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Bethesda Private Hospital

(08) 9340 6300

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## PART 1 - ABOUT BETHESDA'S PRIVACY POLICY

### 1.1 Purpose

As a private sector health service provider, Bethesda Private Hospital is committed to ensuring your personal information (including health information) is professionally managed by us in accordance with the *Privacy Act 1988* (Cth), Australian Privacy Principles (**APPs**) and other relevant and current legislation.

The purpose of this Privacy Policy is to clearly communicate how Bethesda manages personal information by explaining what, how and why personal information is collected, used, disclosed, secured, accessed, corrected, amended, retained and how to make a Privacy complaint.

In this Privacy Policy, we use the terms:

- **"personal information"** as it is defined in the Privacy Act 1988 (Cth). This means:  
*"information or an opinion about an identified individual, or an individual who is reasonably identifiable:  
whether the information or opinion is true or not; and  
whether the information or opinion is recorded in a material form or not";  
and*
- **"health information"** as it is defined in the Privacy Act 1988 (Cth). This is a particular subset of "personal information" and means information or an opinion about:  
the health or a disability (at any time) of an individual; or  
an individual's expressed wishes about the future provision of health services to him or her; or  
a health service provided or to be provided to an individual, that is also personal information.

Personal information also includes **'sensitive information'** which is information such as your race, religion, political opinions or sexual preferences, biometric information used for biometric verification or identification, and biometric templates, and health information. Information which is 'sensitive information' attracts a higher privacy standard under the *Privacy Act 1988* (Cth) and is subject to additional mechanisms for your protection.

### 1.2 Bethesda's Legal Obligations

#### Managing your information

The **APPs** regulate how Bethesda may collect, use, disclose and store personal information and how individuals (such as Bethesda patients) may access and correct personal information which Bethesda holds about them.

Bethesda will need to collect and use your personal information in order to provide you with the health care services that you have requested. If you provide incomplete or inaccurate information to us or withhold personal health information from us we may not be able to provide you with the services you are seeking. Bethesda may store the personal information we collect from you in various forms, including paper or an electronic record system. Your personal information may also be stored on some diagnostic equipment where you have undergone a diagnostic procedure using such equipment. Bethesda will comply with the APPs, and this Privacy Policy, in respect of your personal information in whatever form that information is stored by us.

### 1.3 Multi-layered approach

This Privacy Policy has been developed in accordance with a 'layered policy' format endorsed by the Office of the Federal Privacy Commissioner. This means that it offers you the ability to obtain more or less detail about Bethesda's information handling practices – depending on how much you wish to read, what you need to know and how quickly you need to obtain the relevant information.

If you only require basic information about Bethesda's information handling practices, you can view our 'condensed' Your Privacy Information Guide. This is a **summary** of how Bethesda collects, uses and

discloses your personal information and how you can contact Bethesda if you would like to access or correct any personal information which Bethesda holds about you.

If you require more detailed information about Bethesda's information handling practices, then you will need to read this Privacy policy.

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## PART 2 – HOW BETHESDA HANDLES YOUR PERSONAL INFORMATION

### 2.1 What information does Bethesda collect?

- When you attend Bethesda we will collect information from you that is necessary for your diagnosis, optimal care and treatment.  
eg: full medical history, family medical history, ethnic background, contact details, medicare/health fund details, pathology results, digital images of operative procedures, current lifestyle.
- We may also need to obtain information from other sources  
eg: other doctors, GP practices, hospitals, pathology labs, physiotherapists, dentists.

### 2.2 How do we collect personal information?

- Bethesda Hospital will collect personal information directly from the individual concerned where it is reasonably practicable to do so. This may take place when the individual completes documents such as an admission, health insurance claim or other form, provides information over the telephone, is treated at Bethesda Hospital, or applies for a job with us.
- Sometimes, we may need to collect information about the individual from a third party eg;
  - A responsible person or representative (eg guardian)
  - An individual's health service provider including specialists
  - A health professional who has treated the individual
  - An individuals' health insurer or other insurer
  - An individual's family
  - An individual who we are admitting (eg we ask them to provide emergency contact details)
  - Job referees
  - Other sources where necessary to provide our services (eg pathology labs) or to assess job applicants (eg police checks)
- We will only do this if you have consented for us to collect your information in this way or where it is not reasonable or practical for us to collect this information directly from you, such as where your health may be at risk and we need your personal information to provide you with emergency medical treatment.
- In emergency situations we may need to collect your personal information from your next of kin, relatives or other sources where we are unable to obtain your prior express consent.

### 2.3 Withholding sensitive information

- You may request certain information to be withheld for personal reasons.
- Depending on the circumstance and the extent of information withheld, Bethesda Hospital may be unable to admit or treat you where it considers the information provided is not comprehensive enough to provide a quality health service.
- You may choose to be known by a pseudonym (alias) whilst in hospital however your accurate name is required for our billing purposes and will be kept confidential.

### 2.4 How does Bethesda use your information?

- With your consent, your information will be used to verify your identity, ensure that you receive the best possible care and to manage our health service effectively. Your previous medical history helps us identify which treatments are likely to be safe and effective for you and reduces the likelihood of repeating tests

that you have had in the past. To help look after your own health we ask that you provide us with accurate and complete information.

Bethesda only uses your personal information for the purpose you have given the information to us unless one of the following applies:

- The other purpose is directly related to the purpose for which you have given us the information and you would reasonably expect, or we have told you, that your information is usually disclosed for another purpose or to other individuals, organisations or agencies (see paragraphs (a) – (g) below);
- you have consented for us to use your information for another purpose;
- Bethesda is required or authorised by law to disclose your information for another purpose (see paragraph (f) below);
- the disclosure of your information by Bethesda will prevent or lessen a serious and imminent threat to somebody's life or health; or
- the disclosure of your information by Bethesda is reasonably necessary for the enforcement of the criminal law or a law imposing a penalty or sanction, or for the protection of public revenue.

***(a) Use among health professionals to provide your treatment***

- Your information will only be disclosed to those health care workers involved in your treatment. ie:
- Medical practitioners accredited with Bethesda and Bethesda staff (including chaplains) providing your optimal care.
- Other medical practitioners including GPs and other health service providers (eg: physiotherapist, community health service, another hospital or health facility) providing your ongoing/ future care
- You may be referred for diagnostic tests such as pathology or radiology and our staff may consult with senior medical experts when determining your diagnosis or treatment.
- Specimens, such as blood samples or tissue specimens may be sent to labs for analysis;
- If you require a prosthetic or implant as part of your treatment, we may disclose your personal information to the manufacturer or supplier of that prosthesis or implant for safety and regulatory purposes. These manufacturers may be located overseas.

***(b) Your local GP***

- We may send a letter to your GP or referring hospital when you go home after a stay. The letter summarises your time at Bethesda, your medication and any special instructions your doctor needs to know about.
- If you do not wish us to provide a copy of your discharge summary to your nominated general practitioner you must let us know. Alternatively, if your nominated general practitioner has changed or your general practitioner's details have changed following a previous admission, you must let us know.

***(c) Other health service providers***

***Support Services***

You may need support services when you go home. We will release relevant information to enable these services to provide their support and continue your care.

If in the future you are being treated by a medical practitioner or health care facility who needs to have access to the health record of your treatment, we will require an authorisation from you to provide a copy of your record to that medical practitioner or health care facility.

The only time we would provide information about your health records to another medical practitioner or health facility outside Bethesda **without your consent** is in the event of an emergency where your life is at risk and you are not able to provide consent or as approved or authorised by law.

***(d) Relatives, guardian, close friends or legal representative***

- **General information** about your condition may be provided to:  
your next of kin or a near relative, parent, child, other relatives, close personal friends, guardians, or a person exercising your power of attorney under an enduring power of attorney or who you have appointed your enduring guardian, unless you request otherwise.
- **Outcome of treatment** may be provided to your next of kin (or authorised person identified in your admission documentation) unless you request otherwise.

***(e) Research***

- Your information (de-identified) may also be used for research that will help provide better healthcare for the community.
- Bethesda Research Ethics Committee (BREC) only approves applications for research after undertaking thorough investigation and review. Researchers must follow strict guidelines and maintain the confidentiality of the information they access.
- No personal, identifiable information will leave Bethesda for research without your prior consent.

***(f) Other common uses***

In order to provide the best possible environment in which to treat you, we may also use your health information where necessary for the management of our hospital and service ie:

- training and education, quality assurance, accreditation, audits, risk and claims management and complaint handling. This also includes collection of information from patient satisfaction surveys.
- For account keeping and billing purposes including health fund reporting;
- to meet our obligations of notification to our insurers, health department reporting;
- to liaise with your health fund Medicare or the Department of Veteran's Affairs and where required provide information to your health fund, Medicare or the Department of Veteran's Affairs to verify treatment provided to you, as applicable and as necessary;
- where legally required to do so, such as:
  - producing subpoenaed records to court
  - mandatory reporting of information to:
    - State Health Department and Federal authorities including the notification of diagnosis of certain communicable diseases
    - Private Hospitals Data Bureau
    - Registrar General's Office
    - Cancer Registry
    - Private health insurers
    - other law enforcement or public health and safety reporting in order to prevent or lessen a

serious threat to an individual's life, health or safety

- the purpose of sending you standard reminders, for example for appointments and follow-up care, by text message or email to the number or address which you have provided to us
- Service providers engaged to provide services to Bethesda Hospital for example, manufacturers and suppliers of medical devices, providers of pathology and radiology

***(g) Contractors***

Where we outsource any of our services or hire contractors to perform professional services within our hospitals or health service we require them to also comply with the Privacy Act 1988 (Cth) (or other relevant privacy legislation) and our Privacy Policy.

***(h) Other uses with your consent***

With your consent we can also use your information for other purposes such as including you on a marketing mail list, fundraising. Please note, however, that unless you provide us with your express consent for this purpose, we will not use your information in this way.

***(i) Pastoral Care***

We may provide your information to chaplains accredited with our hospitals in order that you may receive pastoral care during your admission. However, we will only provide your information for this purpose with your consent.

Please note, Bethesda may use or disclose your personal information as specified above via electronic processes, where available or relevant.

***(j) CCTV***

Bethesda does use camera surveillance systems (commonly referred to as CCTV), for the purpose of maintaining the safety and security of its staff, patients, visitors and other attendees to this facility. Bethesda's CCTV systems may, but will not always, collect and store personal information. Bethesda will comply with the APPs and this Privacy Policy in respect of any personal information collected via its CCTV systems.

***(k) Contracted services***

Bethesda provides some health services to public patients under contracts with government. Where you receive services from us under any such arrangements, Bethesda will provide your personal and health information to those government agencies as required under those contracts.

***(l) Job applications***

Bethesda collects personal information of job applicants for the primary purpose of assessing and (if successful) engaging applicants.

The purposes for which Bethesda uses personal information of job applicants include:

- managing the individual's employment or engagement;
- insurance purposes;
- ensuring that it holds relevant contact information; and
- satisfying its legal obligations.

Bethesda may also store information provided by job applicants who were unsuccessful for the purposes of future recruitment.

***(m) Application for accreditation by health professionals***

Bethesda collects personal information from health professionals seeking accreditation and submitting to the

credentialing process under its Facility Rules. Personal information provided by health professionals in this context is collected, used, stored and disclosed by Bethesda for the purposes of fulfilling its obligations in connection with the Facility Rules.

## 2.5 Will I be contacted after I go home?

Bethesda Foundation helps support the organisation through fundraising activities and may send you a newsletter or information on the work they do. Bethesda respects the privacy of all current and prospective supporters so if you do not wish to receive mail from the Foundation please call (08) 9340 6300.

Sometimes one of your treating health professionals may write to you about a research study that you may be eligible to join. You can choose if you would like to be involved.

You may also receive a postal survey. Your response will be anonymous and confidential and is completely voluntary. If you do not want to receive any surveys, please call (08) 9340 6300.

## 2.6 Access to and Amendment of your Information

You have a right to have access to the health information that we hold in your health record.

Bethesda will allow access or make the requested changes unless there is a reason under the Privacy Act 1988 (Cth) or other relevant law to refuse such access or refuse to make the requested changes.

You can also request an amendment to your health record should you believe that it contains inaccurate information.

If we do not agree to change your medical record/personal information in accordance with your request, we will permit you to make a statement of the requested changes and we will enclose this with your record.

Should you wish to obtain access to or request changes to your health record you may consult our Privacy Officer (see details below) who will give you more detailed information about Bethesda's access and correction procedure.

Please note that Bethesda may recover reasonable costs associated with supplying this information to you.

### How can I access my information?

- If you want more information or if you do not understand an aspect of your care, the best person to speak to is someone in your healthcare team.
- In accordance with the Freedom of Information Act 1982 and current Privacy laws, you have the right to make a written application for access to your medical record and personal information held by Bethesda.

### **To Request access to your personal information, please contact the Privacy Officer (see 2.10)**

Access may be denied where:

- o there is a legal impediment to access;
- o the access would unreasonably impact on the privacy of another;
- o your request is frivolous;
- o the information relates to **anticipated** or actual legal proceedings and you would not be entitled to access the information in those proceedings;
- o in the interests of national security.
- o to provide access would create a serious threat to life or health;

- No application fee is charged, however an administration and copying fee may be charged. Your request will be actioned within 30 days of receipt.

### How can I amend my information?

- If there is information in the record that you believe is incorrect, you have the right to request that it be corrected. We will take all steps to record all of your amendments, and place them with your record but will not erase the original record.

**To Request to amend personal information, please contact the Privacy Officer (see 2.10)**

## 2.7 Data Quality

- Bethesda will take reasonable steps to ensure that your personal information which we may collect, use or disclose is accurate, complete and up-to-date.

## 2.8. How do we protect your information? (Data Security)

- Bethesda will take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure. We use technologies and processes such as access control procedures, network firewalls, encryption and physical security to protect your privacy.
- Bethesda will destroy or permanently de-identify any of your information which is in its possession or control and which is no longer needed for the purpose for which it was collected provided Bethesda is not required under an Australian law or court/tribunal or otherwise to retain the information.
- Health information about you is stored in a medical record that is kept securely within our hospital. Other information about you is kept secure in record systems and also located within the organisation's password-protected computer system and is available to healthcare professionals who are involved in your care.
- We maintain strict policies regarding who has the authority to access your personal information. All our staff are bound by a formal code of conduct about the confidentiality of your information. We educate and monitor staff to ensure information is handled confidentially and with respect and care.
- Personal and health information is retained for the period of time determined by applicable Australian laws after which it is de-identified or disposed of in a secure manner.

## 2.9. If you have a complaint about Privacy issues

- If you have any questions regarding what happens to the information about you, please speak to a staff member.
- If you would like a copy of our privacy policy, 'Your Privacy ' brochure or wish to make a privacy complaint contact Bethesda Hospital Privacy Officer (see 2.10)
- If you are not satisfied that Bethesda Hospital has resolved your complaint, you have the right to make a complaint to the Office of the Australian Information Commissioner (OAIC). You can contact the OAIC as follows:

Website: [www.oaic.gov.au](http://www.oaic.gov.au)

Phone Number: 1300 363 992

In writing: Office of the Australian Information Commissioner, GPO Box 5218, Sydney NSW 2001

- Bethesda will endeavour to provide a written response to the complaint within a reasonable timeframe. It may be necessary to request further information from the complainant before the matter can be resolved. Any such request will be made in writing.
- Please lodge any other feedback via our website

- This information is also available in our 'Your privacy' brochure and on our website.

## 2.10 How to contact us

- By letter: the Privacy Officer, PO Box 45 Claremont WA 6910
- By website: [www.bethesda.asn.au](http://www.bethesda.asn.au)
- By telephone: ph: (08) 9340 6375
- By facsimile: (08) 9340 6343                      Attention: Privacy Officer

## 2.11 Currency

- This Privacy Policy was last updated in July 2014 and may change from time to time. The most up-to-date copy can be obtained by contacting us as per details listed in 2.10 above.

## 2.12 Cross Border Disclosures

- Bethesda may enter into arrangements with third parties to store data we collect, and such data may include personal information, outside of Australia.
- Bethesda will take reasonable steps to ensure that the third parties do not breach the APPs. The steps Bethesda will take may include ensuring the third party is bound by privacy protection obligations which are the same (or substantially the same) as those which bind Bethesda and requiring that the third party have information security measures approved by Bethesda.

## 2.13 Withdrawing consent

- If you have provided your consent to release information to other parties or for other purposes and would like to withdraw this consent, please contact us. (See 2.10).

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## PART 3 – HOW BETHESDA HANDLES YOUR PERSONAL INFORMATION WHEN YOU VISIT OUR WEBSITE

This section of our Privacy Policy explains how we handle your personal information which is collected from our website: [www.bethesda.asn.au](http://www.bethesda.asn.au)

This Privacy Policy applies to your use of our website and the use of any of the facilities on our website.

### 3.1 Collection

When you use our website, we do not attempt to identify you as an individual user and we will not collect personal information about you unless you specifically provide this to us.

Sometimes, we may collect your personal information if you choose to provide this to us via an online form or by email, for example, if you:

- o send a general enquiry via e-mail;
- o complete the online feedback survey;
- o register for an event;
- o send a written complaint or enquiry to our Privacy Officer.

When you use our website, our Internet Service Provider (**ISP**) will record and log for statistical purposes the following information about your visit:

- o your computer address;

- o your top level name (for example, .com, .gov, .org, .au etc);
- o the date and time of your visit;
- o the pages and documents you access during your visit; and
- o the browser you are using.

Our web-site management agent may use statistical data collected by our ISP to evaluate the effectiveness of our web-site.

We are, however, obliged to allow law enforcement agencies and other government agencies with relevant legal authority to inspect our ISP logs, if an investigation being conducted warrants such inspection.

### 3.2 Cookies

A "cookie" is a device that allows our server to identify and interact more effectively with your computer. Cookies do not identify individual users, but they do identify your ISP and your browser type.

This website uses temporary cookies. This means that upon closing your browser, the temporary cookie assigned to you will be destroyed and no personal information is maintained which will identify you at a later date.

Personal information such as your email address is not collected unless you provide it to us. We do not disclose domain names or aggregate information to third parties other than agents who assist us with this website and who are under obligations of confidentiality. You can configure your browser to accept or reject all cookies and to notify you when a cookie is used. We suggest that you refer to your browser instructions or help screens to learn more about these functions. However, please note that if you configure your browser so as not to receive any cookies, a certain level of functionality of the Bethesda website and other websites may be lost.

### 3.3 Links to third party websites

We may create links to third party websites. We are not responsible for the content or privacy practices employed by websites that are linked from our website.

### 3.4 Use and Disclosure

We will only use personal information collected via our website for the purposes for which you have given us this information.

We will not use or disclose your personal information to other organisations or any one else unless:

- o you have consented for us to use or disclose your personal information for this purpose;
- o you would reasonably expect or we have told you (including via this policy) that your information is usually used or disclosed to other organisations or persons in this way;
- o the use or disclosure is required or authorised by law;
- o the use or disclosure will prevent or lessen a serious or imminent threat to somebody's life or health; or
- o the disclosure is reasonably necessary for law enforcement functions or for the protection of public revenue.

If we receive your email address because you sent us an email message, the email will only be used or disclosed for the purpose for which you have provided and we will not add your email address to an emailing list or disclose this to anyone else unless you provide us with consent for this purpose.

### 3.5 Data Quality

If we collect your personal information from our website, we will maintain and update your information as necessary or when you advise us that your personal information has changed.

### 3.6 Data Security

Bethesda is committed to protecting the security of your personal information. We use technologies and processes such as access control procedures, network firewalls, encryption and physical security to protect the privacy of information. We will take all reasonable steps to prevent your information from loss, misuse or alteration.

If you choose to complete our online forms or lodge enquiries via our website, we will ensure that your contact details are stored on password protected databases.

Staff members associated with website maintenance have access to our website's backend system. This is password protected. Our website service is also password protected.

### 3.7 Access and Amendment

If you wish to obtain information about how to access or amend your personal information collected via our website, please refer to Access and Correction at Item 2.6 of Part 2 of this document.

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