

NKTI PRIVACY POLICY

The National Kidney and Transplant Institute (NKTI) is a tertiary specialty hospital for renal and allied diseases mandated by Presidential Decree 1832 to serve and care for Filipinos suffering from and allied kidney diseases. NKTI contact details are the following: pro@nkti.gov.ph (email address) and 89810300 (hospital trunkline). You may address your data privacy-related queries to our Data Protection Officer, Mr. Francos Gerardo S. Angeles at dpo@nkti.gov.ph.

In order for the Institute to provide our patients with the best possible healthcare services, personal information is collected from various means and sources, such as doctors, nurses, and personnel of our clinical services. These information are used to support patient healthcare, research and reportorial requirements to government regulatory agencies. Different NKTI research activities aim to enhance patient care, as well as develop new and improve current health care policies.

Personal data of past, present and prospective employees including candidates applying for certain positions, temporary and permanent employees, contractors, consultants and trainees is collected, maintained or use to administer payroll, retirement, training and appraisal, monitor equal opportunities, employment and manage access to various services, such as IT facilities and buildings. Further, we are legally obliged to collect, retain and disclose certain information to fulfil our statutory reporting duties and comply with other obligations.

This privacy notice explains why NKTI collects personal information and the ways in which such information may be used.

Legal Basis for Processing of Data. NKTI collects, stores and uses large amounts of personal data, such as medical and personal records which may be paper-based or held in a computer. We take our duty to protect your personal information and confidentiality very seriously and we are committed to take appropriate measures to ensure it is secured and only accessed by those with a need-to-know. Our clinicians and health and social care professionals caring for patients, keep records about their health and any treatment received from NKTI. These records help to ensure that you receive the best possible care.

They may be paper or electronic and they may include the following:

- Basic personal information, such as but not limited to name, address, date of birth, sex, religious affiliation, contact information, occupation, marital status, citizenship

- Relevant contact information of your relatives, guardian, or next of kin.

- Notes and reports about your health, treatment and care -- OPD visits or in-patient care

- Details of diagnosis and treatment given

- Information about your allergies or health conditions;

- Result of various diagnostic procedure including x-rays, scans, laboratory tests and other diagnostic procedures

- Other relevant information from people who care for you and know you well such as health care professionals and relatives.

It is necessary that information details are accurate and up-to-date. Always check your personal records if these are correct when you visit us and do inform the Institute of any

changes in your personal information including contact details as soon as possible. The Institute is legally responsible for ensuring that the processing of personal information is in accordance with the Data Privacy Act 2012 of the Philippines.

Location of Information. NKTl has a secured and safe Data Center located within the hospital compound. All electronic information are stored inside this Data Center.

Sharing of Information. NKTl share personal information with other government agencies and private institutions for legal purposes. These agencies include but not limited to, Department of Health (DOH), Civil Service Commission (CSC), Government Service and Insurance System (GSIS), Philippine Health Insurance Corp. (PhilHealth) and Health Maintenance Organizations (HMOs).

Retention of Information. Currently, patient and employees' records are retained and destroyed in accordance with the National Archives of the Philippines (NAP) General Circular 1 s2009, for general and business records and DOH Circular No. 70 s1996 for medical records.

Disclosure of Information. NKTl puts high regards to the confidentiality, protection and privacy of gathered personal information. NKTl has existing policies pertinent to release of information such as Hospital Circular 95 s.2004 Medical Records for Issuance to Patients; and Hospital Order 29 s1996 Policies on Release of Medical Records and Information. For Employees, any release of information shall be in accordance with RA 6713 Government Code of Ethics and its Implementing Rules and Regulations.

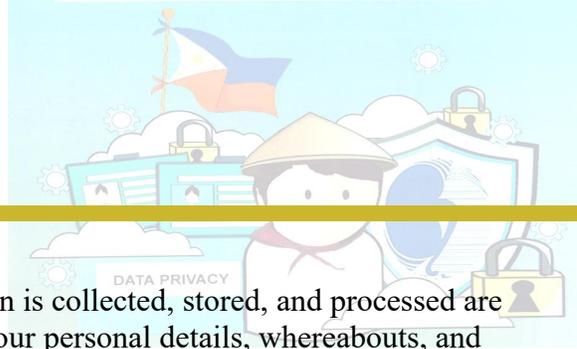
Security. The Institute has appropriate physical, technical, and organizational security measures to protect the Personal Information provided to us. We use various security solutions and techniques including firewalls, anti virus, anti spam and encryption. Likewise, the hospital is equipped with CCTV cameras to ensure safety and security of our patients, visitors, employees and NKTl property.

Rights of the Data Subject. NKTl upholds all pertinent statutory and regulatory laws pertaining to rights and privacy of data subjects as stated under the Data Privacy Act of 2012 including the Rights of Patients stated under the Magna Carta of Patient's Rights and Obligations Act of 2017.

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RIGHTS OF THE DATA SUBJECT of the Data Privacy Act 2012 of the Philippines or RA 10173

Know Your Data Privacy Rights



Under RA10173, people whose personal information is collected, stored, and processed are called data subjects. Organizations who deal with your personal details, whereabouts, and preferences are dutybound to observe and respect your data privacy rights.

If you feel that your personal data has been misused, maliciously disclosed, or improperly disposed, or if any of the rights discussed here have been violated, the data subject has a right to **file a complaint** with the National Privacy Commission.

THE RIGHT TO BE INFORMED

Under R.A. 10173, your personal data is treated almost literally in the same way as your own personal property. Thus, it should never be collected, processed and stored by any organization without your explicit consent, unless otherwise provided by law. Information controllers usually solicit your consent through a consent form. Aside from protecting you against unfair means of personal data collection, this right also requires personal information controllers (PICs) to notify you if your data have been compromised, in a timely manner.

As a data subject, you have the right to be informed that your personal data will be, are being, or were, collected and processed.

The Right to be Informed is a most basic right as it empowers you as a data subject to consider other actions to protect your data privacy and assert your other privacy rights.

THE RIGHT TO ACCESS

This is your right to find out whether an organization holds any personal data about you and if so, gain “reasonable access” to them. Through this right, you may also ask them to provide you with a written description of the kind of information they have about you as well as their purpose/s for holding them.

Under the Data Privacy Act of 2012, you have a right to obtain from an organization a copy of any information relating to you that they have on their computer database and/or manual filing system. It should be provided in an easy-to-access format, accompanied with a full explanation executed in plain language.

You may demand to access the following:

- The contents of your personal data that were processed.
- The sources from which they were obtained.
- Names and addresses of the recipients of your data.
- Manner by which they were processed.
- Reasons for disclosure to recipients, if there were any.
- Information on automated systems where your data is or may be available, and how it may affect you.
- Date when your data was last accessed and modified
- The identity and address of the personal information controller.



THE RIGHT TO OBJECT

You can exercise your right to object if the personal data processing involved is based on consent or on legitimate interest. When you object or withhold your consent, the PIC should no longer process the personal data, unless the processing is pursuant to a subpoena, for obvious purposes (contract, employer-employee relationship, etc.) or a result of a legal obligation.

In case there is any change or amendment to the information previously given to you, you should be notified and given an opportunity to withhold consent.

THE RIGHT TO ERASURE OR BLOCKING

Under the law, you have the right to suspend, withdraw or order the blocking, removal or destruction of your personal data. You can exercise this right upon discovery and substantial proof of the following:

Your personal data is incomplete, outdated, false, or unlawfully obtained.

- It is being used for purposes you did not authorize.
- The data is no longer necessary for the purposes for which they were collected.
- You decided to withdraw consent, or you object to its processing and there is no overriding legal ground for its processing.
- The data concerns information prejudicial to the data subject — unless justified by freedom of speech, of expression, or of the press; or otherwise authorized (by court of law)
- The processing is unlawful.
- The personal information controller, or the personal information processor, violated your rights as data subject.

THE RIGHT TO DAMAGES

You may claim compensation if you suffered damages due to inaccurate, incomplete, outdated, false, unlawfully obtained or unauthorized use of personal data, considering any violation of your rights and freedoms as data subject.

DATA MO, PROTEKTADO KO



THE RIGHT TO FILE A COMPLAINT WITH THE NATIONAL PRIVACY COMMISSION

If you feel that your personal information has been misused, maliciously disclosed, or improperly disposed, or that any of your data privacy rights have been violated, you have a right to file a complaint with the NPC.

To know more about this, click [here](https://www.privacy.gov.ph/mechanics-for-complaints/). (https://www.privacy.gov.ph/mechanics-for-complaints/)

THE RIGHT TO RECTIFY

You have the right to dispute and have corrected any inaccuracy or error in the data a personal information controller (PIC) hold about you. The PIC should act on it immediately and accordingly, unless the request is vexatious or unreasonable. Once corrected, the PIC should ensure that your access and receipt of both new and retracted information. PICs should also furnish third parties with said information, should you request it.

THE RIGHT TO DATA PORTABILITY

This right assures that YOU remain in full control of YOUR data. Data portability allows you to obtain and electronically move, copy or transfer your data in a secure manner, for further use. It enables the free flow of your personal information across the internet and organizations, according to your preference. This is important especially now that several organizations and services can reuse the same data.

Data portability allows you to manage your personal data in your private device, and to transmit your data from one personal information controller to another. As such, it promotes competition that fosters better services for the public.

SOURCE : National Privacy Commission

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DATA PRIVACY PRINCIPLES of the Data Privacy Act 2012 of the Philippines or RA 10173

Section 17. *General Data Privacy Principles.* The processing of personal data shall be allowed, subject to compliance with the requirements of the Act and other laws allowing disclosure of information to the public, and adherence to the principles of transparency, legitimate purpose, and proportionality.

Section 18. *Principles of Transparency, Legitimate Purpose and Proportionality.* The processing of personal data shall be allowed subject to adherence to the principles of transparency, legitimate purpose, and proportionality.

a. TRANSPARENCY

The data subject must be aware of the nature, purpose, and extent of the processing of his or her personal data, including the risks and safeguards involved, the identity of personal information controller, his or her rights as a data subject, and how these can be exercised. Any information and communication relating to the processing of personal data should be easy to access and understand, using clear and plain language.

b. LEGITIMATE PURPOSE

The processing of information shall be compatible with a declared and specified purpose which must not be contrary to law, morals, or public policy.

c. PROPORTIONALITY

The processing of information shall be adequate, relevant, suitable, necessary, and not excessive in relation to a declared and specified purpose. Personal data shall be processed only if the purpose of the processing could not reasonably be fulfilled by other means.

SOURCE : *National Privacy Commission*

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