

# Akunah Patient Information and Free Prior Consent Form



Patient Last Name: \_\_\_\_\_

Patient First Name: \_\_\_\_\_

Patient Date of Birth: \_\_\_\_\_

## Information

For the purpose of the evaluation, planning, and outcome assessment of your orthopaedic treatment, your doctor, \_\_\_\_\_, (hereafter the “Clinician”) uses evaluation, outcome data collection and analysis, and/or pre-surgical planning services and software provided by Akunah Medical Technology Pty Ltd and its subsidiaries (“Akunah”).

For that purpose, the Clinician will transfer your personal data to Akunah, including computed tomography (CT) scans of your body and other medical data.

Akunah’s software and services may involve the evaluation of images, assessment of medical data, creation of personalised 3D models of your anatomy along with key anatomical measurements, surgery planning, and support for surgery, which will be shared with the Clinician.

The Clinician will use the evaluation and pre-surgical planning for your orthopaedic treatment.

You also have the opportunity to provide personal data through Akunah’s patient portal and access Akunah’s models and plans.

### **Akunah’s approach to privacy and security**

The privacy and security of the data which Akunah will collect from you to assist your Clinician is foremost in our minds.

Akunah voluntarily complies with the Applicable European Data Protection Laws, which includes the EU General Data Protection Regulation EU/2016/679, as those laws are the strongest privacy laws enacted globally. Those laws exceed the privacy laws enacted by Australia, the United States and other countries.

Akunah’s “Privacy Code for Processing Personal Information of Customer Individuals” describes how Akunah complies with the Applicable European Data Protection Laws (the “**Privacy Code**”). Akunah’s “Data Processing Agreement” describe the arrangements which it has with its Clinicians to protect and secure your personal information (the “**Data Processing Agreement**”).

Those policies are available on the Akunah website at <https://akunah.com/termservices>.

To the extent there is any inconsistency between the Privacy Code, Data Processing Agreement and this document, then the terms of the first mentioned document will apply to

the extent of any inconsistency with this document.

### **Data Collection and Processing**

Akunah may collect your data, including information relating to your contact information, authentication, identification, occupation and demographics. Akunah may also collect medical data relating to your health, such as

- assessment and evaluation data, physical characteristics and other information relevant to the proposed treatments and outcomes;
- previous surgery, diagnosis, radiology scans, 3D models, anatomy, anatomical measurements; and
- health and medical history, including your symptoms, medications, and any previous diagnosis and treatment given to you.

Akunah always collects the information in a lawful and fair manner, whether directly from a patient, shared by a Clinician, or through the Akunah products. Akunah will process these data in compliance with your consent as expressed hereafter, to allow the delivery of the evaluation and pre-surgical planning service if necessary.

In addition, Akunah may use your personal data to comply with all applicable laws and regulations.

Your data may also be disclosed to third parties, if required by to provide the proposed services or by law.

### **Data Access, Storage and Security**

Data provided by you and your Clinician will only be accessible by those staff of Akunah and at third parties, who contribute to your treatment or recovery (e.g. anaesthetist, physiotherapist) and need to have access to your data.

Data entered via Akunah's software is securely hosted in the Commonwealth of Australia by an approved hosting provider. This ensures an appropriate level of confidentiality and security reflecting the nature of your data processed via the Akunah software.

If you are located outside the Commonwealth of Australia and/or data entered via the Akunah software may be accessed by Akunah subsidiaries located outside the Commonwealth of Australia, including in the European Union or the United States, different privacy standards may apply to how your data is used and protected in those countries. In this case, your personal data will be stored in that country.

Akunah has appropriate safeguards in place in accordance with all applicable legal requirements to ensure that data is kept confidential and protected with an adequate level of data protection with all third parties. We require all those with access to adopt standards that ensure an equivalent level of protection for data as that adopted by Akunah.

Your Clinician share the responsibility to collect, access, analysis and share your data according with legal requirements.

#### *Personal Data*

Your personal data will be kept by Akunah for a length of time that will vary. The retention period will be determined by the following criteria: (i) the purpose for which Akunah or the Clinician is using your personal data (they will need to keep the data only for as long as is necessary for that purpose); and (ii) applicable laws or regulation that may set a minimum period for which Akunah has to keep your personal data.

### *De-identified Data*

Akunah may de-identified your data, and then use these de-identified data – usually aggregated with de-identified data from other patients - for record purposes, research and development, data analysis, software/device development and improvement of Akunah’s products and services. This enables Akunah to continuously improve their products and services for the benefit of patients like you.

### **Your Rights**

You are free to refuse to give consent to provide your personal data to Akunah. In this case, please talk to your Clinician, as your Clinician may not be able to provide you with medical services or treatment without using Akunah’s software and services.

You have the right to withdraw your consent at any time and by any means, and, where applicable, you have the right to: (i) obtain information regarding the processing of your personal data and to access such personal data; (ii) to request their rectification where they are inaccurate; (iii) to request the restriction of the processing of your personal data, including objecting to certain processing of your personal data and requesting the withdrawal of the consent you provided; (iv) to request the erasure of your personal data; (v) to define guidelines relating to the processing of your data after your death; and (vi) to obtain a copy of your personal data processed in the above-mentioned conditions in a structured, commonly used and machine-readable format. You can exercise these rights by addressing your request directly to the Clinician.

Your rights are subject to the applicable exemptions and restrictions in law.

Following withdrawal, your clinician may not be able to provide you with medical services or treatment, if you exercise those rights before the proposed procedure.

You also are free to make a complaint about the processing of your personal data to the supervisory authority in your country of residence.

With respect to de-identified data, de-identified data do not fall under the same legal restrictions as personal data. Please note that you cannot withdraw consent for access to and use of your de-identified data or request erasing these data, because Akunah will not be able to find your data. After de-identification, Akunah cannot trace data back to you.

## **Consent**

I have read and understood the Information section above, or someone has read it to me in a language that I understand.

I have had an opportunity to ask questions and I am satisfied with the answers I have received.

I understand that my information will remain confidential.

I give permission for my doctor, \_\_\_\_\_, (the “Clinician”) to share my personal data with Akunah.

I give permission that Akunah collects, stores, uses, and shares my personal and de-identified data as described in the Information section above.

I understand that I am free to withdraw my consent at any time.

I understand that I will be given a signed copy of this document to keep.

I am able to contact Akunah regarding the processing of my data by email to [info@akunah.com](mailto:info@akunah.com), or by post to Suite 307 Nicholson Street Specialist Centre, Level 9, 121 Newdegate Street, Greenslopes, QLD, 4120, Australia.

Date: \_\_\_\_\_

Patient Signature: \_\_\_\_\_