

# COMMUNITY HEALTH UNIT DATABASE NETWORKING SYSTEM - CHUDATS



## Legality and Personal Data Protection

FOCUSED:

CMR - LAW NO. 2024/017 OF 23 DECEMBER 2024

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# CHUDATS Operational Legality



Generally, CHUDATS collection and usage of data is projected at the official website's Privacy Policy : <https://chudats.net/privacy-policy>

Other legally binding documents and policies in Cameroon include:

- ✓ Law No. 96/06 of 18 January 1996 for the Cameroon's Constitution;
- ✓ Law N° 90/053 of 19 December 1990 bearing on the freedom of Associations;
- ✓ Law No. 97/14 of 22 December 1999 governing non-governmental organisations;
- ✓ Law No. 2019/024 of 24 December 2019 on the General Code of Regional and Local Authorities;
- ✓ Decree No. 2013/093 of 3 April 2013 for the organization, structure, and missions of the Ministry of Public Health;
- ✓ National Development Strategy 2020-2030, to intensify health cooperation and partnership in health governance;
- ✓ Health Sector Strategic Paper 2020-2030, to promote the development of partnership actions in public health issues;
- ✓ Decision No. 0184/D/MINSANTE/CAB of 30 January 2023 for the creation and organization of the National Technical Unit in charge of phase 1 of the Universal Health Coverage;
- ✓ Patent n°1202200504 of 01 December 2022 by the African Intellectual Property Organization for Community Health Unit Database Networking System;
- ✓ Convention framework No. 0017/CC/MINSANTE/MAHSRA of 03 November 2023.

# CHUDATS Data Processing Overview



## 1) Types of Data Collected:

- ✓ Personal information including name, sex, age, address, contact numbers and emails, national identification details;
- ✓ Professional information including employment history, service decisions, research details;
- ✓ Payment details including transfer account details and other mobile payment details;
- ✓ Patient information including disease diagnostics, healthcare status reports, vaccination details, birth and death records.

## 2) Uses of Data Collected:

- ✓ Personal information used for profiling users in the system;
- ✓ Professional info used to record history and work achievement progress of employees;
- ✓ Financial details used to issue and receive payments for services within the system;
- ✓ Patient healthcare related information used for medical treatment purposes;
- ✓ Anonymously gathered patient healthcare data used for scientific research and statistics purposes

## 3) Other Uses of Collected Data:

- ✓ System upgrade for improving performance and in meeting user needs/expectations;
- ✓ System usage promotion and/or outreach campaigns.

# CMR Data Protection Law Reflections

Non-Applicability Clause



Section 3: *“The provisions of the law should not apply to...”*

Paragraph 3: the processing of personal data solely for literary or artistic purposes, for archival purposes in the public interest, for scientific or historical research, for statistical purposes...

Aligning with Section 3: CHUDATS Existential Perspective

Based on the system conditions stipulated and the domain of intervention endorsed within the MINSANTE/MAHSRA convention framework:

- CHUDATS shall serve as a tool to conduct operational research activities in health within the confines of the framework;
- Shall serve as a health statistics gathering tool for public interest;
- Prevention of major endemics and other emerging and reemerging diseases for public interest.

Conclusion

Technically, if the CHUDATS existential perspectives that align with section 3 of the data protection law were taken into consideration and/or exist as the only data exploitation goals, therefore, the provisions of the Law will not apply to the system usage.

# CMR Data Protection Law Reflections

## Data Processing Principles

Across Section 6 to Section 18 , CHUDATS aligns accordingly:

- Identification of user data is done at very close personal range basis and processed only within a very secured medium (portal).
- All personal (patient) data that are made public for donation purposes are only possible through duly informed evidence-based consent from the concerned individual, a guardian, or in case of an emergency to preserve the health of the concerned.
- All personal data collected are kept and/or processed only for the legitimate goals of the system and further retained mainly for research and statistical purposes.
- The system does not distinguish data collection and processing against gender sensitive positions, social class, ethnic or regional origin, trade union membership, political opinion or religious beliefs.

Across Section 20 to Section 35

## Data Controller Considerations

- CHUDATS management has set-up adequate personal data protection guarantees to ensure the organization security of data processors including user contract and confidentiality agreements, and also with monitoring and user evaluation conditions.
- The system has very secured automated back-up functions and does not tolerate data-access or processing by non-authorized personnel.

# CMR Data Protection Law Reflections

## Interconnectivity of Data Files

### Aligning with Section 36

- CHUDATS management is projecting to interconnect and merge country health data stats with other data collection systems, however, such will only be possible if the third-party systems are duly aligning with the data protection law and if the exchanges will not be prejudicial to the data subjects.

### Aligning with Section 37 to Section 47

## Rights of the Data Subject

- CHUDATS provides self-adherence user accounts for its mobile application “Heal the Sick” and allows the users to auto-delete their accounts when ever they so decide.
- The Health Facility data controllers, while complying with this law have the option to add, modify and terminate user accounts when ever needed.

### Aligning with Section 48 to Section 52

## Prohibition Clause

- CHUDATS does not process data relating to religious, philosophical, political or trade-union opinions and activities, racial or ethnic origin, linguistic or regional origin, genetics, and health biometrics; and neither contrary to public order, morality, nor national interest.
- CHUDATS healthcare data processing and health financing measures are legally mandated within articles 4 and 5 of the Convention framework No. 0017/CC/MINSANTE/MAHSRA of 03 November 2023.

# CMR Data Protection Law Reflections



## Conclusion

- CHUDATS is a government mandated healthcare data processing project with mutual responsibilities between the Ministry of Public Health (MINPUH) and Modern Advocacy Humanitarian Social and Rehabilitation Association (MAHSRA).
- With the institutional support provided by MINPUH, CHUDATS is bound to operate within the armpits of legality and national interest defined within the context of the MINSANTE/MAHSRA convention framework.
- When and where ever necessary, MAHSRA shall align with all the national and international norms for personal data protection in healthcare management while deploying the usage of CHUDATS.

