

Blackburn Clinic & Blackburn Specialist Centre Privacy Policy

Version 2: 23 October 2019

Introduction

This privacy policy is to provide information to you, our patient, on how your personal information (which includes your health information) is collected and used within our practice, and the circumstances in which we may share it with third parties.

Why and when your consent is necessary

When you register as a patient of our practice, you provide consent for our GPs and practice staff to access and use your personal information so they can provide you with the best possible healthcare. Only staff who need to see your personal information will have access to it. If we need to use your information for anything else, we will seek additional consent from you to do this.

Why do we collect, use, hold and share your personal information?

Our practice will need to collect your personal information to provide healthcare services to you. Our main purpose for collecting, using, holding and sharing your personal information is to manage your health. We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes (eg staff training).

What personal information do we collect?

The information we will collect about you includes your:

- 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) or other government identifiers for identification and claiming purposes
- healthcare identifiers
- health fund details where necessary.

Dealing with us anonymously

You 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.

How do we collect your personal information?

Our practice may collect your personal information in several different ways.

1. When you make your first appointment our practice staff will collect your personal and demographic information via your registration.
2. During the course of providing medical services, we may collect further personal information, including but not limited to information regarding electronic transfer of prescriptions (eTP) and electronic My Health Record information.
3. We may also collect your personal information when you visit our website, send us an email or SMS, telephone us, make an online appointment or communicate with us using social media.
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 you directly. This may include information

from:

- your guardian or responsible person
- other involved healthcare providers, such as specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services
- your health fund, Medicare, or the Department of Veterans' Affairs (as necessary).

When, why and with whom do we share your personal information?

We sometimes share your personal 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 APPs and this policy
- with other healthcare providers
- when it is required or authorised by law (eg 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 (eg some diseases require mandatory notification)
- during the course of providing medical services, through eTP, My Health Record (eg via Shared Health Summary, Event Summary), or electronic transcription services.

Only people who need to access your 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 your consent.

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

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

How do we store and protect your personal information?

Your personal information may be stored at our practice in various forms including: paper records, electronic records, visual records (X-rays, CT scans, videos and photos), audio recordings.

Our practice stores all personal information securely. Paperwork is stored in secure cabinets and our building uses security monitoring and alarms.

Our practice has systems in place to protect the privacy, security, quality and integrity of the data held electronically. All members of our practice team are trained in computer use and in our security policies and procedures. The management of all practice computers and servers comply with the RACGP's *Computer and information security standards (CISS)* (2nd edition) including:

- Documented policies and procedures for managing computer and information security including passwords, access controls and confidentiality agreements
- Processes to ensure the safe and proper use of internet and email in accordance with practice policies and procedures for managing information security
- Reliable information backup systems to support timely access to business and clinical information
- Reliable protection against malware and viruses
- Reliable computer network perimeter controls

- Managing and maintaining the physical facilities and computer hardware, software and operating system with a view to protecting information security, and
- Reliable systems for the secure electronic sharing of confidential information.

How can you access and correct your personal information at our practice?

You have the right to request access to, and correction of, your personal information.

Our practice acknowledges patients may request access to their medical records. We require you to put this request in writing (using our "Request for access to medical records" form as this outlines the scope/type of access) and our practice will respond within a reasonable time (generally 30 days).

Access to your health information will attract a cost, excepting where you need to see your doctor for a medical reason and ask to discuss access to your health information during your consultation.

For those patients who do not have a medical reason to see their doctor, the fees associated with access are described below (note: the fees below apply 1 July 2019-30 June 2020. Fees are increased annually by the Health Complaints Commissioner and we apply their current fees):

Accurate Summary

- Greater of the usual fee for a consult of comparable duration, **or** \$42.90 per 15 minutes or part thereof, not exceeding \$139.20 (plus GST). There is no Medicare rebate for this fee.

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- 20 cents per page for A4 black & white page, **plus**
- Reasonable costs if not A4, or if in colour, or if you wish us to supply a CD/DVD, **plus**
- Transporting records held offsite (if applicable) \$17.80, **plus**
- Time for assessing and collating the information (ie. Time spent by doctor and/or staff), \$37.00, **and**
- Plus GST. There is no Medicare rebate for this fee.

Viewing file with explanation by GP

- An amount equal to the usual fee for a consult of a comparable duration, plus GST. Section 32(4) of the Health Records Act 2001 provides that in such a case the person giving the explanation may charge the individual a fee that does not exceed their usual fee for a consultation of a comparable duration and does not state whether a Medicare rebate is available for such a consultation.

Please contact the Privacy Officer on phone 03 9875 1111 if you are unsure about which method of access applies to you.

Our practice will take reasonable steps to correct your personal information where the information is not accurate or up to date. From time to time, we will ask you to verify that your personal information held by our practice is correct and current. You may also request that we correct or update your information, and you should make such requests in writing to our Privacy Officer, Helen Yaacoub, Blackburn Clinic Medical Services Trust, Locked Bag 9, Blackburn VIC 3130.

We may deny access to your medical records in certain circumstances permitted by law, for example, if disclosure may cause a serious threat to your health or safety. We will always tell you why access is denied and the options you have to respond to our decision.

How can you lodge a privacy-related complaint, and how will the complaint be handled at our practice?

We take complaints and concerns regarding privacy seriously. You should express any privacy concerns you may have in writing to: Privacy Officer, Helen Yaacoub, Blackburn Clinic Medical Services Trust, Locked Bag 9, Blackburn VIC 3130. We will then attempt to resolve it in accordance with our resolution procedure. We will generally respond within 30 days.

You may also contact the Office of Australian Information Commissioner (OAIC). Generally, the OAIC will require you to give them time to respond before they will investigate. For further information visit

<http://www.oaic.gov.au> or call the OAIC on 1300 363 992.

You may also contact the Health Complaints Commissioner (HCC) of Victoria – visit <https://hcc.vic.gov.au> or call 1300 582 113.

The HCC handles complaints about: access to services; quality and safety; care and attention; respect, dignity and consideration; communication about treatment, options and costs; the level of involvement in healthcare decisions; access, privacy and confidentiality of personal health information; and complaint handling by the health service provider.

Privacy and our website

Please note that use of our website and the online booking service accessible from it may create cookies.

Policy review statement

Our privacy policy will be reviewed whenever there are changes to relevant legislation and in line with our three yearly accreditation process. Revised policies will be made available on our website.