

Privacy Policy

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****Updated – January 2022. Referencing to Australian Immunisation Register and National Cancer Screening Register, to next of kin and emergency contacts.***

Lagoon Medical Centre Yanchep is the trading name of FGMC Pty Ltd (ACN 625 461 396) ("**Lagoon Medical Centre**", "**we**", "**our**" or "**us**"). We operate a medical clinic and maintain a website under the domain name lagoonmedicalcentre.com.au ("**Website**").

We recognise the importance of maintaining the privacy of the personal information of the individuals we deal with in conducting our business.

This Privacy Policy applies to the collection, use and disclosure of personal information by Lagoon Medical Centre, and is made in accordance with the Australian Privacy Principles which apply to Lagoon Medical Centre pursuant to the *Privacy Act 1988* (Cth) ("**Privacy Act**") and the Health Privacy Principles which apply pursuant to the *Health Records Act 2001* (Vic) ("**Health Records Act**").

In the event of inconsistency between this Privacy Policy and the Privacy Act or the Health Records Act, the Privacy Act or Health Records Act will prevail.

You agree to the terms of this Privacy Policy if you:

- engage us or our contractors to provide you with health services;
- contact us to enquire about our services; or
- visit our website.

Introduction

This privacy policy is to provide information to you, our patient, on how your personal information (which includes your health information) is collected and used within our practice, and the circumstances in which we may share it with third parties.

Why and when your consent is necessary

When you register as a patient of our practice, you provide consent for our GPs and practice staff to access and use your personal information so they can provide you with the best possible healthcare. Only staff who need to see your personal information will have access to it. If we need to use your information for anything else, we will seek additional consent from you to do this.

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

Why do we collect, use, hold and share your personal information?

Our practice will need to collect your personal information to provide healthcare services to you. Our main purpose for collecting, using, holding and sharing your personal information is to manage your health. We also use it for directly related business activities, such as financial claims and payments, practice audits and accreditation, and business processes (e.g., staff training).

What personal information do we collect?

The personal information we may collect includes:

- your name and date of birth;
- general contact information such as your address, telephone number and email address;
- your ethnic background;
- your profession, occupation or job title;

- your Medicare number, Veterans' Affairs number, Health Care Card number or Pensioner Concession Card Number, your private health insurance details, and your Individual Healthcare Identifier, if any;
- your current and past medical history, including your family medical history, current medications and/or treatments you are using, allergies, adverse events, immunisations, social history and risk factors;
- your next of kin and/or emergency contact;
- images (including photos, videos, x-rays and scans);
- details of the health services you acquire from us;
- the name of any health service provider or medical specialist who we refer you to or you refers you to us, and copies of any referral letters and reports;
- financial information including bank account and credit card details to process payments; and
- any queries you have, and our response to those queries.

Dealing with us anonymously or use a pseudonym

If you do not provide us with the personal information described above:

- your diagnosis and treatment may be inaccurate or incomplete; and/or
- you may not be able to claim Medicare benefits or private health insurance rebates for services we provide; and/or
- you may not be able to be issued with referrals or prescriptions; and/or
- we may not be able to provide the requested services to you properly, or we may not be able to provide services to you at all.

You have the right to deal with us anonymously or under a pseudonym, unless it is impracticable for us to do so or unless we are required or authorised by law to only deal with identified individuals. We note in most cases it will be impracticable for us to provide you with healthcare with you remaining anonymous or using a pseudonym, for the reasons described above.

How do we collect your personal information?

Lagoon Medical Centre Yanchep generally collects personal information from you directly, for example when you:

- contact us to enquire about our services, whether by telephone, email or via an on-line enquiry, or in person at our clinic;
- complete our New Patient Registration Form (online or in person) before your first consultation; and/or
- attend a consultation and disclose personal information to a doctor or other health professional.

We sometimes also collect personal information from other sources, such as from:

- your parent, guardian or responsible person, or a relative or friend if they attend an appointment with you or if they contact us;
- your My Health Record, Australian Immunisation Register record and National Cancer Screening Register records;
- other health professionals you have attended, such as previous general practitioners, specialists, allied health professionals, hospitals, community health services and pathology and diagnostic imaging services;

- government health agencies such as Medicare, the Department of Veteran's Affairs, the Pharmaceutical Benefits Scheme, Work Cover authorities, the Insurance Commission of WA and eRX/Medisecure;
- your employer or prospective employer; or
- law enforcement agencies and other government entities.

We will take reasonable steps to notify you about our collection of your personal information, and will provide all relevant information prescribed under the Privacy Act or the Health Records Act.

We will only collect personal information by lawful and fair means. We will destroy or de-identify any personal information we receive if we would not ordinarily be permitted to collect that information under the Privacy Act or the Health Records Act.

When, why and with whom do we share your personal information?

We sometimes share your personal information:

- with third parties who work with our practice for business purposes, such as accreditation agencies or information technology providers – these third parties are required to comply with APPs and this policy
- with other healthcare providers
- when it is required or authorised by law (eg court subpoenas)
- when it is 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 confidential dispute resolution process
- when there is a statutory requirement to share certain personal information (e.g., some diseases require mandatory notification)
- during the course of providing medical services, through eTP, My Health Record (e.g., via Shared Health Summary, Event Summary).

Only people who need to access your information will be able to do so. Other than in the course of providing medical services or as otherwise described in this policy, our practice will not share personal information with any third party without your consent.

We will not share your personal information with anyone outside Australia (unless under exceptional circumstances that are permitted by law) without your consent.

Our practice will not use your personal information for marketing any of our goods or services directly to you without your express consent. If you do consent, you may opt out of direct marketing at any time by notifying our practice in writing.

Use and disclosure of information

We may disclose your personal information in the following circumstances:

- as discussed with you in a consultation;
- to our employees, our medical professionals and allied health practitioners who provide medical services to you at our clinics, contractors or service providers for the purposes of operation of our business, fulfilling requests by you, and to otherwise provide products and services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants;

- to other health services providers, for example in referring you to them as a patient (such as specialists, hospitals, allied health professionals), to pharmacies for medications, or where you request a transfer of your medical records;
- to government agencies, when required to by law (including Medicare, WorkCover authorities, the Insurance Commission of WA, the Australian Immunisation Register and the National Cancer Screening Register);
- when it is required or authorised by law, such as:
 - in response to court subpoena;
 - to assist in locating a missing person;
 - when it is 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; or
 - where the law requires notification of a particular disease;
- to your private health insurer, for the purpose of you obtaining rebates;
- to establish, exercise or defend an equitable claim, or for the purpose of confidential dispute resolution process;
- to suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes; and
- to your employer or prospective employer, their authorised representatives and their insurer in the case of a work-related consultation or service.

If we need to contact you and are unable to, we may contact your next of kin and/or emergency contact to see if they can assist us in getting in touch with you.

We report patient data to our primary health network to use for population health and research purposes, however all such data is de-identified. If you do not wish to have your de-identified data reported, please notify us to opt-out.

If Lagoon Medical Centre Yanchep sells all or part of its business operations to another party, our client database may form part of the sale such that personal information is disclosed to the new owner of the business.

Lagoon Medical Centre Yanchep will not otherwise use or disclose any information about you without your consent, except as otherwise required or permitted under the Privacy Act or the Health Records Act. Only people who need to access your information will be able to do so.

We do not disclose personal information to any recipients located outside Australia except as required or permitted under the Privacy Act or the Health Records Act.

Personal Information about children Under 16

Normally, a parent or guardian of a child under the age of 16 will have a right to medical information about that child.

However, there may be circumstances where medical information about a child is withheld from the child's parents and guardians, if necessary, to protect the right of a child to privacy. This will depend on our assessment of the level of the child's understanding and intelligence to understand the various considerations in the particular circumstances.

Personal information for direct marketing communication/s

We may contact you using the contact details which you provide to us in order to provide you with direct marketing communications about our services and business.

We will comply with our obligations under *Spam Act 2003* (Cth) and the *Do Not Call Register Act 2006* (Cth) in relation to such direct marketing communications.

You may opt out of receiving direct marketing communications from us at any time by contacting us using the details set out below.

How do we store and protect your personal information?

We will take all reasonable steps to protect personal information from misuse, interference, and loss, and from unauthorised access, modification or disclosure.

We store personal information we collect on a cloud-based server operated by DATTO using servers located in Australia.

We do not generally store hardcopies of documents – hardcopies are scanned and saved into our electronic patient health information system and the originals are destroyed. Hardcopies of confidential documents that are retained are stored in locked filing cabinets.

Our electronic patient health information system is accessed by our practitioners and other staff our using unique logins with secure passwords known only to the specific user. User settings mean that staff are only able to access the types of information they need to access to in order to perform their duties. We require our employees and contractors to protect the confidentiality of the personal information we hold.

By law, we are required keep medical records for a minimum of seven years from the date of last entry into a person's record, unless the person is a child in which case must keep the records until the patient turns 25 years of age.

If we determine that we no longer require your personal information, we will take reasonable steps to dispose of it securely.

How can you access and correct your personal information at our practice?

You may request access to our records of your personal information by contacting us using the details set out below. We will generally make your information available to you within 14 days of receiving your request. However, we may require you to pay a reasonable charge for access. We also reserve the right to refuse you access to your information in certain circumstances if permitted by the Privacy Act or the Health Records Act.

Lagoon Medical Centre Yanchep will use its best endeavours to ensure that the personal information it holds is accurate, complete and up-to-date.

If you wish to update your personal information, please contact Lagoon Medical Centre Yanchep using the details set out below to request an amendment to your record. Where it is established that personal information, we hold about you is not accurate or up-to-date, we will take all steps necessary to amend it. In some cases, we may disagree that there are grounds for amendment, in which case we will add a note to the relevant section of our records stating that you disagree with that information.

If you would like your records transferred to another surgery or obtain yourself, we advise patients to fill out a 'transfer of records form' at your nominated doctor's surgery and be sent to us via fax, email or post. We will respond within a reasonable time (2-5 business days). A health summary will be sent free of charge to the practice and will incur a small administration fee of \$20.00 to process the request. Payments can be made in person or over the telephone. The fee encompasses all aspects of processing the request (sending via registered post, printing copies, admin time).

How can I make a query or complaint about privacy?

If you have any enquiries about this Privacy Policy or wish to make a complaint about a matter relating to privacy, please contact us using the details set out below:

- write to us at:
Bridget Newman, Practice Manager
Lagoon Medical Centre Yanchep
- 15 Ikara Lane, Yanchep WA 6035
- Phone: (08) 9513 9050 Fax: 08 9513 9051
- email us at admin@lagoonmedicalcentreyanchep.com.au (please refer to our *Email Policy*).

Lagoon Medical Centre Yanchep takes complaints seriously, and upon receipt will examine the complaint and instigate internal procedures to ensure compliance with the Privacy Act and the Health Records Act. We will endeavour to respond to any complaints within 30 days of submission.

You may also contact the following organisations with any privacy related complaints, or see their website more details:

Office of the Australian Information Commissioner (OAIC)

GPO Box 5218, Sydney NSW 2001

Phone: 1300 363 992

Email: enquiries@oaic.gov.au

Website: www.oaic.gov.au

Health and Disability Services Complaints Office (HaDSCO)

Albert Facey House, Level 2, 469 Wellington Street, Perth WA 6000

Phone: (08) 6551 7620

International: +61 8 6551 7600

Toll Free: 1800 813 583

Email: enquiries@hadsco.wa.gov.au

Website: www.hadsco.wa.gov.au

Generally, these organisations will require you to give us time to respond to your complaint before they will investigate.

Changes to our Privacy Policy

We reserve the right to change the Privacy Policy at any time. We will notify you of the changes by publishing an updated version of the Policy on our Website.