

CBD WEST MEDICAL CENTRE PRIVACY POLICY



Purpose

To ensure patients who receive care from CBD West Medical Centre are comfortable in entrusting their health information to the Practice. This policy provides information to patients as to how their personal information (which includes their health information) is collected and used within CBD West Medical Centre, and the circumstances in which we may disclose it to third parties.

Related standards

RACGP Compliance indicators for the Australian Privacy Principles: an addendum to the computer and information security standards (Second edition).

Background and rationale

The APP provide a privacy protection framework that supports the rights and obligations of collecting, holding, using, accessing and correcting personal information. The APP consists of 13 principle-based laws and apply equally to paper-based and digital environments. The APP complement the long-standing general practice obligation to manage personal information in a regulated, open and transparent manner.

This policy will guide Practice staff in meeting these legal obligations. It also details to patients how CBD West Medical Centre uses their personal information. The policy must be made available to patients upon request.

Practice procedure

CBD West Medical Centre will:

- provide a copy of this policy upon request
- ensure staff comply with the APP and deal appropriately with inquiries or concerns
- take such steps as are reasonable in the circumstances to implement practices, procedures and systems to ensure compliance with the APP and deal with inquiries or complaints
- collect personal information for the primary purpose of managing a patient's healthcare and for financial claims and payments.

Staff responsibility

CBD West Medical Centre's staff will take reasonable steps to ensure patients understand:

- what information has been and is being collected
- why the information is being collected, and whether this is due to a legal requirement
- how the information will be used or disclosed
- why and when their consent is necessary
- CBD West Medical Centre's procedures for access and correction of information, and responding to complaints of information breaches, including by providing this policy.

Patient consent

CBD West Medical Centre will only interpret and apply a patient's consent for the primary purpose for which it was provided. CBD West Medical Centre staff must seek additional consent from the patient if the personal information collected may be used for any other purpose.

Collection of information

CBD West Medical Centre will need to collect personal information as a provision of clinical services to a patient at CBD West Medical Centre. Collected personal information will include patients':

- names, addresses and contact details
- Medicare number (where available) (for identification and 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 CBD West Medical Centre in various forms:

- as paper records
- as electronic records
- as visual – x-rays, CT scans, videos and photos
- as audio recordings.

CBD West Medical Centre's procedure for collecting personal information is set out below.

1. Practice staff collect patients' personal and demographic information via registration when patients present to CBD West Medical Centre for the first time. Patients are encouraged to pay attention to the collection statement attached to/within the form and information about the management of collected information and patient privacy.
2. During the course of providing medical services, CBD West Medical Centre's healthcare practitioners will consequently collect further personal information.
3. Personal information may also be collected from the patient's guardian or responsible person (where practicable and necessary), or from any other involved healthcare specialists.

CBD West Medical Centre holds all personal information securely, whether in electronic format, in protected information systems or in hard copy format in a secured environment.

Use and disclosure of information

Personal information will only be used for the purpose of providing medical services and for claims and payments, unless otherwise consented to. Some disclosure may occur to third parties engaged by or for CBD West Medical Centre for business purposes, such as accreditation or for the provision of information technology. These third parties are required to comply with this policy. CBD West Medical Centre will inform the patient where there is a statutory requirement to disclose certain personal information (eg. some diseases require mandatory notification).

CBD West Medical Centre will not disclose personal information to any third party other than in the course of providing medical services, without full disclosure to the patient or the recipient, the reason for the information transfer and full consent from the patient. CBD West Medical Centre will not disclose personal information to anyone outside Australia without need and without patient consent.

Exceptions to disclose without patient consent are where the information is:

- required by law
- 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 a confidential dispute resolution process.

CBD West Medical Centre will not use any personal information in relation to direct marketing to a patient without that patient's express consent. Patients may opt-out of direct marketing at any time by notifying CBD West Medical Centre in a letter or email. CBD West Medical Centre evaluates all unsolicited information it receives to decide if it should be kept, acted on or destroyed.

Access, corrections and privacy concerns

CBD West Medical Centre acknowledges patients may request access to their medical records. Patients are encouraged to make this request in writing, and CBD West Medical Centre will respond within a reasonable time.

CBD West Medical Centre will take reasonable steps to correct personal information where it is satisfied they are not accurate or up to date. From time to time, CBD West Medical Centre will ask patients to verify the personal information held by CBD West Medical Centre is correct and up to date. Patients may also request CBD West Medical Centre corrects or updates their information, and patients should make such requests in writing.

CBD West Medical Centre takes complaints and concerns about the privacy of patients' personal information seriously. Patients should express any privacy concerns in writing. CBD West Medical Centre will then attempt to resolve it in accordance with its complaint resolution procedure.

Written concerns can be addressed to the Practice Manager and handed into reception or posted to PO Box 7104, Cloisters Square, WA 6850. If you are dissatisfied with the outcome of our handling of your complaint you may contact the Western Australia Health Services Commissioner or the Federal Privacy Commissioner at <https://www.hadsco.wa.gov.au/home>.