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The office carried out an inspection of the security of personal data in the university hospital on the basis of an initiative, the subject of which was to make available the program of the hospital's operating theaters as part of the transferred copy of the medical documentation. This action was intended to make personal and sensitive patient data available to unauthorized persons.

With regard to the content of the initiative, during the inspection, the Office focused on the fulfillment of the inspected person's obligations arising from § 13 of Act No. 101/2000 Coll. (security of personal data), the obligations of its employees arising from § 14 of this Act (processing under the conditions and to the extent set by the controller or processor) and § 15 of Act No. 101/2000 Coll. (obligation of confidentiality), in connection with the management of patients' medical records. The Office found that personal and sensitive data had been made available, but that this action was not the result of systemic misconduct on the part of the inspected person. The Office evaluated the processes and measures for ensuring the security of personal data as sufficient.

The Office found that the employees of the inspected person are responsible for making the subject personal data available. Specifically, an employee who inserted a non-anonymized program of operating theaters into the patient's medical records, and an employee who, when handing over the medical records, did not verify that the personal data of third parties was not transferred. The Office therefore found a violation of § 14 of Act No. 101/2000 Coll., which is not, however, a misdemeanor. Such employee misconduct must therefore be dealt with within the scope of the employment relationship.

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

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