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Retrieving the e-prescription via eGK? Why, surely!

The BfDI, Prof. Ulrich Kelber, does not agree to the insecure feature specification variant "Retrieval of e-prescriptions in the pharmacy after authorization". The planned interface is not secured according to the state of the art and thus violates the GDPR. He proposes a safe alternative that is completely functional for the insured, doctors and pharmacists, in which other processes are used in the background.

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The BfDI is disappointed with the withdrawal of the associations of statutory health insurance physicians from the pilot projects for the introduction of the e-prescription and the opinions expressed by the two associations of statutory health insurance physicians and the association of pharmacists on the subject: the e-prescription as such and the three originally intended redemption methods have been approved and are functional. The now additional planned functionality of redeeming the electronic health card (eGK) without entering a PIN can also be implemented. However, the planned data processing with the implementation initially presented by gematik poses a major risk to the rights and freedoms of all users of e-prescriptions, nationwide and in all medical practices and pharmacies. Suggestions made to us to mitigate the problem other than implementing it differently do not adequately reduce the risks to the insured. It is incomprehensible that the Associations of Statutory Health Insurance Physicians and the Association of Pharmacists do not want to perceive this problem, which they have been aware of for months and thus longer than the BfDI itself, and instead defame even basic safeguards for IT solutions as excessive. The sufferers are the patients who would like to use the e-prescription in one of the ways that already work. If there had been a - probably easily implementable - hack in the insufficiently secured implementation variant not approved by the BfDI and the Federal Office for Information Security (BSI), the trust in the e-prescription and other digitization of the health system would have been enormous suffered: I expect everyone involved to have a secure solution for picking up e-prescriptions by plugging in the eGK by summer 2023. The Associations of Statutory Health Insurance Physicians should reconsider their withdrawal from the pilot project and not pretend that IT security and data protection requirements are exaggerated. Finally, all options for submitting e-prescriptions that were also available at the start of the pilot project are still available without restrictions. However, new functionalities must meet standard IT security requirements and must not open the

door to unauthorized access to the entire stock of e-prescriptions. An implementation time of six months is quite common and necessary in software development. In its statutory mandate, the BfDI cannot support insufficiently secured quick fixes. I would like to thank the part of the professional associations in the health sector who clearly and unequivocally support us in this attitude.

The BfDI also demands that the Federal Ministry of Health and the German Bundestag ensure that existing secure and convenient means of authentication become the standard, such as a PIN for the health card or the electronic identity card: "Everything is there, checked and could be used immediately , if, for example, the health insurance companies would finally provide their insured with the PIN for the eGK. Digitization in the healthcare sector must be implemented correctly: Safe, data protection compliant and easy to use. We will continue to reject insufficiently secured solutions under data protection law."

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public bodies

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Pursue

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Press, radio, church

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