

## Regions reaffirm data regulations to health staff

**The regions have reaffirmed the rules for using their hearing aid database. This follows an incident in which a health official used his access to the database for unauthorised searches.**

The Regions and Amgros have ascertained that a health official in the Capital Region of Denmark has used his access to the regional hearing aid delivery database (*Regionernes Høreapparatsudleveringsdatabase*) to search for individuals he treated privately.

The official runs a private business in addition to the work he was employed to do at a private ear, nose and throat practice, which had entered into an agreement with the Capital Region of Denmark on hearing aid treatment.

The health official searched the hearing aid delivery database for citizens throughout Denmark. Many of the searches were part of the official's private business. Through his work for the public sector at the ear, nose and throat practice, the health official was authorised to provide public hearing aid treatment for people resident in the Capital Region of Denmark. But not in the other Regions.

Searches are only permitted in connection with treatment. The database provides access to information about citizens' names, civil registration numbers (cpr numbers), hearing aids previously supplied, as well as new hearing aids.

### **Reported to the Danish Data Protection Agency**

As soon as the regions and Amgros became aware of suspicious behaviour in connection with use of the common database, they immediately looked into the matter, and quickly confirmed that unauthorised use of the database was taking place. The case was reported to the Danish Data Protection Agency.

### **Citizens notified**

Since the unauthorised access covers sensitive personal data, the regions will now inform the approximately 1,400 people concerned about the matter. At the present time, it is not clear whether all the citizens have been contacted by the private clinic, or whether they have contacted the clinic themselves to buy hearing aids.

If citizens suspect that their personal data may have been abused in connection with the search, we have urged them in a letter to contact their region.

### **Rules reaffirmed**

In order to prevent unauthorised use of access to the database in the future, the regions have now reaffirmed to all users of the database that it is *only* for public health service tasks and *only* for current patients. The database may *not* be used in the private sector.

The regions have also stressed to users of the database that they must generally be extremely clear in distinguishing between private work and work for the public sector, if they have two jobs. This not only applies in relation to the database, but also in relation to other health databases, information and access.

The doctor who employed the health official in question has already informed the Capital Region of Denmark that he has stressed the rules to his staff, and generally tightened up on internal procedures. The Capital Region of Denmark is pleased that the physician reacted as soon as he became aware of the employed health official's behaviour.

### **Restricted access**

As the data processor for the hearing aid delivery database (*Regionernes Høreapparatsudleveringsdatabase*), in collaboration with the regions, AmgroS has started to examine the possibilities of reducing the search options in the database. This could mean that, in future, otologist practices will not be able to find specific patient data on citizens living in another region than the region from which it is searched. Instead, practices will receive notification about what other region they can contact for the relevant information, if they have to help the relevant citizen.

AmgroS expects that these changes will be fully implemented during Q1 2021.

### **FACTS - Health officials work for both the public and private sectors**

Due to the shortage of qualified labour in the healthcare area, healthcare professionals commonly work or to carry out tasks for the public healthcare system and have private employment within the same area. Naturally, this is on the condition that health officials change caps, depending on who they are working for, and that they do not abuse legitimate public access for private work.

- In the Capital Region of Denmark and Region Zealand, certain otologist practices have access to the database, as these two regions have partly delegated the supply of hearing aids to practising ear, nose and throat physicians. In the three other regions - North Denmark Region, the Central Denmark Region and the Region of Southern Denmark - only hospitals can supply hearing aids, and therefore private hearing clinics in these regions do not have access to the database.

### **FACTS about the hearing aid database (*Regions Høreapparatsudleveringsdatabase*)**

- The database contains information to help the regions assess whether an individual is entitled to a subsidy for a hearing aid.
- The subsidy is usually granted every four years, see legislation for the area. Therefore, the regions search the database to ensure that no more sets of hearing aids given to the individual citizen than the citizen is entitled to.
- The regions are responsible for the data and the database, which is administrated by AmgroS, the data processor.

### **FACTS about AmgroS**

- AmgroS is owned by the five regions and secures the supply of drugs and hearing aids to public hospitals and hearing clinics.

### **Further information**

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