

NHS Grampian – Public Health

Privacy notice

Mesh Surgery with Gynecologic and Reconstructive Surgery Ltd, St Louis, MO, USA

What is happening?

Further to the Scottish Government's direction and a NHS National Services Scotland national contract, you have been offered specialist care from Gynecologic and Reconstructive Surgery Ltd in St Louis, Missouri, United States of America and have consented to receive treatment from that provider.

To facilitate your care, NHS Grampian must provide Gynecologic and Reconstructive Surgery Ltd with some of your information.

Gynecologic and Reconstructive Surgery Ltd will become controllers of that copy of your data. They will control that data under the terms of United States law, including the laws of the State of Missouri. This has the potential to limit your rights in respect of that data.

We have taken advice from our solicitors and assert that we are making the transfer of your data for important reasons of public interest; that is to facilitate the provision of specialist care to you and other patients requiring similar support. However, we wanted you to be aware that your data will be processed in the United States and NHS Grampian will have limited control over that data once passed to our partners.

Your clinical records will be returned to NHS Grampian and form part of your health record as normal.

To reassure you, Gynecologic and Reconstructive Surgery Ltd have been appointed following a national process overseen by NHS National Services Scotland, a contract is in place that sets standards around the security of your data and, as healthcare provider in the United States, Gynecologic and Reconstructive Surgery Ltd are subject to the provisions of the Health Insurance Portability and Accountability Act (<https://www.hhs.gov/hipaa/for-individuals/faq/index.html>).

Personal data and special categories of personal data

The personal data transferred to Gynecologic and Reconstructive Surgery Ltd will include your demographic data (name, address, CHI number, telephone, email address etc). Special categories of your personal data will also be transferred. This will include your health data, but may also include your religion, ethnicity and information concerning your sex life or sexual orientation where these elements are contained in your records and are relevant to your care.

Data controller

The data controller for your information is NHS Grampian, until it is shared with Gynecologic and Reconstructive Surgery Ltd where they become controller for that copy of your information for the purposes of the provision of your care. They will return information to NHS Grampian to form part of your clinical record here. Please be aware that they may also retain information in the United States, further to their own rights and obligations under local laws in respect of clinical recordkeeping.

Lawful processing (holding and using personal data)

NHS Grampian is transferring your personal data further to our official authority as a Scottish Health Board and a task in the public interest. We are transferring special categories of your personal data for the purposes of the provision of healthcare.

Concerning the transfer of data outwith the European Economic Area, the Board asserts that it is making this transfer for important reasons of public interest.

Your rights

If you wish to update, access, erase, or limit or complain about the use of your personal data please let our Data Protection Officer know contacting Information Governance - gram.infogovernance@nhs.scot - or 01224 551549 who will consider your request and respond appropriately. You may also wish to contact the Information Commissioner's Office - [How to make a data protection complaint to an organisation | ICO](#) - or seek to enforce your rights through judicial remedy.

If you wish to engage with Gynecologic and Reconstructive Surgery Ltd concerning your US data rights, please contact info@stlgynsurgery.com.