

## Portuguese Hospital Receives and Contests 400,000 € Fine for GDPR Infringement

---

Friday, October 26, 2018

On July 17, 2018, the Portuguese Supervisory Authority (“CNPD”) imposed a fine of 400.000 € on a hospital for infringement of the European Union General Data Protection Regulation (“GDPR”). The decision has not been made public. Earlier this week, the hospital publicly announced that it will contest the fine.

According to press reports, the CNPD carried out an investigation at the hospital which revealed that the hospital’s staff, psychologists, dietitians and other professionals had access to patient data through false profiles. The profile management system appeared deficient – the hospital had 985 registered doctor profiles while only having 296 doctors. Moreover, doctors had unrestricted access to all patient files, regardless of the doctor’s specialty. The CNPD reportedly concluded that the hospital did not put in place appropriate technical and organizational measures to protect patient data.

In its defense, the hospital apparently indicated that it uses the IT system provided to public hospitals by the Portuguese Health Ministry. The CNPD, however, decided that it was the hospital’s responsibility to ensure that the IT system it uses complies with the GDPR.

While Portugal has not “implemented” the GDPR yet, the CNPD applied the GDPR principles to this case and relied on the GDPR to determine the fine. This is one of the highest fines imposed by the CNPD as of yet. The current law allocates half of the fine to the CNPD budget – the future implementing law will likely contain a similar provision.

© 2019 Covington & Burling LLP

**Source URL:** <https://www.natlawreview.com/article/portuguese-hospital-receives-and-contests-400000-fine-gdpr-infringement>

The logo for Covington & Burling LLP, featuring the word "COVINGTON" in a bold, teal, sans-serif font.

Article By

[Anna Oberschelp de Meneses](#)

[Kristof Van Quathem](#)

[Covington & Burling LLP](#) [Inside Privacy](#)

[Communications, Media & Internet](#)

[Global](#)

[Health Law & Managed Care](#)

[Portugal](#)