


## POLICY: PATIENT PRIVACY

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|  Ulladulla Endoscopy<br>and Medical Centre | <b>Patient Privacy<br/>Policy</b> | Document Number :               | GOVPOL-004         |
|   |                                   | Version Number                  | 3                  |
|   |                                   | Date of 1 <sup>st</sup> Release | Feb 2016           |
|   |                                   | Date of Last Review:            | October 2019       |
|   |                                   | Date of Next Review:            | October 2022       |
| Folder:   | Clinical Governance               | Approved By:                    | Dr Jessie<br>Hoang |

### 1. INTRODUCTION AND PURPOSE

This privacy policy provides assurance for patients as to how their personal information (which includes their health information) is collected and used within our practice, and the circumstances in which we may share it with third parties.

### 2. TERMS AND DEFINITIONS

*Privacy* – the state of being apart from other people or concealed from their view; solitude; seclusion: ... the state of being free from unwanted or undue intrusion or disturbance in one's private life or affairs; freedom to be let alone.

### 3. SCOPE

This policy applies to all patients treated at UEMC.

### 4. RESPONSIBILITIES

All staff are to be aware of the policy.

### 5. POLICY

When a patient is registered at our practice, they complete a Patient Details and Consent Form providing consent for our GPs and practice staff to access and use their personal information so that they can provide patients with the best possible healthcare. Only staff who need to see patient's personal information will have access to it. If UEMC needs to use patient's information for anything else, we will seek additional consent from patients to do this.

We collect personal information to provide healthcare services. Our main purpose for collecting, using, holding and sharing personal information is to manage patient's health care needs. We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes (e.g. staff training).

The personal information collected includes;

- names, date of birth, addresses, contact details
- medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors
- Medicare number (where available) for identification and claiming purposes
- healthcare identifiers
- health fund details
- Aboriginal Torres Strait Islander status, nationality, country of origin and emergency contact details.

All patients have the right to deal with us anonymously or under a pseudonym unless it is impracticable for us to do so or unless we are required or authorised by law to only deal with identified individuals.

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Personal information is collected when;

1. A first appointment is made our practice staff will collect personal and demographic information via the registration process.
2. During the course of providing medical services, we may collect further personal information.
3. We may also collect personal information when patients visit or send us an email or telephone us.
4. In some circumstances personal information may also be collected from other sources. Often this is because it is not practical or reasonable to collect it from patients directly. This may include information from:
  - The guardian or responsible person
  - Other involved healthcare providers, such as specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services
  - The health fund, Medicare, or the Department of Veteran's Affairs (as necessary).

We share information;

- With third parties who work with our practice for business purposes, such as accreditation agencies or information technology providers – these third parties are required to comply with Australian Privacy Principles and this policy
- With other healthcare providers
- When it is required or authorised by law (e.g. court subpoenas)
- When it is 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 confidential dispute resolution process
- When there is a statutory requirement to share certain personal information (e.g. some diseases require mandatory notification)

Only people that need to access information will be able to do so. Other than in the course of providing medical services or as otherwise described in this policy, our practice will not share personal information with any third party without consent.

We will not share personal information with anyone outside Australia (unless under exceptional circumstances that are permitted by law) without consent.

Our practice will not use personal information for marketing any of our goods or services directly without your express consent. If consent is given patients may opt-out of direct marketing at any time by notifying our practice in writing.

We store personal information in various forms.

- as paper records
- as electronic records
- as visual – X-rays, CT scans, videos and photos
- as audio recordings

Our practice stores all personal information securely whether in electronic format, in protected information systems or in hard copy format in a secured environment. For example we use passwords,

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secure cabinets and confidentiality agreements for staff and contractors

Patients have the right to request access to, and correction of their personal information.

Our practice acknowledges patients may request access to their medical records. We require them to put this request in writing to Dr Le or Dr Hoang and our practice will respond within a reasonable time. The fee for the service cannot be claimed back from Medicare.

Our practice will take reasonable steps to correct personal information where the information is not accurate or up-to-date. From time-to-time, we will verify personal information held by our practice is correct and up-to-date. Patients may also request that we correct or update their information, and they should make such requests in writing to Practice Manager, Ulladulla Endoscopy & Medical Centre, PO Box 110, and Ulladulla 2539.

### **Complaints Management**

We take complaints and concerns regarding privacy seriously. Patients can express any privacy concerns in writing to Practice Manager, Ulladulla Endoscopy & Medical Centre, PO Box 110, and Ulladulla 2539. Our timeframe for responding to correspondence is 14 days. We will then attempt to resolve it in accordance with our resolution procedure.

Patients may also contact the Office of the Australian Information Commissioner (OAIC). Generally the OAIC will require patients to give them time to respond, before they will investigate. For further information visit [www.oaic.gov.au](http://www.oaic.gov.au) or call the OAIC on 1300 336 002.

## **6. ASSOCIATED DOCUMENTS**

UEMC Patients' Rights and Responsibilities

UEMC Open Disclosure Policy

UEMC Medical Records and Security of Patient Information

UEMC Patient Feedback

UEMC Clinical Governance Framework

## **7. EVALUATION AND KPIS**

- Number of breaches of privacy

## **8. REFERENCES**

Australian Commission on Safety and Quality in Health Care. (2017). *National Safety and Quality Health Service Standards*. 2<sup>nd</sup> Edition Standard. Sydney, Australia: Australian Commission on Safety and Quality in Health Care

Health Records and Information Privacy Act 2002 No 71. NSW Government Legislation

**VERSION CONTROL CHANGES**

| <b>VERSION AND DATE</b> | <b>CHANGES</b>     | <b>APPROVED BY</b> |
|-------------------------|--------------------|--------------------|
| V1 February 2016        | Creation of Policy | Dr Jessie Hoang    |
| V2 August 2016          | Updated template   | Dr Jessie Hoang    |
| V3 October 2019         | NSQHSS V2 changes  | Dr Jessie Hoang    |
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