

Dr Mark Pulley

Privacy and Security of Personal Health Information Policy

Dr Pulley, takes your privacy seriously and is committed to protecting your privacy. Dr Pulley is bound by the Privacy Act and the APPs. This Practitioner Privacy Policy describes how Dr Pulley treats your Personal Information.

By contacting Dr Pulley directly or via Bathurst General Practice Group, scheduling an appointment for, and/or having a consultation with, Dr Pulley (whether the consult is completed by you or not), you consent to Dr Pulley collecting, holding, using and disclosing your Personal Information in accordance with this Practitioner Privacy Policy.

This Practitioner Privacy Policy may be amended from time to time. You will be notified of important changes and provided with a prominent link to those changes for a reasonable length of time following the changes. You consent to any amendments to this Practitioner Privacy Policy by continuing to contact Dr Pulley (or via Bathurst General Practice Group), schedule an appointment for, or have a consultation with, Dr Pulley. Please ensure you regularly check Dr Pulley's profile on Bathurst General Practice Group's website for updates of this Practitioner Privacy Policy.

If you have any questions about our use of your Personal Information or have any concerns about this Practitioner Privacy Policy, please contact Dr Pulley: Tel: 02 6332 4266 Email: busby@bathurstgp.com.au (please attention Dr Pulley in written correspondence).

Dr Pulley has engaged Bathurst General Practice Group to provide various services and facilities to assist Dr Pulley to carry out his practice. As part of this arrangement, Bathurst General Practice Group may collect data including Personal Information for and on Dr Pulley's behalf. Please refer to Bathurst General Practice Group's privacy policy which outlines how Bathurst General Practice Group collects, uses and otherwise deals with Personal Information, available at: <https://www.busbymed.com.au/privacy-policy>

Personal Information collection and usage

This Practitioner Privacy Policy relates to all information supplied by you (or Bathurst General Practice Group on your behalf) to Dr Pulley including:

- Contact information: your name, position, role, company or organisation, telephone number email, postal address emergency contact details;
- Communications: information provided in communications with Dr Pulley or Bathurst General Practice Group including when you book (or enquire about booking) an appointment with Dr Pulley;
- Information from public sources: for example, from LinkedIn and similar professional networks, directories or internet publications;
- Financial information: Dr Pulley or Bathurst General Practice Group (on Dr Pulley's behalf) may obtain your bank account details (or third party payer details) for example when taking payment for an appointment (whether that

appointment has occurred or not and including a deposit, or late or cancellation fees);

- Medical information: Dr Pulley or Bathurst General Practice Group (on Dr Pulley's behalf) may collect information about your health and medical history for the purpose of your consultation and to process payment and rebates through Medicare;
- Social media: interactions with Bathurst General Practice Group's or Dr Pulley's social media presence including posts, likes, tweets;
- Technical information: when you access Bathurst General Practice Group (on Dr Pulley's behalf) technology services;
- Online data: when you access Bathurst General Practice Group (on Dr Pulley's behalf), app and technology services, information about your visit including URL clickstream to, through and from Dr Pulley's website (or Bathurst General Practice Group's website) (including date and time), information about your network as such as information about devices, nodes, configurations, connection speeds and network application performance; pages viewed or searched for, page response times, download errors, length of visits and interaction information (such as scrolling, clicks, mouse-overs) and other similar information and whether you click on particular links or open emails from Dr Pulley or Bathurst General Practice Group;
- Medicare number: your Medicare number (in certain circumstances where it is necessary for us to liaise with Services Australia); and
- Individual Healthcare Identifier (IHI): your IHI number (in certain circumstances for the purposes of communicating and managing health information including through the My Health Record in accordance with the Healthcare Identifiers Act 2010 (Cth)).

Personal Information may be received directly from you or third parties who assist with Dr Pulley's (and or Bathurst General Practice Group's) legal obligations. This information may be exchanged over the phone, by email, SMS, in person or in any other form of written communication. Personal Information may also be obtained about you from a healthcare professional such as a treating GP or specialist practitioner.

If you send Dr Pulley an email containing Personal Information, Dr Pulley will use all reasonable endeavours to ensure the confidentiality of that information. Dr Pulley's internet host and Bathurst General Practice Group (on Dr Pulley's behalf) may monitor emails sent to Dr Pulley for maintenance, service provision, and fault detection purposes. Dr Pulley may also monitor emails to ensure compliance with its legal obligations. Dr Pulley may forward emails to Bathurst General Practice Group or other third parties where the email contains feedback or complaints, or to assist Dr Pulley with the management of its practice. Email is not a secure method of communication. If you are concerned about sending your Personal Information by email, you should consider contacting Dr Pulley in person, by alternative written means or by telephone.

Personal Information is not collected about your online activities across third party websites or online services.

The information you provide to Dr Pulley (or via Bathurst General Practice Group on Dr Pulley's behalf), will be made available to other Practitioners, staff of Bathurst General Practice Group. It will not be made available to other interested parties either: (a) without firstly obtaining your written consent (unless required or permitted by law); or (b) in accordance with this Practitioner Privacy Policy.

Under the Privacy Act, you have the option of not identifying yourself or using a pseudonym unless identification is required or authorised by or under law or it would be impracticable to deal with individuals who have not identified themselves. If you do not wish to identify yourself and provide your Personal Information, then you do not have to do so, however it may affect Dr Pulley's ability to treat you or see you for a consultation.

How your Personal Information is used

Your Personal Information is used by Dr Pulley for the following purposes:

- to enable Dr Pulley to provide services to you;
- to communicate with you including for example sending you reminders and recalls, and sending you information and other useful resources related to your consultation including clinical outcomes;
- receiving or responding to feedback, enquiries or concerns you may have;
- compliance with law, including circumstances where disclosure is required without your consent for example where a serious threat to life, health or safety exists. Dr Pulley may obtain further information from you to comply with the law if required; and
- for quality assurance and improvement of processes purposes for example risk management.

Dr Pulley may transfer your personal information to Bathurst General Practice Group, for the purpose of allowing Bathurst General Practice Group to undertake research and development. Bathurst General Practice Group has agreed with Dr Pulley to de-identify your personal information before undertaking that research and development. How Bathurst General Practice Group will use, store and deal with this data is outlined in Bathurst General Practice Group' privacy policy which is located on Bathurst General Practice Group' website. You can request in writing that we:

- not provide your personal information to Bathurst General Practice Group to allow it to de-identify your personal information and for the purpose of allowing Bathurst General Practice Group to undertake research and development; or
- that Bathurst General Practice Group remove your de-identified data from the data extraction process and ceasing using any of your personal information that has been identified altogether.

Why your Personal Information is used

Your Personal Information may be collected, held, used or disclosed for a number of reasons including:

- with your consent for example you share details for particular purposes including relating to receiving services;
- to contact you, for example, to respond to your queries, or to tell you something important;
- to comply with legal, regulatory and licencing requirements;
- to look after your health and wellbeing when providing services to you.
- it is not otherwise permitted under this Practitioner Privacy Policy, but you have provided express and informed consent for the particular processing;
- it is necessary to protect your vital interests or those of another person for example, in medical emergencies;
- you have manifestly made the data public for example, where you have published it on social media;
- it is necessary to deal with legal claims for example, involving court proceedings;
- it is necessary for substantial public interest for example, to prevent or detect unlawful acts; or
- it is permitted by applicable law.

Who your Personal Information is shared with

There are instances where Dr Pulley will disclose your Personal Information including where it is permitted or required by law, or as follows:

- To Bathurst General Practice Group: to allow Bathurst General Practice Group to assist Dr Pulley to manage its files, records, and bookings, process payments and otherwise conduct its business;
- Law enforcement bodies and our regulators: or authorities in accordance with law or good practice for example by order of a court or otherwise required by law;
- Healthcare professionals: including hospitals, other treating GPs or other specialists for example in connection with your referrals;
- Government related third parties: including Services Australia in connection with the services including for payment and claim processing;
- Family or representative: any person, family member, representatives or other organisations that you have consented or where we are required, permitted, authorised or otherwise directed to by law;
- Appropriate parties in the event of emergencies: in particular to protect health and safety of you and others including where it is required to prevent serious risk to the health, safety or life of you or another; and
- You consent: in instances where you consent for example to provide a report to another medical professional, lawyer, insurer or advisor, to discuss with another person connected with your treatment (including a spouse, parent or employer).

How your Personal Information is stored

Dr Pulley will keep your patient records including any notes taken during your consultation private and in accordance with the Privacy Act (subject to legal obligations). Any reasonable request from you to be provided with your Personal Information cannot be withheld.

Bathurst General Practice Group may be asked by Dr Pulley to store your Personal Information in physical and electronic form (or a combination) on their behalf. All of your Personal Information, whether stored by Dr Pulley or Bathurst General Practice Group will be stored securely using good practice physical, technical and administrative security measures.

Where your Personal Information is also kept by Bathurst General Practice Group, how your information is dealt with by Bathurst General Practice Group is provided for under its own privacy policy. We encourage you to read Bathurst General Practice Group's privacy policy which can be found on its website.

How long your Personal Information is stored for

Data collected can be stored for different periods of time depending on what it is and how it is used. Generally, your information is kept for as long as needed to provide medical services, comply with legal, accounting or regulatory requirements or to deal with claims. Dr Pulley and Bathurst General Practice Group have a legal requirement to store your information for at least seven years from the time you had last contact with Dr Pulley, or if you are a minor, until you turn 25 years of age.

Once your Personal Information is no longer needed (for example you no longer see Dr Pulley at Bathurst General Practice Group premises), it may be destroyed (either by shredding physical documents or deleting electronic information from all servers, subject to any back-up records).

How you can correct your Personal Information

If you believe that any Personal Information that Dr Pulley or Bathurst General Practice Group holds is inaccurate, out of date, incomplete, irrelevant or misleading, please contact Dr Pulley or Bathurst General Practice Group in writing. It is your responsibility to advise of any changes to your Personal Information (for example change of residential address, email address or phone number). Either Dr Pulley or Bathurst General Practice Group Pty Ltd will respond within a reasonable time (but being no more than 30 days after your request) and will endeavour to correct any Personal Information. You may request that you be provided with your Personal Information or it be deleted. Any written request by you cannot be unreasonably withheld. However, in some limited circumstances the requested corrections to Personal Information may be refused, in which case you will be provided with written reasons for this decision.

Access to your Personal Information

All individuals have a right to request access to their Personal Information. Please contact Dr Pulley if you would like to access your Personal Information. Dr Pulley will generally provide you with access to your Personal Information within a reasonable period (but being no more than 30 days after your request). Depending on the amount of information requested, Dr Pulley (or Bathurst General Practice Group on Dr Pulley's behalf) may charge an administration fee to cover the cost of retrieving the information and supplying it to you.

Access to Personal Information may be refused in a number of circumstances, such as where the information relates to anticipated legal proceedings or the request for access is frivolous or vexatious. If Dr Pulley denies or restricts your access, you will be provided with a written explanation.

If you have any concerns about the way your Personal Information is stored, disclosed or otherwise managed, or believe that a breach of your privacy has occurred, please contact Dr Pulley in writing. Dr Pulley will respond to your concerns as soon as reasonably practicable (and no more than 30 days after your request). If you are for whatever reason not satisfied with the response or resolution of your concerns or complaint, you can contact the Office of the Australian Information Commissioner on 1300 363 992 or by visiting www.oaic.gov.au.

Use of Commonwealth government identifiers

Dr Pulley will not use Commonwealth government identifiers (for example, Medicare numbers) as an identifier of individuals. Identifiers will only be used or disclosed in the circumstances permitted by the Privacy Act.

Where your information will be held

Your data may be stored in different parts of the world, and your information may be transferred out of Australia, including America. Data protection laws vary by country. In the event that data is stored in another country, all reasonable steps will be taken to protect your information in line with locally applicable data protection requirements.

Definitions

In this Practitioner Privacy Policy, the following terms have the meaning given to them below unless the context requires otherwise:

- (a) **APPs:** means the Australian Privacy Principles;
- (b) **Personal Information:** has the meaning given to it in the Privacy Act, which includes information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not or in a material form or not;
- (c) **Practitioner:** the independent practitioner named in this privacy policy that operates its practice out of Bathurst General Practice Group's premises, that you are

treated by (or intend to be treated by) whether or not you engage the services of that Practitioner or not;

(d) **Practitioner Privacy Policy:** means this privacy policy as amended from time to time made available on Dr Pulley's webpage on Bathurst General Practice Group's website and available in physical copy upon request;

(e) **Privacy Act:** means the Privacy Act 1988 (Cth) as amended from time to time;

(f) **Sensitive Information:** has the meaning given to it in the Privacy Act, which includes information or an opinion about an individual's racial or ethnic origin, political opinions, religious beliefs, sexual orientation or criminal record;

(g) **Bathurst General Practice Group:** Bathurst General Practice Group Pty Ltd ACN 673 296 314; and

(h) **You/Your:** means the individual who we collect the Personal Information from and about.