



HSE

***Primary Care Reimbursement Service
(PCRS)***

Privacy Statement

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HSE PCRS Privacy Statement

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1. Purpose

The Health Service Executive Primary Care Reimbursement Service (PCRS) respects your right to privacy and is committed to protecting your personal information. One of our obligations under GDPR is to be transparent with you about the collection and use of your personal information. More information about the functions and services provided by PCRS are available in our *Statement of Purpose* on www.PCRS.ie.

The purpose of this Privacy Statement is to explain how PCRS collects and uses personal data for the administration of the various public health schemes and services that fall under its remit and how you can contact PCRS if you wish to make a data request.

PCRS is an internal business function of the Health Service Executive (HSE) and thus aligns with the overall HSE's Privacy Statement, c.f. <https://www2.hse.ie/privacy-statement>. Contact details for the HSE Data Protection officers are contained therein.

In circumstances where we are responsible for deciding how we hold and use personal data about individuals, PCRS is a data controller. However, where services are provided directly by a service provider, the service provider may be the data controller.

2. The information we process

To allow us to provide services to you, we collect and process various categories of personal information. By engaging in the application or registration process for eligibility under the public health schemes you are required to furnish information using our online application portal or alternatively, by the completion and submission of an application/registration form. You can also make an enquiry and/or provide information to us by telephone or email. The information provided will vary depending on the services you wish to obtain. We may also receive your personal information from third parties, for example your GP, dentist or pharmacist. PCRS is obliged to reimburse these contractors when they provide services to you on behalf of the HSE.

The personal data supplied may include, but is not limited to: your name, data of birth, personal public service (PPS) number, address and health and social care information relating to the care and services that you received from a service provider and are pertinent to the provision of eligibility and/or services. Financial information may also

be supplied, as set out in the application process, for the purpose of making a means assessment and determining eligibility to particular public health or community health based schemes.

Personal Data is also collected when you access our online portal www.pcrs.ie on the HSE main website. The HSE's cookie policy is available to read there.

Please note that the information you provide to us should at all times be accurate, valid, reliable, relevant, legible and complete. You are obliged to notify PCRS of any changes to your circumstances that may affect your eligibility status. In addition, please ensure that you keep us informed of any changes to your personal data (e.g. address details) so that we can update our records and keep them accurate.

3. Legal basis for processing

The legal basis for the processing of personal data of health service users by PCRS include the following:

- The processing is necessary for a task carried out in the public interest or in the exercise of official authority vested in the data controller. For the HSE this official authority is vested in PCRS through the Health Act 2004 (as amended) and the Health (Pricing and Supply of Medical Goods) Act 2013.
- The processing is necessary for compliance with the legal obligation under the Health Act 1970 (Sections 45, 46, 58 and 59) which obliges the HSE to make available for persons with full eligibility and persons with limited eligibility a range of public health services.
- The Health (Alteration of Criteria for eligibility) Act 2013 provides a legal basis for the exchange of personal data between the HSE and the Department of Social Protection and Revenue. The Social Welfare Consolidation Act 2005 (sections 265-270) also provides a legal basis for exchange of data between specified public bodies. The Data Sharing and Governance Act 2019 provides a generalised legal basis for data sharing between public bodies for specific, legitimate purposes.
- The European Health Insurance Scheme is governed by EU regulations 1408/1971 and 574/1972 as amended by EU regulations 883/2004 and 987/2009 and provides the legal basis for exchange of data outside of Ireland under the European Health Insurance Scheme (EHIC).

- Under the Health Identifiers Act (2014), the Health Identifiers Service (HIDS) was established as the business unit within the HSE responsible for implementing the provisions contained within the Act to capture and deliver information on health and social care users through the use of an Individual Health Identifier (IHI) number. Client identification data collected by PCRS has been identified as a trusted source for enrichment and maintenance of the National IHI Register and the Act provides for the transfer of data from PCRS to HIDS for this purpose (cf. SI 155 of 2022).
- The Data Protection (Health Research) Regulations 2018 outline the mandatory suitable and specific measures for the processing of personal data for the purposes of health research. (A new Health Information Bill Health will provide for a national health information system to enhance patient care and treatment and supports better planning and delivery of health services).
- Under the Birth Information and Tracing Act 2022, the HSE may share data with Tusla or the Adoption Authority of Ireland for specific purposes as set out in Act.
- The primary data protection legislation that applies to PCRS is the EU General Data Protection Regulation (GDPR), effective from 25 May 2018, supplemented by Irish legislation (primarily the Data Protection Acts 1988 – 2018 and the ePrivacy Regulations 2011).

4. How your personal data is used?

Personal data may be used to: -

- Assess and determine your eligibility, and that of another adult or dependent(s) listed in your application, to services under the General Medical Services (GMS) scheme or other Community Health schemes and arrangements.
- Support the reimbursement of Primary Care contractors or the making of other payments in respect of services delivered to you under a public health scheme.
- Contact you or your spouse/partner (if relevant) in relation to eligibility under a scheme, and/or in relation to services received based on eligibility awarded.
- Investigate complaints, legal claims or adverse incidents.
- Provide information for statistical purposes, research or planning.
- Seek reimbursement from other European and EEA countries for the cost of providing health services to you during your stay or residence in Ireland.
- For substantial public interest reasons.

Explicit consent is the lawful basis to use a patient's personal data in research, unless a consent exemption is sought. Where possible, the personal information is anonymised or pseudo-anonymised. Where personal data is pseudo-anonymised, the General Data Protection regulations will still apply.

5. Your rights as a data subject

Details regarding your rights in relation to your personal information are contained in the HSE Privacy Statement. You can obtain a copy of your personal data held by us by making a Subject Access Request (SAR) using the contact details provided at the end of this Privacy Statement. A request form (though not mandatory) is available on the HSE's main website, <https://www.hse.ie/eng/gdpr/data-requests/>, together with further information on data requests.

We may need to contact you to request specific information to help us confirm your identity. Where a request for access is made and the identified records contain personal data relating to other individuals, their consent will be sought to release their personal data to you (including where the individual is a spouse or partner and has previously submitted information to us jointly with you).

It should be noted that data subject rights are not absolute in all circumstances and have to be balanced against legal obligations placed on PCRS. In all cases where a subject access request is made we will issue a decision letter setting out the basis of the decision. If your request is refused, we will give the reasons why we can't comply with your request where, for instances, the right to erasure may not be granted if it is necessary to retain your health data for reasons of substantial public interest.

6. Transferring data overseas

PCRS will only transfer your personal data overseas where there is a legal basis to do so. For example, under the European Regulations, in order for the Irish state to claim back costs for healthcare and services provided in Ireland, we may need to provide details of your EHIC card and the cost of the health services you received to other EEA countries. (The UK currently has an adequacy decision in place which facilitates the safe transfer of data between the EU and the UK).

7. How your data is kept secure

We are committed to ensuring that your information is kept secure – by us and by any data processor contracted to act on our behalf. We have a number of security provisions in place to prevent the loss, misuse or alteration of your information and PCRS staff will only access your personal data on a need to know basis. All staff working for PCRS have a legal duty to keep information about you confidential and all staff are trained in information security and confidentiality.

We have also put in place procedures to deal with any suspected personal data breaches that may occur, and we will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Retention policy

PCRS will only retain information for as long as necessary. Records are maintained in accordance with the HSE's and PCRS's retention policies.

9. Contact details

If you have any queries in relation to your personal information held by PCRS or you wish to make a Subject Access Request, please contact our Data Protection Advisor, at The Primary Care Reimbursement Service, Exit 5 M50, North Road, Finglas, D11XKF3. Telephone: 01 864 7100; Email: PCRS.dataprotection@hse.ie

10. Review

This Privacy Statement will be reviewed periodically and updated as appropriate to reflect any changes to our organisation structure and business practices or to the laws governing data protection.