



## **Legal and Technological toolset**

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# Patient “trust” and “safety”

🌀 ...through *legaltech*:

## “Safety” by way of “security”

- Cybersecurity legislation
- Security found in the GDPR

## “Trust” by way of “legal certainty”

- Robust legal framework (GDPR+NIS Directive)
- Adequate and effective practical guidance

## List of Laws

- The GDPR;
- The NIS Directive (as per “critical infrastructure”);
- The ePrivacy regulatory framework.

## List of sources for (legal & technical) guidance

- The European Data Protection Board;
- ENISA;
- The European Data Protection Supervisor
- Member State DPAs and applicable national laws
- [Standards and certification]

**...in view of other presentations, today,**



**...a few thoughts on methodology and principles**

## ...at least from the EU personal data protection (GDPR et al) framework

- Aim is to protect & freely exchange personal data
- **No ownership** of personal data
- GDPR security aimed at human rights, NOT information technology systems
- Individual security vs systems' security
- **Generic individual rights – in need of customization:**
  - DPO
  - DPIA
  - Information
  - Access (by individuals themselves)
  - Deletion
- **Generic procedures – again, in need of customization (indicatively):**
  - DPO & DPIA
  - Data storage and archiving
  - Data minimisation
  - Access to the data (by personnel)



**...is about network and information systems security at a high level:**

- **Operators of Essential Services (healthcare providers, including hospitals and private clinics included);**
- **Digital Service Providers;**

**...compliance is not necessarily aimed at “patient trust and safety”.**

# Some other considerations:

Laws are necessarily tech agnostic

Competing competencies (EU and MS)

Compliance needs to be within reach

Nudging/incentives necessary, followed by enforcement

No coherent strategy to be expected

Consequently, as regards *legaltech* today,



Toolset helps but  
**does not replace**  
compliance;

Compliance is not  
an end to itself,  
**humans** are;

Trust and safety  
are subjective  
notions **felt** by  
humans & **created**  
by humans.







**Questions?**

