

SOUTH WEST ABORIGINAL MEDICAL SERVICE

Privacy and Confidentiality

RACGP C6.3 and C6.4

POLICY & PROCEDURE

POLICY

This privacy policy is to provide information on how personal information (which includes health information) is collected and used within our practice, and the circumstances in which we may share it with third parties.

WHY AND WHEN CONSENT IS NECESSARY

When a person registers as a patient they provide consent for our GPs and practice staff to access and use personal information. Only staff who need to see personal information will have access to it. If we need to use information for anything else, we will seek additional consent from the patient to do this.

WHY DO WE COLLECT, USE, HOLD AND SHARE PERSONAL INFORMATION?

Our main purpose for collecting, using, holding and sharing personal information is to manage a patient's health. We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes (eg staff training).

WHAT PERSONAL INFORMATION DO WE COLLECT?

The information we will collect about patients includes:

- names, date of birth, addresses, contact details
- medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors
- Medicare number (where available) for identification and claiming purposes
- healthcare identifiers
- Health fund details.

DEALING WITH US ANONYMOUSLY

In accordance with the Privacy Act, a patient has the right to deal with us anonymously or under a pseudonym unless it is impracticable for us to do so, or unless we are required or authorized by law to only deal with identified individuals. (APP2)

HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

Our practice may collect personal information in several different ways.

1. When a patient makes an initial appointment our practice staff will collect personal and demographic information via the registration. (Ref: Policy New Client Registration doc_084)
2. During the course of providing medical services, we may collect further personal information. This could include, but is not limited to such eHealth services such as electronic transfer of prescriptions (eTP), My Health Record, eg via Shared Health Summary, Event Summary.

3. We may also collect personal information when a patient visits our website, sends us an email or SMS, telephones us, makes an online appointment or communicates with us using social media.
4. In some circumstances personal information may also be collected from other sources. Often this is because it is not practical or reasonable to collect it from the patient directly. This may include information from:
 - A guardian or responsible person
 - Other involved healthcare providers, such as specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services, or pharmacy's
 - The patients' health fund, Medicare, or the Department of Veterans' Affairs (as necessary).

WHEN, WHY AND WITH WHOM DO WE SHARE PERSONAL INFORMATION?

We sometimes share personal information under the following conditions:

- With third parties who work with our practice for business purposes, such as accreditation agencies or information technology providers – these third parties are required to comply with APPs and this policy
- With other healthcare providers
- When it is required or authorised by law (eg court subpoenas)
- When it is necessary to lessen or prevent a serious threat to a patient's life, health or safety or public 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 confidential dispute resolution process
- When there is a statutory requirement to share certain personal information (eg some diseases require mandatory notification)
- During the course of providing medical services, through eTP, My Health Record (eg via Shared Health Summary, Event Summary).

Only people who need to access patient information will be able to do so. Other than in the course of providing medical services or as otherwise described in this policy, our practice will not share personal information with any third party without consent of a patient. (*Refer: Third Party Requests for Access to Medical Records – doc_77*)

We will not share personal information with anyone outside Australia (unless under exceptional circumstances that are permitted by law) without patient consent.

Our practice will not use personal information for marketing any of our goods or services directly to a patient without express consent from the patient. If a patient does consent, they may opt out of direct marketing at any time by notifying our practice in writing.

HOW DO WE STORE AND PROTECT PERSONAL INFORMATION?

Patient personal information may be stored and protected at our practice in various forms.

- Health records must be kept where constant staff supervision is easily provided. Personal health information must be kept out of view and must not be accessible by the public
- Health records where applicable are stored electronically.

- Computer screens are positioned so that individuals cannot see information about other individuals.
- Access to computerised client information is strictly controlled with passwords and personal logins.
- Automatic screen savers and computer terminals are logged off when the computer is left unattended for a significant period of time.
- Items for pathology couriers or other pickups are left behind the reception desk.
- Clinical Director allocates IT access level at the delegation of the CEO.
- Each staff member must sign a confidentiality agreement on commencement of employment and further information is provided in Human Resource management.

HOW CAN PATIENTS ACCESS AND CORRECT PERSONAL INFORMATION AT OUR PRACTICE?

Patients have the right to request access to, and correction of, their personal information.

Our practice acknowledges patients may request access to their medical records. We require this request be in writing, and our practice will respond within a reasonable time, but no longer than 30 working days from the date of receiving the request.

Our practice will take reasonable steps to correct personal information where the information is not accurate or up to date. From time to time, we will ask a patient to verify that personal information held by our practice is correct and current. A patient may also request that we correct or update their information, and as such requests should also be made in writing.

HOW CAN A PATIENT LODGE A PRIVACY-RELATED COMPLAINT, AND HOW WILL THE COMPLAINT BE HANDLED AT OUR PRACTICE?

We take complaints and concerns regarding privacy seriously. A patient should express any privacy concerns they may have in writing. We will then attempt to resolve it in accordance with our resolution procedure. (Ref: Client Feedback and Complaints doc_603)

A patient may also be directed to contact the OAIC. For further information visit www.oaic.gov.au or call the OAIC on 1300 363 992

PRIVACY AND OUR WEBSITE

SWAMS utilizes social media sites from time to time, to interact and communicate with patients. Although SWAMS currently does not directly collect information from these sites, any interaction within this medium is collected via cookies by the communication medium, and at any time may be accessed by SWAMS.

POLICY REVIEW STATEMENT

This privacy policy will be reviewed periodically to ensure it is applied in accordance with any changes that may occur either by Legislation or within the organization. Any changes will be notified though one or more of the following mediums;

- SWAMS Web site
- Displays within Reception
- During your next appointment