Privacy Policy for mediduxTM
Mobile application for patients

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1. Controller and roles

This Privacy Policy explains how personal data are processed when patients use the medidux™ mobile application.

Responsibility for processing your personal data depends on the context in which the data are processed.

Where your data are processed as part of medical treatment, care, progress monitoring, study participation or a care programme, the relevant treating institution, practice, clinic, study centre, care team or healthcare partner is generally the controller under data protection law.

This applies in particular to health data, medical information, symptoms, vital signs, laboratory and diagnostic data, medication, progress information, communications, reviews and other information processed in connection with your treatment, care or study participation.

mobile Health AG provides medidux™ as a technical platform and generally processes these data as a processor or service provider on the instructions of the relevant controller.

Where mobile Health AG processes personal data for its own purposes, in particular to provide and secure the App, perform technical administration and error analysis, assure quality, further develop the App, manage user accounts or meet its own legal obligations, mobile Health AG is itself the controller for that processing.

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The relevant controller may be shown or communicated to you in the App, during onboarding, in an invitation or patient information, or directly by your care team.

2. Data protection contact

If you have questions about data processing by mobile Health AG, you may contact:

datenschutz@medidux.com

For questions about medical treatment, care, study participation, your care team, patient records or medical health data, please contact the responsible practice, clinic, institution, study centre or care team.

3. Scope

This Privacy Policy explains the nature, scope, purposes and other aspects of processing personal data when patients use the medidux™ mobile App.

It distinguishes between:

- data processing under the responsibility of the relevant treating institution, practice, clinic, study centre, care team or healthcare partner,
- data processing by mobile Health AG as processor or service provider,
- data processing for which mobile Health AG is itself the controller.

Processing complies with applicable legal requirements, in particular the Swiss Federal Act on Data Protection (FADP) and, where applicable, the European Union General Data Protection Regulation (GDPR). Terms such as “personal data”, “health data” and “processing” are defined in particular in Article 5 FADP and Article 4 GDPR.

4. Downloading the App

The medidux™ App may be downloaded from the Apple App Store or Google Play Store.

When you download the App through these platforms, Apple or Google may process certain data, in particular:

- user account,
- email address,
- device identifiers,
- time of download,
- payment information, where applicable.

mobile Health AG has no influence over and is not responsible for this data processing or subsequent processing by Apple or Google. Further information is available in the privacy notices of the respective platform providers.

5. Data processed

5.1 Master and account data
When you register for or use the App, the following data may in particular be processed:

- first name,
- last name,
- username,
- email address,
- telephone number,
- gender,
- date of birth,
- AHV number (Swiss social security number), where provided for or required in an individual case.

5.2 Health data

Health-related data may be processed when you use the App, in particular:

- symptoms and wellbeing,
- vital signs such as weight, blood pressure, pulse, temperature, oxygen saturation, blood glucose, ECG and CRP,
- medication,
- information about therapies, radiotherapy and examinations,
- information about consultations, emergencies and hospital stays,
- results of cognitive tests,
- laboratory, diagnostic, biomarker, genomics or molecular pathology data where provided for in the relevant care context,
- information from interdisciplinary medical meetings, specialist consultations or boards where displayed, recorded or shared in the App,
- form, registry or study information where medidux™ is used in the relevant care, registry or study context,
- other health-related entries and notes.

5.3 Usage, interaction and system data

When you use the App, usage and system data may also be processed, in particular:

- time of access,
- duration of use,
- functions accessed,
- amounts of data transmitted,
- connection data,
- log data,
- technical error and performance data.

5.4 Data from supported devices and interfaces

Where supported third-party devices, in particular Bluetooth, wearable or other IoT devices, are connected, measurements and technical data may be imported from those devices. This takes place through the functions provided by the App.

6. Purposes of data processing

Personal data are processed when medidux™ is used in particular for the following purposes:

6.1 Processing under the responsibility of the treating institution

Where medidux™ is used in connection with treatment, care, progress monitoring, study participation or a care programme, data are processed in particular for the following purposes under the responsibility of the relevant institution, practice, clinic, study centre, care team or healthcare partner:

- medical care,
- progress monitoring,
- structured recording and presentation of symptoms, wellbeing, vital signs, laboratory and diagnostic data and other health-related information,
- professional review of your information,
- reviews, follow-up questions or contact by authorised healthcare professionals,
- supporting communication with your care team,
- conducting or supporting study participation, where applicable,
- documenting and organising treatment or care.

6.2 Processing by mobile Health AG as technical provider

mobile Health AG processes personal data to provide medidux™ in particular for the following purposes:

- providing and operating the App,
- registration and account management,
- technical administration,
- support and communications,
- backup and recovery,
- error analysis,
- system security,
- quality assurance,
- technical development and improvement of the App,
- compliance with its own legal or regulatory obligations.

7. Legal bases

The legal bases for processing personal and health data depend on the context in which your data are processed and the organisation responsible for the relevant processing.

Where a practice, clinic, study centre, care team or other healthcare partner processes your data as part of treatment, care, progress monitoring, study participation or a care programme, the legal basis is determined by the statutory, contractual, medical or study-specific grounds applicable to that controller and by any consent you may have given.

Where mobile Health AG processes personal data on behalf of a practice, clinic, study centre, care team or other healthcare partner, it acts as processor on the instructions of the relevant controller.

Where mobile Health AG processes personal data as controller, it does so, where required by applicable law, in particular on the basis of Articles 6 and 30 et seq. FADP and, where the GDPR applies, Article 6(1)(a), (b)

or (f) GDPR. Where it processes health data as controller, it does so, where the GDPR applies, in particular on the basis of Article 9(2)(a) GDPR or another applicable legal basis.

This concerns in particular processing by mobile Health AG for the following purposes:

- providing, operating and securing the App,
- registration and account management,
- technical administration,
- support and communications,
- error analysis,
- quality assurance,
- further development and improvement of the App,
- compliance with legal or regulatory obligations,
- processing anonymised or aggregated data where individuals cannot be identified.

If processing is based on your consent, you may withdraw your consent at any time with effect for the future. This does not affect the lawfulness of processing carried out before withdrawal.

8. Recipients, partners and service providers

We disclose personal data only where legally permitted and, in particular, where necessary to provide App functions, medical care, organisational administration or technical delivery of services.

Recipients or categories of recipients may include in particular:

- treating institutions and healthcare partners, in particular hospitals, clinics, practices or other healthcare providers to which your user account or App use is linked, or whose contact or treatment information is shown to you in the App,
- authorised healthcare professionals, care teams, study centres, study physicians and staff, registry offices or other authorised bodies in the relevant treatment, care, registry or study context,
- medical or telemedicine service providers who support care, monitoring, triage, reviews, contact or other support processes on behalf of or in cooperation with treating institutions or with us,
- hosting and cloud service providers,
- email service providers,
- SMS or communications service providers,
- support, monitoring, analytics, quality assurance and security service providers,
- laboratory and diagnostic systems and laboratory management systems,
- genomics, molecular pathology and biomarker systems where provided for in the relevant context,
- practice information systems (PIS), hospital information systems (HIS) and other interface or integration partners,
- providers or systems supporting interdisciplinary medical meetings, specialist consultations and boards where provided for in the relevant context,
- registry offices, registry platforms or registry-related service providers where medidux™ is used in a registry context,
- study platforms, study centres, study physicians and staff or other study-related service providers where medidux™ is used in a study context,
- product improvement, quality assurance, monitoring, analytics or security tools,
- administrative or billing service providers,
- other recipients, partners or service providers where provided for in the relevant context, necessary for the agreed service and legally permitted.

Personal data are disclosed to recipients or service providers only as permitted by law, in particular on the basis of statutory authorisation, contractual necessity, consent or overriding legitimate interests. Third parties engaged as processors are selected with due care, contractually required to comply with applicable data protection requirements, and instructed and monitored in accordance with applicable law.

9. Connection to your care team and data sharing

If you connect the App to a clinic, practice or care team, your data may be made available to authorised healthcare professionals there, in particular:

- for medical care,
- for progress monitoring,
- for professional review of your information,
- as part of reviews or follow-up questions.

Where the App provides functions for data sharing or transmission or connection to an institution, you use them subject to your consent and the relevant system configuration.

Where such functions are available, you may also share or transmit data yourself to authorised healthcare professionals, treating institutions, healthcare partners or, in connection with an intended study, authorised study offices or study staff. Such sharing or transmission takes place through your action and consent and under the intended system configuration.

10. Product improvement, analytics and anonymised evaluations

We may process usage, interaction and system data to ensure operation, analyse errors, assure quality, and further develop and improve the App.

Where data are anonymised or can be evaluated without identifying individuals, they may in particular be used for:

- statistical analyses,
- product improvements,
- security analyses,
- optimising functions,
- optimising usage processes,
- scientific or care-related evaluations

and related purposes.

Pseudonymised data are processed only where legally permitted and in compliance with applicable data protection requirements.

11. Third-party devices and IoT devices

If the App is connected to compatible third-party devices, you must also follow the relevant manufacturers' instructions, safety information and use requirements.

mobile Health AG gives no warranty as to the availability, operation, compatibility or measurement accuracy of such third-party devices or systems.

12. Retention period

Your personal data are processed and stored only for as long as necessary for the stated purposes or as required by statutory retention obligations.

Health and account data are stored in particular:

- while your user account exists,
- while your consent remains in effect, where consent is required,
- or for as long as necessary to provide the App and related services.

13. Your rights

Where the statutory requirements are met, you have in particular the following rights:

- the right of access under Article 25 FADP or Article 15 GDPR,
- the right to rectification under Article 32 FADP or Article 16 GDPR,
- the right to erasure under Article 32 FADP or Article 17 GDPR,
- the right to restriction of processing under Article 32 FADP or Article 18 GDPR,
- the right to data disclosure or portability under Article 28 FADP or Article 20 GDPR,
- the right to withdraw consent with effect for the future,
- the right to lodge a complaint with a competent supervisory authority.

If processing is based on your consent, you may withdraw it at any time with effect for the future. This does not affect the lawfulness of processing carried out before withdrawal.

Data subjects also have the right to lodge a complaint with a competent data protection authority. The authority generally responsible at the Provider's registered office is the Swiss Federal Data Protection and Information Commissioner (FDPIC). Where the GDPR applies, a complaint may also be lodged with the competent European supervisory authority.

14. No obligation to provide data

You are generally not legally required to provide your data to us. However, without certain data, you may be unable to use the App or may be unable to use it fully.

15. Amendments

This Privacy Policy may be amended, in particular due to legal, technical or operational changes.