



TELEMEDICINE RULES

DAMIANA MEDICAL CENTRE, VERSION 2/2022

I. General provisions

§ 1 These rules define the principles and conditions of performance of agreements on the provision of medical services by means of ICT systems or communication systems by the Damiana Medical Centre. These services are hereinafter referred to as **telemedicine services**.

§ 2 The terms used in these regulations shall mean:

- 1) Damiana Medical Centre – Centrum Medyczne Damiana Holding sp. z o. o. with its registered office in Warsaw, at ul. Wałbrzyska 46, 02-739 Warsaw, entered in the register of entrepreneurs under number KRS 0000189581;
- 2) health service – a medical service or other action aimed at preserving, saving, restoring or improving health;
- 3) medical care agreement – an agreement concluded by the Damiana Medical Centre, in accordance with the relevant general terms and conditions (GTCs), with a natural person running a business, a legal entity or an organisational unit without legal personality, for the provision of medical services to third parties who are employees of the entity;
- 4) portal - Damiana Online portal;
- 5) user – a natural person with full legal capacity who uses or intends to use telemedicine services;
- 6) shop – an online platform through which the Damiana Medical Centre concludes agreements for the provision of telemedicine services.

§ 3. Telemedicine services will be provided by way of:

- 1) a chat room feature available on the portal;
- 2) a phone call to a dedicated helpline number;
- 3) a phone call by appointment.

§ 4. Telemedicine services will be available to a user who has previously received health care services at the Damiana Medical Centre at least once or has gained access to the full version of the portal. This requirement does not apply to telemedicine services purchased in-store.

§ 5. The user entitled to use the telemedicine service referred to in §3(1) or §3(2) is a user:

- 1) covered by the applicable healthcare package under the healthcare agreement, which entitles the user to a free telemedicine service;
- 2) covered by a medical insurance policy that includes telemedicine services available without a deductible;
- 3) who has purchased the telemedicine service in-store.

§ 6 The use of the telemedicine service is possible after prior acceptance of these rules. To the extent that no express acceptance of the rules is available, the user who uses the portal or the shop – in order to use the telemedicine service – is presumed to agree with these rules. In order to use the telemedicine service, it is also necessary to comply with the other requirements specified later in these rules.

§ 7 In the case of a minor user, the person receiving the telemedicine service (taking part in the phone call) may only be his/her legal / actual guardian or an attorney appointed by the legal guardian.

II. Scope of the telemedicine service

§ 8 The telemedicine services referred to in §3(1) and §3(2) consist of a voice call with a paediatrician or an internist according to the user's choice.

§ 9 Within the scope of the telemedicine service, the doctor or other specialist will provide information and recommendations only to the user whose entitlements as specified in §5(1) have been verified in accordance with §15.

§ 10(1) During the telemedicine service, the doctor or another specialist has access to the user's medical records in electronic form, which are kept by the Damiana Medical Centre. Based on such records, the doctor can provide information about the prescribed medications, health services provided and test results, as well as evaluate the test results presented.

2. The medical records referred to in paragraph § 10(1) shall also include electronic records of the medical history and results of examinations carried out by a nurse or other specialist using diagnostic equipment that makes it possible to transmit data to the Damiana Medical Centre, provided that the user has undergone such an examination before receiving the telemedicine service.

§ 11 As part of the telemedicine service, a doctor may issue a referral in electronic form for an examination or consultation, provided that it is not listed in Appendix No. 1. The referral will be stored in the computer system of the Damiana Medical Centre. The referral will be honoured only at the facilities of the Damiana Medical Centre.

§ 12 As part of the telemedicine service, a doctor may issue an e-prescription in electronic form for a medicine that he or she has decided is justified after conducting an examination via ICT or communication systems. Otherwise, the user will be offered an appointment at a Damiana Medical Centre facility for a physical examination. The decision to issue a prescription is always made by the doctor providing the telemedicine service. The doctor will not issue a prescription for very potent substances as defined in the Official List of Medicinal Products marketed in the Republic of Poland, narcotics or psychotropic substances. Once the prescription has been issued, the doctor will indicate an access code to the user which – combined with the user's PESEL number – allows the prescription to be filled.

§ 13 As part of the telemedicine service, the doctor may not:

- 1) issue decisions or certificates, in particular certificates of temporary incapacity to work due to illness, hospitalisation or stay in another therapeutic institution of a medical entity providing in-patient and round-the-clock health care services, or certificates of the need to care for a sick member of the family;
- 2) make an appointment or schedule another health service at the Damiana Medical Centre.

§ 14 As part of the telemedicine service, the doctor may recommend that the user visit a medical facility, call an ambulance or obtain medical assistance at another medical facility or institution.

III. Use of telemedicine services

§ 15 The fulfilment of the requirement in §4 and the user's entitlements referred to in §5 are subject to automated verification. In the case of the telemedicine services referred to in §3(1) and §3(2), the verification will take place after the selection of the specialty and before the user is directed to the waiting queue for a doctor's call or chat.

§ 16 The user referred to in §3(2), whose entitlement has not been positively verified as specified in the preceding clause, has the option of choosing to be switched to the Damiana Medical Centre helpline for additional verification. Immediately after completing this verification, the user will be directed to either the waiting queue to a doctor or to a chat room.

IV. Phone call via hotline

§ 17 The medical service referred to in § 3(1) is available at (+48) 22 566 22 23. If all doctors are busy, the user may request call-back after the line is free by selecting the 'call-back' option. The doctor or other specialist will try to call back three times.

§ 18 A phone call with a specialist is recorded, of which the caller is informed immediately after the call is made. The recording of the call is stored in audio form in the Damiana Medical Centre database and disclosed according to the rules regarding the storage of and access to medical records.

§ 19 A phone cannot be longer than 10 (ten) minutes.

§ 20 If user becomes disconnected, the user should re-establish the connection.

V. Chat room (standard)

§ 21 In order to message a doctor, in addition to the verification referred to in §15, the user should log into his/her account on the portal, fill in a medical questionnaire in the "Telemedicine" panel and select the doctor's specialisation.

§ 22 During the session, the user may use a special portal feature to send the doctor a picture or text file concerning his/her health condition of up to 10 MB. Unless the doctor decides otherwise, the file will not be attached to the user's medical file.

§ 23 A chat room session cannot be longer than 15 (fifteen) minutes.

§ 24 The record of the session is stored in the Damiana Medical Centre database and disclosed according to the rules concerning the storage and access to medical records.

§ 25 If user becomes disconnected, the user should re-establish the connection.

VI. Phone call by appointment (call-in appointment)

§ 26. A phone call requires an appointment with a specialist of the selected specialisation, at the Call Centre, in-store (when purchasing a telemedicine service) or on the portal.

§ 27 The verification referred to in §15 shall take place, respectively: when booking in the Call Centre– during the appointment; for in-store booking – during the purchase of the service, and when booking on the portal – within half an hour of the appointment, provided that the appointment was made at least half an hour before the end of business hours of the Call Centre; otherwise – the next day within one hour of the beginning of business hours of the Call Centre.

§ 28 A phone call is initiated by a doctor or other specialist. The doctor/another specialist will call three times. If the connection is lost, the doctor/another specialist re-establish the connection.

§ 29. The first sentence of §18 and § 16 apply to phone calls.

§ 30. The duration of a call depends on the type of specialisation and the availability of doctors and other specialists. The time will be indicated prior to the appointment.

VII. Final provisions

§ 31 The administrator of the personal data processed for the purpose of providing telemedicine services is the Damiana Medical Centre. The full content of the information clause, together with the procedure for exercising rights, can be found at <https://www.damian.pl/informacja-o-przetwarzaniu-danych-osobowych/>; <https://www.damian.pl/polityka-prywatnosci/>.

§ 32. When using the portal or the shop, the user cannot use language that is offensive a specialist at the Damiana Medical Centre or other persons, or violates the applicable provisions of law. The same applies to files sent to the doctor performing the telemedicine service. In the event of non-compliance with this requirement, the specialist has the right to discontinue the service after a prior warning.

§ 33. The Damiana Medical Centre is not liable for any damage incurred by the user as a result of using the functionalities or services of the payment operator and other third parties it uses to provide services covered by these rules. The Damiana Medical Centre is liable for the actions and omissions of the shop operator.

§ 34 Complaints should be sent to: reklamacje@damian.pl or to the address of any Damiana Medical Centre facility. A complaint will be processed within 30 (thirty) days from its receipt. The time limit does not run if the complainant has not provided information enabling the complaint to be processed. In this case, the complainant will be requested to supplement the complaint. The time limit will start to run as soon as the complainant has completed the complaint.

§ 35 The user will be informed of changes to these rules via the portal, as well as of any announcements posted on the Damiana Medical Centre website.

§ 36 In the event of any inconsistency between these rules and the product offer or the telemedicine service description posted in-store, the provisions of the offer or the service description have priority.

Appendix 1

List of examinations, procedures and consultations for which a telemedicine doctor cannot make a referral:

- X-ray;
- MRI;
- CT scan;
- angiography;
- mammography;
- PET (positron emission tomography);
- densitometry;
- endoscopic diagnosis of the musculoskeletal system, genitourinary system;
- polysomnography;
- newborn hearing screening;
- urodynamic tests;
- uroflowmetry.