

# **PERSONAL INFORMATION, PRIVACY AND YOUR DOCTOR**

## **“Your Privacy is our Business”**

### ***YOUR PERSONAL HEALTH INFORMATION:***

Your doctor needs information about your past and present health in order to provide you with high quality care. This practice will make sure that you are able to discuss your health with your doctor in private.

Information is called ‘personal health information’ if it concerns your health, medical history or past or future medical care and if someone reading it would be able to identify you.

This practice follows the guidelines of the ‘Handbook for the Management of Health Information in Private Medical Practice’. The Handbook was produced by the Royal Australian College of General Practitioners and the Committee of Presidents of Medical Colleges with the support of the General Practice Computing Group. The Handbook incorporates the provisions of Federal and State Privacy Legislation. This means that your personal health information is kept private and secure.

The practice has a written policy on personal health information – this policy is available to all patients for inspection.

### ***YOUR MEDICAL RECORDS:***

Your doctor will do his / her best to make sure that your medical records:

- are accurate, comprehensive, well-organised and legible;
- are up to date;
- have enough information to allow another doctor to care for you;
- do not contain offensive or irrelevant comments about you;
- contain a summary of your care; and
- can be used to remind you, with your permission, to return for follow-up, check-ups and reviews.

Your doctor will only collect information which is relevant to your medical care. If you are uncertain as to why information is being requested, ask your doctor.

If you want access to health care and maintain your anonymity, ask your doctor.

### ***PROVIDING YOUR INFORMATION TO OTHER DOCTORS:***

The doctor(s) in this practice respect your right to decide how your personal health information is used or disclosed (for example to other doctors). In all but exceptional circumstances, personal information that identifies you will be sent to other people only with your consent. Gaining your consent is the guiding principle.

In this practice, it is customary for all doctors to have access to all the medical records. If you have any concerns about other doctors at this practice being able to see your records, please discuss your concerns with your doctor.

It is important that other people involved in your care, such as other doctors or health professionals, are informed of relevant parts of your medical history so they can best care for you. Your doctor will let you know before this occurs. If you have concerns about this discuss them with your doctor.

### ***PROVIDING YOUR INFORMATION TO OTHERS:***

Your doctor will not disclose your personal health information to a third party unless:

- you have consented to the disclosure; or
- this disclosure is necessary because you are at risk of harm without treatment and you are unable to give consent – for example you might be unconscious after an accident; or
- your doctor is legally obliged to disclose the information (e.g. notification of certain infectious diseases or suspected child abuse, or a subpoena or court order); or
- the information is necessary to obtain Medicare payments or other health insurance rebates; or
- there is an overriding public health and safety interest in the release of the information.

There are times when disclosure is necessary for the doctors in the practice to carry out a review of their practice for the purpose of improving the quality of care provided and the activity has been approved under Commonwealth or State legislation. This provides safeguards to protect the confidentiality of the information provided.

In any of the above cases, only information which is necessary to achieve the objective will be provided.

### ***USING HEALTH INFORMATION FOR QUALITY IMPROVEMENT & RESEARCH:***

We use patient health information to assist in improving the quality of care we give to all our patients by reviewing the treatments used in the practice.

We may also use information that does not identify you in research projects to improve health care in the community. You will normally be informed if your information is to be used for this purpose and will have the opportunity to refuse to have your unidentified information used in this way.

Wherever practicable, the information used for research will not be in a form that would enable you to be identified. The publication of research results which use your information will never be in a form that enables you to be identified.

In some circumstances, where the research serves an important public interest, identifiable medical records can be used for medical research without your consent under guidelines issued by the National Health and Medical Research Council. This research must be approved by an official ethics committee.

### ***SECURITY OF INFORMATION IN THE PRACTICE:***

Many medical practices will transfer their medical records to computer systems in the next few years. We will ensure that any of your personal information that is put on computer will be kept private in the same way as occurs with paper records. This will protect your record from unauthorized access.

### ***YOUR ACCESS TO YOUR HEALTH INFORMATION:***

You have access to the information contained in your medical record. You may ask your doctor about any aspect of your health care including information in your record. We believe that sharing information is important for good communication between you and your doctor and for good health care.

Information in your record can be provided to you by way of an accurate and up-to-date summary of your care, for instance if you are moving away and are transferring to a new doctor. Do not hesitate to ask your doctor if you want a summary of your care for any reason. If you request a summary or direct access to your full medical record, your doctor will need to consider the risk of any physical or mental harm to you or any other person which may result from disclosure of your health information, and may need to remove any information that may impact on the privacy of other individuals.

Your doctor will be pleased to provide a full explanation of the health summary or medical record provided. Depending on what is involved, you may be asked to contribute to the cost of providing the information.

### ***RESOLVING YOUR CONCERNS REGARDING THE PRIVACY OF YOUR HEALTH INFORMATION:***

If you have any concerns regarding the privacy of your health information or regarding the accuracy of the information held by the practice, you should discuss these with your doctor. Inaccurate information will be corrected or your concerns noted in the records. For legal reasons, the original notes will be retained.

### ***How do we store and protect your personal information?***

Your personal information may be stored at our practice in various forms, including paper records, electronic records and visual records ie. X-rays, CT scans, videos and photos.

Our practice stores all personal information securely as per The Royal Australian College of General Practitioners (RACGP) standards. Electronic format in protected information systems and or hard copy is in secure environment. All paper copies once scanned to patient file, is destroyed in a secure environment. Our practice has very stringent confidentiality procedures in place by using: passwords, confidential agreements for staff, contracts, secure cabinets etc

***How can you access and correct your personal information at our practice?***

You have the right to request access to, and correction of, your personal information. Our practice acknowledges patients may request access to their medical records when transferring to your new treating provider. We require you to put this request in writing by filling out a "Request for Medical Records transfer form" and our practice will action within 7 working days. Fees are \$30.00 for a disk copy of medical records (assuming your new medical centre accepts XML/HTML format). For paper copies called "hard copies" it is \$30.00 for records within the last 2 years and \$50.00 for a complete file.

Our practice will take reasonable steps to correct your personal information where the information is not accurate or up to date. From time to time, we will ask you to verify that your personal information held by our practice is correct and current. You may also request that we correct or update your information, and you should make such requests in writing to our admin team at H&M Medical Centre or via email to: [admin@hmclinic.com.au](mailto:admin@hmclinic.com.au)

***How can you lodge a privacy-related complaint, and how will the complaint be handled at our practice?***

We take complaints and concerns regarding privacy seriously. You should express any privacy concerns you may have in writing. We will then attempt to resolve it in accordance with our resolution procedure. Please feel free to talk to your Doctor, Practice Manager or a staff member about any problems you have with our services. You can lodge your complaints by email to [manager@hmclinic.com.au](mailto:manager@hmclinic.com.au) and we will make sure to respond to your concerns within 3 business days and all complaints will be addressed within 30 days of receiving the complaint. You may also contact the Office of the Australian Information Commissioner (OAIC). Generally, the OAIC will require you to give them time to respond before they will investigate. For further information visit [www.oaic.gov.au](http://www.oaic.gov.au) or call the OAIC on 1300 363992. Or you can contact the Office of the Health Ombudsman on 133 646 or visit <https://www.oho.qld.gov.au/>.

***FURTHER INFORMATION ON PRIVACY LEGISLATION IS AVAILABLE FROM:***

Office of the Federal Privacy Commissioner: 1300 363 992

Office of the Health Services Commissioner (Victoria): 1800 136 066

Community and Health Services Complaints Office (ACT): 02 6205 2222

Office of the NSW Privacy Commissioner: 02 9268 5588

***POLICY REVIEW STATEMENT***

This privacy policy was reviewed on the 2nd of August 2022. This policy will be reviewed annually to ensure it is in accordance with any changes that may occur.

Next review date: 22nd of August 2023. An up-to-date copy can be accessed at the practice.