

AUSTRALIAN PRIVACY PRINCIPLES (APP) POLICY

PART A – PURPOSE AND CONTEXT

1.0 Edgewater HML (Dr Bartels and his staff) is committed to ensuring the privacy and confidentiality of all personal information affiliated with the Practice's business undertakings.

1.1 Edgewater HML follows 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 Edgewater HML collects and manages personal information.

1.3 The point of contact regarding any queries regarding this policy is **Dr Neil Bartels on 55961911 or via email at doctor@drbartels.com.au**

PART B – AUSTRALIAN PRIVACY PRINCIPLES

2.0 As a private sector health service provider and under permitted health situations, Edgewater HML is required to comply with the APPs as prescribed under the Act.

2.1 The APPs regulate how Edgewater may collect, use, disclose and store personal information and how individuals, including Edgewater HML patients may:

- address breaches of the APPs by Edgewater HML
- access their own personal information; and,
- correct their own personal information.

2.2 In order to provide patients with adequate and appropriate health care, Edgewater HML 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 Edgewater HML 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 Edgewater HML collects information from each individual patient that is necessary to provide said patient with adequate 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 providers involved in the patient's care 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 new patient questionnaires, face to face consultation etc.

4.1 In other instances, Edgewater HML may need to collect personal information about a patient from a third party source. This may include:

- relatives; or,
- other health service providers e.g. previous GPs or specialists.

4.2 This will only be conducted if the patient has provided consent for Edgewater HML to collect his/her information from a third party source; or, where it is not reasonable or practical for Edgewater HML 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 Edgewater HML endeavours to store and retain a patient's personal & health information in electronic form using commercial medical record software.

PART E – PURPOSE OF COLLECTION, USE & DISCLOSURE

5.0 Edgewater HML 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 Edgewater HML to use his/her information for an alternative or additional purpose;
- the disclosure of the patient's information by Edgewater HML 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 Edgewater HML will prevent or lessen a serious and imminent threat to somebody's life or health; or,
- Edgewater HML 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 Edgewater HML he/she may be referred to alternative medical treatment/services (i.e. pathology or radiology) where Edgewater HML's staff may consult with senior medical experts when determining a patient's diagnosis or treatment.

Edgewater HML's staff may also refer the patient to other health service providers for further treatment during and following the patient's admission (i.e. physiotherapist or other allied health providers 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 Edgewater HML 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. Such written authorization would be required to contain enough information to verify the authenticity of the alternative medical practitioner, be signed by the patient and contain sufficient identifiers to ascertain the correct patient.

iii. *Other Third Parties*

Edgewater HML may provide your personal information regarding a patient's treatment or condition to additional third parties. 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 ensure 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, Edgewater HML 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 Edgewater HML uses or discloses personal/ health information in accordance with the APPs, Edgewater HML 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:

Dr Neil Bartels

07 5596 1911

doctor@drbartels.com.au

available between 8am and 5pm daily

6.2 Once an individual patient requests access to his/her personal information Edgewater HML will respond within a reasonable period of time to provide said information.

6.3 All personal information will be updated in accordance to any changes to a patient's personal circumstances brought to Edgewater HML's attention. All changes to personal information will be subject to patient's consent and acknowledgement. It is not possible to remove information permanently from a patient's record but any changes can be notated and any erroneous information omitted from records passed onto third parties.

6.4 If an individual requests access to his/her personal information Edgewater HML requires written notification of this. Wherever possible the Practice would prefer that the patient makes an appointment to see the Doctor to discuss information held within their file to ensure that the privacy and confidentiality of other parties is safeguarded. Such a consultation may attract a charge which would not be covered by Medicare.

PART G – COMPLAINTS HANDLING

7.0 How an individual patient may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds the entity, and how the entity will deal with such a complaint.

Any complaints should be addressed to Dr Bartels in writing. Following investigation of the complaint the Practice will contact the patient to arrange a mutually convenient time for their concerns to be addressed.

PART H – PERSONAL INFORMATION AND OVERSEAS RECIPIENTS

8.0 Use of Overseas Parties:

(a) Edgewater HML does not engage with any overseas entities, with which personal or health information would be transferred, appointed or disclosed. Other than the use of email (gmail) and Cloud technology which may involve transmission via overseas sites. No information is held overseas.

(b) The aforementioned entities engaged overseas are subject to the legislative requirements as stipulated by the APPs.

PART I – DISPOSAL OF PERSONAL/HEALTH INFORMATION

- 9.0 If Edgewater HML receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, Edgewater HML will reasonably de-identify and dispose of said information accordingly.
- 9.1 If Edgewater HML holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, Edgewater HML will reasonably de-identify and dispose of said information accordingly.

PART J – ACCESS TO POLICY

- 10.0 Edgewater HML provides free copies of this Privacy Policy for patients and staff to access, which can be located:

[Website] – www.drbartels.com.au

[Hard Copies provided upon request] – please ask at Reception

PART K – REVIEW OF POLICY

- 11.1 Edgewater HML 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.