

AUSTRALIAN PRIVACY PRINCIPLES (APP) POLICY

PART A - PURPOSE AND CONTEXT

- 1.0 Eos Surgical Pty Ltd is committed to ensuring the privacy and confidentiality of all personal information affiliated with Eos Surgical Pty Ltd's business undertakings.
- 1.1 Eos Surgical Pty Ltd follows the terms and conditions of privacy and confidentiality in accordance to the Australian Privacy Principles (**APPs**) as per schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth), forming part of the *Privacy Act 1988* ('the Act').
- 1.2 The purpose of this Privacy Policy is to clearly communicate how Eos Surgical Pty Ltd collects and manages personal information.
- 1.3 The point of contact regarding any queries regarding this policy is info@drlilyvrtik.com.au

PART B - AUSTRALIAN PRIVACY PRINCIPLES

- 2.0 As a private sector health service provider and under permitted health situations, Eos Surgical Pty Ltd is required to comply with the APPs as prescribed under the Act.
- 2.1 The APPs regulate how Eos Surgical Pty Ltd may collect, use, disclose and store personal information and how individuals, including our patients may:
 - address breaches of the APPs by Eos Surgical Pty Ltd;
 - access their own personal information; and,
 - correct their own personal information.
- 2.2 In order to provide patients with adequate clinical care, Eos Surgical Pty Ltd will need to collect and use personal information. It is important to be aware that if the patient provides incomplete or inaccurate information or the patient withholds personal health information Eos Surgical Pty Ltd may not be able to provide the patient with the services they are requesting.
- 2.3 In this Privacy Policy, common terms and definitions include:
 - **"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"*; and,
 - **"health information"** as defined by the *Privacy Act 1988 (Cth)*. This is a particular subset of "personal information" and means:
 - (a) Information or opinion about the health or disability (at any time i.e. past, present or future) of an individual that can be classified as personal information;
 - (b) Information or opinion about an individual's expressed wishes about the future provision of health services that can be classified as personal information;
 - (c) Information or opinion about health service provided, or to be provided, to an individual, that can be classified as personal information;
 - (d) Other personal information collected to provide, or in providing, a health service;

- (e) Other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or
- (f) Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.

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

- race;
- religion;
- political opinions;
- sexual preferences; and/or,
- health information.

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

PART C - TYPES OF PERSONAL INFORMATION

3.0 Eos Surgical Pty Ltd collects information from each individual patient that is necessary to provide the patient with adequate clinical care.

3.1 This may include collecting information about a patient's health history, family history, ethnic background or current lifestyle to assist the practice in diagnosing and treating a patient's condition.

PART D - COLLECTION & RETENTION

4.0 This information will in most circumstances be collected directly from the patient through but not limited to the following mediums:

- (g) patient consent form;
- (h) medical treatment form; and or,
- (i) face to face consultation.

4.1 In other instances, Eos Surgical Pty Ltd may need to collect personal information about a patient from a third party source. This may include:

- relatives; or
- other health service providers.

4.2 This will only be conducted if the patient has provided consent for Eos Surgical Pty Ltd to collect his/her information from a third party source; or, where it is not reasonable or practical for this practice to collect this information directly from the patient. This may include where:

- the patient's health is potentially at risk and his/her personal information is needed to provide them with emergency medical treatment.

4.3 Eos Surgical Pty Ltd endeavours to store and retain a patient's personal & health information electronically onto an off-site secured server, which is continually backed up and encrypted with security access.

PART E - PURPOSE OF COLLECTION, USE & DISCLOSURE

5.0 Eos Surgical Pty Ltd only uses a patient's personal information for the purpose(s) they have provided the information for unless one of the following applies:

- the patient has consented for Eos Surgical Pty Ltd to use his/her information for an alternative or additional purpose;
- the disclosure of the patient's information by Eos Surgical Pty Ltd is reasonably necessary for the enforcement of criminal law or law imposing a penalty or sanction, or for the protection of public revenue;
- the disclosure of the patient's information by Eos Surgical Pty Ltd will prevent or lessen a serious and imminent threat to somebody's life or health; or,
- Eos Surgical Pty Ltd is required or authorised by law to disclose the patient's information for another purpose.

i. health Professionals to provide treatment

During the patient's treatment at Eos Surgical Pty Ltd he/she may be referred to alternative medical treatment/services (i.e. pathology or radiology) where our staff may consult with senior medical experts when determining a patient's diagnosis or treatment.

Eos Surgical Pty Ltd's staff may also refer the patient to other health service providers for further treatment during and following the patient's admission. These services include, but are not limited to:

- Physiotherapy; or,
- Outpatient or community health services.

These health professionals will be designated health service providers appointed to use the patient's 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 the patient's personal information.

ii. Alternative Health services

At any point a patient wishes to be treated by an alternative medical practitioner or health care service that requires access to his/her personal/health information Eos Surgical Pty Ltd requires written authorisation. This written authorisation is to state that the patient will be utilising alternative health services and that these health services have consented for a transfer of personal/health information.

iii. Other Third Parties

Eos Surgical Pty Ltd may provide the patient's personal information regarding a patient's treatment or condition to additional third parties. These third parties may include:

- parent(s);
- child/ren
- other relatives;
- close personal friends;
- guardians; or,
- a person exercising a patient's power of attorney under an enduring power of attorney.

Where information is relevant or reasonable to be provided to third parties, written consent from the patient is required

Additionally, the patient may at any time wish to disclose that no third parties as stated are to access or be informed about his/her personal information or circumstances.

iv., Other Uses of Personal Information

In order to provide the best possible environment to treat patients, Eos Surgical Pty Ltd may also use personal/health information where necessary for:

- activities such as quality assurance processes, accreditation, audits, risk and claims management, patient satisfaction surveys and staff education and training;
- invoicing, billing and account management;
- to liaise with a patient's health fund, Medicare or the Department of Veteran's Affairs, as necessary; and,
- the purpose of complying with any applicable laws - i.e. in response to a subpoena
- or compulsory reporting to State or Federal authorities.

5.1 If at any point or for any of the aforementioned reasons Eos Surgical Pty Ltd uses or discloses personal/ health information in accordance with the APPs, we will provide written notice for the patient's consent for the use and/or disclosure.

PART F - ACCESS AND CHANGES TO PERSONAL INFORMATION

6.0 If an individual patient reasonably requests access to their personal information for the purposes of changing the information he/she must engage with the relevant practice manager.

6.1 The point of contact for patient access to personal information is:

- Jan Stinson - Medical Secretary
07 33536165
jan@drililyrtik.com.au

- 6.2 Once an individual patient requests access to his/her personal information, Eos Surgical Pty Ltd will respond within a reasonable period of time to provide the information.
- 6.3 All personal information will be updated in accordance to any changes to a patient's personal circumstances brought to Eos Surgical Pty Ltd's attention. All changes to personal information will be subject to patient's consent and acknowledgement.
- 6.4 If an individual requests access to his/her personal information Eos Surgical Pty Ltd may be charged a fee. Please note that this fee is associated with administrative costs only.

PART G - COMPLAINTS HANDLING

- 7.0 How an individual patient may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds the entity, and how the entity will deal with such a complaint.

PART H - PERSONAL INFORMATION AND OVERSEAS RECIPIENTS

- 8.0 Use of Overseas Parties:

- (a) Eos Surgical Pty Ltd does not engage with any overseas entities, with which personal or health information would be transferred, appointed or disclosed.

PART I - DISPOSAL OF PERSONAL/HEALTH INFORMATION

- 9.0 If Eos Surgical Pty Ltd receives any unsolicited personal information that is not deemed appropriate for the permitted health situation, Eos Surgical Pty Ltd will reasonably de-identify and dispose of the information accordingly.
- 9.1 If Eos Surgical Pty Ltd holds any personal or health information that is no longer deemed relevant or appropriate for the permitted health situation, Eos Surgical Pty Ltd will reasonably de-identify and dispose of the information accordingly.

PART J - ACCESS TO POLICY

- 10.0 Eos Surgical Pty Ltd provides free copies of this Privacy Policy for patients and staff to access, which is available as hard copies provided upon request. It is also kept in the Practice Manual.

PART K - REVIEW OF POLICY

- 11.1 Eos Surgical Pty Ltd in accordance with any legislative change will review the terms and conditions of this policy to ensure all content is both accurate and up to date.

- 112 Notification of any additional review(s) or alteration(s) to this policy will be provided to patients and staff within one month's notice. If change occurs patients and staff may be required by Eos Surgical Pty Ltd to review/sign/acknowledge in writing with regards to changes to this Privacy policy.