



TELEMEDICINE REGULATIONS

CENTRUM MEDYCZNE DAMIANA, VERSION 3/2023

General Provisions

§ 1. These Regulations define the terms and conditions of performing the agreements on the provision of healthcare services by Centrum Medyczne Damiana through ICT systems or telecommunications systems. these services will hereinafter be referred to as **telemedicine services**.

§ 2. The following terms used in these Regulations shall have the following meanings:

- 1) Centrum Medyczne Damiana – Centrum Medyczne Damiana Holding sp. z o.o. with its registered seat in Warsaw, ul. Wałbrzyska 46, 02-739 Warsaw, entered into the Register of Entrepreneurs under No. KRS 0000189581;
- 2) healthcare service – a medical service or another action aimed at maintaining, saving, restoring or improving health;
- 3) healthcare agreement – an agreement entered between Centrum Medyczne Damiana in compliance with the relevant General terms and Conditions (GTC) with a natural person conducting business activity, a legal entity, or organisational unit without legal personality, on the provision of healthcare services for third parties who are employees of such entity;
- 4) Website – the website Damian Online;
- 5) User – a natural person who uses or intends to use telemedicine services with the reservation of the provisions of § 7;
- 6) Store – the online platform through which Centrum Medyczne Damiana concludes, among others, agreements on the provision of telemedicine services.

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

- 1) [repealed];
- 2) telephone call to a dedicated telephone number;
- 3) telephone call based on previous arrangement.

§ 4. telemedicine services will be available for Users who have received healthcare from Centrum Medyczne Damiana at least once before, and for services specified in § 3 item 3 also for Users who have access to the Website. The above requirement does not apply to services purchased in the Store.

§ 5. Users who are authorised to use the telemedicine services specified in § 3 item 2 are users who are covered by:

- 1) a valid healthcare package that results from the healthcare agreement and entitles the User to receive telemedicine services free of charge;
- 2) a healthcare insurance policy that covers telemedicine services that are available without the need to make own contribution;
- 3) Users who have purchased the given service at the Store.

§ 6. In order to use telemedicine services, the User must accept these Regulations. To such extent to which clear acceptance of these Regulations is not available, it is assumed that the User, who uses the Website or the Store to receive a telemedicine service, accepts the provisions of these Regulations. In order to receive a telemedicine service, the User must also meet other requirements that are provided in the subsequent sections of these Regulations.

§ 7. For minor users, the person who receives a telemedicine service (takes part in the call) may be only the legal guardian, actual caregiver, or a representative appointed by the legal guardian.

II. Objective scope of the telemedicine service

§ 8. Telemedicine services specified in § 3 item 2 consist in connecting the User with a paediatrician, general physician, or a physician with another specialisation that is available on the Website, chosen by the User.

§ 9. When providing the telemedicine service, the physician or another specialist gives information and recommendations that refer only to the User whose rights specified in § 5 item 1 were verified in compliance with § 15.

§ 10. 1. During performing the telemedicine service, the physician or another specialist has access to the electronic medical documentation of the User maintained by Centrum Medyczne Damiana. Based on this documentation, the doctor may, among others, provide information about the prescribed drugs, healthcare services or test results, as well as assess the presented test results.

2. The medical documentation specified in item 1 hereinabove also includes the electronic records of the course and results of tests conducted by nurses or other specialists with the use of diagnostic equipment that enables transferring information to Centrum Medyczne Damiana, if the User has undergone such tests before receiving the telemedicine service.

§ 11. While providing the telemedicine service, the doctor may issue an electronic referral to tests or consultations, unless it is listed in [Appendix 1](#). The referral will be stored in the IT system of Centrum Medyczne Damiana. The tests or consultations may be performed only at Centrum Medyczne Damiana.

§ 12. While providing the telemedicine service, the doctor may issue an electronic prescription for a drug that he/she considered to be suitable after having conducted the examination through ICT systems or telecommunications systems. otherwise, the User may be offered to visit a branch of Centrum Medyczne Damiana in order to undergo a physical examination. The decision to write a prescription is always made by the physician who provides the telemedicine service. The physician shall not issue prescriptions for very strong substances specified in the Official List of Medicinal products that are accepted for trade in the territory of the Republic of Poland, narcotic or psychotropic drugs. After issuing the prescription, the physician will provide the User with the access code which, together with the PESEL number, will enable the User to purchase the drug.

§ 13. While providing telemedicine services, the physician cannot:

- 1) issue a statement or certificate, in particular a statement on temporary incapacity for work due to illness, hospitalisation or stay at another healthcare facility of the healthcare provider that provides healthcare services such as stationary and round-the-clock medical services or on the need to provide care for an ill family member;
- 2) arrange a visit or the date of providing another healthcare service at Centrum Medyczne Damiana.

§ 14. While providing a telemedicine service, the physician may recommend the User to visit a healthcare facility, call an ambulance or to receive medical help at another healthcare provider or institution.

III. Manner of using telemedicine services

§ 15. Meeting the requirement specified in § 4 and the rights of the User specified in § 5 are verified automatically. As far as telemedicine services specified in § 3 item 2 are concerned, the verification will take place after choosing the specialisation and before referring the User to the que waiting to be connected with the physician.

§ 16. The User specified in § 3 item 2, whose rights have not been verified positively in compliance with the preceding paragraph, may choose to be transferred to the helpline of Centrum Medyczne Damiana in order to conduct an additional verification based on contacting the issuer of the healthcare insurance policy. Immediately after such verification, the User will be transferred to the queue waiting to be connected with a physician.

IV. Telephone calls via the helpline

§ 17. The telemedicine service defined in § 3 item 2 is available at the phone number (+48) 22 566 22 23. If the phone lines to all physicians are busy, the User may request callback when the line is released, by choosing the “callback” option. In order to call back, the physician or another specialist will make three attempts to call.

§ 18. [repealed]

§ 19. The maximum duration of the telephone call is 10 (ten) minutes.

§ 20. If the connection is interrupted, the User should call again.

V. [title repealed]

§ 21. [repealed]

§ 22. [repealed]

§ 23. [repealed]

§ 24. [repealed]

§ 25. [repealed]

VI. Telephone call based on previous arrangement (remote visit).

§ 26. The telephone call requires arranging a date with the doctor of the chosen specialisation at the Call Centre, the Store (during the purchase of the telemedicine service) or on the Website.

§ 27. The verification described in § 15 takes place, respectively: at the Call Centre during arranging the visit, at the Store while purchasing the service, and for visits arranged through the Website – within half an hour from making the appointment, provided that the appointment was made at least half an hour before closing the Call Centre; in other cases – on the subsequent day within one hour from the start of work of the Call Centre.

§ 28. The telephone call is initiated by the physician or another specialist. The person will make three attempts to call. If the connection is interrupted, the person should call again.

§ 29. The provisions of § 16 sentence 1 shall apply to telephone calls. 1.

§ 30. The duration of the call depends on the type of the specialisation and the work schedules of physicians and other specialists. The time will be specified before making the appointment.

VII. Final provisions

§ 31. The controller of personal data that are processed in order to provide telemedicine services is Centrum Medyczne Damiana. The full information clause and the procedure of exercising the rights of data subjects is available at: <https://www.damian.pl/informacja-o-przetwarzaniu-danych-osobowych/>; <https://www.damian.pl/polityka-prywatnosci/>.

§ 32. While using telemedicine services, the User is obliged not to use obscene, offensive, or insulting language that might violate the personal rights of the specialist of Centrum Medyczne Damiana or of other persons or violate the binding legal regulations. If the User fails to comply with this requirement, the specialist may stop providing the service, after a prior warning.

§ 33. Centrum Medyczne Damiana is not liable for the damages suffered by the User as a result of using the functionalities or services of the payment operator and other third parties whose services it uses when providing the services under these Regulations. Centrum Medyczne Damiana is responsible for the actions and omissions of the operator of the Store.

§ 34. Complaints should be submitted to: reklamacje@damian.pl or, in writing, to the address of any branch of Centrum Medyczne Damiana. Complaints are considered within 30 (thirty) days from the day of receipt. This period does not start if the complaining party has failed to provide information that enable to consider the complaint. In such event, he/she will be urged to complete the complaint. The period will start when the missing information is provided by the complaining party.

§ 35. Users will be informed about any modifications of these Regulations through the Website and by announcements published on the webpage of Centrum Medyczne Damiana.

§ 36. In the event if these Regulations are not compliant with the offer (terms and conditions) of the product or the description of a telemedicine service provided at the Store, the provisions of the offer or description shall prevail.

Appendix No. 1

List of tests, procedures, and consultations, to which the physician cannot refer the patient during a telemedicine service:

- X-ray;
- MRI (magnetic resonance imaging);
- CT scan;
- angiography;
- mammography;
- PET (positron emission tomography);
- densitometry;
- endoscopic diagnostics of the musculoskeletal system or the urogenital system;
- polysomnography;
- auditory screening tests for newborns;
- urodynamic tests;
- uroflowmetry;