

POLICY

PRIVACY: PERSONAL HEALTH INFORMATION



1. Purpose

Wuchopperen Health Service ("we", "us", "our") is committed to protecting the privacy of clients ("you", "your") and other persons with whom we deal. The Privacy: Personal Health Information Policy has been adopted to demonstrate that commitment by communicating the ways of handling any information of a personal nature which we may have about you.

The purpose of the Privacy: Personal Health Information Policy is to communicate how we meet legislative requirements in the collection, use and storage of personal information and the circumstances in which we may disclose it to third parties.

We provide copies of this policy, free of charge, for clients to access which is available by hard copy on request or on our website: www.wuchopperen.org.au

2. Scope

This policy applies to all personal health information, whether in written, verbal or electronic format, collected and managed by Wuchopperen management, employees and health service providers contracted by Wuchopperen to provide services.

All employees and health service providers contracted by Wuchopperen are bound by the provisions of this policy and are required to sign a confidentiality agreement on commencement of employment or contract

3. Definitions

"personal information":

As defined by the *Privacy Act 1988 (Cth)*.

Meaning "information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material format or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion";

Personal information also includes "**sensitive information**" which is information including, but not limited to a client's:

- Race;
- Religion;
- Political opinions;
- Sexual preferences; and or,
- Health information.

Information deemed '**sensitive information**' attracts a higher privacy standard under the Act and is subject to additional mechanisms for the client's protection.

"health information":

As defined by the *Privacy Act 1988 (Cth)*. This is a particular subset of "personal information" and means information or an opinion about:

- The health or a disability (at any time) of an individual;
- An individual's expressed wishes about the future provision of health services to him or her; or,

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- A health service provided or to be provided to an individual; or
- Other personal information collected to provide, or in providing, a health service.

“Personal health information”: Is the term used in this policy that incorporates the *Privacy Act 1988* definitions of “health information” and “sensitive information”.

“Health Service Providers”: Refers to all external health professionals delivering health services including consulting specialists, external specialists, pathologists, radiologists etc.

“Health Service” an activity performed in relation to an individual that is intended or claimed (expressly or otherwise) by the individual or the person performing it:

- To assess, record, maintain or improve the individuals health; or
- To diagnose the individual’s illness or disability; or
- To treat the individuals illness or disability; or
- Suspected illness or disability or the dispensing or prescription of a drug or medicinal preparation by a pharmacist.

4. Legislative References

Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth), forming part of the Privacy Act 1988

Australian Privacy Principles (APP) provides a privacy framework that regulates how organisations may collect, use, disclose and store personal information.

5. Types of Personal and Personal Health Information

We need to collect personal information from you to enable provision of quality health care incorporating clinical and non-clinical services. Personal information collected will include you:

- Name, address and contact details.
- Medicare number for claiming purposes.
- Healthcare identifiers, such as Department of Veteran Affairs, Health Care Card.
- Medical information, including medical history, medications, allergies, adverse events, immunisations, social and family history and risk factors.

The type and amount of information required will vary depending on the services that you require.

6. Collection of Personal Health Information

6.1 Personal information in most circumstances will be collected directly from you when seeking a health service from Wuchopperen.

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Our employees will collect your personal and demographic information via registration when you present to Wuchopperen for the first time.

During the course of providing health services, our healthcare practitioners will consequently collect further personal information.

Personal information may also be collected from your guardian or responsible person (where practicable and necessary), or from any other involved healthcare specialist.

It is important to be aware that if incomplete or inaccurate information is provided or if you withhold personal health information, we may not be able to provide you with the services you are requesting.

Your consent will be sought to use the information for the purpose for which it was provided. We will seek additional consent from you if the personal information collected may be used for any other purpose.

6.2 How We Collect Personal Health Information

Personal information may be collected from you in a number of different ways including:

- New Client Form, completed by you consenting to us managing your personal health information;
- Consultations;
- Emails and written correspondence that you send us;
- Telephone conversations; voice messages;
- Documentation provided to us;
- Third parties (for example, your medical practitioner or other health service providers or Centrelink).

7. Use and Disclosure of Your Personal Health Information

7.1 We collect personal information from you for the primary purpose of providing quality primary health care so that we can appropriately assess, diagnose, treat and be proactive in meeting your health care needs.

Personal information will only be used for the purpose of providing health services and for claims and payments, unless otherwise consented to.

Personal health information collected by Wuchopperen may also be used for the following purposes:

- Administrative purposes including compliance with medical and health insurance requirements, e.g., client information such as Medicare number, current contact details, date of birth or other relevant information.
- Disclosure of specific health information to employees and other health professionals involved in providing ongoing health care for you. This will be limited to personal health information that impacts on health care or when a formal consent is not appropriate or required.

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- Collection of personal health information relevant to health care from, e.g., pathology, immunisation registers, x-ray facilities.
- Use of de-identified client data of disease and treatment details for quality assurance, research and funding reporting requirements.
- To investigate, respond to or defend legal claims made against, or involving Wuchopperen; and
- To notify you of the services that we provide and other services, which may be offered by other health care service providers.

We will not disclose personal information to any third party other than in the course of providing health services, without full disclosure to you, the reason for the information transfer and consent from you.

For the purpose of providing holistic support to meet your health and wellbeing needs, information may need to be shared with other services within Wuchopperen and with external health service providers and agencies from which you are receiving services. You will be asked to provide consent to share information in the provision of these services.

In certain circumstances Wuchopperen will be able to disclose your personal health information without your consent. These circumstances are where:

- The disclosure of your information by us will prevent or lessen a serious threat to the life, health or safety of any individual or public health or safety, or it is impracticable to obtain your consent;
- We are required or authorised by law to disclose your information for another purpose, e.g., criminal or coronial requests on production of appropriate documentation;
- Mandatory notification in relation to an outbreak of an infectious disease is required;
- Mandatory reporting of suspected child abuse is required.
- The use or disclosure of health information for certain research and other purposes.
- The disclosure of health information for a secondary purpose to a responsible person for an individual.

7.2 Services Provided by Health Professionals

During your treatment at Wuchopperen, you may be referred to alternative medical treatment / services (e.g., pathology or radiology) where our staff may consult with senior medical experts when determining a diagnosis or treatment.

Our health professionals may also refer you to other health service providers for further treatment (e.g., physiotherapist, specialist or community health services).

These health professionals will be designated health service providers appointed to use your health information as part of the process of providing treatment. Please note that this process will be conducted whilst maintaining the confidentiality and privacy of your personal information.

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7.3 Seeking a Service from another Health Service Provider

At any point you wish to be treated by another health service provider and access is required to your personal / health information by that provider, we require your written consent. This is to state that you will be utilising the services of another health care provider and to be signed and dated by you.

The other health service provider you have chosen is to provide written consent to accept the transfer of your personal / health information.

7.4 Other Third Parties

We may be requested to provide your personal information regarding your treatment or condition to additional third parties. These third parties may include:

- Family members;
- Guardians;
- A person exercising a patient's power of attorney under an enduring power of attorney;
- Client's insurer;
- Client's solicitor;
- Statutory authorities for purposes of mandatory reporting;
- Court or tribunal where a subpoena has been issued.

Where information is relevant or reasonable to be provided to third parties, written consent from you is required, unless your health is at risk and your personal information is needed to provide you with emergency medical treatment.

7.5 Other Uses of Personal Health Information

In order to provide the best possible environment in which to treat you, some disclosure may be required for business purposes where necessary for activities such as quality assurance processes, accreditation, audits, risk, claims management and client satisfaction surveys. These third parties are required to comply with this policy.

We will not use any personal information in relation to direct marketing.

We evaluate, within a reasonable timeframe, all unsolicited information received to decide if it should be kept, acted on or destroyed.

We do not engage with any overseas entities, with which personal or health information would be transferred, appointed or disclosed.

8. How You May Access and Correct Your Personal Health Information

8.1 You can request access to your personal health information. You are requested to put your request in writing using Doc0222 Request to Access Personal Health Information form, available from our Administration team, or you may submit your request by other means such as email, fax or by telephone.

We will respond to your request within 30 calendar days.

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There is no application fee for making a request to access your personal information. However, we may charge an administrative fee for the provision of information in certain circumstances.

8.2 We are committed to ensuring that the personal information we collect, use or disclose is accurate, complete and up-to-date. We encourage you to tell us when your details (such as your telephone number, address or name) change. From time to time we will ask you to verify that the personal information held by us is correct and up to date.

8.3 Wuchopperen reserves the right to refuse to correct / change your personal health information. If we refuse to correct the personal health information as requested by you, a written notice will be given to you that sets out:

- a) The reasons for the refusal except when it would be unreasonable to provide the grounds for refusal; and
- b) The mechanisms available for you to make a complaint about the refusal to correct the personal information.

9. Security of Your Personal Information

We will take all reasonable steps to ensure the security of personal health information held by us. All client health records are stored electronically and backed up daily. Computers are password protected and only accessible by authorised persons in accordance with pre-determined security levels.

10. Disposal of Your Personal Health Information

If any personal or health information is no longer deemed relevant or appropriate, we may reasonably de-identify and dispose of the information.

11. Responsibility and Review

11.1 Responsibility

The Quality Manager is responsible for compliance with this Policy by:

- Ensuring that this policy is brought to the attention of new employees during their induction period.
- Ensuring that existing employees are reminded of this policy on an annual basis.

11.2 Review

From time to time, it may become necessary for us to review or amend this policy. Any changes will be made as and when required, and we will advise you of any changes by posting an updated version of our policy on our website: www.wuchopperen.org.au

This document will be reviewed annually or at an earlier date where changes to relevant legislation affect the contents of the policy.

The Quality Manager is responsible for the review of this policy. The Board of Directors is responsible for endorsement of the policy.

12. Privacy Concerns

We take your concerns and complaints about the privacy of your personal health information seriously. You are requested to express your concerns in writing, by email or phone and we will

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then attempt to resolve it in accordance with our complaints procedure. Contact can be made with us as follows:

Wuchopperen Health Service Limited
PO Box 878
Manunda QLD 4870
Telephone (07) 4080 1000
E-mail: privacy@wuchopperen.org.au

If you are not satisfied with the outcome, you may forward your complaint to the Australian Information Commissioner at enquiries@oaic.gov.au or by telephone on 1300 363 992.

The policy was endorsed by the Board of Directors of Wuchopperen Ltd at its meeting held on 24/07/2014.

The policy document was signed off by the Chief Executive Officer on 28/07/2015.