



## **PATIENT PRIVACY POLICY**

The purpose of this document is to outline how **BLI BLI CLINIC** complies with its confidentiality and privacy obligations.

From December 2001, the Privacy Amendment (Private Sector) Act 2000 extended the operation of the Federal Privacy Act 1988 to include the private health sector throughout Australia. We ensure patients who receive care from the Practice 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.

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 complements the long-standing general practice obligation to manage personal information in a regulated, open and transparent manner.

This policy will guide staff in meeting these legal obligations. It also details to patients how the Practice uses their personal information.

### *Practice Procedure*

The Practice will:

- Provide a copy of this policy upon request
- Ensure staff comply with the APP and deal appropriately with enquires 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 enquiries and complaints
- Collect personal information for the primary purpose of managing a patient's healthcare and for financial claims and payments.

### *Staff Responsibility*

The Practice's 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 Practice 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 purpose.

## *Collection of Information*

We recognise that the information we collect is often of a highly sensitive nature and as an organisation we have adopted the highest privacy compliance standards relevant to ensure personal information is protected. We will need to collect personal information as a provision of clinical services to a patient at the practice. Collected personal information will include patients':

- Name, 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.

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

- As paper records
- As electronic records
- As visual – xrays, CT scans, videos and photos
- As audio recordings

The Practice's procedure for collecting personal information is set out below:

1. Practice staff collects 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 within the form and information about the management of collected information and patient privacy.
2. During the course of providing medical services, the Practice's healthcare practitioners will consequently collect further personal information.
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.

Because of the sensitive nature of the information collected by us to provide services, extra precautions are taken to ensure the security of that information. Our electronic files are password protected and the computer backup tapes are stored offsite.

We require all our employees and contractors to observe obligations of confidentiality in the course of their employment/contract. We require independent contractors to sign a confidentiality statement.

We keep health information for a minimum of 7 years from the date of last entry in the patient record (unless the patient was a child in which case the records must be kept until the patient attains or would have attained 25 years of age). This is because we are required to maintain such records under some laws.

## *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 (e.g some diseases require mandatory notification).

Medical Practitioners who provide services at our practice may refer patients to the following services:

- Pathology services
- Radiology services
- Public hospitals
- Private hospitals
- Day hospitals
- Specialist medical practitioners and other health providers involved in the relevant patient's care which may include surgeons, nurses, pharmacists, ambulance services and other allied health services.

The Practice 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 an 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

The Practice 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 notifying the Practice in a letter or email.

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

#### *Access, corrections and privacy concerns*

The practice acknowledges patients may request access to their medical records. Patients are encouraged to make this request in writing and the Practice will respond within a reasonable time.

Patients who change doctors and need a copy of their medical records to ensure continuity of care are encouraged to see their new care provider to send a signed consent to us requesting this information.

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 make such requests in writing.

The Practice 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.

Letters are to be addressed to:

The Privacy Officer  
C/- Practice Manager  
Bli Bli Clinic  
Shop 15, Rivermarkets,  
314-326 David Low Way  
BLI BLI QLD 4560

If you are unable to resolve an issue with the practice you can contact the Privacy Commissioner on **1300 363 992**.