

**FORM for the exercise of the RIGHT of ACCESS to the Healthcare Information Systems of MINORS (Article 15 -UE 2016/679 Regulation- GDPR)**

**HEALTHCARE INFORMATION SYSTEMS – MANAGING DIRECTION - SERVICIO ARAGONÉS DE SALUD**

<b>MINOR PATIENT DATA</b>	<b>NHC (by SALUD)</b>		<b>CIA</b>	
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Name and Surname Age

Address

<b>APPLICANT DATA (Parents/ Legal Representatives)</b>	<b>Delivery:</b> <input type="checkbox"/> Postal <input type="checkbox"/> In-person	<input type="checkbox"/> DO NOT phone.
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Mr/Mrs/Ms National ID number Relationship:

Address

City Province Postal Code Country

Contact phone number Email

<b>Separated parents</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Other parent DATA (Separation-Divorce ): MANDATORY</b>
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Name Surname

Address

**REQUEST (Motivation, documentation, clinical processes, centre, speciality and type of assistance)**

Under the protection of article 18 of the Law 41/2002 November 14th, basic regulating patient autonomy and rights and obligations in terms of information and clinical documentation, and according to the established in article 15 of UE 2016/679 General Data Protection Regulation (GDPR), I request to be facilitated the exercise of the right of access to the data in the Health Record.

In case of requesting for radiological images:

Type of images	Creation date

The undersigned person DECLARES that he / she is assigned the FAMILIAR AUTHORITY of the minor, without there being any legal impediment to exercise this right. The applicant person DECLARES that all data referred are true, and will attend to the responsibility derived from the current legislation.

I received	
Delivery date	

At \_\_\_\_\_, \_\_\_\_\_, 20\_\_

**APPLICANT SIGNATURE**

<b>HEALTHCARE SECTOR /by SALUD)</b>		<b>Registry Num.</b>	
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**Provided documentation (by SALUD)**  National ID  family book  Regulatory Agreement  Other

## **Notes for filling the form**

- For the exercise of these rights you are entitled to:
  - Address to the Information and Attention to Users Services located at the centres of Servicio Aragonés de Salud, where you will be informed and guided on the type of right and requirements requested, will give you the corresponding form and will manage your request.
  - You can also download the request form at <https://www.saludinforma.es> and deliver it in-person at the Information and Attention to Users Services of Servicio Aragonés de Salud, or through any other means available according to the Law 39/2015 October 1<sup>st</sup>, of The Common Administrative Procedure of the Public Administrations.
- The following data is required: name, surname, copy of the National Document or electronic certificate (electronic signature) or any other personal identification valid in law, family book, address in terms of notifications, date, and signature of the requesting party (parents/legal authorities).
- The same data is required referred to the legal representative in case that the applicant is disabled or acts as voluntary representation. In addition, in this case, they must present the documentation that accredits the legal representation.
- In case of separated or divorced parents, the CUSTODY or the FAMILIAR AUTHORITY assignment must be recognized and provide the regulatory agreement or other certifying documentation.
- The right of access may not be carried out at intervals of less than 12 months, except for justified causes.
- Clearly describe the scope of your request and the documents in your clinical history upon which the right of access is requested.
- When requesting their own clinical history, emancipated minors over 16 years of age who are subject to the common civil law regime, and minors over 14 years' old with Aragonese civil residence in accordance with the provisions of the Code of Foral Law of Aragon, may submit this form without the need for representation (the latter with the assistance, where appropriate, of one of their parents who is in the exercise of family authority or, failing that, of the guardian).
- In the case of access to the clinical history of a deceased person, the family relationship with the deceased must be indicated and provide ID and family book, if applicable, or other supporting documentation. Likewise, the applicant DECLARES with his signature that he has the right of access to the data contained in the medical history of the deceased patient, without being any legal impediment to exercise this right (art 18.4 of Law 41/2002).

## **Requirements and content of the report**

- The data controller shall provide to the applicant with the information related to his acts based on the request of access in a period of **one month** from the request reception, according to art 12.3 of GDPR, with a maximum of 2 other months in cases foreseen on the Regulation.
- If the data controller does not act on the applicant request, he will inform the applicant without delay at the latest after one month of the request reception, of the reasons of failure to act and the applicant's option of claiming with a supervisory authority and take legal actions.
- The data provided upon the request of access will be free of charge. When the request is manifestly unfounded or excessive, especially if repetitive, the data controller may:
  - a) charge a reasonable free based on the administrative costs faced to facilitate the information or the communication or perform the requested action, or
  - b) refuse to act upon the request
- The controller can ask for additional information to confirm the identity of the interested party when there are doubts about the identity of the natural person applicant.
- When the interested party submits the request by electronic means, the information will be provided in an electronic format of common use, unless he requests to be provided otherwise.
- The right to obtain a copy of the personal data requested will not negatively affect the rights and freedoms of others.

## **Claims (Rights custody)**

- Without prejudice to the administrative or extrajudicial remedies available, including the right to claim to a supervisory authority under article 77 of the GDPR, all interested parties will have the right to effective judicial protection when they consider that their rights under GDPR law have been violated as a result of their personal data processing.

### ***Basic information about data protection in accordance of the information duty in GDPR 2016/679***

**Controller:** Servicio Aragonés de Salud.

**Purpose:** Healthcare Information Systems of Servicio Aragonés de Salud (HCE, HCDSNS, eHDSI PS, eReceta, eHDSI eP/eD...).

**Legislation:** Law 41/2002 of autonomy of the Patient, LOPDGDD, GDPR.

**Recipients:** Will not be given to third parties, except for legal obligation.

**Rights:** Access, rectification, erasure of data, and other rights, as described on the additional information.

**Additional Information:** Additional and more detailed information about data protection can be found on our website:

<https://www.aragon.es/-/proteccion-de-datos-1>

<https://www.mscbs.gob.es/profesionales/eupin/pintranslations.htm>