively in accordance with the applicable data protection regulations. We ensure that all personal data is protected and stored in the European data space, and that your rights are safeguarded at all times. You can request further information from us about how your data is processed at any time.

Furthermore, for the refinancing of **ZA AG** receivables your address and master data in particular will, provided that you have given your consent, be passed on to refinancers (Deutsche Apotheker- und Ärztebank eG (apoBank for short) www.apobank.de/datenschutz or UniCredit Bank GmbH www.hypovereinsbank.de/hvb/footer/datenschutz), in compliance with technical and organisational security mechanisms and regulations. The assignment to refinancers is subject to the proviso that as a rule no treatment data is passed on to the refinancers. If disagreements arise regarding the existence or amount of settlement claims, as a rule the enforcement of assigned claims will not be conducted by the refinancers. Rather, the guarantor

(**ZA AG**) is obliged, at the request of the refinancing entity, to assert the claims itself for the account of the refinancing entity, so that in principle only the transmission of reduced data records is required. Any objections to a claim – including and in particular insofar as they arise from the treatment and medical history – must therefore be raised regularly with **ZA AG**. A payment with debt-discharging effect can also no longer be made through a payment to the treating entity after the treating entity's exclusive assignment to **ZA AG**. In individual cases only, such as in the atypical case of **ZA AG**'s becoming insolvent, the respective refinancer may receive the complete data records available at **ZA AG** – in compliance with the applicable data protection regulations. In this (exceptional) case, the data may include diagnostic data.

ZA AG also transmits some of your personal data (surname, first name, date of birth, address) to the following credit agencies for credit checks on the basis of your consent:

- SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, <https://www.schufa.de/global/datenschutz-dsgvo/>.
- Creditreform Boniversum GmbH, Hammfelddamm 13, 41460 Neuss, <https://www.creditreform.de/datenschutz>.
- infoscore Consumer Data GmbH, Rheinstraße 99, 76532 Baden-Baden <https://www.experian.de/legal/datenschutz>

A so-called B report is requested, in which only characteristics subject to disclosure – if any – are communicated.

If necessary, information will be requested from both of the above-mentioned organisations. The reason for this is that the reliability of the information must be verified.

No transfer to third countries occurs.

5. How long will your data be stored?

Your data may be stored by the holder of the claim or the respective controller for a period of up to 10 years after the original purpose has been achieved, for reasons related to tax and commercial law (in particular § 147 of the German Tax Code (AO) and § 257 par. 1 and 4 of the German Commercial Code (HGB)), and even for up to 30 years in the case of claims subject to an execution action. Based on statutory retention obligations or legitimate interests pursuant to Art. 6 (1) point f) GDPR (in particular for enforcement and defence of rights), data may also be stored (possibly to a limited extent) by a further data controller.

6. What is the source of your data?

We receive the data transmitted to us from your treating entity on the basis of your consent to data transmission and declaration of release from the duty of confidentiality. In addition, we receive data from you yourself, e.g. in connection with payment transactions.

7. Data subject rights under Art. 15 et seq. and Art. 77 GDPR

You have the right to receive information at any time about the stored personal data that concerns you. If your personal data is incorrect or no longer up to date, you have the right to request that it be corrected. You also have the right to request erasure or the restriction of the processing of your data under Art. 17 or 18 GDPR. If you have provided data, and the processing thereof by means of automated procedures is based on your consent, you have the right to receive that data provided by you in a structured, commonly used and machine-readable format (right to data portability).

The attached consent can be revoked for future treatments without giving reasons. For ongoing treatment, revocation is possible as long as the treating entity has not yet forwarded the data to **ZA AG**. The withdrawal of consent will not affect the lawfulness of the processing carried out up to the time of its withdrawal.

You have the right to object, on grounds relating to your particular situation, to the processing of personal data concerning you which is based on legitimate interests pursuant to Article 6 point (f) GDPR, as may partially be the case here; this also applies to any profiling based on those provisions. The data controller will no longer process the personal data concerning you unless it can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the establishment, exercise or defence of legal claims.

If you wish to exercise your rights or if you have general questions about data protection at **ZA AG**, you can contact us at any time using the contact details specified in the introduction hereto.

In addition, without prejudice to any other administrative or judicial remedy, you have the option of contacting a data protection authority in accordance with Art. 77 GDPR and lodging a complaint with them. The competent authority at **ZA AG**'s registered office is the State Commissioner for Data Protection and Freedom of Information of North Rhine-Westphalia, Kavalleriestr. 2-4, 40213 Düsseldorf. However, you can also contact the data protection authority responsible for your place of residence, who will then forward your request to the competent authority.

Kind regards

ZA Zahnärztliche Abrechnungsgesellschaft Düsseldorf AG

