

Policy Outlines

Springs Medical is committed to protecting the privacy of the personal and sensitive information which it collects and stores.

This Policy aims to explain clearly how personal information about you and your health is recorded and managed in the practice. If you have any questions your Doctor or the Practice Coordinator will be happy to discuss this with you.

The purpose of the Springs Medical Privacy Policy is to explain the following:

- 1) The type of information Springs Medical may collect about you and how that information is stored.
- 2) How Springs Medical collects and stores personal information.
- 3) The purposes for which Springs Medical collects, stores, uses and discloses personal information.
- 4) The way you can access personal information that Springs Medical holds about you, and the ways you can access to correct information.
- 5) The way you can make a complaint to Springs Medical about a breach of your privacy and how Springs Medical will handle this complaint.

Definitions:

In the Springs Medical Privacy Policy, the following terms have the following meanings:

1. Health information:

Any personal information or opinion about:

- A persons physical health, mental health or disability (at any time)
- Any express wishes by an individual about the future provision of health services for themselves
- Any health service provided, or to be provided to an individual
- Any information about an individual in a form that is, or could be predictive of the health of the individual or a genetic relative of the individual.

2. Personal Information:

Refers to information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- Whether the information or opinion is true or not
- Whether the information or opinion is recorded in a material form or not

3. Sensitive Information:

Is any personal information or opinion about an individual's:

- Racial or ethnic origins
- Political opinions or associations
- Religious or philosophical beliefs or affiliations
- Sexual preference or practices
- Criminal record
- Health information about an individual

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Your Medical Records

Your doctor will ensure that your medical records:

- Are accurate, comprehensive, well-organised and legible;
- Are up to date;
- Have enough information to allow another Springs Medical doctor, allied health provider or visiting consultant to provide care for you;
- Does not contain offensive or irrelevant comments about you;
- Contain a summary of your care; and
- Can be used to remind you, with your permission, to return for follow up, check-ups and reviews via recall letters. (subject to the spam act 2003 cth)

Your doctor will only collect information that is relevant to your medical care. If you are uncertain as to why information is being requested, ask your doctor.

Availability

Springs Medical has a **Privacy Policy** and a **Personal Health Information Collection Statement** – these documents are available to all individuals for inspection via the Springs Medical website, www.springsmedical.com.au, at reception and in the patient information folders, located in each waiting area.

Providing your information to other Doctors

The Doctors who work at Springs Medical all respect your right to decide how your personal health information is used or disclosed.

Springs Medical acts in accordance with the Health Records Act 2001, Vic. In all (but exceptional circumstances) personal information that identifies you will only be released to another health care provider with your written consent. The use or disclosure of personal information without the individuals consent may be obtained by the following means as outlined in the Privacy ACT 1988 Australian Privacy Policy 6.

Australian Privacy Principle 6 (referred to hereafter as APP) – use or disclosure of personal information

6.1 If an APP entity holds personal information about an individual that was collected for a particular purpose (the primary purpose), the entity must not use or disclose the information for another purpose (the secondary purpose) unless: (b) sub-clause 6.2 or 6.3 applies in relation to the use or disclosure of the information.

6.2 This subclause applies in relation to the use or disclosure of personal information about an individual if:

- (a) the individual would reasonably expect the APP entity to use or disclose the information for the secondary purpose and the secondary purpose is:
 - (i) if the information is sensitive information—directly related to the primary purpose; or
 - (ii) if the information is not sensitive information—related to the primary purpose; or
- (b) the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- (c) a permitted general situation exists in relation to the use or disclosure of the information by the APP entity; or
- (d) the APP entity is an organisation and a permitted health situation exists in relation to the use or disclosure of the information by the entity; or
- (e) the APP entity reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

6.3 This subclause applies in relation to the disclosure of personal information about an individual by an APP entity that is an agency if:

- (a) the agency is not an enforcement body; and
- (b) the information is biometric information or biometric templates; and
- (c) the recipient of the information is an enforcement body; and
- (d) the disclosure is conducted in accordance with the guidelines made by the Commissioner for the purposes of this paragraph.

At Springs Medical, it is customary for all Springs Medical Doctors, Allied Health Providers and Visiting Consultants to have access to your medical records. If you have any concerns about this, please discuss your concerns with your doctor.

It is important that other people involved in your care, such as other Doctors/Specialists/Allied Health Care providers, are informed of relevant parts of your medical history so they can best care for you. In the case of a referral to another health care provider, after discussion with you, your doctor will write a referral letter containing your personal health information. If you have any concerns about this, please discuss with your doctor.

Access to your health information at the Daylesford Hospital

After hours care is provided at the Daylesford Hospital by Doctors of Springs Medical.

Information collected at Springs Medical can be accessed at the Daylesford Hospital via a remote link to the Springs Medical data system. The access is by a secure link with Doctors only accessing the system via a secure password. Access to these health records enable your doctor to access your health information from Springs Medical when you attend the Daylesford Hospital. Access to this information is restricted to Doctors from this practice unless you consent otherwise.

You have the opportunity to withdraw consent for access of health information at the Daylesford Hospital in the Patient Consent form.

Security of information in the practice

Springs Medical strives to ensure the security, integrity and privacy of your personal information (either computer record or paper record) and that it is kept private and secure and in a manner, that protects your record from unauthorised access.

It is the policy of this practice to maintain security of personal health information at all times and to ensure that this information is only available to authorised members of staff.

Providing your information to others

Your doctor will not disclose your personal health information to a third party unless any of the following apply:

- You have given verbal or written consent to the disclosure
- This disclosure is necessary because you are at risk of harm without treatment and you are unable to give consent - for example you might be unconscious after an accident
- Your doctor is legally obliged to disclose the information (e.g. notification of certain infectious diseases or suspected child abuse, or a subpoena or court order)
- The information is necessary to obtain Medicare payments or other health insurance rebates
- This disclosure is necessary for the doctors in the practice to carry out a review of their practice for the purpose of improving the quality of care provided and the activity has been approved under commonwealth or state legislation or by a medical college. This provides safeguards to protect the confidentiality of the information provided
- There is an overriding public interest in the release of the information.

In any of the above cases only information which is necessary to achieve the objective will be provided.

Request for access to your health information

You have the right to request access to the information contained in your medical record. You may ask your doctor about any aspect of your health care including information in your record. We believe that sharing information is important for good communication between you and your doctor and for good health care.

Information in your record can be provided to you by way of an accurate and up to date summary of your care, for instance if you are moving away and are transferring to a new doctor. Do not hesitate to ask your doctor if you want a summary of your care for any reason.

If you request health information for yourself, or that of an individual you have right of access, Springs Medical may require evidence of identity or authority: Prior to providing an individual access to health information, Springs Medical will take all reasonable steps and be satisfied about the person's right to this information.

For this purpose, Springs Medical may require evidence of the following:

- Proof of the person's identity.
- If an individual has authorised the organisation to provide access to that person, and the authority of the individual can be proved.
- If the individual seeking access is an authorised representative of the individual within meaning of section 85 (6) of the Health Records ACT 2001, or the legal representative of a deceased individual, and has the authority of that person.
- Any information provided by others on a confidential basis, your doctor may need to remove from the health information.
- Your doctor will also need to consider the risk of any physical or mental harm to you or any other person, which may result from disclosure of your health information.
- Your doctor will be pleased to provide a full explanation of the health summary or medical record provided if an appointment is made.

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How to access this information

- Be in writing if it is a request by an authorised representative within the meaning of section 85 (6) of the Health Records ACT 2001.
- A request by a legal representative of a deceased individual.
- If the request for information is made orally, Springs Medical may as soon as is reasonably practicable ask the individual to make a request in writing, and if so, need not take any further action in respect of the oral request.

Cost of providing information

Depending on what information you request, you may be asked to contribute to the cost of providing the information.

A brief summary which will provide brief information will be provided when requested. If you request an appointment to spend time reviewing your medical records or to discuss the summary provided, the standard time-based fee will apply. In accordance with Medicare guidelines, a refund from Medicare will not be obtainable for this type of consultation. As at 1st January 2017 these fees may be in the range \$77.05 to \$153.55 depending on time and if paid on the day. (for an update on the likely fee to be charged please contact Administration staff for confirmation of the fee)

If you request a copy of your archived paper file or electronic file, please allow up to 45 days for your doctor to prepare this information.

Fees:

Retrieval **\$20 up to 10 pages and 50cents per page following that (max. \$80).**

Inspection **\$15 per 15mins (supervised)**

Please note; The GP may choose to waiver costs in certain circumstances

Where there has been a written request for information from an individual and a fee has been charged, Springs Medical must provide access to the health information within 7 days after the payment of fees, or 45 days after receiving the request, whichever is the later.

In every other case access to the information will be provided as soon as is practicable, but no later than 45 days after receiving the request.

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Resolving your concerns regarding the privacy of your health information

If you have any concerns regarding the privacy of your health information or regarding the accuracy of the information held by the practice, you should discuss these with your doctor. Inaccurate information will be corrected or your concerns noted in the records if it is not possible or desirable to alter the original record.

Using health information for quality improvement and research

We use patient health information to assist in improving the quality of care we give to all our patients by reviewing the treatments used in the practice.

We may also use information that does not identify you in research projects to improve health care in the community. You will normally be informed if your information is to be used for this purpose and will have the opportunity to refuse to have your unidentified information used in this way.

In some circumstances, where the research serves an important public interest, identifiable medical records can be used for medical research without your consent under guidelines issued by the National Health and Medical Research Council. An official ethics committee must approve this research where ever practicable, the information used for research will not be in a form that would enable you to be identified. The publication of research results, which use your information, will never be in a form that enables you to be identified.

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Complaints

If you have a complaint about Springs Medical information handling practices, and you believe we have breached your privacy, you can lodge a complaint by contacting:-

General Manager or Practice Co-ordinator
Springs Medical
10 Hospital Street (Po Box 464),
Daylesford, Vic 3460
Phone 5348 2227

Or you can contact any of the organisations below:

Office of the health Complaints Commissioner Phone: 1300 582 113
Level 26, 570 Bourke St, Melbourne, Vic, 3000

www.hcc.vic.gov.au

Commissioner for Privacy and Data Protection Phone: 1300 666 444

www.cpdp.vic.gov.au

Office of the Australian Information Commissioner Phone: 1300 363 992

www.oaic.gov.au

Springs Medical seeks to respond to all complaints in a fair and efficient manner.

Patients may also request the additional relevant documents associated with this policy:-

- 1) **Patient Consent Form** (usually provided to new patients)
- 2) **Personal Health Information Collection Statement** (provided along with this policy statement)
- 3) **Request for Access to Personal Health Information** (provided to a patient when requesting information for a variety of purposes)