

# Robina Town Medical Centre

## PRACTICE PRIVACY AND COLLECTION POLICY FOR PATIENT INFORMATION

We are committed to providing quality health care for our patients. As a fundamental part of this commitment, Principals and staff of the practice, recognise the importance of ensuring that our patients are fully informed and involved in their health care.

### Why is information collected?

As part of our commitment to providing quality health care it is necessary for us to maintain files pertaining to your health. Our doctors and staff collect information from patients primarily to provide proper care and treatment. We have a legal and ethical duty to protect patient information. Patient information may have to be disclosed to other doctors, nurses, allied health providers and medical technicians so appropriate health care is not compromised. The information held about you is provided by you or arises as a consequence of information provided by you.

### Who can access your information?

Your medical information is handled with the utmost respect for your privacy. The electronic information will be accessed by your medical practitioner, allied health, nurse, registrar and student where necessary in the course of your visit or in the absence of your usual medical practitioner, by another doctor in the practice. All staff are bound by strict confidentiality requirements as a condition of employment regarding your medical records. Each staff member signs a non-disclosure statement. If you have consented for summary information to be uploaded to your MyHealth Record this is accessible by only Healthcare providers giving you medical care. Log in to your MyHealth record at any time to view privacy information.

The doctors in this practice are members of various medical and professional bodies including medical defence organizations. These organizations provide valuable services to their members. They require their members to provide information in relation to their medical practice, which may include patient information.

We advise you as a patient of this practice you have rights to access information we hold concerning you. Should you wish to access this information we refer you to our handout entitled "Accessing Your Medical Record"

### What information is collected?

In order to provide you with the highest standard of patient care, this practice is required to collect personal information from you. This information covers basic details such as your name, address and telephone number, but is also necessary for the practice to obtain from you details regarding your general health and past medical or surgical events. Without this general health picture, the treating doctor is unable to plan your care properly.

Naturally, some of this information is of a personal nature and may be regarded as "sensitive" and not the sort of information you would wish to be unnecessarily disclosed to others.

### How we maintain security of this information?

We value the need to safeguard this information and, in accordance with the principles laid down in privacy legislation and the guidelines issued by the Australian Medical Association, we would like to assure you:-

- This information will only be used by the treating Practitioner in order to deliver your care to the highest standards, which may include disclosure to others involved in your health care, including your dentist or other specialists outside this practice. This may occur through referral to other specialists, or for medical tests and in the reports or results returned to us following the referrals.
- It will not be disclosed to those not associated with your treatment, without your express consent.
- In order to facilitate processing of a claim, we may be requested by your health fund (if applicable) to clarify details of a claim lodged with the fund.
- We will take reasonable steps to ensure at all times the details we keep about you are accurate, complete and up-to-date.
- We will take reasonable steps to protect this information from misuse or loss and from unauthorised access, modification or disclosure.
- Our Staff are trained to respect these principles at all times.

### How do you access your own health information?

Make an appointment with your doctor to discuss your requirements. You will probably have to write a formal letter outlining the reason you need to access your records. A reasonable reason will not be denied and your doctor may ask you to book an appointment so you can read through your records and they can answer any questions. We only provide records directly to a patient in extenuating circumstances. Medicare do not provide a rebate for this type of service.

If you are moving overseas we may provide your records directly to you – this is done at the discretion of the GP. We would require a signed letter which includes identifying information eg photo of your licence, Medicare card etc. There may be a fee involved depending on the size of your records and you will need to pay this before the records are printed.

#### **Patient consent before providing information to a 3<sup>rd</sup> party?**

At times we may receive a request from a 3<sup>rd</sup> party for all or part of your medical information. This may be from an insurance company for example. If they haven't provided a document allowing us to release your records which contains your signature the documents are not sent and we may ring and inform you we received the request. Sometimes requests are for ALL your records even if they don't related to a case you have in progress, be careful what you sign. In the case of a practice receiving a subpoena we are legally obliged to send the information even without your consent.

#### **Providing your health information to another practice\person**

If you no longer attend this practice please sign a formal request for us to forward your records to your new practice. You can sign this here or at your new practice. We have 30 days to provide the information but do our utmost to this as quickly as possible for you. If emailing your records (or clinical information) we password protect them to keep them secure.

Patients who are 16 and over need to sign their own request.

In regard to referrals to another party, if the other part use Medical Objects we sent via this. Medical Objects is a secure encryption service for the transmission of patient information. Other methods of providing the information is by fax, handing straight to the patient or scanning, password protecting and emailing. (If emailing the other party must ring us to obtain the password).

#### **Anonymous Communication**

Patient feedback forms can be completed at the practice or on the website anonymously. The feedback can be placed in the boxes at reception or posted to the practice

#### **What is a notifiable breach of Australian Privacy Principles (APPs) contained in the *Privacy Act 1988***

**An eligible data breach arises when the following three criteria are met:**

- There is loss of, or unauthorised access to or unauthorised disclosure of personal information
- This is likely to result in serious harm to one or more individuals.
- RTMC has not been able to prevent the likely risk of serious harm with remedial action.

Our practice will notify you if we feel a breach has occurred. If you feel a data breach may affect your personal information and you have not been notified you must first make a complaint to us. If you feel this isn't resolved you can complain to the OAIC.

Our medical centre is required to comply with the NDB scheme and if we do not promptly notify you about a data breach that:

1. involved your personal information, and was likely to result in serious harm you can also complain in the following way:

**Call 1300 363 992 or view more information here:** <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint>

#### **Health information for research and practice development?**

If our practice is participating in national collaborative or assessing our own clinical development, patient names are not necessary and any documentation printed can be easily de-identified.

#### **Retaining your patient records:**

**X-rays:** we don't keep these on site so please take them home with you. If left here we will ring you to collect any them by a nominated date and they remain here they are professionally disposed of.

**Medical Records:** All records are kept up to the age of 25. At that point anyone with no notes for seven years can have their record destroyed. Therefore a record for a patient who is 25 and one day with no notes for seven years can be destroyed.

Deceased patient records are also kept for seven years even with no notes.

#### **How to complain anonymously**

If you wish to complain to the practice anonymously you can fax or post us a letter.

Fax ET: 5575 8906

Fax RT: 5562 2176

Shared Post Office box - PO Box 3172, Robina Town Centre, Q 4226

If you have any questions regarding the information we collect from you and hold in your medical records, please do not hesitate to ask us.