



# PRIVACY POLICY

# Mountain View Medical Centre Privacy Policy

Current as of: 24 June 2020

## Introduction

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

## Why and when your consent is necessary

When you register as a patient of our practice, you provide consent for our GPs and practice staff to access and use your personal information so they can provide you with the best possible healthcare. Only staff who need to see 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.

## Your consent and how to withdraw

Fully informed and voluntary consent to the purposes for which it intends to use and disclose your personal information, will be obtained by Mountain View Medical Centre before or as soon as practicable after the collections of your Health Information. An example of Mountain View Medical Centre collecting consent is participating in our Reminder system, e.g. Cervical Screening Test, Prolia, etc.

Having provided consent, you are able to opt out/withdraw it at any time. To withdraw consent, please place your withdrawal request in writing Attention: Practice Manager.

We would like to explain that although you are able to opt out of our reminder system, if a Doctor deems it medically necessary to contact you to discuss notifiable results/correspondence they have a legal obligation to do so.

Please note that withdrawing your consent may lead to Mountain View Medical Centre no longer being able to provide you with certain care or services.

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

Our practice will need 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. We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes (e.g. staff training).

## What is 'personal information'?

Personal information is information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

## What personal information do we collect?

The information we will collect about you includes your:

- names, date of birth, addresses, contact details
- emergency contact and next of kin details
- signature of consent / verbal consent
- 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
- Concession card number (where available) for claiming purposes
- Gender, marital status, occupation, cultural background

- Allergy status, smoking and alcohol status (clinical staff to collect)
- healthcare identifiers
- health fund details.

## Dealing with us anonymously

You have 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 authorised by law to only deal with identified individuals. If you chose to deal with us in this way, we would be required to check with our doctor's indemnity insurance.

## How do we collect your personal information?

Our practice may collect your personal information in several different ways.

1. When you make your first appointment our practice staff will collect your personal and demographic information via your registration.
2. During the course of providing medical services, we may collect further personal information. Our practice participates in My Health Record, e.g. uploading a shared health summary or event summary
3. We may also collect your personal information when you visit our website, send us an email or SMS, telephone us, make an online appointment or communicate 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 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, Medicare, or the Department of Veterans' Affairs (as necessary).

## When, why and with whom do we share your personal information?

We sometimes 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 APPs and this policy
- with other healthcare providers
- when it is required or authorised by law (e.g. 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 (e.g. some diseases require mandatory notification)
- during the course of providing medical services, through eTP, My Health Record (e.g. via Shared Health Summary, Event Summary).

Only people who need to access your 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 your consent.

**Medical Student access:**

At times our clinical staff may provide teaching and clinical training when medical students attend our clinic on their placement.

Upon arrival of your consultation our reception team will inform you if a medical student will be present during your consultation along with a signage being displayed at reception. If for any reason you would prefer the student not to be present during your consultation please notify our reception staff. Your decision will in no way affect your treatment or care at the practice.

The medical student will sign a privacy statement prior to commencing their placement within our Practice. Medical students may see a patient prior to consultation with the doctor. The purpose of this is for the student to collect clinical history and information on the nature of the visit. When the patient consults with the doctor, the student will present their findings.

**Disclosure of information via Email:**

Mountain View Medical Centre is unable to encrypt emails and preferable method of transferring information is in person, over the telephone or by register post mail. If there is an urgent request for information to be sent via email, Mountain View Medical Centre requires patient consent acknowledging that the email is not encrypted therefore not protected if sent to the incorrect address.

Another circumstance of disclosure of information can be from a result of your action. There may be circumstances in which we consider you, by your actions, to have released us from our duty of confidentiality or to have consented to the disclosure of information about you without actually saying so (for example, if you discuss your health status publicly to the media in such a way that it leaves us with little alternative but to respond publicly).

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

Our practice will not use your personal information for marketing any of our goods or services directly to you without your express consent. If you do consent, you may opt out of direct marketing at any time by notifying our practice in writing.

We may disclose your personal information to the following overseas recipients:

- any practice or individual who assist us in providing services (such as where you have come from overseas and had your health record transferred from overseas or have treatment continuing from an overseas provider)
- anyone else to whom you authorise is or disclose it; and
- anyone else where authorised by law.

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

Your personal information may be stored at our practice in various forms, e.g. paper records, electronic records and visual records (X-rays, CT scans, photos)

Our practice stores all personal information securely. Hard (paper) copies of information is stored in a secured environment in a safe room (Vault) which is password protected. Electronic information is protected within secure information systems. Computers are password protected with the use of screen savers. Staff and contractors are all required to sign a Privacy Agreement.

## 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. We require you to put this request in writing by completing a 'Request for Personal Health Information' form, available at Reception. Our Practice Manager, Sandra Lanskey will be responsible for handling this request.

## Parental Access to Health Information

If a parent seeks access to their child's health records, the general rule is that unless Mountain View Medical

Centre considers the child to be a mature minor, and in the absence of any court orders or consent orders in relation to the child, both parents have an equal right to access their child's medical records.

Subject to the exceptions set out in the Privacy Act and any court or consent orders in relation to the child, you may seek access to your child's personal information which we hold about your child in accordance with our access policy.

To request access to this information you will be required to complete and sign a 'Request for Personal Health Information' form available at Reception. Our Practice Manager, Sandra Lanskey will be responsible in handling this request.

### How to give another person, e.g. relative, access to your medical file

To arrange another person, e.g. family member, access to your medical information, we request you arrange an appointment with your doctor to discuss this request.

### Processing Access to Personal Health Information

Depending on the information you require, it may be necessary to make an appointment to speak to your regular doctor. We will attempt to process your request within 7 to 14 business days.

If circumstances apply, we are permitted by the Privacy Act to deny your request for access, or limit the access we provide. We will let you know why your request is denied or limited. For example, we may explain notes written by a Doctor in your notes, rather than direct access to evaluative information connected with it. This will be the decision of the attending Doctor as these notes are classified and certain information may not be viewed by the patient or a third party, because of the sensitive nature.

An administration fee will be charged for providing access. The fee is to cover the costs of time spent in processing your request, printing costs and registered postage costs, if applicable. Paper copies of selected records will be charged at \$1 per page. If you are wanting a copy of your entire medical record, we ask you provide us with a blank USB/memory stick and pay a fee of \$25, however if your health record is quite extensive this fee may be greater.

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 your regular doctor. Changes to your demographic details can be made by advising Reception staff.

### 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.

Our contact details are as follows:

Mountain View Medical Centre

PO Box 326 Mossman Qld 4873

Ph: 07 40981711 Fax: 07 42209443

Email: [info@mountainview.com.au](mailto:info@mountainview.com.au)

The timeframe for addressing complaints will depend on the nature of the complaint. However, we endeavor to handle complaints promptly.

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 363 992.
- Australian Health Practitioner Agency (AHPRA) on 1300 419 495
- The Office of the Health Ombudsman (OHO) on 133 646

## Policy review statement

This Policy will be reviewed from time to time to take account of new laws and technology, changes to our operations and other necessary developments.

We will endeavor to notify you as we update our privacy policy and you will be able to access this policy via our website, alternatively you are welcome to ask reception for a copy. The new policy will be displayed with the changes highlighted.