

# RIVER DOC'S ED POLICY

PRIV001 – Patient Privacy



<b>Review Date:</b> <u>1/8/2018</u>	<b>Related Documents:</b> Australian Privacy Principles River Doc's ED Privacy Policy Brochure
<b>Effective Date:</b> <u>6/07/2017</u>	

## **Purpose:**

This privacy policy has been developed to provide information to patients, on how their personal information (which includes their health information) is collected and used within River Doc's ED, and the circumstances in which it may be shared with third parties.

## **Reason for alteration or creation:**

**Alteration:** Review 2017

## **Policy:**

### **1. Why your consent is necessary**

Your consent is necessary for our GPs and staff involved in your presentation to **access** and **use** your personal information. This ensures that they can provide you with the best possible healthcare.

### **2. When your consent is necessary**

Each time you present to River Doc's ED for Medical treatment you will be required to complete a form which forms part of your registration. Only staff who need to view your personal information will have access to it. If we need to use your information for anything else, we will seek additional consent from you to do this.

### **3. Why do we collect, use, hold and share your personal information?**

River Doc's ED is required to collect your personal information to provide healthcare services to you. Our main purpose for collecting, using, holding and sharing your personal information is to manage your health through accurate medical diagnosis, appropriate treatment, preventative and ongoing health care.

River Doc's ED will use it for directly related business activities, such as financial claims and payments, practice audits and accreditation and business processes.

### **4. What personal information do we collect?**

The information we will collect about individuals include;

- Names, date of birth, postal and residential addresses, mobile/work/phone numbers
- Details of your substitute decision maker/responsible person/entity
- Medicare/Dept Veteran Affairs number (where available) for identification and claiming purposes
- Your usual treating doctor/medical clinic (where do you wish for your summary of presentation to be forwarded too, to assist with ongoing care and/or follow up?)
- Workcover Compensation claim Employer details
- Whether you identify as Aboriginal or Torres Strait Islander
- Healthcare identifiers
- Health fund details
- Medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors



### 5. Dealing with us anonymously

Unfortunately River Doc's ED is unable to treat patients who present to the department under a false name or who wish to remain anonymous. Giving a patient the best possible treatment for their presentation relies on them identifying themselves accurately. Especially in relation to the request for further testing, pathology results, referrals for ongoing treatment and billing for services.

For River Doc's ED to successfully bill your account and claim a Medicare portion we require the full name that is legally registered with Medicare.

### 6. How do we collect your personal information?

We may collect your personal information if you send us an email, telephone us or communicate with us using social media.

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 you directly. This may include information from:

- Your guardian or responsible person
- Other involved healthcare providers, such as specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services
- Your health fund, Employer (if Workcover related) Medicare, or the Department of Veterans' Affairs (as necessary).

### 7. When do we share your personal information?

- 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 (e.g. Emergencies)
- When there is a statutory requirement to share certain personal information (eg some diseases require mandatory notification)
- All staff are trained in Mandated Notification and as such reports will be made to the appropriate organisations when needed.
- Medical information regarding your presentation is forwarded to your usual treating doctor (at your request) through encryption software. Where this service is not available, your information is forwarded to your clinic (at your request) and addressed as "Private & Confidential".

Forwarding this information is extremely beneficial to you as it assists your usual treating doctor to provide you with the best possible "after care" treatment.

### 8. Why do we share your personal information?

- To establish, exercise or defend an equitable claim
- To provide Medicare, IMVS, Healthscope, Riverland Medical Imaging, Private Health providers, Workcover Claims (Employers and/or Insurers), DTEI, Road Transport Authority, with information to assist with billing and rebate purposes.

### 9. With whom do we share your personal information?

- 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 the APPs and this policy



- With other healthcare providers
- With your Return to Work Case Manager (in the event your presentation was the result of a workplace injury)

Only Medical and Administrative Staff who require access to your information will be able to do so.

Other than in the course of providing medical services or as otherwise described in this policy, River Doc's ED will not share personal information with any third party without your consent.

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

River Doc's ED will never sell or provide your details to a third party for any purposes.

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

Your personal information is stored on our computer servers in its entirety.

River Doc's ED take your privacy very seriously and as such audits are conducted to identify any breaches to a patient's health information. You will be advised in writing if it has been found that your personal information has been accessed without authorisation, River Doc's ED are also obligated under law to advise the Office of the Australian Information Commissioner of the breach.

River Doc's ED stores the following information on your personal electronic medical record.

- Progress Notes from your presentation
- Pathology results
- Radiology results
- Referrals
- Workcover Capacity Certificates (WCC's)

River Doc's ED stores all your personal information securely. This is achieved by;

- All staff members have signed a Confidentiality Privacy & Security Agreement. This agreement is reviewed and re-signed every 12 months.
- Staff members have their own log in and password to access your Medical information.
- All information is stored on a secure server and backup on a regular and scheduled basis.
- 24/7 backup and support from River Doc's ED contracted IT Company.

### **11. How can you access and correct your personal information at River Doc's ED?**

You have the right to request access to, and correction of, your personal information.

You have the right to request access to your personal information through a "Freedom of Information" request. As all medical records become the property of Country Health SA, this request must be completed at the Riverland General Hospital main reception. The doctor will need to remove any confidential information provided by others. The doctor will also need to consider the risk of any physical or mental harm to you or any other person which may result from disclosure of your personal health information. The Riverland General Hospital may charge you an administration fee for the provision of this information.

You are free to ask the doctor about any aspect of your health care including information in your medical record or to request changes to your medical information. This will need to be discussed with the doctor treating you at the time of your presentation.

The doctor can provide you with information on your presentation by providing you with an up to date summary of your care.

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## 12. How can you lodge a privacy-related complaint?

River Doc's ED take complaints and concerns regarding your privacy seriously. You should express any privacy concerns you may have in writing. We will then attempt to resolve it in accordance with our complaints process.

Please address all complaints to;

**CEO:** Trish Vogel; OR

**QUALITY MANAGER:** Jodi Smith

**PO Box 2223**

**BERRI S.A. 5343**

**Please ensure your envelope is labelled "Private & Confidential"**

## 13. How will the complaint be handled at our practice?

You will receive a written confirmation on receipt of your query/complaint. For investigations and response time, please allow 28 days from the date of receipt.


You may also contact the **Office of the Australian Information Commissioner (OAIC)**. Generally, the OAIC will require you to give River Doc's ED 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 363 992.

In addition to this information you may also wish to contact the **Health and Community Service Complaints Commissioner (HCSCC) South Australia** on 8226 8666 or visit their website at [www.hcsc.sa.gov.au](http://www.hcsc.sa.gov.au)

## 14. Privacy through website/email and social media

River Doc's ED will never communicate with you through the website or by means of social media.

At times, we may communicate with you directly via email (at your request), however, this will only be for business related purposes (eg accounts/billing). Your personal medical information will never be provided to you via email as the security of the contacts cannot be guaranteed through an unencrypted email service.

Approved & Reviewed by CEO: 

Date: 6/07/2017

## ACKNOWLEDGEMENT

Upon signing this document you acknowledge that you have read and understood the contents.

If you require any clarification then direct your query to the Quality Manager.

I have read and understood the policy: \_\_\_\_\_

(Sign & PRINT NAME)

Date: \_\_\_\_\_

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POLICY VERSION CONTROL			
VERSION NUMBER	VERSION DATE	VERSION NOTES	AUTHOR
1.0	12.11.2012	Creation of Policy	Jodi Smith
2.0	14.3.2014	Review Changes to National Privacy Principles to now be Australian Privacy Principles. Change Privacy Brochure to "Patient Privacy Policy Fact Sheet"	Jodi Smith
2.0	13.8.2014	Review and Approval	Jodi Smith/Eve Rogers
2.0	18.5.2015	Acknowledgement and sign off sheet	Jodi Smith
3.0	6.7.2017	Review and Changes to comply with changes to the Australian Privacy Principles	Jodi Smith