

Information on Data Processing by Daimler BKK under Art. 13 and Art. 14 of the GDPR

Daimler BKK and BKK-Pflegekasse Daimler collect, process, store and use social insurance information to fulfill their statutory mandates. Pursuant to Art. 13 and Art. 14 of the EU's General Data Protection Regulation (GDPR), these organizations are required to provide certain information when collecting personal data. In compliance with those obligations, this page gives an overview of the purposes and legal basis for processing.

Name of Data Controller and Contact Information

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Contact Information for Data Protection Officer

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Purposes and Legal Basis of Processing

Daimler BKK collects, processes, stores and uses social insurance information to fulfill their statutory mandates. The lists below provide you with an overview of the purposes for which the medical insurance company (Daimler BKK) and the nursing insurance company (BKK-Pflegekasse) process your information and the legal basis of such processing.

I. Daimler BKK

1. Establishment of insurance coverage
2. Issuance of health insurance cards and electronic health care cards
3. Dealing with matters involving insurance premiums
4. Evaluating and granting benefits
5. Supporting insured persons in cases of malpractice
6. Reimbursement of expenses
7. Determining copayment status and out-of-pocket limits
8. Refunding of premiums
9. Consultation with the medical service
10. Billing of service providers
11. Cost effectiveness and quality audits of service providers
12. Settlement of invoices from other service providers
13. Filing claims for reimbursement and compensation from third parties

14. Preparing, concluding agreements on and implementing agreements on morbidity-based compensation structures
15. Preparing, concluding agreements on and quality assurance of model projects and integrated care
16. Implementation of the structural risk compensation plan and risk pool
17. Preparing and conducting structured treatment programs (disease management programs, or DMP)
18. Conclusion and execution of nursing care pay rate, compensation, as well as service and quality agreements
19. Advice on preventive measures and rehabilitation
20. Coordination of nursing aids
21. Statistical purposes
22. Acquisition of members
23. Implementation of the *Aufwendungsausgleichsgesetz* (AAG – German Act on Compensation of Employer Expenses for Employee Sickness Benefits)

II. BKK-Pflegekasse Daimler

1. Support for individuals in need of care who require assistance because of the severity of their disability
2. Financing of services and other expenses by collecting premiums from employers and members
3. Determining insurance coverage and membership
4. Determining obligation to pay premiums and what amounts
5. Evaluating entitlement to benefits and providing benefits to insured persons as well as processing of claims for reimbursement and compensation
6. Consultation with the medical service
7. Settlement of invoices from service providers and corresponding reimbursement
8. Monitoring of cost-effectiveness, plus settlement and reimbursement of nursing care provided
9. Conclusion and execution of nursing care pay rate, compensation, as well as service and quality agreements

10. Advice on entitlement to care as well as services and aids
11. Coordination of nursing aids, advice on care and performance of duties at nursing care advisory centers
12. Statistical purposes
13. Support with filing claims for compensation

In addition, Daimler BKK may collect, use, process and store your information on the basis of an express declaration of consent given in accordance with Art. 6, para. 1a of the General Data Protection Regulation (GDPR) in conjunction with Section 67b, para. 2 of the Book 10 of the Code of Social Law (SGB X).

We are permitted, in deviation from the purposes and legal basis stated above, to use your information for other purposes (change of purpose) without informing you in advance, provided the following conditions are met:

1. The action is being taken in accordance with Section 82, para. 2, of SGB X
2. A different legal provision allows a change of purpose without requiring us to inform you
3. You have given your express consent
4. The information has been pseudonymized

Provision of Social Insurance Information

In order for Daimler BKK to fulfill its statutory duties to the fullest extent, please note that you have a duty to cooperate pursuant to Sections 60 et seq. of the Book 1 of the Social Security Code (SGB I). The law states that you are required to provide Daimler BKK with certain information about yourself that is required for the performance of statutory duties on your behalf. A failure to cooperate on your part may result in delays or denial of the benefits requested by you. Voluntary information such as your telephone number and e-mail address are expressly exempt from the information you are required to provide. If you do not provide us with that information, you will not be in violation of your duty to cooperate, and you will suffer no disadvantages.

Your social insurance information that Daimler BKK is required to collect, process, store and use falls under the data protection provisions of SGB X, the *Bundesdatenschutzgesetz* (BDSG – German Federal Data Protection Act) and, as of May 25, 2018, the EU's General Data Protection Provision (GDPR). Daimler BKK ensures that it complies with the rules governing the secrecy of social insurance information in accordance with Section 35 of SGB I.

Automated Individual Decision-Making

Daimler BKK does not make decisions based on automated processing, including profiling, as defined by Art. 22 of the GDPR.

Categories of recipients

Daimler BKK regularly transmits social insurance information based on the legal requirements of the SGB or other legal regulations to the following recipients:

- Carriers of pension and accident insurance
- Germany's Federal Employment Agency
- Financial institutions as part of payment transactions
- Employers and payment authorities
- Pension administration offices
- Service providers
- Military district administrative offices
- Tax authorities
- Transmission in individual cases in accordance with Sections 67d et seq. of SGB X
- External contract data processors in accordance with Section 80 of SGB X

If we transmit your information to one of these categories of recipients, we will inform you of the recipient, unless one of the exceptions stipulated under Section 82, paras. 1 and 2 of SGB X or the conditions laid out in Art. 13, para. 4, of the GDPR apply.

Retention Period

Various retention periods apply to the purposes of processing social insurance information. Those periods are governed by Section 110a of SGB IV, Section 304 of SGB V, Section 107 of SGB XI and in the General Administrative Regulation on Accounting in the Social Insurance Industry (SRVwV). Once the purpose of processing no longer applies, the relevant social insurance information data will be deleted.

Rights of Data Subjects Regarding Data Processing

By contacting the individuals named above, you can assert the following rights if the legal requirements are met:

- Right to access and information about the processed data (Art. 15 of the GDPR in conjunction with Section 83 of SGB X)
- Right to rectification of incorrect data (Art. 16 of the GDPR in conjunction with Section 84 of SGB X)
- Right to erasure (Art. 17 of the GDPR in conjunction with Section 84 of SGB X)
- Right to restriction of processing (Art. 18 of the GDPR in conjunction with Section 84 of SGB X)
- Right to data portability (Art. 20 of the GDPR)
- Right to object (Art. 21 of the GDPR in conjunction with Section 84 of SGB X)
- In the case of data processing based on consent, you have the right to withdraw your consent permanently at any time

Right to Lodge a Complaint with Supervisory Authorities

As a data subject, you have the right to contact the competent supervisory authorities with jurisdiction over Daimler BKK:

1. Federal Commissioner for Data Protection and Freedom of Information
Graurheindorfer Straße 153
53117 Bonn
poststelle@bfdi.bund.de or
poststelle@bfdi.de-mail.de
2. German Federal Insurance Office
Friedrich-Ebert-Allee 38
53113 Bonn
poststelle@bvamt.bund.de or
poststelle@bvamt.de-mail.de

You can find additional information about data protection and your rights under the EU General Data Protection Regulation on our website at www.daimler-bkk.com, Webcode 139d.

