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(Nemocnice Tábor, a.s.)

On the basis of the initiative, the Office carried out an inspection, the subject of which was compliance with the obligations of the administrator of personal data stipulated by Act No. 101/2000 Coll. in connection with the processing of personal data of data subjects - patients of the controlled. The inspection focused in particular on the fulfillment of obligations associated with ensuring the security of personal and sensitive data pursuant to Section 13, paragraphs 1 to 4 of Act No. 101/2000 Coll.

The inspected person is a provider of health services within the meaning of § 2, paragraph 1 of Act No. 372/2011 Coll., on health services and the conditions of their provision, and on the basis of this law, therefore, keeps medical records of patients. The subject of the complaint was the suspicion of possible viewing of the patient's electronic medical records and alteration of its contents by unauthorized persons. Therefore, during the inspection, the inspectors focused mainly on assessing the level of personal data security (physical security, security of electronic health documentation), technical and organizational measures to ensure the protection of personal data, logging, control mechanisms and employee training.

The inspection found deficiencies in the logging of access to electronic health documentation, as it is not possible to find out all the information required by law from the logs obtained. The audited person is thus not even able to carry out consistent control of employees' access to this documentation. The seriousness of this violation is enhanced by the fact that access rights to electronic medical records are set very broadly (with the exception of psychiatric department records, all doctors in principle have access to all electronic medical records).

The inspection found that the inspected person violated the obligations stipulated in § 13, paragraph 1 of Act No. 101/2000 Coll. (taking security measures). The Chairperson of the Office rejected the objections submitted by the inspected person against the inspection findings.

The office imposed a fine of CZK 40,000 on the inspected person. Given that the inspected person immediately corrected the defective condition, he did not take corrective measures.

The inspection was conducted by the inspector Mgr. et Mgr. Božena Čajková.

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