

Information on protecting your data



The European General Data Protection Regulation (GDPR) stipulates how companies and public bodies must handle personal data – including KKH.

Who is the responsible controller for data processing?

Kaufmännische Krankenkasse – KKH

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You can reach our data protection officer using the above contact information or by email: datenschutz@kkh.de

As a provider of social health and nursing insurance, KKH is tasked with maintaining, recovering and improving the health of its policyholders and to assisting those in need of care who are dependent on solidarity support due to the severity of their care needs. In order to comply with its statutory duties, KKH processes personal data.

The following provides you with an overview of the most important regulations on the protection of your data. Moreover, you can find extensive up-to-date information on our website by visiting [kkh.de/datenschutz](https://www.kkh.de/datenschutz). If you have no access to the Internet, please let us know. We will then be happy to send you comprehensive information by post.

What are the purposes and legal bases for data processing? KKH is subject to the secrecy of social data. We process your personal data in compliance with the GDPR, the German Social Security Codes (SGB) and the Federal Data Protection Act (BDSG). Where further statutory obligations apply in relation to the processing of personal data, such as the Expenditure Compensation Act (AAG), these shall likewise be observed.

In the event that KKH exercises the powers of a public authority, the purposes of processing are determined by § 284 SGB V for health insurance and by § 94 SGB XI for nursing insurance. The following purposes of data processing apply in this regard:

1. Determination of the insurance relationship and membership, including the data required for the initiation of an insurance relationship
2. Issuance of the certificate of eligibility and the electronic health insurance card
3. Determination of the obligation to pay contributions as well as the contributions, their assumption and payment
4. Verification and granting of benefits
5. Determination of status regarding supplementary charges and the cost limit
6. Process execution in the event of cost reimbursement and contribution repayment
7. Provision of support to policyholders in the event of treatment errors
8. Assumption of treatment costs in cases under § 264 SGB V
9. Involvement of the medical service via evaluation procedure under § 87 Subsection 1c SGB V
10. Billing with the service providers, including verification of the lawfulness and plausibility of the billing
11. Monitoring of the cost effectiveness and quality of the service provision
12. Billing with other funding agencies
13. Execution of reimbursement and compensation claims
14. Preparation, agreement and execution of remuneration contracts
15. Preparation and execution of pilot schemes, execution of care management, execution of contracts for family doctor-centric care, special care forms and for outpatient provision of highly specialised services, where applicable including quality and cost efficiency checks
16. Execution of the structural risk adjustment
17. Acquisition of policyholders for disease management programmes (DMPs) and for the preparation and execution of these programmes
18. Execution of discharge management following hospital treatment
19. Selection of policyholders for individual advice and assistance for restoring capacity to work and on the services and performance of hospice and palliative care
20. Monitoring of compliance with the contractual and statutory duties of the service providers of remedies
21. Fulfilment of the tasks of health insurance as a rehabilitation sponsor in accordance with SGB IX
22. Preparation and execution of offers regarding the promotion of healthcare provision innovations and information for policyholders

23. Administrative provision of electronic patient files and offers regarding additional applications
24. Acquisition of members
25. Conclusion and execution of supplementary nursing agreements, remuneration agreements and contracts on integrated care (nursing insurance)
26. Clarification and information (nursing insurance)
27. The coordination of nursing care assistance, nursing care counselling, the issuing of counselling coupons, the fulfilment of tasks in the nursing care support centres
28. Statistical purposes (nursing insurance)
29. Provision of support to policyholders in pursuing compensation claims (nursing insurance)

Further information on data processing of the electronic patient file can be found here:

[kkh.de/epa-datenschutz](https://www.kkh.de/epa-datenschutz)

You will receive a thank-you bonus if you recommend the KKH to others. Your data will be collected and processed in order to pay out the bonus. In addition, we process data on the basis of an express declaration of consent, for example of prospective members. When processing data, KKH is subject to legal obligations that relate to the retention of necessary data or the settlement of payment transactions, for example.

Decisions made by KKH in some business processes are based on automated procedures to a reasonable extent. All information that is relevant to the decision, i.e., that may affect the outcome of the decision, is considered. Here, we are guided by Art. 22 DSGVO. We do not share data with third countries or international organisations.

Who are the recipients of my data?

Within the framework of statutory provisions, it is sometimes necessary to pass on data to recipients beyond KKH. Recipients include, for example: other social insurance providers (such as old age or accident insurers or employment agencies), medical service providers, financial institutions in connection with payment transactions, courts and also employers. In accordance with the regulations on data transparency pursuant to §§ 303a ff. SGB V, some data are transmitted for the purpose of establishing a research data centre.

In some instances, we avail ourselves of external service providers, which process data on our behalf, in order to fulfil our duties. The service providers come from sectors such as IT and telecommunications, print, shipping, market research and customer surveys, telephone customer service, scanning services,

document and data medium destruction, invoice control and payment, photographic processing and card production.

Where do the data come from and which categories of data are concerned?

We receive the necessary data from you and third parties in order to fulfil our legal duties. The data are transmitted, for example, by service providers such as doctors or hospitals, other social insurance providers, employers, registration authorities and other public bodies. This concerns data regarding identity, memberships and insurance relationship, contribution and payment data, as well as service, care and billing data.

Further information on the recipients and sources of data and on data categories can be found here:

[kkh.de/datenschutz](https://www.kkh.de/datenschutz)

How long are my data stored?

We store the data for the duration of prescribed retention periods and for the performance of our duties. These retention periods are determined in particular by the German Social Security Codes and the provisions on invoicing.

What rights do I have?

You have the right to:

- Information on the data processed about you (art. 15 DSGVO)
- Withdrawal of declarations of consent (art.7, par.3 DSGVO) and, in certain circumstances, to:
- Correction of incorrect data (art. 16 DSGVO)
- Erasure of data (art. 17 DSGVO)
- Restriction of data processing (art. 18 DSGVO)
- Objection to processing (art. 21 DSGVO)

Moreover, you have the right to lodge a complaint with the supervisory authority if you believe that the processing of your personal data is unlawful. The competent authority to this end is the “German Federal Commissioner for Data Protection and Information Freedom” in Bonn. Further information on your rights and how to exercise them is available on our homepage: **[kkh.de/datenschutz](https://www.kkh.de/datenschutz)**

What happens if I do not provide the required data?

In order to make decisions on applications, we require certain kinds of data. Failure to provide such data can result in disadvantages in the granting of benefits. It is possible that benefits will only be granted in part, or not at all, or that delays will occur in processing.

Topicality and changes to the information on protecting your data

This privacy protection is currently valid as of December 2020.