

**MILDURA DISTRICT HOSPITAL
FUND LIMITED**

PRIVACY POLICY

TABLE OF CONTENTS

Review Date: 1 December 2001

Privacy Policy	3
1. Collection.....	3
2. Use and disclosure.....	3
3. Data quality.....	6
4. Data security.....	6
5. Openness.....	6
6. Access and correction.....	6
7. Identifiers.....	8
8. Anonymity.....	8
9. Transborder data flow.....	8
10. Sensitivity information.....	9
Audit and Document Flow – Health Insurance Division	11
Application for membership.....	11
Private Health Insurance Incentive Benefit application.....	11
Direct debit request (PD-C form).....	12
Salary deduction authority.....	13
Change of cover authority.....	14
Certificate of medical attendant (pre-existant form).....	14
Certificate of dental attendant (pre-existant form).....	16
Claim form - medical/ancillary.....	16
Claim form - medical gap from provider.....	17
Claim form – hospital.....	18
Hospital pre-admission advice.....	19
Computer data base access.....	19
HICAPS (Health Insurance Claims and Payment System).....	19
Confidentiality Agreements	21
Staff.....	21
Directors.....	21
Agents.....	21
Software Vendor.....	21
Procedures	22
Telephone outgoing.....	22
Telephone incoming.....	22
• Member inquiry.....	22
• Third party inquiry.....	22
Personal contact.....	23
What Information is Private	
Individual Level within Policy	
Policy Level.....	
Staff Interview, Employment, and Remuneration Data.....	
Complaints Procedures	
Appendix	
1. Director Confidentiality and Privacy Agreement.....	
2. Agent Confidentiality and Privacy Agreement.....	
3. Medical Practitioner Certification Form (Pre-existing form).....	

PRIVACY POLICY

Mildura District Hospital Fund Limited adopted the following Policy on Privacy at the Directors board meeting on 20th December 2001. The policy is based on and complies with the ten National Privacy Principles.

1 Collection

- 1.1 Mildura District Hospital Fund Limited will not collect personal information unless the information is necessary for one or more of its functions or activities.
- 1.2 Mildura District Hospital Fund Limited will collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- 1.3 At or before the time (or, if that is not practicable, as soon as practicable after) Mildura District Hospital Fund Limited collects personal information about an individual from the individual, Mildura District Hospital Fund Limited will take reasonable steps to ensure that the individual is aware of:
 - (a) the identity of the organisation and how to contact it; and
 - (b) the fact that he or she is able to gain access to the information; and
 - (c) the purposes for which the information is collected; and
 - (d) the organisations (or the types of organisations) to which the organisation usually discloses information of that kind; and
 - (e) any law that requires the particular information to be collected; and
 - (f) the main consequences (if any) for the individual if all or part of the information is not provided.
- 1.4 If it is reasonable and practicable to do so, Mildura District Hospital Fund Limited will collect personal information about an individual only from that individual.
- 1.5 If Mildura District Hospital Fund Limited collects personal information about an individual from someone else, it will take reasonable steps to ensure that the individual is or has been made aware of the matters listed in subclause 1.3 except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

2 Use and disclosure

- 2.1 The primary purpose for which Mildura District Hospital Fund Limited collects personal information is the provision of private health insurance services. Mildura District Hospital Fund Limited will not use or disclose personal information about an individual for a purpose (the “***secondary purpose***”) other than the primary purpose of collection unless:
 - (a) both of the following apply:
 - (i) the secondary purpose is related to the primary purpose of collection and, if the personal information is sensitive information, directly related to the primary purpose of collection;
 - (ii) the individual would reasonably expect the organisation to use or disclose the information for the secondary purpose; or

- (b) the individual has consented to the use or disclosure; or
- (c) if the information is not sensitive information and the use of the information is for the secondary purpose of direct marketing:
 - (i) it is impracticable for the organisation to seek the individual's consent before that particular use; and
 - (ii) the organisation will not charge the individual for giving effect to a request by the individual to the organisation not to receive direct marketing communications; and
 - (iii) the individual has not made a request to the organisation not to receive direct marketing communications; and
 - (iv) in each direct marketing communication with the individual, the organisation draws to the individual's attention, or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications; and
 - (v) each written direct marketing communication by the organisation with the individual (up to and including the communication that involves the use) sets out the organisation's business address and telephone number and, if the communication with the individual is made by fax, telex or other electronic means, a number or address at which the organisation can be directly contacted electronically; or
- (d) if the information is health information and the use or disclosure is necessary for research, or the compilation or analysis of statistics, relevant to public health or public safety:
 - (i) it is impracticable for the organisation to seek the individual's consent before the use or disclosure; and
 - (ii) the use or disclosure is conducted in accordance with guidelines approved by the Commissioner under section 95A for the purposes of this subparagraph; and
 - (iii) in the case of disclosure—the organisation reasonably believes that the recipient of the health information will not disclose the health information, or personal information derived from the health information; or
- (e) the organisation reasonably believes that the use or disclosure is necessary to lessen or prevent:
 - (i) a serious and imminent threat to an individual's life, health or safety; or
 - (ii) a serious threat to public health or public safety; or
- (f) the organisation has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or
- (g) the use or disclosure is required or authorised by or under law; or
- (h) the organisation reasonably believes that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:
 - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;

- (ii) the enforcement of laws relating to the confiscation of the proceeds of crime;
 - (iii) the protection of the public revenue;
 - (iv) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
 - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.
- 2.2 If Mildura District Hospital Fund Limited uses or discloses personal information under paragraph 2.1(h), it will make a written note of the use or disclosure.
- 2.3 Subclause 2.1 operates in relation to personal information that Mildura District Hospital Fund Limited has collected from a related body corporate as if the organisation's primary purpose of collection of the information were the primary purpose for which the related body corporate collected the information.
- 2.4 Despite subclause 2.1, Mildura District Hospital Fund Limited may disclose health information about the individual to a person who is responsible for the individual if:
- (a) the individual:
 - (i) is physically or legally incapable of giving consent to the disclosure; or
 - (ii) physically cannot communicate consent to the disclosure; and
 - (b) a natural person (the *carer*) providing the health service for the organisation is satisfied that either:
 - (i) the disclosure is necessary to provide appropriate care or treatment of the individual; or
 - (ii) the disclosure is made for compassionate reasons; and
 - (c) the disclosure is not contrary to any wish:
 - (i) expressed by the individual before the individual became unable to give or communicate consent; and
 - (ii) of which the carer is aware, or of which the carer could reasonably be expected to be aware; and
 - (d) the disclosure is limited to the extent reasonable and necessary for a purpose mentioned in paragraph (b).
- 2.5 For the purposes of subclause 2.4, a person is *responsible* for an individual if the person is:
- (a) a parent of the individual; or
 - (b) a child or sibling of the individual and at least 18 years old; or
 - (c) a spouse or de facto spouse of the individual; or
 - (d) a relative of the individual, at least 18 years old and a member of the individual's household; or
 - (e) a guardian of the individual; or
 - (f) exercising an enduring power of attorney granted by the individual that is exercisable in relation to decisions about the individual's health; or
 - (g) a person who has an intimate personal relationship with the individual; or
 - (h) a person nominated by the individual to be contacted in case of emergency.
- 2.6 In subclause 2.5:

child of an individual includes an adopted child, a step-child and a foster-child, of the individual.

parent of an individual includes a step-parent, adoptive parent and a foster-parent, of the individual.

relative of an individual means a grandparent, grandchild, uncle, aunt, nephew or niece, of the individual.

sibling of an individual includes a half-brother, half-sister, adoptive brother, adoptive sister, step-brother, step-sister, foster-brother and foster-sister, of the individual.

3 Data quality

Mildura District Hospital Fund Limited will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.

4 Data security

- 4.1 Mildura District Hospital Fund Limited will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- 4.2 Mildura District Hospital Fund Limited will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed under National Privacy Principle 2.

5 Openness

- 5.1 Mildura District Hospital Fund Limited will set out in a document clearly expressed policies on its management of personal information. The organisation will make the document available to anyone who asks for it.
- 5.2 On request by a person, Mildura District Hospital Fund Limited will take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

6 Access and correction

- 6.1 If Mildura District Hospital Fund Limited holds personal information about an individual, it will provide the individual with access to the information on request by the individual, except to the extent that:
 - (a) in the case of personal information other than health information—providing access would pose a serious and imminent threat to the life or health of any individual; or
 - (b) in the case of health information—providing access would pose a serious threat to the life or health of any individual; or
 - (c) providing access would have an unreasonable impact upon the privacy of other individuals; or

- (d) the request for access is frivolous or vexatious; or
- (e) the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- (f) providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- (g) providing access would be unlawful; or
- (h) denying access is required or authorised by or under law; or
- (i) providing access would be likely to prejudice an investigation of possible unlawful activity; or
- (j) providing access would be likely to prejudice:
 - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or
 - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime; or
 - (iii) the protection of the public revenue; or
 - (iv) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
 - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders;by or on behalf of an enforcement body; or
- (k) an enforcement body performing a lawful security function asks the organisation not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.

6.2 However, where providing access would reveal evaluative information generated within Mildura District Hospital Fund Limited in connection with a commercially sensitive decision-making process, the organisation may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.

6.3 If Mildura District Hospital Fund Limited is not required to provide the individual with access to the information because of one or more of paragraphs 6.1(a) to (k) (inclusive), the organisation will, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.

6.4 If Mildura District Hospital Fund Limited charges for providing access to personal information, those charges:

- (a) will not be excessive; and
- (b) will not apply to lodging a request for access.

6.5 If Mildura District Hospital Fund Limited holds personal information about an individual and the individual is able to establish that the information is not

accurate, complete and up-to-date, the organisation will take reasonable steps to correct the information so that it is accurate, complete and up-to-date.

- 6.6 If the individual and Mildura District Hospital Fund Limited disagree about whether the information is accurate, complete and up-to-date, and the individual asks the organisation to associate with the information a statement claiming that the information is not accurate, complete or up-to-date, Mildura District Hospital Fund Limited will take reasonable steps to do so.
- 6.7 Mildura District Hospital Fund Limited will provide reasons for denial of access or a refusal to correct personal information.

7 Identifiers

- 7.1 Mildura District Hospital Fund Limited will not adopt as its own identifier of an individual an identifier of the individual that has been assigned by:
- (a) an agency; or
 - (b) an agent of an agency acting in its capacity as agent; or
 - (c) a contracted service provider for a Commonwealth contract acting in its capacity as contracted service provider for that contract.
- 7.1A However, subclause 7.1 does not apply to the adoption by Mildura District Hospital Fund Limited of a prescribed identifier in prescribed circumstances.
- 7.2 Mildura District Hospital Fund Limited will not use or disclose an identifier assigned to an individual by an agency, or by an agent or contracted service provider mentioned in subclause 7.1, unless:
- (a) the use or disclosure is necessary for the organisation to fulfil its obligations to the agency; or
 - (b) one or more of paragraphs 2.1(e) to 2.1(h) (inclusive) apply to the use or disclosure; or
 - (c) the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.
- 7.3 In this clause:

identifier includes a number assigned by Mildura District Hospital Fund Limited to an individual to identify uniquely the individual for the purposes of the organisation's operations. However, an individual's name or ABN (as defined in the *A New Tax System (Australian Business Number) Act 1999*) is not an ***identifier***.

8 Anonymity

Wherever it is lawful and practicable, individuals will have the option of not identifying themselves when entering transactions with Mildura District Hospital Fund Limited.

9 Transborder data flows

Mildura District Hospital Fund Limited may transfer personal information about an individual to someone (other than the organisation or the individual) who is in a foreign country only if:

- (a) the organisation reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles; or
- (b) the individual consents to the transfer; or
- (c) the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request; or
- (d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party; or
- (e) all of the following apply:
 - (i) the transfer is for the benefit of the individual;
 - (ii) it is impracticable to obtain the consent of the individual to that transfer;
 - (iii) if it were practicable to obtain such consent, the individual would be likely to give it; or
- (f) the organisation has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles.

10 Sensitive information

10.1 Mildura District Hospital Fund Limited will not collect sensitive information about an individual unless:

- (a) the individual has consented; or
- (b) the collection is required by law; or
- (c) the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
 - (i) is physically or legally incapable of giving consent to the collection; or
 - (ii) physically cannot communicate consent to the collection; or
- (d) if the information is collected in the course of the activities of a non-profit organisation—the following conditions are satisfied:
 - (i) the information relates solely to the members of the organisation or to individuals who have regular contact with it in connection with its activities;
 - (ii) at or before the time of collecting the information, the organisation undertakes to the individual whom the information concerns that the organisation will not disclose the information without the individual's consent; or
- (e) the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

- 10.2 Despite subclause 10.1, Mildura District Hospital Fund Limited may collect health information about an individual if:
- (a) the information is necessary to provide a health service to the individual; and
 - (b) the information is collected:
 - (i) as required by law (other than this Act); or
 - (ii) in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation.
- 10.3 Despite subclause 10.1, Mildura District Hospital Fund Limited may collect health information about an individual if:
- (a) the collection is necessary for any of the following purposes:
 - (i) research relevant to public health or public safety;
 - (ii) the compilation or analysis of statistics relevant to public health or public safety;
 - (iii) the management, funding or monitoring of a health service; and
 - (b) that purpose cannot be served by the collection of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained; and
 - (c) it is impracticable for the organisation to seek the individual's consent to the collection; and
 - (d) the information is collected:
 - (i) as required by law (other than this Act); or
 - (ii) in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation; or
 - (iii) in accordance with guidelines approved by the Commissioner under section 95A for the purposes of this subparagraph.
- 10.4 If Mildura District Hospital Fund Limited collects health information about an individual in accordance with subclause 10.3, the organisation will take reasonable steps to permanently de-identify the information before the organisation discloses it.
- 10.5 In this clause:
- non-profit organisation*** means a non-profit organisation that has only racial, ethnic, political, religious, philosophical, professional, trade, or trade union aims.

AUDIT AND DOCUMENTATION FLOW –HEALTH INSURANCE DIVISION

Membership Application Forms

1. Membership application forms are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. All staff at the Fund office receive application forms from applicants or their representatives who apply in person at the Fund office, or by post. Applicant may also lodge forms at any of the Fund's agents. The agents forward the application forms to the Fund for processing. Staff are bound by the privacy clause in their employment agreements. Privacy agreements are in place with all Fund agents.
3. Applications from applicants or their representatives who present in person to the Fund office are processed and entered into the computer at the time by the attending staff. All staff process applications received through the post or from agents.
4. A separate staff member verifies the membership data entered into the computer at a later date.
5. Completed application forms are kept at the Fund Office in the records room for the mandatory retention period.
6. On expiry of the mandatory retention period, application for membership forms are either shredded in the Fund office or destroyed under supervision of an authorized staff member.
7. **Access** – All staff have access to the computer membership details. Being a small organization, multi-skilled staff is essential for efficient utilization of human resources and management, and as such access to membership data is a necessity.
8. **Reason for collection** - Membership data collection and maintenance is required to enable validation and processing of claims, to comply with the National Health Act, and for reporting to regulatory bodies.

Application to Receive the Federal Government 30% Rebate as a Reduced Premium Forms

1. Application to Receive the Federal Government 30% Rebate as a Reduced Premium forms ("Federal Government 30% Rebate") are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. All staff at the Fund office receive Federal Government 30% Rebate forms from applicants or their representatives who apply in person at the Fund office, or by post. Applicant may also lodge forms at any of the Fund's agents. The agents forward the forms to the Fund for processing. Staff are bound by the privacy clause in their employment agreements. Privacy agreements are in place with all Fund agents.

3. Applications from applicants or their representatives who present in person to the Fund office are processed and entered into the computer at the time by the attending staff. All staff process applications received through the post or from agents.
4. A separate staff members verifies the Federal Government 30% Rebate data entered into the computer at a later date.
5. Completed forms are kept at the Fund Office in the records room for the mandatory retention period.
6. On expiry of the mandatory retention period, the forms are either shredded in the Fund office or destroyed under supervision of an authorised staff member.
7. Members Federal Government 30% Rebate data is electronically transmitted to the Medicare Australia. An authorised staff member is in sole control of the transmission of data to Medicare Australia. That same authorised staff member resolves rejections from Medicare Australia. Data transmitted between the Mildura District Hospital Fund Limited and Medicare Australia is encrypted and only the authorised staff and the Computer Operations Manager have the security level to transmit the Federal Government 30% Rebate data.
8. **Access** – All staff have access to the computer Federal Government 30% Rebate details. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to the Federal Government 30% Rebate data is a necessity.
9. **Reason for collection** - Federal Government 30% Rebate data collection and maintenance is necessary to comply with the National Health Act and Medicare Australia, claiming the 30% Federal Government rebate on behalf of the member, and for reporting to regulatory bodies.

Direct Debit Request (PD-C Forms)

1. Direct Debit request forms are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. All staff at the Fund office receive Direct Debit request forms from applicants or their representatives who apply in person at the Fund office, or by post. Applicants may also lodge forms at any of the Fund's agents. The agents forward the forms to the Fund for processing. Staff are bound by the privacy clause in their employment agreements. Privacy agreements are in place with all Fund agents.
3. Direct Debit requests from applicants or their representatives who present in person to the Fund office are processed and entered into the computer at the time by the attending staff. All staff process Direct Debit requests received through the post or from agents.
4. A separate staff members verifies the Direct Debit data entered into the computer at a later date.

5. Completed forms are kept at the Fund Office in the records room for the mandatory retention period.
6. On expiry of the mandatory retention period, the forms are either shredded in the Fund office or destroyed under supervision of an authorised staff member.
7. An authorised staff member is in sole control of the transmission of data to the National Australia Bank. The same authorised staff member resolves rejections from the National Australia Bank. Data transmitted between the Mildura District Hospital Fund Limited and the National Australia Bank is encrypted and only the authorised staff and the Computer Operations Manager have the security level to transmit Direct Debit data.
8. **Access** – All staff have access to the computer Direct Debit details. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to Direct Debit data is a necessity.
9. **Reason for collection** – Direct Debit data is collected and maintenance to enable Mildura District Hospital Fund Limited to comply with the member's request to direct debit their nominated account for periodic subscription payments.

Salary Deduction Authority

1. Salary deduction authority forms for the payment of subscriptions are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. Salary deduction authority forms are available through the Fund office.
3. All staff at the Fund office receive signed completed salary deduction authority forms from persons or their representatives who lodge the forms in person at the Fund office, or by post. Applicants cannot lodge forms at any of the Fund's agents. Staff are bound by the privacy clause in their employment agreements.
4. On receipt of completed salary deduction forms at the Fund office, the relevant details are entered into the computer against the appropriate membership and any alterations or comments are noted against the group folder. All staff process salary deduction authority forms.
5. After computer input, the authority form is forwarded to the employee's paymaster with a covering letter. A copy of the forwarding letter and deduction authority is retained on file.
6. The employer retains the completed authority form.
7. If the employee leaves the place of employment or the salary deduction is cancelled, the Mildura District Hospital Fund Limited records are amended accordingly.

8. **Access** – All staff have access to the computer salary deduction details. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to salary deduction data is a necessity.
9. **Reason for collection** – Salary deduction data is collected and maintained to enable Mildura District Hospital Fund Limited to comply with the employee's request to pay the subscription of the nominated membership via deductions from their salary.

Change of Cover Authority

1. Change of cover authority forms are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. Change of cover authority forms are included in the fund brochure, or are available through the Fund office..
3. All staff at the Fund office receive signed completed change of cover authority forms from persons or their representatives who lodge the forms in person at the Fund office, or by post. Forms can be lodged at any of the Fund's agents and are then forwarded to the Fund office for processing. Staff are bound by the privacy clause in their employment agreements. Privacy agreements are in place with all Fund agents.
4. On receipt of completed change of cover authority forms at the Fund office, the relevant details are entered into the computer against the appropriate membership. All staff process change of cover authority forms.
5. A separate staff member verifies the change of cover data entered into the computer at a later date.
6. Completed change of cover authority forms are kept at the Fund Office in the records room for the mandatory retention period.
7. On expiry of the mandatory retention period, the change of cover authority forms are either shredded in the Fund office or destroyed under supervision of an authorised staff member.
8. **Access** – All staff have access to the computer change of cover data base history. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to change of cover data is a necessity.
9. **Reason for collection** – Change of cover data is collected and maintained to enable Mildura District Hospital Fund Limited to comply with the members cover authorisation and to correctly assess benefit entitlement.

Certificate of Medical Attendant (Pre-existent form)

1. The Mildura District Hospital Fund has adopted the Pre-Existing Ailment Guidelines. A copy of Medical Practitioner Certification form is attached at appendix 3.
2. Medical practitioner certifications (Pre-existent forms) are only processed at the Fund's office at 79 Deakin Avenue Mildura.
3. Medical practitioner certification forms are only available through the Fund office.
4. If a claim or pending treatment may be subject to the pre-existent rule the Fund request that a certificate of medical attendant forms be completed to assist in determining the benefit entitlement. The process of notification to the patient is detailed in the Pre-Existing Ailment Guidelines.
5. The member is advised either personally or by cover letter the reasons the information is required and collected and a copy of the Certificate of Medical Attendant is either forwarded to the member by post or, if requested, a copy of the form can be faxed to the member. The form must firstly be signed by the patient authorizing release of relevant medical information by their medical practitioner.
6. Providing the member authorises the release of information, the form is forwarded by the member to the relevant medical practitioner for completion.
7. All staff at the Fund office receive completed medical practitioner certification forms from persons or their representatives who lodge the forms in person at the Fund office, from providers, or by post. Staff are bound by the privacy clause in their employment agreements.
8. On receipt of completed medical practitioner certification forms at the Fund office, determination is made by authorised staff only on benefit entitlement, and the relevant details are entered into the computer against the appropriate membership.
9. Completed medical practitioner certification forms are kept at the Fund Office in the records room for the mandatory retention period.
10. On expiry of the mandatory retention period, the medical practitioner certification forms are either shredded in the Fund office or destroyed under supervision of an authorised staff member.
11. **Access** – All staff have access to the pre-existent information stored in membership comments history. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to the information is a necessity. However only authorised staff has the authority to comment externally on pre-existent conditions and determinations.
12. **Reason for collection** – The collection and maintenance of information relating to pre-existent or possible pre-existent conditions is essential to enable Mildura District Hospital Fund Limited to correctly assess benefit entitlements during the 12 months pre-existent waiting period.

Certificate of Dental Attendant (Pre-existent form)

1. Certificate of dental attendant (Pre-existent forms) are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. Certificate of dental attendant forms are only available through the Fund office.
3. If a claim or pending treatment may be subject to the pre-existent rule, the Fund request that a certificate of dental attendant forms be completed to assist in determining the benefit entitlement.
4. The member is advised either personally or by cover letter the reasons the information is required and collected. The form must first be signed by the patient authorising release of relevant dental information by their dental practitioner.
5. Providing the patient authorises the release of information, the form is forwarded to the relevant medical practitioner for completion.
6. All staff at the Fund office receive completed certificate of dental attendant forms from persons or their representatives who lodge the forms in person at the Fund office, from providers, or by post. Staff are bound by the privacy clause in their employment agreements.
7. On receipt of completed certificate of dental attendant forms at the Fund office, determination is made by authorised staff only on benefit entitlement, and the relevant details are entered into the computer against the appropriate membership.
8. Completed certificate of dental attendant forms are kept at the Fund Office in the records room for the mandatory retention period.
9. On expiry of the mandatory retention period, the certificate of dental attendant forms are either shredded in the Fund office, or destroyed under supervision of an authorised staff member.
10. **Access** – All staff have access to the pre-existent information stored in membership comments history. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to the information is a necessity. However only authorised staff has the authority to comment externally on pre-existent conditions and determinations.
11. **Reason for collection** – The collection and maintenance of information relating to pre-existent or possible pre-existent conditions is essential to enable Mildura District Hospital Fund Limited to correctly assess benefit entitlements during the 12 months pre-existent waiting period.

Claim Form - Medical/Ancillary

1. Claim forms (Medical/Ancillary) are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. Claims forms are readily available from the Fund office and all agents.
3. All staff at the Fund office receive claim forms from the claimant or their representatives who lodge the forms in person at the Fund office, from agents, or by post. Staff are bound by the privacy clause in their employment agreements. Privacy agreements are in place with all Fund agents.
4. All staff are involved in the assessment, checking, and claims data entry.
5. All provider accounts are returned to the claimant either at point of cash payment or attached to the benefit cheque and benefit payment advice.
6. Completed claim forms are imaged onto compact disk by a designated staff member. After imaging, the claims are either shredded in the Fund office or destroyed under supervision of an authorised staff member. The compact disks are kept at the Fund Office for the mandatory retention period. Details of the claim are also store within the claimants computer claims history file.
7. On expiry of the mandatory retention period, the compact disks are erased and the claims history files are purges.
8. **Access** – All staff have access to the claimants computer claims history file. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to the information is a necessity.
9. **Reason for collection** – Claims data collection and maintenance is necessary to comply with the National Health Act, for reporting to regulatory bodies, auditing, fraud control, and statistical analysis.

Claim Form – Medical Gap- from Providers

1. Claim forms (Medical Gap - from Providers) are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. Claims forms are only available from the Fund office.
3. Locally, medical providers participating in the Mildura Private Hospital direct billing scheme forward patient accounts to Mildura Private Hospital Billing Agency. At pre-admission, the admissions personnel complete the claim form and advise the patient of the claiming process. The claim form and relevant provider accounts are forwarded to the Fund office for processing. Providers outside the Sunraysia area forwarded completed claim forms and associated documentation direct to the Fund office. The claims are processed by authorised personnel only. Staff at both the

Health Insurance division of Mildura District Hospital Fund Limited and Mildura Private Hospital are bound by the privacy clauses in their employment agreements.

4. Personal data relating to the patient and the treatment are transmitted to Medicare Australia to facilitate the claiming of the Medicare benefit on behalf of the patient.
5. A designated staff member images completed claim forms and provider accounts onto compact disk. After imaging, the claims and provider accounts are either shredded in the Fund office or destroyed under supervision of an authorised staff member. The compact disks are kept at the Fund Office for the mandatory retention period. Details of the claim are also store within the claimants computer claims history file.
6. On expiry of the mandatory retention period, the compact disks are erased and the claims history files are purges.
7. **Access** – All staff have access to the claimants computer claims history file. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to the information is a necessity.
8. **Reason for collection** – Claims data collection and maintenance is necessary to comply with the National Health Act, claim Medicare benefit, for reporting to regulatory bodies, auditing, fraud control, and statistical analysis.

Claim Form – Hospital

1. Claim forms (Hospital) are only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. Hospital claim forms are completed by the hospital on behalf of the patient. The completed claim form and hospital account are forwarded to the Fund office for processing. The claims are processed by the hospital Claims Assessor or authorised personnel only. Staff at both the Health Insurance division of Mildura District Hospital Fund Limited and Mildura Private Hospital are bound by the privacy clauses in their employment agreements. .
3. It is a requirement that personal data relating to the patient and the treatment be transmitted to the Commonwealth Department of Health and Ageing (HCP reporting).
4. A designated staff member images completed claim forms onto compact disks. After imaging, the claims are either shredded in the Fund office or destroyed under supervision of an authorized staff member after a seven year period. The compact disks are kept at the Fund Office for the mandatory retention period. Details of the claim are also store within the claimants computer claims history file.
5. On expiry of the mandatory retention period, the compact disks are erased and the claims history files are purged.

6. **Access** – All staff have access to the claimants computer claims history file. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to the information is a necessity.
7. **Reason for collection** – Claims data collection and maintenance is necessary to comply with the National Health Act, for reporting to regulatory bodies, auditing, fraud control, and statistical analysis.

Hospital Pre-admission Checks

1. Hospital pre-admission advice is only processed at the Fund's office at 79 Deakin Avenue Mildura.
2. At pre-admission the hospital complete details relating to the policyholder, the patient and diagnosis, and hospitalisation information. The information is forwarded by facsimile or email to the Fund office for confirmation of cover details and benefit entitlement. The confirmation checking is done by authorised personnel only. The information is returned to the hospital by facsimile or email. Staff at both the Health Insurance division of Mildura District Hospital Fund Limited and Mildura Private Hospital are bound by the privacy clauses in their employment agreements.
3. The Fund copy of the pre-admission check is filed in the appropriate folder/s.
4. The forms are destroyed with the hospital claim form, (refer hospital claim form).
5. **Access** – All staff have access to the hospital admission advice form. Quite often the gap medical claim will be received before the hospital claim. To enable gap benefit entitlement to be assessed it is essential that staff have access to the hospital admission advice form to confirm eligibility.
6. **Reason for collection** – To advise the hospital of the patients membership status, pre-existent resolution before admission, and confirm benefit entitlement.

Computer Data Base Access

All staff has access to member and dependant's claims, financial, cover, and personal details history. Being a small organisation, multi-skilled staff is essential for efficient utilisation of human resources and management, and as such access to the information is a necessity. Mildura District Hospital Fund Limited software vendor HAMS System Limited also has access to the entire database to enable appropriate software support and maintenance.

HICAPS (Health Insurance Claims and Payment System)

HICAPS is a direct claiming system between the Ancillary Providers and Mildura District Hospital Fund Limited. At the point of treatment, the provider or staff member requests from the patient their electronic HICAPS card. The card enables the provider to validate the patients cover, benefit eligibility, the benefit payable on the treatment provided, and

facilitates direct claiming. The Fund advises the members at the time of issuing the card the HICAPS direct claiming system. Member participation is optional and entirely voluntary per episode of treatment.

CONFIDENTIALITY AGREEMENTS

Staff Confidentiality Agreement – Health Insurance Division

All staff at the Health Insurance Division of Mildura District Hospital Fund Limited have signed employment agreements. Clause 14 states:-

CONFIDENTIALITY

“The employee shall not either during the continuance of his/her employment hereunder or thereafter divulge to any person whomsoever except in the proper course of his/her duties any information concerning the business of the Employer or the affairs of any of its contributors.”

Staff Confidentiality Agreement – Mildura Private Hospital

All staff at the Mildura Private Hospital have signed employment agreements. Clause 20 states:-

CONFIDENTIALITY

“The employee shall not either during the continuance of his/her employment hereunder or thereafter divulge to any person any information concerning the affairs or business of patients and/or Employer except that which is necessary to effectively carry out their duty of care. A breach of confidentiality may result in termination of employment.”

Directors - Mildura District Hospital Fund Limited

Director of Mildura District Hospital Fund Limited have signed confidentiality agreements. A copy of the agreement is attached at appendix 1.

Agents - Mildura District Hospital Fund Limited

Agents of Mildura District Hospital Fund Limited have signed confidentiality agreements embracing the agents, staff, contractors, and associated persons. A copy of the agreement is attached at appendix 2.

Computer Software Vendor - Mildura District Hospital Fund Limited – (HAMB)

HAMB Systems Limited provides and support Mildura District Hospital Fund Limited Health Insurance computer software. A consortium of registered health benefit organizations owns the company and the software product is exclusive to the private health insurance industry. HAMB have access to Mildura District Hospital Fund Limited database. Confidentiality causes are in place between the Fund and HAMB System Limited.

PROCEDURES

Telephone – Outgoing

To Members or Dependants – When making outgoing telephone calls it is important to ensure there is no “surprise” factor to the recipient of the call. For example if a person contacts the Fund requesting health insurance cover and the Fund issues a cover note, the person would not be surprised to receive a follow up phone call. However if a person was making a general inquiry and requested a brochure, the person would not necessarily expect a follow up contact from the Fund. A follow up in this scenario would need prior approval from the person before discussing the matter. A typical telephone approach would be:-

- Identify yourself and the organization,
- The reason for the call,
- Seek the person’s permission to discuss the matter.

“Hello - my name is from Mildura District Hospital Fund (Mildura Fund), last week we forwarded you a brochure, do you mind if I discuss the matter with you?”

If the response is no, thank the person and end the call. *No further contact can be made with the person on that matter without their permission.* If the response is yes, then you may proceed to discuss the matter.

If you wish to discuss personal information it must only be with the person or legally responsible person, (e.g. parent of a child incapable of giving legal consent. In most cases personal information of children over the age of 18 cannot be discussed with a third person, including parents without the permission of the child). At the commencement of any phone call where personal information is to be discussed, ensure you are speaking to the correct person. If the person did not identify himself or herself when answering your call, ask who is speaking.

To a Third Party (Providers, etc) – When making outgoing telephone calls about personal information of members or dependants to third parties, prior approval from the person is required.

Telephone – Incoming

From Members or Dependants – If, when handling incoming calls from members or dependants private information is requested it is imperative that identity of the caller is established before disclosure. A typical approach would be:-

- Explain the reason for identification inquiry,
- Request name address, date of birth, and policy number.

“Because of privacy legislation requirement, I need to confirm your identity. Would you mind giving me your full name, address, date of birth and policy number”. Name, address, and date of birth are essential. Policy number is optional.

If the person is not prepared to, or is unable to provide the information, then private information cannot be divulged. Alternatively, and only if appropriate, the person could be

advised that the information will be forwarded by post. The information must be forwarded to the member or dependant involved not to an address nominated by the telephone caller.

From a Third Party (Providers, etc) – Except where National Privacy Principles provides otherwise, personal information of members or dependants cannot be divulged to third parties, without prior approval from the person involved.

Personal Contact

Members or Dependants – Personal information cannot be divulged to anyone other than the person themselves without their consent. It is therefore important to establish the identity of the person requesting the information. A typical approach would be:-

- Explain the reason for identification inquiry,
- Request name address, date of birth, and policy number,
- Or photograph identification card such as drivers licence.

“Because of privacy legislation requirement, I need to confirm your identity. Would you mind giving me your full name, address, date of birth and policy number or would you have your drivers licence with you”. Name, address, and date of birth are essential. Policy number is optional. Alternatively photograph identification card will suffice.

If the person is not prepared to, or is unable to provide the required identification, then private information cannot be divulged. Alternatively, and only if appropriate, the person could be advised that the information will be forwarded by post. The information must be forwarded to the member or dependant involved not to an address nominated by the inquirer.

WHAT INFORMATION IS PRIVATE

Individual Level within a Policy – All personal information relating to an individual within a policy is private. Individual consent must be given before personal information can be released to another person. Personal information includes:-

- Claims history
- Date of birth
- Postal and residential address
- Medicare number and details
- Telephone number/s
- Individual specific notation (e.g. Pre-existing condition)
- Correspondence and certification request forms relating to medical conditions must be forwarded to the individual.

When dealing with provider inquiries, the above information can however be request of the provider to confirm identity of the patient.

Policy Level – All persons covered under a policy can be provided with certain information about the policy. However consent must be given before private policy information can be released to another person. Private policy information that can be provided to persons covered under the policy includes:-

- Level of cover
- Date their cover commenced
- Date paid too
- Restrictions or limitations
- Waiting periods
- Membership specific notations
- Premiums
- Registered for Federal Government 30% rebate
- Receipts history

Note 1. Information on who else is covered under the policy cannot be provided without consent of the policyholder.

2. Policy information disclosure is restricted to information relating to the cover period of the person requesting the information, (i.e. if the person was deleted from the policy on 1st November 2000, policy information is restricted to pre 1st November 2000).

COMPLAINTS PROCEDURES

Complaints about an act or practice by the Mildura District Hospital Fund Limited that is believed to interfere with the privacy of the individual will be referred to the Chief Executive Officer for investigation and resolution.

If the matter is not resolved to the satisfaction of the individual it will be referred to the Board of Mildura District Hospital Fund Limited for resolution.

Should the individual remain dissatisfied with the Boards resolve, the individual may refer the matter to the Privacy Commissioner.

Appendix 1

DIRECTOR CONFIDENTIALITY and PRIVACY AGREEMENT

AGREEMENT made the _____ day of _____ 2001 by
_____ of _____ in the State of Victoria (“Director”)

RECITALS

- a. Mildura District Hospital Fund Limited (MDHF) is a registered Health Benefit Organisation.
- b. The Director is a director of MDHF.
- c. This agreement is entered into to reflect confidentiality and to ensure compliance with the National Privacy Principles (NPP).

OPERATIVE PART:

The Director will:

- 1. not either during the continuance of his directorship or thereafter divulge to any person any information concerning the affairs or business of MDHF or its members and their dependants except that which is necessary to effectively carry out his duties as a director of MDHF.
- 2. comply at times with the NPP in relation to MDHF members and their dependants during the continuance of his directorship or thereafter.

THE COMMON SEAL of MILDURA)
DISTRICT HOSPITAL FUND LIMITED)
 (A.C.N. 070 202 089) was affixed in)
 accordance with its constitution.)

.....)
 Signature of Authorised Person Position of Authorised Person
 (BLOCK LETTERS) (BLOCK LETTERS)

Signed by _____)
 In the presence of _____)

.....)
 Witness name in block letters Signature of witness

Appendix 2

AGENCY CONFIDENTIALITY and PRIVACY AGREEMENT

AGREEMENT made the _____ day of _____ 2001 BY

PARTIES

MILDURA DISTRICT HOSPITAL FUND LTD. (ACN 070 202 089)
of 79 Deakin Avenue, Mildura 3500 in the State of Victoria (“MDHF”)

_____ trading as _____ (ACN _____) of
_____ in the State of Victoria (“Agent”)

RECITALS

- A. MDHF is a registered Health Benefit Organisation
- B. The Agent is a recognized agency for MDHF.
- D. This agreement is entered into to reflect confidentiality and to ensure compliance with the National Privacy Principles (NPP).

OPERATIVE PART:

The Agent will:

1. not either during the continuance of the agency or thereafter divulge to any person any information concerning the affairs or business of MDHF or its members and their dependants except that which is necessary to effectively carry out their duty.
2. comply at times with the NPP in relation to MDHF members and their dependants during the continuance of the agency or thereafter.
3. shall ensure that all Agent staff, contractors or any persons with access to MDHF agency operations and/or MDHF members and their dependants information comply with clauses 1 and 2 above.

THE COMMON SEAL of **MILDURA**)

DISTRICT HOSPITAL FUND LIMITED)

(A.C.N. 070 202 089) was affixed in)

accordance with its constitution.)

.....

Signature of Authorised Person

(BLOCK LETTERS)

.....

Position of Authorised Person

(BLOCK LETTERS)

Signed by _____)

In the presence of

.....

Witness name in block letters

.....

.....

Signature of witness

Appendix 3

**MEDICAL PRACTITIONER
CERTIFICATE**

**Regarding
'Pre-existing Ailments'**

Under the National Health Act 1953, a pre-existing ailment is an ailment, illness or condition, the signs and/or symptoms of which in the opinion of a medical practitioner appointed by the health fund, existed at any time during the six months preceding the day on which the contributor (patient) began contributions to their current hospital table.

This form requests information from you about signs and/or symptoms associated with the condition/s requiring hospital treatment. The medical practitioner appointed by the health fund will use the information to make an informed PEA assessment and allow the health fund to determine the level of health insurance benefits to which the patient is entitled. The health fund may disclose the information to the patient as part of the evidence considered in this matter. The patient may disclose the information to the Private Health Insurance Ombudsman in the event of a complaint arising from this matter.

CONSENT by patient for disclosure of information by doctor to health fund

The information collected on this form only relates to the condition/s requiring hospitalisation at this time. The information will be used only for the purpose of determining whether the condition/s requiring hospitalisation is/are pre-existing.

I consent to the disclosure of my medical information relating to the condition/s requiring hospital treatment to (name of health fund). I also give consent for any other medical practitioner(s) who has/have seen me regarding the condition/s to give medical information to the health fund.

Signature:.....

Name:.....Date:...../...../.....

Address:..... State:..... Postcode:.....

Phone (.....)..... Date of Birth:...../...../..... Fund Member No:.....

CERTIFICATION by Medical Practitioner

1) DATE of HOSPITAL Admission (or proposed Admission)/...../..... to/...../.....

2) a) **PRINCIPAL CONDITION** (reason for hospitalisation)

b) **Nature of Operation** (if any)

c) **Associated Conditions** (if any)

3) **DATE of patient's FIRST attendance for this illness**/...../.....

4) **SIGNS or SYMPTOMS of the condition** (i.e in 2a. above) when first seen:

a) **consisted of**.....

b) **had commenced on**,/...../.....,

c) **had been present for**,days/weeks/months/years.

5) **Are you the patient's usual General Practitioner?** **YES / NO** (Please Circle)

If **YES** - Did you refer the patient to a specialist? **YES / NO** (Please Circle)

If **YES** - to whom?

Date of Referral/...../..... **Name of Specialist:**

Address of Specialist **Phone:** ()

6) **Are you a Specialist by whom the patient was treated ?** **YES / NO** (Please Circle)

If **YES:** By whom was the patient referred to you?

Date of Referral/...../..... **Name of referring Practitioner:**

Address of Practitioner..... **Phone:** ()

Signature:..... Name: Dr.

Address..... State.....

Postcode.....Phone: ()Date:/...../.....