

## PRIVACY POLICY

SAMY MEDICAL PRACTICE is committed to protecting the privacy of patient information and to handling your personal information in a responsible manner in accordance with the Privacy Act 1988 (Commonwealth), the Privacy Amendment (Enhancing Privacy Protection) Act 2012, the Australian Privacy Principles and relevant state and territory privacy legislation (referred to as privacy legislation). This Privacy Policy is current at February 2024.

**Consent**-The Privacy Act 1988 now requires medical practitioners to obtain consent from patients to collect, use and disclose your personal information. This Privacy Policy provides information as to who has access to your personal and health information and how you may access your own medical records. In order to provide continuity of care and the interests of preventative medical management, Samy Medical Practice maintains a reminder system. Your consent is needed to be a participant in the reminder system, and you have the right to opt out.

**Policy Review**-This policy is reviewed on an annual basis, or more frequently in response to changes in legal or professional guidelines when applicable.

**Purpose**-The purpose of this policy is to advise patients, their family and carer's on how we hold, manage and handle their personal information. It also outlines and reinforces to staff, contractors and work experience students and other key stakeholders their obligations and duties regarding privacy and confidentiality of patients' personal information.

**Statement**-Our Practice is committed to maintaining privacy and confidentiality at all times and requires that any information regarding individual patients, including staff members who may be patients, will not be disclosed in any form (verbally, in writing, or electronic forms, inside or outside our practice) except for strictly authorised use within the patient care context or as required by law.

For the purposes of this policy, no distinction has been made between the handling of personal information and sensitive information (including health information therefore all information will be referred to as "personal information" throughout this Policy.

### **Personal Information (Patient Health Record) will generally include:**

- The patient's full name, address, telephone and/or mobile number, Medicare and DVA numbers and pension or concession card number
- Next of kin and emergency contact details
- Workers compensation / Motor vehicle claim details where applicable
- Current drugs or treatments used by the patient
- Immunisation history
- All results including but not limited to pathology and radiology
- Previous/current medical history, including, where clinically relevant, a family medical history
- The name of any health service provider or medical specialist to whom the patient is referred, copies of any letters of referrals and copies of any reports back

### **Anonymity / Pseudonymity**

Patients have the right to remain anonymous or to use a pseudonym to protect their privacy. We take reasonable steps to ensure we comply with the patients' request. Patients are advised that anonymity may have a significant impact on our ability to provide timely and appropriate communication and health care.

Last reviewed by Matilda Samy on July 2023

Patients who refuse to provide our Practice with correct identity may be required to pay for consultations with any doctors of the Practice. Any fees charged will not be able to be submitted to Medicare for a rebate.

**Access to your records**-You are entitled to access your own health records. Please direct all requests and queries to Mrs Matilda Samy, Practice Director at Tel: 08 9557 2600, Fax: 08 9518 2826, Email: admin@samymedicalgroup.com.au

### **Collection**

- We collect information that is necessary and relevant to provide you with medical care and treatment. This information may include your name, address, date of birth, gender, health information, family history and contact details. This information may be stored on our computer medical records system and/or in handwritten medical records.
- Wherever practicable, we will only collect information from you personally. However, we may also need to collect information from other sources such as treating specialists, radiologists, pathologists, hospitals and other health care providers.
- We collect information in various ways, such as over the phone or in writing, in person at Samy Medical Practice or over the internet if you transact with us online. This information may be collected by medical and non-medical staff.
- In emergency situations, we may also need to collect information from your relatives or friends.
- We may be required by law to retain medical records for certain periods of time depending on your age at the time we provide services.

### **Use and Disclosure**

- We will treat your personal information as strictly private and confidential. We will only use or disclose it for purposes directly related to your care and treatment, or in ways that you would reasonably expect that we may use it for your ongoing care and treatment. For example, the disclosure of blood test results to your specialist or requests for x-rays.
- There are circumstances where we may be permitted or required by law to disclose your personal information to third parties. For example, to Medicare, police, insurers, solicitors, government regulatory bodies, tribunals, courts of law, hospitals or debt collection agents. We may also, from time to time, provide statistical data to third parties for research purposes.
- We may disclose information about you to outside contractors to carry out activities on our behalf, such as an IT service provider, solicitor or debt collection agent. We impose security and confidentiality requirements on how they handle your personal information. Outside contractors are required not to use information about you for any purpose except for those activities we have asked them to perform.

**Data Quality and Security**-We will take reasonable steps to ensure that your personal information is accurate, complete, up-to-date and relevant. For this purpose, our staff may ask you to confirm that your contact details are correct when you attend a consultation. The personal information that we hold is protected by securing our premises, placing passwords and varying access levels on databases to limit access and protect electronic information from unauthorised interference, modification and disclosure and providing locked cabinets and rooms for the storage of physical records.

**Overseas Transfer of Data**-We will not transfer your personal information to an overseas recipient unless we have your consent, or we are required to do so by law.

### **Telehealth Services to patients (Remote Access)**

Doctors: In an emergency telehealth services will be provided to the patients from the doctors' residence using Helix remote cloud based system. All our doctors use VPN whenever they are working remotely to secure patient information confidentiality and privacy.

All doctors have their doctor's bag.

In an emergency we will follow our ERPT plan; During an, staff can still provide services using the Helix remote cloud based system from CEO's residence using all practice's electronic devices. All of our  
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electronic devices are encrypted and uses up-to-date antivirus (TrendMicro).

Practitioners must:

- Refer to SMP Policy and Procedures 6.4, 6.15 and 6.15)
- SMP adheres to the Australian Privacy Principles (APPs), the Privacy Act 1988 and any state-specific laws
- Confirm the identity of the patient using three patient identifiers (eg. their full name, date of birth, and address)
- Advise the patient of the security risks associated with technology-based telehealth consultations
- Obtain from the patient before sending health information to the patient electronically (consent is implied if the patient initiates electronic communication with the practice)
- Document in patient health record the outcome of the request for consent to communicate electronically
- Document the reason for the contact, and the advice and information the patient was given
- Document every attempt to contact (eg left a phone message) and or successfully contacted the patient. If unable to reach the patient for telehealth appointments (eg, the patient does not answer at their allocated time, or there are technology issues that prevent connection), document any reasons the communication failed in the patient health record. SMP will refer to ERPT for back up plan (eg alternative mode of communication) for when communication failure occurs.
- Offer telehealth consultations in line with advice provided in the RACGP's 'Guide to providing telephone and video consultations' in general practice.
- Ensure that the patient provides consent to proceed with the consultation. Also send the patient the slip to acknowledge that they consented to the telephone or video consult giving all the MBS items billed for the consult. Patients have the right to agree or reject.
- Use Medical Director (Helix) system to select only relevant medical information to be included in referral letters
- Adhere to patient privacy and confidentiality during telephone and video consultations . Refer to RACGP Guide to telephone and video consultations in general practice' for guidance on how to maintain privacy and confidentiality when providing telephone and video consultations (eg. finding a quiet closed space where others cannot see or hear them during the consultation, ensuring that others are aware the patient is not to be disturbed (letting them know prior to the consultation, or having a sign on door and ensuring that the device used are secure (Ensuring a telephone is a fixed line and others cannot join.

### **Privacy Complaint**

The Practice takes complaints and concerns about the Privacy of patient personal information seriously. Please address your privacy concerns to the Practice Director. We will respond to these concerns in accordance with our resolution procedure.

Alternatively, you may contact the OAIC on [www.oaic.gov.au](http://www.oaic.gov.au) or call the OAIC office on 1300 363 992 or 9221 3675.