

TREETOPS GENERAL PRACTICE

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PRIVACY POLICY



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Purpose of a Privacy Policy

Patients: - A copy of this policy is available upon request

Our practice supports good privacy practice and had developed this policy to protect our patients' privacy in compliance with privacy legislation. This policy provides information as to how patients' information including their health information is collected and used within the Practice and the circumstances in which we may disclose it to others.

This policy provides our patients with an open and clear explanation of our collection, use and disclosure of their personal information based on the standards outlined by the Royal Australian College of General Practice (RACGP) 4th edition and the Handbook for the Management of Health Information in Private Medical Practice (2002) and includes the thirteen Australian Privacy Principles (APP's). Regular reviews occur to ensure our policy is up to date and in line with the Office of the Australian Information Commissioner (OAIC).

Informing new patients:

Our practice informs all new patients upon arrival how and why their personal medical information will be collected and the possible disclosure of their information to others involved in their healthcare e.g. referral to other healthcare providers, communications for billing purposes with Medicare or Department of Veterans' Affairs, or for pathology tests and in the reports or results returned to us following a referral.

All new patients are informed that we have a privacy policy in place which is available to them on request and are asked to give us their written (express) consent to access their personal information.

Patients are informed that they may withhold consent for particular uses of their information and where this occurs it is clearly noted in the patient's health record. If their doctor considers that withholding certain information could be detrimental to their health outcomes this will be explained to the patient and documented in their record.

Patients are informed that any disclosure of their personal information for research and quality assurance activities will be explained in a transparent manner and they will be given the opportunity to decline any involvement.

If the patient is unable to provide consent through disability or illness or immaturity the treating doctor may involve the patient's carers, guardian or relatives. Our policy is to involve the patient as much as possible. We only apply a patient's consent for the primary purpose for which it was provided and seek additional consent from the patient if the personal information may be used for any other purpose.

Under the Privacy Act there is no clear age of consent for a child or young person making decisions regarding their health care. In certain circumstances the medical practitioner may assess whether the young person has sufficient maturity to make their own health care decisions. In Queensland a patient is considered a mature minor at 14 years old.

Right to information:

All our patients have the right to access their personal health information stored at our practice. It is our policy that the treating doctor will provide an up to date and accurate summary of a patient's health information on request or where appropriate.

It is our policy that any access by a patient to their medical record will involve their treating doctor.

Whilst we recognise that sharing of information is fundamental to good doctor-patient communication and optimal health outcomes, the doctor may refuse access under certain exceptional circumstances. These may include the access compromising the health or safety of an individual or the privacy of an individual or that the access is illegal.

Where access to a patient's record is denied the reason will be clearly provided in writing by the treating doctor and if reasonable the request may be considered in another manner.

Requests for access may not be responded to immediately depending on the size of the request and the treating doctor's commitments. However we will meet any request within a reasonable time frame that will not exceed 30 days.

We prefer that access to your personal information be requested in writing to the Practice Manager (Jane Leeland Ph. 55 937955) and we can supply you with a form so that you can clearly indicate the specific aspects you wish to access.

It is our policy to charge a fee for administrative costs involved and our reception will be able to guide you regarding reasonable costs.

Alteration of patient records:

At our practice we regularly alter demographic information entered into our patients' health records e.g. amendment of an address or telephone number at the patient's request.

Our doctors acknowledge the patient's right to request an alteration to information that is incorrect or that they do not agree with. We consider it appropriate that in this situation the record is discussed between the doctor and patient. Where a note is to be altered the doctor will annotate the reason and nature of that request in the health record. Due to legal obligations the original note will remain intact.

Collection of Information Statement:

At Treetops General Practice our patients are our focus. We will only use personal information for health related purposes and to assist our clinical staff to provide the best possible health outcomes for our patients. Whilst gathering medical information regarding our patients we endeavour only to obtain information relevant to the consent and purpose indicated. The personal information we collect includes:

- Names, addresses and contact details including Next of Kin details.
- Medicare number or DVA number for claiming purposes
- Healthcare identifiers
- Medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors.

A patient's personal information may be held at our practice in a variety of forms:

- As a paper record
- As an electronic record
- As a visual record e.g. x-ray, CT scan, video or photo
- Audio recordings

At Treetops General Practice we collect personal information in the following ways:

- Via patient registration at the time of the first visit directly and in person
- Over the telephone
- By SMS
- Through our website via online bookings
- During the course of providing medical services; our clinical staff will collect further personal information
- Information may be collected from a patient's parent, carer, guardian (or responsible person) when necessary, or from any other involved healthcare specialists, hospitals, pathologists, allied health professionals, community health services, Medicare or DVA when necessary and relevant.

Where disclosure of information is directly related to the purpose of collection and therefore consent is implied, for example when a patient is referred to a specialist, no further consent is required.

When collecting information from another source other than the patient we inform our patients that we have collected that information and ensure that the organisation providing the information complies with current privacy legislation.

As directed by the Public Health Act 2005 there may be occasions when our doctors are obliged to inform Queensland Health of specific notifiable conditions.

Disclosure of health information used for teaching purposes or for quality assurance will be de-identified. If this is not possible the patient concerned will be clearly informed by the practice and patient consent will be sought.

Upholding this policy:

Information regarding our Privacy Policy is also provided in our practice information sheet and on our website (www.treetopsgeneralpractice.com.au). Our management undertake to manage privacy issues in a transparent manner compliant with current privacy legislation.

Disclosure of Personal Information

Staff training:

Our staff are familiar with our privacy policy and are receptive to patients' concerns and feedback. Our practice training and induction procedures for clinical and administration staff ensure that all our staff can demonstrate and understanding of this policy.

Ongoing training and education processes ensure that accurate knowledge and competence in the implementation of the policy and related issues are maintained and updated as necessary.

All staff at Treetops General Practice has graded access to patients' health information that is regularly monitored and adjusted accordingly and pertinent to their roles within our practice.

As a requirement of employment all staff including casual staff and contractors, software providers and medical students, sign confidentiality agreements.

Transfer of Information:

At our practice we are committed to ensuring that patient health information is transferred electronically using a recognised and secure method of encryption. This will occur during the course of providing medical services through Electronic Transfer of Prescriptions (eTP), the My Health Record System (MyHR) and other secure transmission software. We adhere to national encryption protocols and therefore we do not transfer personal health information via email.

Records will be copied and transferred directly to another provider via registered mail or courier following the patient's written (express) consent. Our practice will retain original documents and records.

Patient consent will always be sought prior to transfer unless disclosure of the information is necessary to prevent a serious threat to health or safety. This could apply in the example of mental illness where a patient is threatening to harm themselves or others or in the case of a patient having an infectious disease that is likely to be transmitted to others.

In these cases, whilst consent will still be sought where possible, the medical practitioner may disclose the information without patient consent if satisfied that risk to others cannot be diverted otherwise.

Our practice will not use your personal information for marketing any of our goods or services to you without seeking your express consent.

If you have provided consent you may opt-out at any time by notifying our practice in writing.

Disclosure to a third party:

At our practice clinical staff and administration staff will ensure that personal health information is not disclosed to a third party without the patient's consent. Exceptions to this include the reasons already stated and in addition exceptions to disclose **without** patient consent are:

- If it is required by law, for example a court subpoena.
- To lessen or prevent a serious threat to life, 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 a confidential dispute resolution.

When transferring health information to another source following a subpoena or another third party request it is our practice policy for our practitioners to review the health record prior to transfer. Information supplied in response to such a request will be limited to the condition or health concerns under consideration and will be included only at the discretion of the treating doctor.

Due to concerns regarding different privacy standards overseas we do not usually transfer records or health information to other countries. In some instances the treating doctor may consider disclosure is reasonable and necessary and seek express consent from the patient. In this case we will take reasonable steps to ensure the information is protected by Australian privacy standards.

Accountability:

We endeavour to protect the privacy of our patients in line with the thirteen Australian Privacy Principles. Encompassing these principles ensures the highest standards of privacy for our health information and regulates the collection, use and disclosure and secure management of personal information.

We acknowledge and support a patient's right to participate in the management of their health and to comment on or access their information.

The doctors and staff at our practice follow procedures to ensure that records are legible, up to date and accurate to facilitate ease of clinical handover and optimal patient care. All our patient records contain a current health summary

We follow a recall system subject to patient consent. Recalls are fundamental to a system of preventative health and streamline continuity of care for our patients and early detection of medical conditions.

Information Quality and Data Security

Storage of Information:

Our practice follows procedures to ensure the personal information we hold is secure from unauthorised use or access. Fax and telephone messages will be protected in the same manner as medical records.

Staff at this practice are trained to ensure that patients, visitors and other health care providers do not have unauthorised access to medical records. Computer screens are positioned to prevent viewing of personal health information by unauthorised persons and screens are locked when they are left unattended.

We routinely use screensavers on all computers and all staff use individual computer passwords. We protect our electronic data using anti-viral software and firewall. Staff are trained in the use of daily and weekly data backups, regular updates and maintenance. Backup media containing sensitive health information is securely stored off-site. Patient records or media containing health information will not be removed from the practice except when required by clinical staff for treating purposes or for secure off-site storage.

Retention of Medical Records:

At our practice we retain patient health information as governed by the national Privacy Act and as indicated by current Queensland legislation and the Australian Medical Association (AMA). In compliance with this we retain medical records for 10 years from the date of the last consultation and in the case of minors the ten year count will start from the date the patient reaches 18 years of age.

We ensure that medical records are destroyed in a manner which maintains patient confidentiality. On a daily basis paper record information is destroyed using a shredding machine and when necessary we employ the services of a professional document disposal company accredited in the disposal of sensitive healthcare documents or media.

Identification:

Integral to protecting patient privacy is a system of accurate identification of patients. At our practice we adopt three approved identifiers as outlined by the RACGP Standards for general practices 4th edition. These include the patient's family and given name, date of birth and the patient's address.

We do not use any Australian Government identifier (e.g. Medicare number) for identification purposes.

Anonymity and de-identification:

Our practice respects the rights of patients to be dealt with anonymously, provided that it is lawful and practicable. We will try to accommodate this when possible.

Information that has de-identified a patient may still provide the identification of the health provider e.g. a medical record of prescribed medication. In these instances the consent of the health provider will be obtained prior to the disclosure of the information.

Staff access to personal health information

Research:

Our patients are informed that our practice undertakes research, professional development and quality assurance activities periodically. Patients are informed by reception staff and the doctor when the activity is being conducted and the doctor will ensure that patients are provided with the information necessary to make an informed decision before their express consent is obtained.

Quality assurance:

In our practice quality assurance activities are an integral part of the process necessary to improve and address the healthcare outcomes for our patients.

It is essential that our team monitor system improvements to ensure successful implementation of changes made to our risk management systems.

Wherever possible we will use de-identified patient health information for quality improvement purposes.

Complaints:

Our practice is committed to providing high quality healthcare to our patients. We provide our patients with the opportunity to comment and respond to the management of their health care.

We acknowledge the importance of listening to our patients and responding to feedback for effective outcomes and quality assurance.

Concerns regarding privacy issues should be directed to management (Jane Leeland PM) and will be dealt with promptly. Privacy concerns will be addressed using our complaints procedure protocol.

Please contact us directly to further discuss any privacy concerns or lodge a concern with the Australian Information Commissioner at www.oaic.gov.au or by calling 1300 3636 992.

References:

www.privacy.gov.au Privacy principles

www.oaic.gov.au Australian Information Commissioner

www.racgp.org.au Handbook for the Management of Health Information in Private Medical Practice

RACGP Standards for general practices 4th edition

Author: Jane Leeland