

AUSTRALIAN PRIVACY PRINCIPLES (APP) POLICY

Introduction

We are committed to protecting the privacy of patient information and to handling your personal information in a responsible manner in accordance with the Privacy Act 1988 (Cth), the Privacy Amendment (Enhancing Privacy Protection) Act 2012, the Australian Privacy Principles and relevant State and Territory privacy legislation (referred to as privacy legislation). This Privacy Policy explains how we collect, use and disclose your personal information, how you may access that information and how you may seek the correction of any information. It also explains how you may make a complaint about a breach of privacy legislation. This Privacy Policy is current from 12 March 2014. From time to time we may make changes to our policy, processes and systems in relation to how we handle your personal information. We will update this Privacy Policy to reflect any changes. Those changes will be available on our website and in the practice. The full copy of the Privacy Policy is available on our practice websites. www.ashmorecitymedical.com.au

Collection

We collect information that is necessary and relevant to provide you with medical care and treatment, and manage our medical practice. This information may include your name, address, date of birth, gender, health information, family history, credit card and direct debit details and contact details. This information may be stored on our computer medical records system and/or in hand written medical records. Wherever practicable we will only collect information from you personally. However, we may also need to collect information from other sources such as treating specialists, radiologists, pathologists, hospitals and other health care providers. We collect information in various ways, such as over the phone or in writing, in person in our [insert clinic/practice/centre/rooms] or over the internet if you transact with us online. This information may be collected by medical and non-medical staff. In emergency situations we may also need to collect information from your relatives or friends. We may be required by law to retain medical records for certain periods of time depending on your age at the time we provide services.

Use and Disclosure

We will treat your personal information as strictly private and confidential. We will only use or disclose it for purposes directly related to your care and treatment, or in ways that you would reasonably expect that we may use it for your ongoing care and treatment. For example, the disclosure of blood test results to your specialist or requests for x-rays.

There are circumstances where we may be permitted or required by law to disclose your personal information to third parties. For example, to Medicare, Police, insurers, solicitors, government regulatory bodies, tribunals, courts of law, hospitals, or debt collection agents. We may also from time to time provide statistical data to third parties for research purposes. We may disclose information about you to outside contractors to carry out activities on our behalf, such as an IT service provider, solicitor or debt collection agent. We impose security and confidentiality requirements on how they handle your personal information. Outside contractors are required not to use information about you for any purpose except for those activities we have asked them to perform.

Data Quality and Security

We will take reasonable steps to ensure that your personal information is accurate, complete, up to date and relevant. For this purpose our staff may ask you to confirm that your contact details are correct when you attend a consultation. We request that you let us know if any of the information we hold about you is incorrect or out of date. Personal information that we hold is protected by:

- securing our premises;
- placing extensive security measures across our computer network
- placing passwords and varying access levels on databases to limit access and protect electronic information from unauthorised interference, access, modification and disclosure; and
- providing locked cabinets and rooms for the storage of physical records.

Corrections

If you believe that the information we have about you is not accurate, complete or up-to-date, we ask that you contact us in writing (see details below).

Access

You are entitled to request access to your medical records. We request that you put your request in writing and we will respond to it within a reasonable time. There may be a fee for the administrative costs of retrieving and providing you with copies of your medical records. 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.

Complaints

If you have a complaint about the privacy of your personal information, we request that you contact us in writing. Upon receipt of a complaint we will consider the details and attempt to resolve it in accordance with our complaints handling procedures. If you are dissatisfied with our handling of a complaint or the outcome you may make an application to the Australian Information Commissioner or the Privacy Commissioner in your State or Territory. Avant – Guide to Privacy Reforms Page 21

Overseas Transfer of Data

We will not transfer your personal information to an overseas recipient unless we have your consent or we are required to do so by law.

Contact

Please direct any queries, complaints, requests for access to medical records to the Practice Manager

The full copy of the Privacy Policy is available on our practice websites.
www.ashmorecitymedical.com.au

PART A – PURPOSE AND CONTEXT

1.0 Ashmore City Medical Centre are committed to ensuring the privacy and confidentiality of all personal information affiliated with the Ashmore City Medical Centre business undertakings.

1.1 Ashmore City Medical Centre follow the terms and conditions of privacy and confidentiality in accordance to the Australian Privacy Principles (**APPs**) as per schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth), forming part of the *Privacy Act 1988* ('the Act').

1.2 The purpose of this Privacy Policy is to clearly communicate how Ashmore City Medical Centre collects and manages personal information.

1.3 The point of contact regarding any queries regarding this policy is the Practice Manager
Penny Palmer acmed@bigpond.net.au

PART B – AUSTRALIAN PRIVACY PRINCIPLES

2.0 As a private sector health service provider and under permitted health situations Ashmore City Medical Centre are required to comply with the APPs as prescribed under the Act.

2.1 The APPs regulate how Ashmore City Medical Centre may collect, use, disclose and store personal information and how individuals, including Hope Ashmore City Medical Centre patients may:

- address breaches of the APPs by Ashmore City Medical Centre;
- access their own personal information; and,
- correct their own personal information.

2.2 In order to provide patients with adequate medical and professional health care services, Ashmore City Medical Centre will need to collect and use personal information. It is important to be aware that if the patient provides incomplete or inaccurate information or the patient withholds personal health information Ashmore City Medical Centre may not be able to provide said patient with the services they are requesting.

2.3 In this Privacy Policy, common terms and definitions include:

- **"personal information"** as defined by the *Privacy Act 1988 (Cth)*. Meaning *"information or an opinion including information or an opinion forming part of a database, whether true or not, and whether recorded in a material format or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion"*; and,
- **"health information"** as defined by the *Privacy Act 1988 (Cth)*. This is a particular subset of "personal information" and means information or an opinion about:
 - the health or a disability (at any time) of an individual;
 - an individual's expressed wishes about the future provision of health services to him or her; or,
 - a health service provided or to be provided to an individual.

2.3.1 Personal information also includes '**sensitive information**' which is information including, but not limited to a patient's:

- race;
- religion;
- political opinions;
- sexual preferences; and or,
- health information.

2.3.2 Information deemed '**sensitive information**' attracts a higher privacy standard under the Act and is subject to additional mechanisms for the patient's protection.

PART C – TYPES OF PERSONAL INFORMATION

3.0 Ashmore City Medical Centre collect information from each individual patient that is necessary to provide said patient with adequate medical and professional health care services.

3.1 This may include collecting information about a patient's health history, family history, ethnic background or current lifestyle to assist the health care team in diagnosing and treating a patient's condition.

PART D – COLLECTION & RETENTION

4.0 This information will in most circumstances be collected directly from you via the new patient form, a treatment form, a medical consult form, face to face consultation etc.

4.1 In other instances, Ashmore City Medical Centre may need to collect personal information about a patient from a third party source. This may include:

- relatives; or,
- other health service providers.

4.2 This will only be conducted if the patient has provided consent for Ashmore City Medical Centre to collect his/her information from a third party source; or, where it is not reasonable or practical for Ashmore City Medical Centre to collect this information directly from said patient. This may include where:

- the patient's health is potentially at risk and his/her personal information is needed to provide them with emergency medical treatment.

4.3 Ashmore City Medical Centre endeavour to store and retain a patient's personal & health information in electronic medical records that are stored securely on a local server. Some hard copy records such as those obtained from other health services are locked securely until they can be scanned and managed electronically.

PART E – PURPOSE OF COLLECTION, USE & DISCLOSURE

5.0 Ashmore City Medical Centre only uses a patient's personal information for the purpose(s) they have provided the information for unless one of the following applies:

- the patient has consented for Ashmore City Medical Centre to use his/her information for an alternative or additional purpose;
- the disclosure of the patient's information by Ashmore City Medical Centre is reasonably necessary for the enforcement of criminal law or a law imposing a penalty or sanction, or for the protection of public revenue;
- the disclosure of the patient's information by Ashmore City Medical Centre will prevent or lessen a serious and imminent threat to somebody's life or health; or,
- Ashmore City Medical Centre is required or authorised by law to disclose your information for another purpose.

i. *Health Professionals to provide treatment*

During the patient's treatment at Ashmore City Medical Centre he/she may be referred to additional medical treatment services (i.e. pathology or radiology) where Ashmore City Medical Centre staff may consult with senior medical experts when determining a patient's diagnosis or treatment.

Ashmore City Medical Centre staff may also refer the patient to other health service providers for further treatment. (i.e. physiotherapist or outpatient or community health services).

These health professionals will be designated health service providers appointed to use the patient's health information as part of the process of providing treatment. Please note that this process will be conducted whilst maintaining the confidentiality and privacy of the patient's personal information.

ii. *Alternative Health services*

At any point a patient wishes to be treated by an alternative medical practitioner or health care service that requires access to his/her personal/health information Ashmore City Medical Centre requires written authorisation. This written authorisation is to state that the patient will be utilising alternative health services and that these health services have consented for a transfer of personal/health information.

iii. **Other Third Parties**

Ashmore City Medical Centre may provide your personal information regarding a patient's treatment or condition to additional third parties, in circumstances where it is relevant and reasonable. These third parties may include:

- parent(s);
- child/ren;
- other relatives;
- close personal friends;
- guardians; or,
- a person exercising a patient's power of attorney under an enduring power of attorney.

Where information is relevant or reasonable to be provided to third parties, written consent from the patient is required.

Additionally, the patient may at any time wish to disclose that no third parties as stated are to access or be informed about his/her personal information or circumstances.

iv. **Other Uses of Personal Information**

In order to provide the best possible environment in which to treat patients Ashmore City Medical Centre may also use personal/health information where necessary for:

- activities such as quality assurance processes, accreditation, audits, risk and claims management, patient satisfaction surveys and staff education and training;
- invoicing, billing and account management;
- to liaise with a patient's health fund, Medicare or the Department of Veteran's Affairs, as necessary; and,
- the purpose of complying with any applicable laws – i.e. in response to a subpoena or compulsory reporting to State or Federal authorities.

5.1 If at any point or for any of the aforementioned reasons Ashmore City Medical Centre uses or discloses personal/ health information in accordance with the APPs, Ashmore City Medical Centre will provide written notice for the patient's consent for the use and/or disclosure.

PART F – ACCESS AND CHANGES TO PERSONAL INFORMATION

6.0 If an individual patient reasonably requests access to their personal information for the purposes of changing said information he/she must engage with the relevant practice manager.

6.1 The point of contact for patient access to personal information is:

Penny Palmer

Practice Manager

Ashmore City Medical Centre

Crn Nerang & Currumburra Road

Ashmore QLD 4214

Tel: 5539 4185

Fax: 55

E: acmed@bigpond.net.au

6.2 It is preferred that this request is made in writing. Once an individual patient requests access to his/her personal information Ashmore City Medical Centre will respond within a reasonable period of time to make arrangements to provide said information. This will usually be in the form of an appointment with the patient's usual general practitioner.

6.3 All personal details will be updated in accordance to any changes to a patient's personal circumstances brought to Ashmore City Medical Centre attention. All changes to personal information will be subject to patient's consent and acknowledgement.

6.4 If an individual requests access to his/her personal information Ashmore City Medical Centre will charge \$65.00 and there is no Medicare rebate

PART G – COMPLAINTS HANDLING

7.0 In the first instance please discuss your concerns with your doctor and/or the practice manager of Ashmore City Medical Centre.

7.1 If you are not satisfied with the response contact the

Office of the Australian Information Commissioner

GPO Box 5218

Sydney NSW 2001

<http://www.oaic.gov.au/privacy/privacy-complaints>

Phone: 1300 363992

PART H – PERSONAL INFORMATION AND OVERSEAS RECIPIENTS

8.0 Use of Overseas Parties:

- (a) Ashmore City Medical Centre does not engage with any overseas entities, with which personal or health information would be transferred, appointed or disclosed.
- (b) Ashmore City Medical Centre follows policy and procedure guidelines that restrict the use of email in relation to patient information. This is because email is not a secure form of communication and may be routed via overseas service providers. It has approximately the same security as a postcard. If email is utilised written patient consent must be obtained.

PART I – DISPOSAL OF PERSONAL/HEALTH INFORMATION

9.0 If Ashmore City Medical Centre receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, Ashmore City Medical Centre will reasonably de-identify and dispose of said information accordingly.

9.1 If Ashmore City Medical Centre holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, Ashmore City Medical Centre will reasonably de-identify and dispose of said information accordingly.

PART J – ACCESS TO POLICY

10.0 Ashmore City Medical Centre provides free copies of this Privacy Policy for patients and staff to access, which can be/will be located/provided:

- Website – www.ashmorecitymedical.com.au
- The Practice Policy and Procedure Manual:
- Full Hard Copies provided upon request
- Summary Brochure available at reception

PART K – REVIEW OF POLICY

11.1 Ashmore City Medical Centre in accordance with any legislative change will review the terms and conditions of this policy to ensure all content is both accurate and up to date.

11.2 Notification of any additional review(s) or alteration(s) to this policy will be provided to patients and staff within 5 days notice. If change occurs patients and staff are required by Hope Ashmore City Medical Centre to review/sign/acknowledge in writing etc. this Privacy policy.

Australian Privacy Principles

The Australian Privacy Principles (APPs) regulate the handling of personal information by Australian government agencies and some private sector organisations.^[1]

The [13 APPs](#) are contained in schedule 1 of the *Privacy Act 1988* (the Privacy Act).

The APPs cover the collection, use, disclosure and storage of personal information. They allow individuals to access their personal information and have it corrected if it is incorrect. There are also separate APPs that deal with the use and disclosure of personal information for the purpose of direct marketing (APP 7), cross-border disclosure of personal information (APP 8) and the adoption, use and disclosure of government related identifiers (APP 9).

The APPs generally apply to Australian and Norfolk Island government agencies and also to private sector organisations with an annual turnover of \$3 million or more. These entities are known as 'APP entities'. In addition, the APPs will apply to some private sector organisations with an annual turnover of less than \$3 million, such as health service providers. More information is available on the [Who is covered by privacy](#) and the [Privacy Topics — Business](#) pages.

For a summary of the APPs, see the [APP quick reference tool](#). For more detail, see the [full text of the APPs](#). Additional information on complying with the APPs can be found in the [APP guidelines](#).

[1] The APPs, which came into force on 12 March 2014, replaced the Information Privacy Principles (IPPs) that previously applied to Australian and Norfolk Island Government agencies and the National Privacy Principles (NPPs) that previously applied to private sector organisations.

Australian Privacy Principles Summary

APP 1 — Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2 — Anonymity and pseudonymity

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3 — Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 — Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

APP 5 — Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6 — Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7 — Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 — Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 — Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 — Quality of personal information

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 — Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 — Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 — Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.