

STANDARD 4.2 MANAGEMENT OF HEALTH INFORMATION

4.2.1 CONFIDENTIALITY AND PRIVACY OF HEALTH INFORMATION

CLINIC PRIVACY POLICY

ROWVILLE HEALTH

PRIVACY POLICY – 1ST March, 2016

Purpose

To ensure patients who receive care from Rowville Health are comfortable in entrusting their health information to the practice. This policy provides information to patients as to how their personal information (which includes their health information) is collected and used within the practice, and the circumstances in which we may disclose it to third parties.

Background and rationale

The Australian Privacy Principles (APP) provide a privacy protection framework that supports the rights and obligations of collecting, holding, using, accessing and correcting personal information. The APP consists of 13 principle-based laws and apply equally to paper-based and digital environments. The APP complement the long-standing general practice obligation to manage personal information in a regular, open and transparent manner.

This policy guides practice staff in meeting these legal obligations. It also details to patients how the practice uses their personal information. The policy must be made available to patients upon request.

Practice Procedure

Rowville Health will:

- Provide a copy of this policy upon request, at no charge to the patient
- Ensure staff comply with the APP and deal appropriately with inquiries or concerns
- Take such steps as are reasonable in the circumstances to implement practices, procedures and systems to ensure compliance with the APP and deal with inquiries or complaints
- Collect personal information for the primary purpose of managing a patient's healthcare and for financial claims and payments

Staff Responsibility

Rowville Health staff will take reasonable steps to ensure patients understand:

- What information has been and is being collected
- Why the information is being collected, and whether this is due to a legal requirement
- How the information will be used or disclosed
- Why and when their consent is necessary
- The procedures for access and correction of information, and responding to complaints of information breaches, including by providing this policy.

Patient Consent

Rowville Health will only interpret and apply a patient's consent for the primary purpose for which it was provided. The practice staff must seek additional consent from the patient if the personal information collected may be used for any other purposes.

We will obtain consent from the patient for use and or disclosure of personal health information by practice doctors, locums, registrars and other authorised healthcare service providers to the practice, and for the purpose of practice research, quality assurance and quality management.

Because of the potential uncertainty of standard email, consent from the patient will be obtained if the patient wishes to be contacted via email. Permission may be written or verbal and documented in the patient's file.

Rowville Health will not use any personal information in relation to direct marketing to a patient without that patient's express consent. Patients may opt-out of direct marketing at any time by notifying the practice in a letter or email.

Rowville Health evaluates all unsolicited information it receives to decide if it should be kept, acted on or destroyed.

Security

Rowville Health takes all possible action to ensure that no person has unauthorised access to information stored. Rowville Health holds all personal information securely, whether in electronic format, in protected information systems or in hard copy format in a secured environment. All medical records are backed up securely to protect against loss of data.

Collection of Information

Rowville Health will need to collect personal information as a provision of clinical services to a patient at the practice. Collected personal information will include patients':

- Names, addresses and contact details
- Medicare number (where available) (for identification and claiming purposes)
- Healthcare identifiers
- Medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors
- Details of next of kin and emergency contacts

A patient's personal information may be held at the practice in various forms:

- As paper records
- As electronic records
- As visual – xray's, CT scans, videos and photos
- As audio recordings

Rowville Health's procedure for collecting personal information is set out below.

1. Practice staff collect patients' personal and demographic information via registration when patients present to the practice for the first time. Patients are encouraged to pay attention to the collection statement attached to/within the form and information about the management of collected information and patient privacy.

2. During the course of providing medical services, our healthcare practitioners will consequently collect further personal information by interview, observation or in writing.
3. Personal information may also be collected from the patient's guardian or responsible person (where practicable and necessary) or from any other involved healthcare specialists.

Use and disclosure of information

Personal information will only be used for the purpose of providing medical services and for claims and payments, unless otherwise consented to. Some disclosure may occur to third parties engaged by or for the practice for business purposes, such as accreditation or for the provision of information technology. These third parties are required to comply with this policy. The Practice will inform the patient where there is a statutory requirement to disclose certain personal information (for example, some diseases require mandatory notification).

Rowville Health will not disclose personal information to any third party other than in the course of providing medical services, without full disclosure to the patient or the recipient, the reason for the information transfer and full consent from the patient. We will not disclose personal information to anyone outside Australia without need and without patient consent.

Exceptions to disclose without patient consent are where the information is:

- Required by law
- Necessary to lessen or prevent a serious threat to a patient's life, health or safety or public health or safety, or it is impractical to obtain the patient's consent
- To assist in locating a missing person
- To establish, exercise or defend an equitable claim
- For the purpose of a confidential dispute resolution process

In limited circumstances, a medical practitioner is permitted to use or disclose information about a patient to lessen or prevent a serious threat to the life, health or safety of any individual or to public health or safety).

Staff training

Staff are aware that all medical records are private and confidential and have signed a Confidentiality Agreement to reinforce this. Staff are aware of the Privacy laws.

Medical Records

All individual medical records are retained by the practice. If a patient no longer attends the practice, the records will be kept until the patient has reached the age of 25 years or for a minimum of 7 years from the date of the last consultation at the practice, or whichever is longer.

Access, corrections and privacy concerns

Rowville Health acknowledges patients may request access to their medical records. Patients are encouraged to make this request in writing, and we will respond within a reasonable time.

Rowville Health will take reasonable steps to correct personal information where it is satisfied they are not accurate or up to date. From time to time, the practice will ask patients to verify the personal information held by the practice is correct and up to

date. Patients may also request that Rowville Health corrects or updates their information, and patients should make such requests in writing.

Rowville Health takes complaints and concerns about the privacy of patients' personal information seriously. Patients should express any privacy concerns in writing. The practice will then attempt to resolve it in accordance with its complaint resolution procedure. If a patient has any privacy concerns they should be addressed to the Practice Manager, Ms. Natalie Short or the Office Manager, Mrs. Jenni Tomlinson at Rowville Health.

Dealing With Unsolicited Personal Information

Rowville Health evaluates all information it receives that it did not request (unsolicited information) to decide if it should be kept, acted on or destroyed.

Staff are aware of procedures for identification, management and evaluation of unsolicited information.

Review of Privacy Policy

This policy is reviewed on a regular yearly basis.