

Medicals Nordic I/S set for a fine

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Decision

Private companies

Police report

Treatment safety

Social Security number

Sensitive information

Access control

The Danish Data Protection Authority assesses that a rapid test provider had not implemented appropriate security measures when processing confidential information and health information in connection with COVID-19 tests.

The Danish Data Protection Authority has reported to the police Charlottenlund Lægehus Medicals Nordic I/S ("Medicals Nordic") for having processed confidential information and health information about citizens in connection with COVID-19 tests, without the company having established the necessary security around the processing of the information. The Danish Data Protection Authority has recommended a fine of DKK 600,000.

"We take the matter very seriously, because it concerns sensitive information. When you are entrusted with processing citizens' health information, there comes with it a responsibility to take very good care of it, and that has not been done in this case." , explains Allan Frank, lawyer and IT security specialist at the Norwegian Data Protection Authority.

In January 2021, the Danish Data Protection Authority became aware that Medicals Nordic used the application WhatsApp for the transmission of confidential information and health information about citizens who were tested in the company's test centers.

Against this background, the Danish Data Protection Authority initiated a case of its own initiative, which, among other things, should clarify whether Medicals Nordic had implemented appropriate organizational and technical security measures in connection with the transmission of citizens' information.

In this connection, the Danish Data Protection Authority found that Medicals Nordic had not established appropriate security measures in a number of respects.

Inadequate security measures

Employees at Medicals Nordic used their private phones to transmit confidential information about citizens to the company's central administration through the WhatsApp application. In this connection, Medicals Nordic had set up a WhatsApp group for each of the four test centers that the company operated.

All employees who worked in a test center were invited to the WhatsApp group belonging to the test center. The members of the WhatsApp groups in question received all the messages transmitted by other employees in the groups.

This meant that employees who, according to the Danish Data Protection Authority's assessment, did not have a work-related need to process information - which other employees had to transmit to the central administration - nevertheless received the information which, among other things, included social security number and health information about citizens.

Inadequate access control of the groups further meant that employees who were no longer employed were not removed from the WhatsApp groups, so they could continue to access the information transmitted in the groups.

Why report to the police?

The Danish Data Protection Authority always makes a concrete assessment of the seriousness of the case pursuant to Article 83, paragraph 1 of the Data Protection Regulation. 2, when assessing which sanction is the correct one in the opinion of the supervisory authority.

In assessing that a fine should be imposed, the Danish Data Protection Authority has emphasized that confidential information and health information about a large number of citizens have been treated insecurely and passed on to unauthorized persons, including employees who did not have a work-related need to receive the information. Furthermore, there are also employees who were no longer employed by the company.

The Danish Data Protection Authority has also placed emphasis on the fact that in several cases, according to the Danish Data Protection Authority's assessment, the violations were intentional, as Medicals Nordic, among other things, had not carried out the necessary risk assessments in connection with the treatment.