



ERICTON HOUSE
CONSULTING ROOMS

5 Ivanhoe Parade
Ivanhoe Vic 3079

Phone: (03) 9497 1428
Fax: (03) 9497 1498
ABN: 74 890 956 709

PRACTICE PRIVACY POLICY

Ericton House Consulting Rooms takes your privacy seriously. Privacy protection and confidentiality of health information is essential for quality health care and we are committed to protecting the privacy and confidentiality of the information we handle about you.

This policy explains:

- how we collect, store, use and disclose your personal information;
- how you may access your personal information;
- how we protect the quality and security of your personal information;
- how you may seek correction of any personal information we hold; and
- how you may make a complaint about our handling of your personal information.

In addition to our professional and ethical obligations, at a minimum, our Practice handles your personal information in accordance with federal and state privacy law. This includes complying with the federal Australian Privacy Principles (**APPs**) forming part of the *Privacy Act 1988 (Cth)* and the Victorian Health Privacy Principles (**HPPs**) forming part of the *Health Records Act 2001 (Vic)*.

More information about the APPs and HPPs can be found on the Australian Information Commissioner's website www.oaic.gov.au or in hard copy on request from our Practice reception.

Collection of information

The Practice collects and holds personal information about you so that we may properly assess, diagnose, treat and be proactive in your health care needs.

The type of personal information we collect may include:

- personal details (name, address, date of birth, Medicare number);



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- your medical history;
 - notes made during the course of a medical consultation;
- PLEASE NOTE: Some psychiatrists and psychologists take process notes for their own use during a consultation. The provision of these notes would need to be discussed with the individual provider.**
- referral to other health services providers;
 - results and reports received from other health service providers; and
 - credit card or direct debit information for billing purposes.

Wherever practicable we will collect this information from you personally - either at the Practice, over the phone, via written correspondence or via internet if you transact with us online.

In some instances we may need to collect information about you from other sources such as referring doctors, treating specialists, pathology, radiology, hospitals or other health care providers.

In an emergency, we may collect information from your immediate family, friends or carers.

Use and disclosure

Your personal information will only be used or disclosed for purposes directly related to providing you with quality health care, or in ways you would reasonably expect us to use it in order to provide you with this service.

This includes use or disclosure:

- to the professional team directly involved in your health care, including treating doctors, pathology services, radiology services and other specialists outside this medical practice. For example, this may occur through referral to other doctors when requesting medical tests or in the report or result returned to us following the referrals;
- to the Practice's administrative staff for billing and other administrative tasks necessary to run our practice. Our staff are trained in the handling of personal information in accordance with the *Practice Privacy Policy*;
- to your health insurance fund, Medicare or other organisations responsible for the financial aspects of your care;
- where required by law, for example, pursuant to a subpoena;
- to insurers or lawyers for the defence of a medical claim; and/or

Our practice does not intend to disclose your personal information to overseas recipients.

Information Quality

We aim to ensure the information we hold about you is accurate, complete, up to date and relevant. To this end our staff may ask you to confirm that your personal details are correct when



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you attend a consultation. Please let us know if any of the information we hold about you is incorrect or not up to date.

Storage

Our Practice takes all reasonable steps to protect the security of the personal information we hold, by:

- securing our premises;
- using passwords on all electronic systems and databases and varying access levels to protect electronic information from unauthorised interference, access, modification or disclosure; and
- storing hard copy records in secure filing cabinets or rooms that are accessible only to Practice staff.

Access to your personal information

Under law you have a right to access personal information we hold about you. Please contact our Practice Manager for more information on our *Access to Medical Records Policy*.

We ask that you put your request in writing. A fee for the retrieval and copying of your medical record will apply, charged in accordance with the schedule of fees specified in the *Health Records Regulations 2008* (Vic), plus GST. This fee is not redeemable through Medicare.

Amendment of your personal information

If you consider the information we hold about you is not correct, please contact the Practice in writing. You have the right to have any incorrect information corrected.

What happens if you choose to withhold your personal information?

You are not obliged to give us your personal information. However, if you choose not to provide the Practice with the personal details requested, it may limit our ability to provide you with full service. We encourage you to discuss your concerns with our reception staff prior to your first consultation or with your doctor.

What about use of personal information for direct marketing?

Australian privacy law limits the use of personal information for direct marketing of goods and services. We do not use your personal information for direct marketing.

What should I do if I have a privacy complaint?



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If you have a complaint regarding the way your personal information has been handled by our Practice, please put it in writing and address it to the practice manager (insert details). We will acknowledge receipt of your complaint within 14 days, and endeavour to provide a full response within 30 days of receipt.

Should you be dissatisfied with our response, you may lodge your written complaint with the Victorian Privacy Commissioner at <https://www.privacy.vic.gov.au> and/or the Victorian Health Services Commissioner at <http://www.health.vic.gov.au>.

If you have a query regarding our Practice's privacy policy, please contact our practice manager who will be happy to discuss the matter with you.



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ACCESS TO PERSONAL INFORMATION POLICY

Under the *Privacy Act 1988* (Cth) and the *Health Records Act 2001* (Vic), you have a legal right to access the personal information Ericton House Consulting Rooms holds about you (such as your medical record), subject to some exceptions.

Access Fees

The Practice is entitled to charge an appropriate fee, determined in accordance with the *Health Records Regulations 2002* (Vic), plus GST, to cover the administrative costs of this service. Our reception will advise you of the applicable fee, which is not redeemable under Medicare or private health insurance.

How do I request Access to my Personal Information?

Patients who wish to access or obtain a copy of their personal information should put their request in writing using the attached *Request to Access Personal Information Form*, and submit the form to our Practice reception. All requests will be acknowledged in writing within 14 days of receipt of the request.

Ordinarily, access to the requested information will be provided within 30 days.

How will Access be Provided?

Access may be provided by:

- inspecting your medical record (or a print out of your record) at the Practice.; and/or
- providing a copy of the requested information in person or via secure email or post (additional fees for postage may apply); or
- providing an accurate summary of the information, instead of a copy, if you and the doctor agree that a summary is appropriate.



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We recommend that you make an appointment with your doctor to view your medical record together, so the doctor can assist you to understand and interpret the material contained within it. A consultation fee will apply in addition to the administration fee, plus GST. The fee is not redeemable via Medicare or private health insurance.

Can I Amend my Medical Record?

You will not be permitted to remove any contents of your medical record from the Practice. Should you wish to amend or delete any personal information, you will need to fill out a separate written request using the *Request to Amend Medical Record Form* available from reception.

When will Access to My Medical Record be Refused?

Access to your personal information may be legitimately withheld in certain situations, including (among others):

- where access would pose a serious threat to the life, health or safety of any individual or the public;
- where access would cause unreasonable impact on the privacy of other individuals;
- where the request is frivolous or vexatious; or
- where the information is privileged as a result of actual or anticipated legal proceedings.

If access to your personal information is refused, the Practice will provide you with written reasons for the refusal. You will not be charged an access fee in this instance. If access is refused, you are welcome to contact the Practice to discuss means by which access may be facilitated.

If you have any queries regarding the above policy, please contact the Practice Manager who will be happy to discuss these with you.

PRIVACY CONSENT FORM



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(to be read in conjunction with the *Practice Privacy Policy*)

I, _____ have read and understand the information
insert patient name

Contained in the Ericton House Consulting Rooms *Practice Privacy Policy*, including:

- the types of personal information collected by the Practice, the reasons why it is necessary to collect it and the circumstances in which my personal information may be used or disclosed;
- that I may request access to my personal information, which may be granted in accordance with the practice's *Access to Personal Information Policy*. I will be provided with a written reason if access is denied;
- that I may request an amendment to my personal information if it is incorrect. I will be provided with a written reason if a request for amendment is denied;
- that my personal information will not be used for direct marketing or disclosed to overseas recipients;
- that I am not obliged to provide the Practice with my personal information, but withholding information may limit the Practice's ability to provide me with full service.
- that I have the right to lodge a complaint about the handling of my personal information if I am dissatisfied, which will be dealt with in accordance with the Practice's complaint handling procedure.

Signed

Patient or parent/guardian of patient

Date



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FOR MORE INFORMATION

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Disclaimer: This article is intended to provide general advice only. The contents do not constitute legal advice and should not be relied upon as such. Readers should seek specific legal advice in relation to the information provided in this article.



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ADVANCING THE HEALTH OF VICTORIANS