

Privacy at Eastern Health (long version)

Your privacy at Eastern Health

Eastern Health respects and is committed to protecting the privacy of every individual.

We are required by law to ensure that all personal and health information pertaining to patients and staff remains confidential.

Eastern Health complies with legislation relating to privacy and confidentiality including the following:

- Health Services Act 1988 (Vic)
- Health Records Act 2001 (Vic)
- Mental Health and Wellbeing Act 2022 (Vic)
- Freedom of Information Act 1982 (Vic)
- Privacy and Data Protection Act 2014 (Vic)

In addition, Eastern Health staff are bound by Eastern Health's strict privacy and confidentiality policies, as well as professional code of conduct or ethics.

What information is collected

Eastern Health will only collect information that is necessary to provide health care and perform related health services functions. This will be done in a fair, lawful and non-intrusive way.

Some examples of information we may collect include:

- Name
- Address
- Best contact number
- Date of birth
- Gender
- Marital status
- Country of birth
- Preferred language
- Occupation
- Religion
- Details of your next of kin or support person
- Referring Doctor details
- Health information, both previous such as your medical history and that collected during your admission
- Medicare card number
- Private health insurance number
- Health Care Card or Pension Card details

Generally information will be collected directly from you (the patient) rather than from another person. If this is not possible, and where practicable, you will be advised.

How is my information shared and used?

Your information may be used or disclosed to enable Eastern Health to provide you with health care and treatment. Health professionals involved in your care and treatment have access to, and can use, your health information to provide you with the best possible care.

Some examples of health professionals who your information may be shared with include:

- Hospital staff, such as surgeons or nurses
- Specialist outpatient clinics or services
- Allied health services
- Home nursing services
- Maternity services
- Mental Health services
- Imaging services
- Pathology services

Your information may also be used for purposes related to your health care and treatment. Some examples are outlined below:

- **Your ongoing health care and treatment**
 - Sending a discharge summary, pathology results, radiology results, to your treating General Practitioner or Specialist.
 - Providing a general update regarding your condition to family/ next of kin, unless you have expressly requested that this does not occur.
- **Accounts and billing**
 - When a patient receives treatment and care from an Eastern Health site or service that is not covered by Medicare or private insurance, Patient Accounts manage billing, claims and payments.
- **My Health Records**
 - A My Health Record is a secure, online summary of a patient's health information. My Health Record does not replace existing medical records but provides an additional, secure online summary.
 - Examples of documents uploaded to your My Health Record include Discharge Summary, Pathology and Radiology.
 - All patients registered with Medicare will have a My Health Record, unless you have opted out (by contacting Medicare).
 - For more information on what Eastern Health currently uploads to My Health Record, please email myhealthrecord@easternhealth.org.au.

- If you have a My Health Record but do not want Eastern Health to upload your information or documents to it, please speak to your treating team as soon as possible.
- **Sharing personal information to support family and child wellbeing**
 - Eastern Health is required to share information that is relevant and necessary for family violence risk assessment and management, or to promote child safety and wellbeing.
 - This includes voluntarily sharing information, or responding to requests if it is believed doing so will increase the safety of a victim survivor or improve the wellbeing of a child.
 - Examples of information that may be shared include personal, health and sensitive information (including opinions) that are relevant to assessing and/or managing family violence risk.
- **Health Experience Surveys**
 - To help us improve health services you may be contacted about your experience with Eastern Health.

Eastern Health will also ask you for permission to use your contact details for other purposes. You can tell us if you no longer wish to be contacted. The reasons we may contact you are outlined below.

- **Health related research**
 - To assist in health related research projects, studies or clinical trials that aim to improve and inform the care of our community, where approved by the Eastern Health Research and Ethics Committee.
 - Eastern Health has strong affiliations with Australia's top universities and educational institutions including University of Melbourne, Monash University, Deakin University, La Trobe University and RMIT University.
 - Eastern Health also supports collaborative research with other groups such as Ambulance Victoria, Medicare Locals and other healthcare providers.
- **Fundraising**
 - The Eastern Health Foundation assist in funding a variety of healthcare needs for patient's including the purchase of new medical equipment, running wellbeing services/ programs and conducting research.

At other times, we may be required to disclose your information. Some examples of when this may occur include:

- **Required by law**
 - Pursuant to a subpoena (also called a summons) or warrant.
 - Mandatory notifications, such as child protection notifications.

- **Government Agencies**
 - The Department of Health or other agencies may require Eastern Health to disclose information by law, for example in the case of notifiable diseases.

- **Quality and safety purposes**
 - We may share your health and personal information (as authorised by the Health Services Act 1988) for quality and safety purposes.
 - This would be limited to disclosing your information to entities responsible for investigating failures in quality and safety and for health system quality and safety oversight, such as the Victorian Department of Health and Human Services, Safer Care Victoria, the Victorian Agency for Health Information, and/or another health service entity.
 - Any such sharing would be subject to and comply with existing data security and storage requirements set out in the Health Privacy Principles and Information Privacy Principles.
 - The sharing and using of information is designed to address any quality and safety issues that may have affected you to ensure they inform continuous service improvement.

- **Unique Patient Identifier**
 - The Department of Health and Human Services (DHHS) collects patient demographic data which is uploaded to a state wide patient database.

- **Third party subcontractors**
 - Your information may be shared with third parties who are involved in the operation of Eastern Health, including subcontractors (for example, a mailing company).

How we will contact you

We may contact you by any of the methods of contact you have provided, including phone, hard copy mail, text message or email.

If you do have any questions or wish to withdraw your consent to be contacted, please contact privacy@easternhealth.org.au.

Security

To keep our patients and staff safe, Eastern Health has CCTV installed across a number of sites and departments. In addition, security staff may utilise body worn cameras during their shifts.

How can I access my health information?

At first instance, you may wish to check your My Health Record to see if the information you require has been uploaded by Eastern Health.

If you require information for an admission or attendance to be sent to your treating practitioner for continuity of care, you can contact the Release of Information (ROI) team and ask for a copy to be sent to a practitioner without having to make a formal Freedom of Information request.

Requests should be directed to the Eastern Health ROI Service and sent via email or fax. Further information is available on our website, or by contacting the ROI Service on (03) 9871 3655 or emailing roi@easternhealth.org.au.

Alternatively, if you require a significant amount of information you should make a Freedom of Information (FOI) request.

For a FOI request to be valid, the request must:

1. Be in writing;
2. Clearly identify the document(s) you are seeking; and
3. Enclose the application fee, or evidence that payment of the fee would cause the applicant financial hardship.

Requests should be directed to the Eastern Health FOI Service and sent via email or fax. Further information is available on our website, or by contacting the FOI Service on (03) 9871 3170 or email foi@easternhealth.org.au.

How can I correct my information?

For amendment of your personal records, you should write a letter or email to the Freedom of information team clearly describing how the information is incomplete, incorrect, and out of date or misleading, and specifying the requested amendments.

For patients of our mental health services, where a request for amendment has been denied, you may wish to contribute a health information statement to be retained in your medical record. This can be submitted to foi@easternhealth.org.au. Please note that a Health Information Statement must be submitted within 12 months of the date the amendment request was denied.

Further information is available on our website or by calling (03) 9871 3170.

Is my information secure?

Eastern Health will do everything it can to make sure that the information held about an individual is accurate, complete and up to date.

Access to Eastern Health records and computer systems is controlled and closely monitored. The computer systems have security passwords and all staff are bound by a strict code of conduct. Audits are conducted to ensure that there is no unauthorised access to patient records.

Staff and authorised external users have restricted access only to the systems that their duties require.

How long is my information kept?

It is a legal requirement for Eastern Health to hold medical records for extended periods. However, information will not be kept longer than necessary. Eastern Health follows the General Disposal Schedule for Public Health Services, Patient Information Records. The retention periods are outlined below:

- In most cases, inpatient records are retained for a minimum of 15 years after a patient last attends, or until the age of 25 if the patient was a child while receiving treatment.
- Outpatient and emergency department records are retained for a minimum of 12 years after a patient's last attendance.
- Psychiatric inpatient and outpatient records are retained for a minimum of 25 years, or until the patient reached 43 years of age, whichever is the longest.
- Records of deceased patient are retained for 12 years from the date of death.

Periodic audits of records and databases are conducted to ensure that information held is accurate and up to date.

Complaints regarding your privacy

If you have a complaint about how Eastern Health managed your privacy, please let us know.

You can speak with any of the following:

- Patient Relations Advisor on 1800 EASTERN (1800 327 8376). The Patient Relations Advisor will forward your query to our privacy team.
- Contacting the Privacy Team directly via email on privacy@easternhealth.org.au.