

# CONSENT

## to the Collection and Use of Health Data and Declaration of Release from Secrecy towards Würzburger Versicherungs-AG (Versicherer)

### Part I - Statement upon Application

The declarations of consent and release from secrecy according to Part I. were prepared on the basis of the coordination process between the Gesamtverband der deutschen Versicherungswirtschaft e.V. (GDV) and the data protection supervisory authorities.

The German Insurance Contract Act, the Federal Data Protection Act as well as other data protection regulations do not provide for an adequate legal basis for the collection, processing and use of health data by insurance companies. In order to be able to obtain and use your health data in connection with this application and the contract, we therefore need your consent(s) according to data protection regulations. In addition, Würzburger Versicherungs-AG is in need of your statements of release from secrecy in order to be able to obtain your health data from parties subject to secrecy such as, for instance, physicians.

As health insurance company, Würzburger Versicherungs-AG needs your statement of release from secrecy also in order to be able to disclose your health data or any other data protected according to Section 203 StGB [German Criminal Code] such as, for instance, the fact that a contract has been concluded with you, to other entities or parties such as e.g. assistance, reinsurers.

The following statements of consent and release from secrecy are indispensable for checking your application and for concluding, implementing or terminating your insurance contract for Würzburger Versicherungs-AG. If you fail to make such statements, the conclusion of a contract will, as a rule, not be possible.

The statements relate to the handling of your health data and other data protected according to Section 203 StGB

- on the part of the Würzburger Versicherungs-AG itself (see clause 1.);
- in connection with enquiries addressed to third parties (see clause 2.);
- when disclosing data towards entities or parties outside Würzburger Versicherungs-AG (see clause 3.), and
- if the contract fails to come into being (see clause 4.).

These statements will apply with respect to co-insured persons legally represented by you, such as your children, to the extent that they are not able to recognise the significance of this consent and are therefore not able to make statements on their own.

#### 1. Collection, storage and use of health data provided by you on the part of Würzburger Versicherungs-AG

I agree that Würzburger Versicherungs-AG collects, stores and uses the health data provided by me in connection with this application as well as in future to the extent that this is necessary for the examination of my application and for concluding, implementing and terminating this insurance contract.

#### 2. Request for information on health issues from third parties

##### 2.1 Request for health data from third parties for risk assessment and verification of the duty to indemnify

For assessing the risks to be insured, it may become necessary to obtain information from entities or parties retaining health data concerning your person. In addition, it may become necessary for Würzburger Versicherungs-AG to check the information on your health condition, as rendered by you for substantiating your claims or as it can be derived from submitted documents (e.g. invoices, prescriptions, expert reports) or information rendered by, for instance, a physician or other members of the medical profession, in order to verify its duty to indemnify. Such examination shall be carried out to the necessary extent only. Würzburger Versicherungs-AG needs your consent thereto, inclusive of a release from secrecy for itself as well as for these parties for the case that health data or other information protected according to Section 203 StGB must be forwarded within the framework of such requests.

You may make these statements already here (I) or at a later time with respect to an individual case (II). You may change your decision at any time. Please select one of the following two options:

#### Option I:

- I agree that - to the extent necessary for risk assessment or verification of the duty to indemnify - Würzburger Versicherungs-AG collects my health data from physicians, caregivers as well as employees in hospitals, other health institutions, care homes, personal insurers, statutory health insurance funds, trade associations and public authorities and uses them for these purposes.

I release the indicated persons and employees of the aforementioned institutions from their secrecy duties to the extent that health data permissibly stored with respect to my person and arising from examinations, consultations, treatments as well as insurance applications and contracts made during a period of up to ten years prior to the date of my application are disclosed towards Würzburger Versicherungs-AG.

In addition, I agree that in this context my health data are - to the extent necessary - disclosed by Würzburger Versicherungs-AG towards these parties or entities and, to this extent, also release the persons becoming active for Würzburger Versicherungs-AG from their secrecy duties.

Prior to every data collection according to the preceding paragraphs, I will be informed about the persons by whom and the purpose for which data are planned to be collected, and furthermore about the fact that I may raise objections and submit the required documents on my own.

#### Option II:

- I want Würzburger Versicherungs-AG to inform me in each individual case from which persons or entities and for what purpose information is required. Afterwards, I will decide whether I

- agree to the collection and use of my health data by Würzburger Versicherungs-AG, release the indicated persons or entities and their employees from their secrecy duties and agree to the disclosure of my health data to Würzburger Versicherungs-AG
- or whether I want to submit the required documents myself.

I am aware that this may result in a delay of application processing or the verification of the duty to indemnify. To the extent that the aforementioned declarations relate to my statements at the time of application, they shall be valid for a period of five years after contract conclusion.

If, after contract conclusion, Würzburger Versicherungs-AG becomes aware of specific circumstances indicating that, at the time of application, incorrect or incomplete information was deliberately furnished and, as a result, influence was exerted on risk assessment, the statements shall be valid for a term of up to ten years after contract conclusion.

#### 2.2 Statements for the event of your death

In order to verify our duty to indemnify, it might become necessary to check health data even after your death. An examination may also become necessary if, up to a period of ten years after contract conclusion, Würzburger Versicherungs-AG becomes aware of circumstances indicating that incorrect or incomplete information might have been rendered at the time of application and that, hence, influence was exerted on risk assessment. For this purpose, too, we need a consent and a statement of release from secrecy. Please select one of the following two options:

**Option I:**

- For the case of my death, I give my consent to a collection of my health data from third parties for the purpose of verifying a duty to indemnify or for examining the application again, if necessary, as described in the first checkbox (see above 2.1. - Option I).

**Option II:**

- If, after my death, health data must be collected in order to verify a duty to indemnify or to examine the application again, my heirs or - if different - the beneficiaries of the contract shall be authorised to decide upon consents and statements of release from secrecy.

### 3. Disclosure of health data and other data protected according to Section 203 StGB to entities or parties outside Würzburger Versicherungs-AG

Würzburger Versicherungs-AG contractually obliges the following entities or parties to comply with the provisions on data protection and data security.

#### 3.1 Disclosure of data for medical assessment

In order to assess the risks to be insured and to verify the duty to indemnify, it may become necessary to involve medical experts. Würzburger Versicherungs-AG is in need of your consent and statement of release from secrecy if, in this context, your health data and other data protected according to Section 203 StGB are disclosed. You will be given notice of the respective data disclosure.

I agree that Würzburger Versicherungs-AG transfers my health data to medical experts if this is necessary within the framework of risk assessments or verifications of the duty to indemnify and that my health data are used there according to the purpose of the transfer and that the results are sent back to Würzburger Versicherungs-AG. With respect to my health data and other data protected according to Section 203 StGB, I release the persons active for Würzburger Versicherungs-AG and the experts from their secrecy duties.

#### 3.2 Delegation of tasks to other entities or parties (business enterprises or persons)

Some tasks such as, for instance, risk assessments, processing of submitted claims or customer service by phone, which may involve the collection, processing and use of your health data, are not carried out by Würzburger Versicherungs-AG itself, but instead delegated to another entity or party. If, in this context, your data protected according to Section 203 StGB are disclosed, Würzburger Versicherungs-AG needs your statement of release from secrecy for itself and, where appropriate, for the other entities or parties.

BDAE Expat GmbH as policyholder maintains a constantly updated list where the entities/parties and categories of entities/parties contractually engaged in collecting, processing or using health data for BDAE Expat GmbH and Würzburger Versicherungs-AG as well as the delegated tasks are indicated. The currently valid list is available on the Internet under [www.bdae.com/images/forms/docs/en/List\\_of\\_service\\_providers.pdf](http://www.bdae.com/images/forms/docs/en/List_of_service_providers.pdf) or can be obtained from the data protection officer of the BDAE Group, HUBIT e.K., Postfach 610120, 28261 Bremen, e-mail: [datenschutz@bdae.com](mailto:datenschutz@bdae.com). In order to be able to disclose your health data towards the entities/parties mentioned in this list and to have them processed your data, we and Würzburger Versicherungs-AG are/is in need of your consent.

I agree that Würzburger Versicherungs-AG discloses my health data towards the entities/parties indicated in the aforementioned list and that the health data are collected, processed and used there for the indicated purposes to the same extent as Würzburger Versicherungs-AG would be allowed to do. To the necessary extent, I release the employees of Würzburger Versicherungs-AG and other parties or entities from their secrecy duties with respect to the disclosure of health data and other data protected according to Section 203 of the StGB.

#### 3.3 Data disclosure to reinsurers

For the purpose of safeguarding your claims, Würzburger Versicherungs-AG may involve reinsurers who assume the risk either totally or in part. In some instances, the reinsurers make use of other reinsurance companies for such purposes so that your data will also be disclosed towards such other reinsurance companies. In order to enable the reinsurers to get their own impressions of the risk or insured event, Würzburger Versicherungs-AG might submit your application form or claims for payment of benefits to the reinsurance companies. This will particularly be the case when the insurance sum is especially high or the risk is difficult to assess. Moreover, it is possible that the reinsurance company renders assistance to Würzburger Versicherungs-AG on the basis of its special expertise during the risk assessment process or verification of the duty to indemnify as well as during the assessment of process sequences. If reinsurers have hedged the risk, they can monitor whether Würzburger Versicherungs-AG has assessed the risk or an insured event correctly. In addition, data on your existing contracts and applications are disclosed towards reinsurers to the required degree so that they are able to check whether and to what amount they can participate in the risk. Data on your existing contracts may be forwarded to reinsurers for the purpose of billing premium payments and settling insured events. For the aforementioned purposes, anonymised or pseudonymised data, if possible, but also personal health data will be used. A use of your personal data by reinsurance companies will be limited to the aforementioned purposes. Würzburger Versicherungs-AG will give you notice about a disclosure of your health data to reinsurers.

I agree that my health data are - to the necessary extent - forwarded to reinsurers and used by them for the indicated purposes. I release persons active for Würzburger Versicherungs-AG to the necessary extent from their secrecy duties with respect to health data and other data protected according to Section 203 StGB.

#### 3.4 Disclosure of data to self-employed intermediaries

As a rule, Würzburger Versicherungs-AG does not disclose data on your health state to self-employed intermediaries. In the following events, however, data permitting conclusions on your health or information on your contract, as protected according to Section 203 StGB, might be disclosed towards insurance intermediaries for information purposes. To the extent required for contract-related consultation purposes, the intermediary supporting you might receive information on the fact whether and, when appropriate, under what conditions (e.g. acceptance of a risk markup, exclusion of certain risks) your contract can be accepted. The intermediary having submitted your contract will get knowledge of a contract conclusion and its content. In this context, the intermediary will also be informed whether risk markups or exclusions of certain risks have been agreed upon. If you change the intermediary supporting you, the contract data containing the information on risk markups and exclusions of certain risks may be disclosed towards the new intermediary. When you change the intermediary who supports you we will give you notice of the disclosure of health data towards the new agent and of your possibility to raise objections.

I agree that, in the aforementioned events, Würzburger Versicherungs-AG discloses my health data and other data protected according to Section 203 StGB to the required extent towards the self-employed insurance intermediary who is in charge of my affairs and that such data are collected, stored and used there for consultation purposes.

#### 4. Storage and use of your health data if the contract fails to come into being

If a contract with you fails to come into being, Würzburger Versicherungs-AG will retain your health data collected within the framework of the risk assessment for the case that you apply for insurance coverage again. Würzburger Versicherungs-AG will also store your data in order to give a reply to enquiries, if any, by other insurance companies. Your data will be stored by Würzburger Versicherungs-AG until expiry of the third calendar year after the year of application.

I agree that Würzburger Versicherungs-AG may, for the aforementioned purposes, store and use my health data in case that the contract fails to come into being for a period of three years after the expiry of the calendar year during which the application was filed.

Place, Date

Signatures

(Applicant), if appropriate as legal representative of persons to be co-insured and all persons of full age to be insured)