

# Policy

## Privacy Policy

Effective from August 2019



### Our Privacy Commitment to You

Health Partners understands our obligation to protect the personal information you entrust to us, whether you are an existing member or not.

When providing our services to you, we ask that you disclose to us certain personal information about yourself. Typically, this will include your name, address, age and other contact details. Depending upon your type of policy, we may also require personal information about your family members covered by your policy. In other respects, this may include health information, your Medicare number, or other sensitive types of information. To protect the privacy of all persons covered, the policyholder is required to inform any dependant aged 18 years and over of the existence of the Health Partners Privacy Policy and to seek their consent before providing their information to Health Partners.

They should also be made aware that we may provide information to the policyholder and any person that has been granted Delegation of Authority to – such as, but not limited to, the partner/spouse – to access information on this membership, unless we have been requested not to do so by those other persons covered. However, all members can obtain general administrative information about the policy they are a member of, such as the cover details, premium amount and paid-to-date. Without your personal information, we are unable to provide a comprehensive range of health benefits or the level of service that our members have come to expect from us.

Our privacy commitment to you is simple:

- we will make every effort to ensure all personal information about you is protected against misuse; and
- we will be open with you regarding the uses to which we put your personal information.

Our aim is to ensure that our members are confident any personal information held by us is treated with an appropriate degree of confidentiality and privacy.

This Privacy Policy sets out our privacy commitment to you. Please read the Privacy Policy carefully and if you have any questions, please contact us for further information. Your enquiries are always welcome.

### Privacy Act

Health Partners is bound by the *Privacy Act 1988* (Cth) (Privacy Act) regarding the manner in which we collect, store and handle your personal information and how we respond to your requests to access and correct it.

In general, the Privacy Act (and the *Australian Privacy Principles* (APPs) applicable to Health Partners under it) regulate the way Health Partners is able to collect, store, use and disclose your personal information, including any sensitive information (such as information about your health and well-being).

**'Personal information'** is any information (or an opinion) about you from which your identity is apparent, or can reasonably be ascertained. This includes most information that is stored with or linked to your name, address, or other identifying features. Personal information also includes health information.

We will strictly comply with all legislative requirements in relation to the privacy of your personal information. In the event of any inconsistency, the legislative requirements will override the provisions of this Privacy Policy.

### Your Personal Information

The types of personal information Health Partners holds about you generally depends upon the nature of your relationship with us, the type of policy you hold, the number of people in your family covered by our policy, and the extent to which you (or your dependants) have used our services.

Typically, we hold details of your name, address, age, dependants and standard contact details (including telephone and facsimile numbers as well as email addresses). We may also hold certain financial information about you, such as bank account and credit card details and Medicare details as well as information about premium payments and your benefit claims history.

We will most likely hold sensitive information about you from time to time, including health information. The types of sensitive information that we collect and hold may include details about health services provided to you by a health services provider (either on behalf of Health Partners or otherwise).

The privacy obligations outlined in this Privacy Policy do not apply to all personal information held by Health Partners. For instance, this Privacy Policy does not apply to Health Partners' employee records or to any acts or practices of Health Partners in relation to an employee record.

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### Collection of Personal Information

Health Partners only collects personal information which is reasonably necessary for our business functions and activities, and the provision of our high quality services and products. Sensitive information (including health information) will only be collected with your consent or as authorised by the Privacy Act or generally by law.

We collect your personal information for the primary purpose of enabling us to provide health benefits to you and to fulfil our legal obligations as a private health insurer registered under the *Private Health Insurance Act 2007* (Cth).

We also collect your personal information for a range of other secondary purposes that are directly related to the primary purpose, as well as for some unrelated secondary purposes where you have given your consent (see **Use and Disclosure of Personal Information**).

At or before the time we collect personal information about you (or if that is not practicable, as soon as practicable thereafter), we will take reasonable steps to notify you of our privacy commitment to you, the manner in which your personal information will be handled by us, and your rights to request access or correct of your personal information held in our records.

Health Partners only collects the personal information it requires by lawful and fair means and in as un-intrusive a manner as possible. In the majority of cases this information will be collected directly from you (or your dependants) in written forms you complete and provide to us, by telephone contact, in person, by our representatives, or by other written correspondence from time to time.

We will collect personal information about you from you, unless it is unreasonable or impracticable for us to do so. You acknowledge that your personal information may be collected directly from a third party, such as government agencies or from health service providers (including hospitals, doctors and other medical and allied health professionals) who have provided products or services to you (either on behalf of Health Partners or otherwise), as well as a range of other service providers, for the purposes contemplated in this Privacy Policy.

If personal information about you is collected from a third party, we will take reasonable steps to ensure that you are notified or otherwise aware of the collection of that information and the circumstances of that collection, and that you receive appropriate privacy-related disclosures as required by the Privacy Act.

If, on the other hand, you provide us with personal information about another individual, you must first ensure that the other individual is aware of:

- the disclosure of their information to us and the purposes for which we collect it; and
- the individual's ability to request access to the personal information we hold about them, and to advise us if they think that information is inaccurate, incomplete or out of date.

### Health insurance benefit claims

For the purpose of assessing a benefit claim, Health Partners will only collect your health information from you directly.

However, Health Partners may need to collect your health information as part of a benefit claim from a third party, such as:

- another member listed on your membership;
- your spouse or partner; or
- a dependant over 18 years of age.

Health Partners will only collect your health information from a third party in those circumstances where, for example:

- it is unreasonable or impracticable for you to submit a benefit claim yourself;
- Health Partners is authorised to do so by the Privacy Act; or
- is generally authorised to do so by law.

In these cases, any applicable benefit payment will still be made as per the claiming information specified in the Health Partners Member Guide.

### Use and Disclosure of Personal Information

Health Partners may use and disclose your personal information for the primary purpose for which that information was collected (see **Collection of Personal Information**), as well as other secondary purposes to which you have consented, purposes which you would reasonably expect which are directly related to the primary purpose of collection, and otherwise in accordance with the Privacy Act.

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The secondary purposes for which we may use or disclose your personal information include the following:

- to provide our health benefits scheme and other products and services to you;
- to administer and process health benefits claims lodged by you (or on your behalf);
- to process an application made by you and to administer your existing membership on a day-to-day basis;
- for the purpose of assisting a member to comply with their taxation obligations;
- for information technology requirements, systems maintenance and development issues;
- to provide information to agents, contractors, service providers and external advisers (including health services providers) engaged by Health Partners to deliver products or services to you, or to act on behalf of Health Partners, or to provide products or services to us. Bear in mind that the identity of these agents, contractors, service providers and external advisers may change from time to time;
- to investigate and resolve complaints concerning the provision of products or services by Health Partners (or others associated with us, including other health services providers);
- marketing initiatives (including social media marketing and Google) for the purpose of providing you with updates and other information about the goods, services and activities of Health Partners (and others associated with us);
- in order to comply with any legislative and regulatory provisions; and
- in relation to the transfer of assets to any third party, or part of any legal restructure or re-organisation.

Additional uses and disclosures may be conveyed to you at the point of collection of your personal information.

We will take reasonable steps to inform you about, and to obtain your consent to, any proposed use or disclosure of your personal information for a purpose which is not a primary purpose or a related secondary purpose for which the information was collected (unless that proposed use or disclosure is otherwise permitted under the Privacy Act).

### Disclosures to a person responsible for the member/patient

The information handling requirements imposed by some APPs do not apply if a 'permitted general situation' or 'permitted health situation' exists. These exceptions apply in relation to the collection of personal sensitive information (APP 3) plus the use or disclosure of personal information (APPs 6 and 8) where the individual is physically or legally incapable of giving consent to the disclosure or physically cannot communicate this consent.

Health Partners must be satisfied that the disclosure is necessary to provide appropriate care or treatment to the individual, and is only given to someone deemed to be a 'responsible person'. As such, these will be assessed on a case by case basis. A 'responsible person' could include, for example, a parent, adult child, spouse/ partner, or other relative of an individual.

Additionally, personal and health information may be disclosed where a Power of Attorney, Advance Care Directive, Guardianship or Administration/ Financial Management order, from a relevant judicial body, have been provided. In the case of Psychiatric Service upgrade, the person has produced documentation confirming that a medical practitioner has obtained an order from the relevant judicial body granting consent to a particular course of medical treatment.

### Other Uses and Disclosures of Personal Information

Health Partners may disclose your personal information to third parties who provide goods or services to us, or to you or other parties on our behalf for purposes such as:

- health benefits claims administration and processing;
- IT systems maintenance;
- product development, marketing (including social media marketing) and research purposes; and
- internal or external Audit purposes.

In those situations Health Partners has put in place arrangements or understandings with those third party contractors to ensure that your personal information is handled in a way that is consistent with our obligations under this Privacy Policy and the Privacy Act.

We may also disclose your information to Government departments and agencies where the law requires us to do so, or to credit reporting agencies or other credit providers.

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The types of organisations Health Partners may disclose your personal information to include the following:

- our agents, contractors, service providers and external advisers that provide products or services to us, or to you or other parties on our behalf from time to time. This includes payment system operators, mail houses, auditors, recruitment organisations and research providers;
- Commonwealth and State health authorities, and government agencies;
- the Australian Prudential Regulation Authority;
- health service providers including hospitals, doctors, specialists and other medical and related professionals in connection with your membership, health or well-being;
- your executor, administrator, trustee, guardian, attorney or legal personal representative;
- your employer, if part of a payroll deduction scheme; and
- third party social media sites that provide marketing services.

From time to time, Health Partners may also develop or identify other products or services that may be of use or benefit, or of interest to you. By providing your personal or health information to us, you consent to Health Partners using your personal information to inform you of these products or services, or to market those products or services to you. This may include information about our own products and services, or the products or services of other parties.

You may contact us at any time to advise that you no longer wish to receive this promotional information from us, and we will remove you from our marketing mailing lists. Please be sure to include your name, address, telephone number and any other relevant details in your notification, so that we can capture all personal information held in our records. Alternatively, use the unsubscribe option provided with the information.

Please also note that we will still contact you for administrative purposes in relation to your membership, process your health benefits claims, notify you about important changes and respond to your enquiries even if you unsubscribe from our marketing mailing list/s.

### Cross-Border Disclosure of Information

Health Partners may disclose your personal information to third party organisations who provide services to us, or on behalf of us, including hosting, data processing, and other outsourced services. These service providers may store data outside of Australia, in places including the United States, United Kingdom, Europe, and New Zealand, in which case, your personal information may be transferred outside of Australia.

We confirm that Health Partners will only disclose personal or sensitive information to overseas recipients in accordance with the Privacy Act including:

- where disclosure is required or authorised by Australian law; or
- where we reasonably believe that the recipient is subject to a law that has the effect of protecting the information in a way that is consistent with the Privacy Act and there are mechanisms for you to access or take action to enforce that protection

We will not disclose your information outside of Australia in any other circumstances.

### Consent

By providing personal or sensitive information about yourself (and your spouse/partner or dependants) to Health Partners, claiming for benefits or otherwise utilising our services (which may involve the collection of sensitive or health information from third parties) you will be considered to have given:

- consent to the collection of your personal or sensitive information from you (or those third parties);
- (on behalf of any dependants aged under 18 years) their consent to the collection of that personal or sensitive information about them from you (or those third parties); or
- (on behalf of any dependants aged 18 years and over) consent to the collection of that personal or sensitive information about them from you (or those third parties), with their authority.

If you are the policyholder of the membership, you are responsible for ensuring everyone on your membership is aware that Health Partners may collect, use and disclose their personal and sensitive information for the purposes of providing their cover and verifying that appropriate benefits are paid.

Once your consent has been obtained by becoming a member or otherwise making use of Health Partners' services, you will be considered to have consented to the use of your personal or sensitive information (and that of your spouse/partner or dependants) for any secondary purposes, until such time as your consent is withdrawn. Consent to the use of personal or sensitive information for a secondary purpose may be withdrawn at any time by notifying Health Partners in writing.

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By providing personal or sensitive information to Health Partners, you are taken to have agreed as follows:

- you consent to the use and disclosure of your personal or sensitive information (and that of your dependants) for the primary and secondary purposes described in this Privacy Policy;
- you authorise all health service providers (including hospitals, doctors, specialists and other medical and allied health professionals) and members of your family (where appropriate) to supply to Health Partners, from time to time, full and complete details of all or any medical treatment, hospitalisation, injury, disease, ailment or diagnoses concerning you or your dependants. You acknowledge that you have the consent of each dependant aged 18 years and over to give this authority on their behalf; and
- you acknowledge that Health Partners is required under Commonwealth and state health legislation to collect, store and disclose certain personal information about individuals from time to time. In these situations, Health Partners does not require, and will not seek, your consent to act in accordance with legislation.

### Security and Quality of Personal Information

Health Partners will take reasonable steps to ensure that the personal information which we collect is accurate, up-to-date and complete and that the personal information which we use and disclose is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

We will also take reasonable steps to protect your personal information from misuse, interference and loss, unauthorised access, modification or disclosure in accordance with the requirements of this Privacy Policy and the Privacy Act. This includes, but is not limited to, our standard practice of completing an identity check each time a member requests information about their membership.

### Anonymity and Pseudonymity

Under the Privacy Act, Health Partners is required to give you the option of remaining anonymous or of using a pseudonym when dealing with us unless certain exceptions apply, including if it would be impracticable for us to do so. You should be aware, however, that it is not practicable for us to provide most of our products and services unless you have identified yourself, and that such products and services will therefore be unavailable to you if you choose to remain anonymous or use a pseudonym.

### Requests for Access to and Correction of Personal Information

You may request access to the personal information Health Partners holds about you, or any of your dependants aged under 18 years, with the exception of dependants under this age who have requested their information remain confidential or about any dependant of impaired capacity.

Requests for access to your personal information must be made in writing and sent by mail to the address set out below:

**Member Care Manager**  
**Reply Paid 1493**  
**ADELAIDE SA 5001**

In order to protect against improper disclosure of your personal information, we may request that you provide such identification documents that we consider reasonably necessary to verify such a request.

Health Partners may charge a small administrative fee for providing you with access to your information, in order to cover our costs. You will be advised of the amount at the time you request your information.

You should be aware that under the Privacy Act, Health Partners may deny some requests for access to personal information in circumstances that include the following:

- where we reasonably believe that providing access would pose a serious threat to the life, health or safety of any individual or to public health or public safety;
- providing access would have an unreasonable impact upon the privacy of any other individual;
- a request for access is, in Health Partners' opinion, frivolous or vexatious; or
- a denial of access is required or authorised in accordance with the Privacy Act or the law generally.

If Health Partners denies a request for access to personal information, we will provide you with a written notice setting out the reasons for the refusal and the mechanisms available to complain about the refusal.

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Health Partners will take reasonable steps to correct your personal information if you request us to do so or if we are satisfied that the information is, having regard to the purpose for which the information is held, inaccurate, out-of-date, incomplete, irrelevant or misleading. We will not refuse to make a correction in response to a request without providing you with a written notice setting out the reasons for the refusal and the mechanisms available to complain about the refusal.

### Access and Correction Rights of Young Persons and Persons with Impaired Capacity

Health Partners gives the following special consideration to young persons and persons of impaired capacity:

Health Partners will be:

- answerable to any dependant aged 18 years and over regarding any request for access to and correction of personal information relating to that dependant, to the exclusion of that dependant's parents or other relevant adults. This will not apply where the dependant demonstrates an inability to exercise sound judgement because of a mental impairment, in which event Health Partners will respond to any access request in accordance with the Privacy Act; and
- answerable to any person lawfully representing the interests of a dependant aged under 18 years, or any persons of impaired capacity, regarding any request for access to or correction of personal information relating to that person, to the exclusion of that person and adults other than the lawful representative. This will not apply where the dependant aged under 18 years has a demonstrated capacity to exercise sound judgment. In such a case, Health Partners will respond to all access and correction requests by and in respect of young persons and persons of impaired capacity in a responsible manner, having regard to the interests of the persons involved and at all times in accordance with the Privacy Act.

### Complaints

Under the Privacy Act, you are entitled to make a complaint to Health Partners in relation to our compliance with the Privacy Act (including the privacy principles applicable to Health Partners). Privacy complaints should be in writing and directed to our Member Care Manager (details listed on previous page).

We will make every effort to resolve any privacy complaint that you may have and provide you with responses to your queries or comments within a reasonable period.

You may also contact Health Partners to discuss any privacy-related issues you have or concerns arising from the way we use your personal information.

### Changes to this Privacy Policy

Health Partners may periodically review and update this Privacy Policy from time to time to take account of new privacy-related laws, changes to its operations and practices (or the operations and practices of others associated with Health Partners, such as health services providers), as well as the community's changing privacy expectations.

Should Health Partners elect to change its Privacy Policy, it will provide notification via its website and select member/ patient publications. Where the changes are significant, Health Partners may provide a more prominent notice (including, for certain services, email notification of Privacy Policy changes).

### For Further Information

The latest version of the Privacy Policy will always be available on the Health Partners website at [healthpartners.com.au](http://healthpartners.com.au) or a copy can be obtained by contacting Health Partners' Member Care at any time.

Copies of the Privacy Act and applicable [Australian Privacy Principles](http://www.privacy.gov.au) are available from the Office of the Federal Privacy Commissioner, or via the website at [www.privacy.gov.au](http://www.privacy.gov.au).