



## Health+ Diabetes Clinic Privacy Policy

### Managing Patient Health Information

#### 1. POLICY

Our clinic is committed to protecting the privacy of our patients within our practice. Information collected is kept strictly confidential and used only for the medical and health care of patients.

#### 2. PURPOSE

To ensure clinic patients are comfortable in entrusting their health information to the practice. This policy provides information to patients as to how their personal information is collected and used within the clinic and the circumstances in which we may disclose it to third parties.

#### 3. SCOPE

This policy applies to all employees and patients of the Health+ Clinic.

#### 4. CLINIC PROCEDURE

The Clinic will:

- Provide a copy of this policy upon request
- 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:

The practice 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 Practice's procedures for access and correction of information, and responding to complaints of information breaches, including by providing this policy

Patient Consent:

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

## 5. COLLECTION, USE AND DISCLOSURE

Health+ Diabetes Clinic recognises that the information we collect is often of a highly sensitive nature and as an organisation we have adopted the privacy compliance standards relevant to Hawkins Medical Clinic to ensure personal information is protected.

For administrative and billing purposes and to ensure quality and continuity of patient care a patient's health information is shared within the Clinic.

Collected personal information will include patient's:

- Names, addresses and contact details
- Emergency contacts &/or Next of Kin
- Medicare number DVA number for identification and claiming purposes
- Healthcare identifiers
- Medical information including medical and mental health history, medications, allergies, adverse events, immunisations, social history, family history and risk factors, lifestyle habits, cultural information, referral details and copies of any inward or outward correspondence and reports.

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

- As paper records
- As electronic records
- As visuals ie xrays, ct scans, videos & photos
- As audio recordings

The practice's procedures for collecting personal information is set out below:

- patient's personal and demographic information is collected in various ways including, via third party – web-based forms, face to face, via email or over the phone prior to patients presenting to the clinic for the first time. Patients are encouraged to pay attention to the collection statement that they complete as a new patient.
- During the course of providing medical services the practice's healthcare practitioners will consequently collect further personal information.
- Personal information may also be collected from the patient's guardian or responsible person (where practicable and necessary) or from other involved healthcare specialists.

The practice holds all personal information securely, whether in electronic format, in protected information systems or in hard copy in a secured environment.

Personal information collected by clinic may be used or disclosed in the following instances:

- As required during the normal operation of services provided. i.e. for referral to a medical specialist or other health service provider;
- For reminder letters or newsletters which may be sent to you regarding your health care and management
- Administrative purposes in running our medical practice.  
Billing purposes, including compliance with Medicare and Health Insurance Commission requirements.  
As required for delivery of the health service to the patient
- For patient feedback surveys
- For medical defence purposes;
- As required by law in instances of mandatory reporting of communicable diseases;
- Necessary to lessen or prevent a serious threat to a patient's life, health or safety or public health or safety, or it is impracticable to obtain patient's consent
- For reminder letters which may be sent to you regarding your health care and management

- To assist in locating a missing person
- For the purpose the patient was advised during medical or Allied health consult s
- As required during the normal operation of services provided. i.e. for referral to a medical specialist or other health service provider;
- For the purpose of a confidential dispute resolution process
- Some disclosure may occur to third parties engaged by or for the practice for the Practice for business purposes such as accreditation or for the provision of information technology and for transcription of Correspondence. These third parties are required to comply with this policy.
- Some of this information will be used for directly related reasons such as providing a referral to a specialist, hospital or other health service. We may also use information within the practice for our own quality assurance and education programs, to provide you with reminder letters, to inform you of health related issues or programs which may be of interest and for accounting purposes, including Medicare billing.

The clinic 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.

The Practice will not disclose personal information to anyone outside Australia without need and without patient consent.

The Practice will not use any personal information in relation to direct marketing to a patient without that patient's express consent.

The practice evaluates all unsolicited information it receives to decide if it should be kept, acted upon or destroyed.

Clinic will employ all reasonable endeavours to ensure that a patient's personal information is not disclosed without their prior consent.

### **Email Policy for Patients**

Communication with patients via electronic means is conducted with appropriate regard to privacy. Electronic communication includes email, facsimile and Short Message Service (SMS). Any electronic communication received from patients is also used as a method to verify the contact details we have recorded on file are correct and up to date.

Due to privacy and security regulations, communication via email is not preferred. Without passwords or encryption, it creates a risk that your e-mail may be intercepted, and read, by a third party. By providing us with your consent you are accepting any and all risks associated with communication via email.

### **6. DATA QUALITY**

Patient information collected and retained in our records for the purpose of providing quality health care will be complete, accurate, and up to date at the time of collection. Doctors are reminded to review past medical history at least every 3 years.

### **7. DATA SECURITY**

All due care will be taken to ensure the protection of patient privacy during the transfer, storage and use of personal health information.

Retention of medical records is for a minimum of 7 years from the date of last entry. Paper based information that is no longer required is destroyed by shredding.

## 8. ACCESS TO PATIENT INFORMATION AND CORRECTION

The following will apply with regard to accessing personal and private medical information by an individual:

- An individual has the right to request access their own personal information and request a copy or part of the whole record;
- Individuals have the right to obtain their personal information in accordance with the Federal Privacy Act from 20 December 2001 onwards. Requests must be made in writing and an acknowledgement letter will be sent to the patient within 15 business days confirming the request and detailing whether the request can be complied with and an indication of any costs associated with providing the information. Time spent and photocopying costs when processing a request can be passed on to the requesting patient. Information can be expected to be provided within 30 business days.
- Requests for information prior to 20 December 2001 will be considered by the practice
- Whilst the individual is not required to give a reason for obtaining the information, a patient may be asked to clarify the scope of the request;
- In some instances the request to obtain information may be denied, in these instances the patient will be advised;
- The material over which a Doctor has copyright might be subject to conditions that prevent or restrict further copying or publication without the Doctors permission;
- The practice 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 the Practice corrects or updates their information and patients should must such requests in writing.
- Upon request by the patient, the information held by this clinic will be made available to another health provider.

## 9. PARENTS/GUARDIANS AND CHILDREN

To protect the rights of a child's privacy, access to a child's medical information may at times be restricted for parents and guardians. Release of information may be referred back to the treating Doctor where there professional judgement and the law will be applied.

## 10. COMPLAINTS

The management of Clinic understands the importance of confidentiality and discretion with the way we manage and maintain the personal information of our patients. The Practice takes complaints and concerns about the privacy of patient's 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 process.

All employees of Clinic are required to observe the obligations of confidentiality in the course of their employment and are required to sign Confidentiality Agreements.

In the instance where you are dissatisfied with the level of service provided within the clinic we encourage you to discuss any concerns relating to the privacy of your information with the Practice Manager or the Doctor.

If the complaint has not been resolved to your level of satisfaction all complaints should be directed to:

The Federal Privacy Commissioner  
Level 8 Piccadilly Tower

133 Castlereagh Street

Sydney NSW 2000

**Privacy Hotline:** 1300 363 992

11. SUPPORTING DOCUMENTATION

National Privacy Principles

Freedom of Information Act 2001

12. REVIEW DATE

15<sup>th</sup> March 2021