

BRE-JBZ

From: Kaai, Geran
Sent: vrijdag 3 april 2015 15:55
To: Verweij, Ellen
Subject: FW: CED open letter on General Data Protection Regulation in the healthcare sector
Attachments: CED letter to Justice & Home Affairs Attachés on General Data Protection Regulation 03.12.2014.pdf

Follow Up Flag: Follow up
Flag Status: Completed

From: BRE-JUS
Sent: maandag 8 december 2014 17:58
To: Grave, Martijn-de; Ruiter, Mienieke-de; Alink, Marnix; Kaai, Geran; Sorel, Alexander; Luijsterburg, Sander; Zwart, Jan; Kroner, Laetitia; Leenders, Sophie; Rip, Jet; Dam, Caroline-ten
Subject: FW: CED open letter on General Data Protection Regulation in the healthcare sector

Van: Council Of European Dentists
Verzonden: maandag 8 december 2014 17:51:23 (UTC+01:00) Brussels, Copenhagen, Madrid, Paris
Aan: 'Council of European Dentists'
Onderwerp: CED open letter on General Data Protection Regulation in the healthcare sector

OPEN LETTER

To: Justice and Home Affairs Attachés

Subject: General Data Protection Regulation in the healthcare sector

Dear Sir/Madam,

I am writing to you on behalf of the Council of European Dentists (CED), representing over 340,000 European dentists, in connection to the European Commission's *Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)*, COM(2012)11, currently being discussed in the Justice and Home Affairs Council, Working Party on Information Exchange and Data Protection (DAPIX).

The CED sees with great concern the proposal for a mandatory data protection officer (DPO) in EU dental practices as well as the introduction of an obligation for dentists (as controllers) to carry out in their practice a data protection impact assessment (DPIA).

Patient data (comprising either personal data or data concerning health) is confidential and protected by professional secrecy; disciplinary sanctions can be brought against dentists in cases of breach. Sufficient safeguards already exist in current national laws and in professional codes of conduct and ethics.^[1] Furthermore, dental practices are limited in staff resources and these two new requirements would create disproportionate and unsustainable administrative and financial burdens.

Therefore, we believe that **micro, small and medium-sized enterprises**, which comprise the majority of EU dental practices, **should be exempt of DPO and DPIA requirements, and we strongly request your support in presenting and defending this exemption at the next DAPIX meeting as well as in the upcoming meeting of the Justice and Home Affairs Council on 4-5 December 2014.**

We remain at your disposal for any assistance you might require.

Yours sincerely,


CED President

The Council of European Dentists (CED) is the representative organisation for the dental profession in the EU, representing over 340,000 practising dentists through 32 national dental associations and chambers from 30 European countries.

Established in 1961 to advise the European Commission on matters relating to the dental profession, the CED key objectives are to promote high standards of oral healthcare and dentistry and effective patient-safety centred professional practice.

CED: The voice of dentists and oral health in Europe for 50 years

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Transparency register: 4885579968-84

^[1] See for example Articles 2.15 to 2.18 of the CED Code of Ethics, unanimously adopted by the CED General meeting in 2007, which also includes the Code of Ethics for Electronic Commerce.

To: Justice and Home Affairs Attachés

Brussels, 3 December 2014

Subject: General Data Protection Regulation in the healthcare sector

Dear Sir/Madam,

I am writing to you on behalf of the Council of European Dentists (CED), representing over 340,000 European dentists, in connection to the European Commission's *Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)*, COM(2012)11, currently being discussed in the Justice and Home Affairs Council, Working Party on Information Exchange and Data Protection (DAPIX).

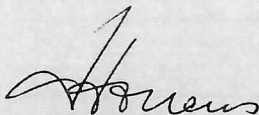
The CED sees with great concern the proposal for a mandatory data protection officer (DPO) in EU dental practices as well as the introduction of an obligation for dentists (as controllers) to carry out in their practice a data protection impact assessment (DPIA).

Patient data (comprising either personal data or data concerning health) is confidential and protected by professional secrecy; disciplinary sanctions can be brought against dentists in cases of breach. Sufficient safeguards already exist in current national laws and in professional codes of conduct and ethics.¹ Furthermore, dental practices are limited in staff resources and these two new requirements would create disproportionate and unsustainable administrative and financial burdens.

Therefore, we believe that **micro, small and medium-sized enterprises**, which comprise the majority of EU dental practices, **should be exempt of DPO and DPIA requirements, and we strongly request your support in presenting and defending this exemption at the next DAPIX meeting as well as in the upcoming meeting of the Justice and Home Affairs Council on 4-5 December 2014.**

We remain at your disposal for any assistance you might require.

Yours sincerely,




CED President

The Council of European Dentists (CED) is the representative organisation for the dental profession in the EU, representing over 340,000 practising dentists through 32 national dental associations and chambers from 30 European countries. Established in 1961 to advise the European Commission on matters relating to the dental profession, the CED key objectives are to promote high standards of oral healthcare and dentistry and effective patient-safety centred professional practice.

¹ See for example Articles 2.15 to 2.18 of the CED Code of Ethics, unanimously adopted by the CED General meeting in 2007, which also includes the Code of Ethics for Electronic Commerce.

For Justice and Home Affairs Affairs

Brussels, 2 December 2014

Subject: General Data Protection Regulation in the business sector

Dear Sir/Madam,

I am writing to you on behalf of the Group of European Experts (CEE), representing over 300 000 European business, in connection to the European Commission's proposal for a Regulation in the business sector and to the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation, COM(2012)17), currently being discussed in the Justice and Home Affairs Council, following the on information exchange and data protection (DAPX).

The CEE sees with great concern the proposal for a mandatory data protection officer (DPO) in EU design practices, as well as the introduction of an obligation for business (as companies) to carry out in their practice a data protection impact assessment (DPIA).

Firstly, data processing officer (DPO) is not a new concept, it is a well-known and established by professional bodies. Secondly, business can be brought against business in cases of breach. Sufficient safeguards already exist in current national laws and in professional codes of conduct and ethics. Furthermore, data protection is linked to high technology and data and new technologies would create opportunities and challenges for business and industry.

Therefore, we believe that minor, gradual and medium-sized enterprises, which comprise the majority of EU design practices, should be exempt of DPO and DPIA requirements, and we strongly request your support in presenting and defending this exemption in the next DAPX meeting as well as in the upcoming meeting of the Justice and Home Affairs Council on 4-5 December 2014.

We remain at your disposal for any assistance you might require.

Yours sincerely,



[Redacted Name]

CEE President

The Group of European Experts (CEE) is an independent organization for the EU, representing over 300 000 European business. It represents the interests of business and citizens from 20 European countries. Established in 1991, it is the European Commission's main contact point for the design sector. The CEE represents the interests of the design sector and its stakeholders, including business, citizens and the public.

I am an expert member of the CEE, Group of European Experts, established by the CEE. General meeting in 2007, which also includes the Group of European Experts.

Group of European Experts

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