



PRACTICE POLICY FOR THE MANAGEMENT OF HEALTH INFORMATION

FEB 2012

National Privacy Principle 5 requires our practice to have a document that clearly sets out its policies on handling personal information, including health information. Our privacy policy outlines how we collect, store, use and disclose patient information and is available on request. Our staff is educated on the 10 National Privacy Principles. (www.privacy.gov.au), and sign a confidentiality agreement.

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This policy:

- Is derived from the template provided by the RACGP for use in General Practice
- Is based on *The Handbook for the Management of Health Information in Private Medical Practice* published in November 2002;
- Is consistent with the National Privacy Principles for the Fair Handling of Personal Information in the Federal Privacy Act 1988 as amended.



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- Produced using information from QIP/AGPAL
- Produced using information from Dandenong Casey Div GP

This policy incorporates but is not limited to, the patient health record, Medicare & DVA data, billing and accounting records, pathology and radiology results, medical certificates, incoming and outgoing correspondence from hospitals, other doctors and allied health professionals.

1. Privacy Officer

Cotton Tree Plaza Medical Centre has appointed our Practice Manager as the Privacy Officer who is responsible for formulating and implementing, monitoring and promoting our privacy policy .We inform our patients about our practice's policies regarding the collection and management of their personal health information via:

- Our patient information sheet.
- New patient forms – Health Information Collection and Consent Forms
- Verbally if appropriate.
- Our practice website.

2. Privacy

Personal health information is defined as information concerning a patient's health, medical history, or past or present medical care; and which is in a form that enables or could enable the patient to be identified. It includes information about an individual's express wishes concerning current and future health services.

All GPs and practice staff will ensure that patients can discuss issues relating to their health, and that the GP can record relevant personal health information, in a setting that provides visual privacy and protects against any conversation being overheard by a third party.

Staff will not enter a consultation room during a consultation without knocking or otherwise communicating with the GP.



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Staff, registrars and students will not be present during the consultation without the prior permission of the patient.

If at all possible distressed patients will offered an area away from others before or after consultation as required.

2. Informing new patients

New patients will be given the practice's leaflet about personal information, privacy and their GP, and will be offered access to the practice information policy.

New patients will be required to read and sign the practice Health Information Use Consent form. (Appendix A) Assistance will be offered to patients who are unable to complete the form and verbal consent will be obtained and noted in the electronic health record. Parents or guardians to give consent for children.

Practice staff will ensure that current leaflets about the practice's approach to personal privacy are available in waiting rooms and at practice reception.

In order to provide a quality service and to ensure optimal ongoing management of our patient's health, we are required to collect and securely store identifying details and medical history. Where possible, information is collected directly from the patient.

The table below explains what information is required and who will have access to this information.

Table1

ADMINISTRATIVE INFORMATION	CLINICAL INFORMATION
All staff have access	Access by all GP's, locum GP's, Registrars and Practice Nurse
Full Name	Social History
Date of Birth	Allergies and other sensitivities
Address – Telephone Contact	Past & Current medical history



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numbers - email	
Next of Kin – Emergency Contact	Medical procedures
Marital Status	Diagnostic tests / path & imaging/results
Medicare/DVA Number	Immunisations
Health Insurance Details	Referrals
Marital Status	Reports from Specialists
Ethnicity	Reports from Allied Health Providers
Financial details related to billing	Progress notes
Employer /workcover details	Medications

The GP will provide the patient with opportunity to limit access to their record and will note any in the 'alert' section of the computerised record.

The practice will inform the patient through practice leaflets the option of not being identified when a health service at the practice is accessed, as long as it is lawful and practical to do so. Patients will be encouraged to use a consistent alias or code to enable records to be kept for continuity of care. Patients will be made aware that normal fee arrangements will apply, and a Medicare rebate may not be able to be claimed.

4. Patient access to their personal health information

Under privacy legislation provisions all patients have the right to access their health information stored at the practice. The treating GP will provide an up to date and accurate summary of their health information on request or whenever appropriate.

The treating GP will consider all requests made by a patient for access to their medical record. In doing so the GP will need to consider the risk of any physical or mental harm resulting from the disclosure of health information.

If the GP is satisfied that the patient may safely obtain the record then he/she will either show the patient the record, or arrange for provision of a photocopy, and explain the contents to the patient.

Any information that is provided by others (such as information provided by a referring medical practitioner or another medical specialist) is part of the health



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record and can be accessed by the patient. Occasionally the patient may be referred to the treating specialist for access to their letters.

5.Alteration of patient records

This practice will alter personal health information at the request of the patient when the request for alteration is straightforward (e.g. amending an address or telephone number).

With most requests to alter or correct information, the General Practitioner will annotate the patient's record to indicate the nature of the request and whether the GP agrees with it. For legal reasons, the doctor will not alter or erase the original entry.

6.Access to personal health information by practice staff for the purposes of research, professional development and quality assurance/improvement.

New patients will also be informed that the practice undertakes research, professional development, and quality assurance/improvement (QA) activities from time to time, to improve individual and community health care and practice management.

Patients will be advised of the ways in which the practice undertakes 'recall' and 'follow-up' activities, verbally via the GP and on the Health Information consent form. Patients are informed that they can opt out of the reminder system via recall letter and on health information consent form. The consent form will be scanned into the patients health record.

Should this general practice decide to stop a recall or reminder system, it will write to each person on the system at their last known address, and advise them that the system will be ceasing.

Patients will be informed when quality improvement, professional development and research activities are being conducted and given the opportunity to 'opt out' of any involvement in these activities. The GP responsible for the activity will ensure that appropriate information is available to patients from the reception staff.

When research projects are conducted in the practice under the approval of an institutional ethics committee, staff will be made aware of the requirements to obtain consent specified in the research protocol and ensure that consent is properly obtained.

Where possible identifying information will be removed from personal health information being used for research and QA activities. Where this is not possible, internal staff members are aware that they are under an obligation of confidentiality



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not to disclose the information. Breaches of that obligation may result in instant dismissal. The GP from the practice who is responsible will ensure that any external researchers are also under an explicit written obligation of confidentiality with appropriate penalties for disclosure.

7. Confidentiality agreements (Appendix B)

In order to protect personal privacy, this practice has staff, including temporary or casual staff; sub-contractors (e.g. software providers etc) and medical students sign a confidentiality agreement.

8. Disclosure to third parties

GPs and staff will ensure that personal health information is disclosed to third parties only where consent of the patient has been obtained. Exceptions to this rule occur, when the disclosure is necessary to manage a serious and imminent threat to the patient's health or welfare, or is required by law.

The GP will refer to relevant legislation and the maturity of the patient before deciding whether the patient (in this case a minor) can make decisions about the use and disclosure of information independently (ie without the consent of a parent or guardian). For example, for the patient to consent to treatment, the GP must be satisfied that the patient (a minor) is aware and able to understand the nature, consequences and risks of the proposed treatment. This patient is then also able to make decisions on the use and disclosure of his or her health information.

GPs will explain the nature of any information about the patient to be provided to other people, for example, in letters of referral to hospitals or specialists. The patient consents to the provision of this information by agreeing to take the letter to the hospital or specialist, or by agreeing for the practice to send it.

GPs and staff will disclose to third parties only that information which is required to fulfil the needs of the patient.

These principles apply to the personal information provided to a treating team (for example, a physiotherapist or consultant physician also involved in a person's care). The principles also apply where the information is transferred by other means, for example, via an intranet.

Information classified by a patient as restricted will not be disclosed to third parties without the explicit consent of the patient. GPs will make a contemporaneous note when such permission is given.

Information disclosed to Medicare or other health insurer is limited to the minimum required to obtain insurance rebates.



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Information supplied in response to a court order will be limited to the matter under consideration by the court.

From time to time General Practitioners will provide their medical defence organisation or insurer with information, in order to meet their insurance obligations.

This practice participates in practice accreditation, which assists it improve the quality of its services. Practice accreditation may involve the 'surveyors' who visit the practice reviewing patient records to ensure that appropriate standards are being met. This practice will advise the patient when practice accreditation is occurring by placing a notice in the foyer prior to the survey visit occurring. Patient will be given the opportunity of refusing accreditation surveyors access to their (the patient's) health information.

9. Requests for personal health information and medical records by other medical practices

Access to accurate and up to date information about the patient by a new treating GP is integral to the GP providing high quality health care.

This practice engages an after-hours service to provide care, and ensures that this service has emergency contact details for the patient's usual doctor. A copy of the after hours consultation is faxed to our practice as soon as practicable and scanned into the patient's health record.

If a patient transfers away from the practice to another GP, and the patient requests that the medical record be transferred, the existing GP will provide the record, a summary, or a photocopy to the new treating GP. This practice will retain original documents and records.

This practice will seek written permission from the patient for the provision of personal health information to another medical practice. This permission will be scanned into the patients health record. A copy health record will be forwarded by registered mail or fax.

10. Security

Medical practitioners, practice staff and contractors will protect personal health information against unauthorised access, modification or disclosure and misuse and loss while it is being stored or actively used for continued management of the patient's health care.

Staff will ensure that patients, visitors and other health care providers to the practice do not have unauthorised access to the medical record storage area or computers.



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Staff will ensure that records, pathology test results, and any other papers or electronic devices containing personal health information are not left where they may be accessed by unauthorised persons.

Non-clinical staff will limit their access to personal health information to the minimum necessary for the performance of their duties. See table 1

Fax, e-mail and telephone messages will be treated with security equal to that applying to medical records. A fax record book will be maintained with transmission reports checked. Staff must ensure fax numbers are correct prior to transmission. Encrypted email will be used for information containing health records.

Computer screens will be positioned to prevent unauthorized viewing of personal health information. Password-protected screen-savers are used to ensure computers left unattended, cannot be accessed by unauthorized persons.

Medical practitioners and staff will ensure that personal health information held in the practice is secured against loss or alteration of data. This includes adherence to national encryption protocols.

Patient records will not be removed from the practice, except when required by clinical staff, for patient care purposes. Records will be kept securely while away from the practice and the responsible clinician will ensure that records are returned to the practice and left in an appropriate place for filing.

Manual medical records and other papers containing personal health information will be filed promptly after each patient contact.

Staff will ensure that manual and electronic records, computers, other electronic devices and filing areas are secured at the end of each day and that the building is locked when leaving.

The data on the computer system will be backed up daily to disc and additional external hard drive and a duplicate CD will be stored off site. Backups should be routinely tested to ensure daily duplication processes are valid and retrievable. Entire operating system backed up monthly.

11.Complaints about privacy-related matters

Complaints about privacy-related matters will be addressed in the same way as other complaints. This procedure is outlined in the complaints/grievance policy contained within the practice policy and procedure manual.

12.Retention of medical records

It is the policy of the practice that individual patient medical records be retained until the patient has reached the age of 25 or for a minimum of 7 years from the



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time of last contact, whichever is the longer. No record will be destroyed at any time without the permission of the treating GP or of the authorized GP in the practice.

In the event of a GP dying or transferring out of the practice, the practice will post a notice in the practice waiting room, or a GP who is leaving the practice may write individually, to each patient, requesting they nominate a practitioner to whom the record should be transferred.

If the practice closes, patients will be contacted individually or, if this is not practical, a public notice will be placed in the local newspaper indicating how patients may arrange for their record to be transferred to another GP.

In the event of the practice closing, it has been arranged that any medical records not transferred will be stored securely under the supervision of Dr Rob Ingham.

13. Staff training

All staff will receive training during induction, of the practices health information record policy. Changes to legislation will be monitored by the Privacy Officer and passed onto staff and patients as deemed appropriate.