

## ***Privacy Policy*** ***Current as of 17.10.2023***

### ***Purpose***

This privacy policy explains how personal information about you and your health is recorded and managed in our practice. We also have a written privacy policy describing how we manage personal information. You can receive a copy of our policy free of charge upon request or access it via our practice website.

### ***Personal information***

The 'personal information' we collect includes your name, date of birth, address/es, contact details, Medicare number and healthcare identifiers. Medical information may include medical history and any care you may need. GPs need information about your past and present health in order to provide you with high-quality care.

Our practice follows the guidelines of the RACGP's Handbook for the management of health information in general practice, 3rd edition (the Handbook). The Handbook incorporates federal and state privacy legislation, and the Australian Privacy Principles, which requires that your personal information is kept private and secure.

Doctors, allied health practitioners and all other staff and contractors associated with this Practice have a responsibility to maintain the privacy of personal health information and related financial information. The privacy of this information is every patient's right. The maintenance of privacy requires that any information regarding individual patients, including staff members who may be patients, may not be disclosed either verbally, in writing, in electronic form, by copying either at the Practice or outside it, during or outside work hours, except for strictly authorised use within the patient care context at the Practice or as legally directed.

There are no degrees of privacy. All patient information must be considered private and confidential, even that which is seen or heard and therefore is not to be disclosed to family, friends, staff or others without the patient's approval. Sometimes details about a person's medical history or other contextual information such as details of an appointment can identify them, even if no name is attached to that information. This is still considered health information and as such it must be protected under the Privacy Act. Any information given to unauthorised personnel will result in disciplinary action and possible dismissal. Each staff member is bound by his/her privacy clause contained with the employment agreement which is signed upon commencement of employment at this Practice. (Refer Section 2).

### ***Your medical records***

This practice takes steps to ensure that your medical records:

- are accurate, complete, well-organised and legible
- are up-to-date
- contain enough information to allow another GP to care for you
- contain a summary of your care. can be used to remind you, with your permission, to return for follow up, check-ups and reviews.

If you are uncertain why information is being requested, please ask your GP or the practice staff and if you wish to remain anonymous while accessing healthcare services, please talk to the practice staff.

### ***Providing your information to others***

In this practice, it is normal for all GPs to have access to your medical records. If you have any concerns about this please discuss them with your GP or practice staff.

It is important that other people involved in your care, such as medical specialists and other healthcare professionals, are informed of the relevant parts of your medical history, so they can provide the best care for you. Your GP will let you know when this is necessary.

Our software enables us to use only required information when sharing patient's information (e.g. for referrals)

GPs respect your right to decide how your personal information is used or shared. For example, this may be sharing your health information with specialist doctors. Personal information that identifies you will only be sent to other people with your consent, unless there are exceptional circumstances. Gaining your consent is the guiding principle used by this practice in using and sharing your information.

Our practice will not share your personal health information with anyone else or another organisation unless:

- you have consented to this sharing, or
- they are legally obliged to disclose the information, in which case your GP will first discuss with you the information that she or he is legally obliged to disclose, or
- the information is necessary for you to obtain Medicare payments or other health insurance rebates, or
- there is an overriding public health and safety interest in the release of the information.

Our practice uses referral templates that use patient's personal information for referral letters but only the relevant medical information is included in referral letters.

We also may electronically send patient's information to service providers via accepted secure messaging systems.

Only authorised staff who need to access your information will be able to do so while providing medical services or as described in this policy.

. Your health information will not ordinarily be sent overseas unless:

- you are informed and provide consent for this to occur, and
- the overseas country receiving the information has privacy laws that
- are very similar to the Australian Privacy Principles.

### ***Using health information for quality improvement and research***

This practice may 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 use Pen CS CAT 4 software for quality improvement)

Your information held by the practice may be used in research projects to improve healthcare in the community; however, this information will not include data that can identify you.

The information used for research, including the publication of research results, will not be in a form that would allow you to be identified, unless the research serves an important public interest. In such cases, identifiable medical records can be used for medical research without your consent under guidelines issued by the Australian Government. Before providing such identified information, your GP will discuss with you the information that she or he is obliged to disclose.

### ***Security of information in the practice***

Australian privacy legislation applies to all personal health information recorded in electronic and paper records. All records must be kept secure to protect against unauthorised access. This practice complies with these requirements to protect your information.

Computers are only accessible via individual password access to those in the practice who have appropriate levels of authorization and they are all protected by antivirus software that is installed and updated regularly.

All computers connected with to the internet are protected by appropriate hardware and software firewalls and they all have screensavers and are enabled to prevent unauthorized access to computers. Our server is backed up and checked at frequent intervals consistent with our continuity plan.

Our back up is stored and secured in a off-site environment.

Our IT has designated responsibility for overseeing the maintenance of our computer security and our electronic systems.

### **Patient's Correspondence:**

Electronic information is transmitted over the public network in an encrypted format using secure messaging software. Where medical information is sent by post the use of secure postage or a courier service is determined on a case by case basis.

Incoming patient correspondence and diagnostic results are opened by a designated staff member. Items for collection or postage are left in a secure area not in view of the public.

### **Faxes:**

Facsimile, printers and other electronic communication devices in the practice are located in areas that are only accessible to the general practitioners and other authorised staff. Faxing is point to point and will therefore usually only be transmitted to one location

All faxes containing confidential information are sent to fax numbers after ensuring the recipient is the designated receiver. Confidential information sent by fax has Date, Patient Name, Description and Destination recorded in a log book. Write, "Confidential" on the fax coversheet

Check the number dialled before pressing 'SEND'

Keep the transmission report produced by the fax as evidence that the fax was sent. Also confirm the correct fax number on the report.

Faxes received are managed according to incoming correspondence protocols

Patient Face to face and phone consultations(only performed by patient’s consent since September 2023 update to Medicare rules):

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Patient privacy and security of information is maximised during consultations by closing consulting room doors. All Examination couches, including those in the treatment room, have curtains or privacy screens.

When, consulting, treatment room or administration office doors are closed prior to entering staff should either knock and wait for a response or alternatively contact the relevant person by internal phone or email.

Where locks are present on individual rooms these should not be engaged except when the room is not in use

It is the doctor's/health care professional's responsibility to ensure that prescription paper, sample medications, medical records and related personal patient information is kept secure, if they leave the room during a consultation or whenever they are not in attendance in their consulting/treatment room.

User	Level of Access - Pracsoft	Level of Access - Medical Director
Practice Principal/Owner	Level 9- Full Access	Top Level Access Participation in MyHealth Record Editing Options MHR Assisted Registration
General Practitioner	Level 3 - Batching/Daily reports/Basic Adjustment	Top Level Access Participation in MyHealth Record Editing Options MHR Assisted Registration
Medical Receptionist	Level 9 - Full Access	Full Access - to patient's file, addition and editing of all information except medications  Enable to participate in MHR Assisted Registration
Registered Nurse	Level 9- Full Access	Full Access Participation in MyHealth Record Editing Options MHR Assisted Registration
Allied Health Practitioner	Level 3 - Batching/Daily reports/Basic Adjustment	Full Access

### **Access to your health information**

You may ask practice staff about any aspect of your healthcare, including information contained in your record. You can request access to your medical record and any other information the practice records about you.

If you request access to your medical record, your GP will need to consider if there may be a risk of physical or mental harm to you or any other person that may result from disclosure of your health information. Your GP may need to remove any information that will affect the privacy of other individuals.

Sharing information is important for good communication between you and practice staff. Your GP is able to provide a full explanation of the health summary or medical record you are provided access to.

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

### **Resolving concerns regarding the privacy of your health information**

If patient has any concerns regarding the privacy of you're his/her health information or the accuracy of the information held by the practice, patient should discuss these with practice staff. Inaccurate information can be corrected or your concerns noted in your record. For legal reasons, the original notes will be retained available from:

#### **Office of the Australian Information Commissioner**

1300 363 992

[www.oaic.gov.au](http://www.oaic.gov.au)

#### **Office of the Health Services Commissioner**

Victoria – 1300 582 113

[www.health.vic.gov.au/hsc/index.htm](http://www.health.vic.gov.au/hsc/index.htm)

*The Patients can send their complaints letter addressed to:*

*Practice Manager*

*Shop 19, 25 Westwood drive*

*Burnside 3023 Melbourne VIC*

*Ph: 9363 6766;*

*Fax 9363 7377;*

This practice endeavours to acknowledge complaints within 14 days and to complete all requests within 30 days. Wherever possible, we encourage to resolve complaints directly with us and if it is not resolved, the patient can the Health Services Commissioner (HSC). It is an independent statutory authority established to receive and resolve complaints about health service providers. The HSC also protects the privacy of and your right of access to your health information held by any person or organisation in Victoria, and their service is free and confidential.

### **Information for patients:**

Patient will be asked to give details about his/hers complaint. The HSC decides whether to approve or decline the complaint and will be told of the decision soon after we receive hers/his complaint. Patient's complaint needs to be in writing so we can help him/her with this. It will be sent to the person or organisation asking for a reply. We ask for a

reply within 2 weeks, but some cases can take longer. They may respond to us or directly to patient with a copy to us.

If the response does not satisfy patient's concerns, we ask patient to tell us promptly why he/she was dissatisfied. We will talk to patient to see if there is anything further that can be achieved, what his/her options are, including conciliation (confidential negotiation) of patient's concerns which may include claims for damages or remedial treatment. Patient may be asked to provide evidence to support his/her complaint.

Patient may substantiate her/his claims by obtaining reports from current treating practitioners, copies of hospital records etc. You should collect evidence as soon as possible if he/she believes he/she has been harmed by a treatment. Once the issues have been addressed to patient's satisfaction, or the HSC decides that nothing further can be achieved, patient and the person or organisation will be notified in writing that the file has been closed. A person cannot be penalised because of complaining to the HSC. It is an offence to threaten, intimidate, persuade, or attempt to persuade another person not to complain to the HSC.

Alternatively, patients can contact Office of the Australian Information Commissioner.

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 363 992.

***Policy review statement***

This privacy policy will be reviewed regularly (at least every two years) to ensure it is in accordance with any changes that may occur. The patients will be informed of changes through our website and sign boards.