

SUMMARY OF HEALTH PRIVACY PRINCIPLES

Health Records Act 2001 (Vic)

1. Collection

- Only collect health information if necessary for the performance of a function or activity and with consent (or if it falls within exceptions to HPP1)
- Notify those you collect from about what you do with the information
- Collect information only by lawful and fair means and not in an unreasonably intrusive way
- Ensure that when information is given in confidence (by someone other than the individual) that it remains confidential, and that reasonable steps are taken to record that request

2. Use and Disclosure

- Only use or disclose health information for the primary purpose for which it was collected or a directly related secondary purpose the person would reasonably expect. Otherwise you generally need consent

3. Data Security and Data Retention

- Take reasonable steps to ensure the health information you hold is accurate, complete, up-to-date and relevant to the functions you perform

4. Data Security and Retention

- Safeguard the health information you hold against misuse, loss, unauthorised access and modification. Only destroy or delete health information in accordance with HPP4 or other relevant law

5. Openness

- Document clearly expressed policies on your management of health information and make this statement available to anyone who asks for it

6. Access and Correction

- Individuals have a right to seek access to their own health information held in the private sector, and to correct it if it is inaccurate, incomplete, misleading or not up-to-date

7. Identifiers

- Only assign a number to identify a person if the assignment is reasonably necessary to carry out your functions efficiently. The use of public sector identifiers by the private sector is limited

8. Anonymity

- Give individuals the option of entering transactions with you anonymously, wherever this is lawful and practicable

9. Transborder Data Flows

- Only transfer health information outside Victoria with consent or if the organisation receiving it is subject to laws which are substantially similar to the HPPs

10. Transfer/closure of practice of health service provider

- If you're a health service provider, and your business practice is being sold, transferred or closed down, without you continuing to provide services, you must give notice of the transfer or closure to past service users

11. Making information available to another health service provider

- If you're a health service provider, you must make health information relating to the individual available to another health service provider if requested by the individual

Source (as at 2/4/2002): www.health.vic.gov.au/hsc/key.doc