



The smart choice for health cover



Privacy Policy Statement

Health Insurance Fund of Western Australia



Australia's first certified Carbon Neutral health fund.

HIF Privacy Policy

What is Privacy?

From the 21st December 2001, private sector organisations are required to comply with the National Privacy Principles set out in the Privacy Act 1988. The principles provide a regulatory framework for the collection, use, storage, security or disclosure of personal and sensitive information. Individuals have the right to know what information an organisation holds about them and to have information that is incorrect amended.

Collection

HIF will collect information that is required to establish and maintain HIF memberships and any other purposes to which an individual consents. HIF will also collect information from medical and ancillary providers and other external providers that relate to the ongoing management of a member's membership and to facilitate the payment of claims. HIF will, where practicable, collect personal information directly from individuals and take reasonable steps to ensure the individual is aware of:

- HIF's identity and how to contact it.
- The fact that he or she is able to gain access to the information.
- The purposes for which the information is collected.
- The obligations under the HIF Privacy Policy.

HIF will collect information in a fair and lawful manner.

Use and Disclosure

HIF will only use or disclose information about an individual for purposes for which the individual consents, that is consistent with the individual's reasonable expectations and HIF's constitution or is required or authorised by law and is in compliance with National Privacy Principle 2.

Keeping your personal information private and confidential is important to us. However, this information may be used by us or disclosed to a third party, including a Government Agency or a person contracted to HIF, to assist us to manage claims (including auditing), pay rebates or other benefits; in connection with arrangements for the payment of premiums; or to assist a hospital or medical practitioner if you are or have been a patient of that hospital or medical practitioner. For example, from time to time a third party contracted to HIF may (with our knowledge) audit the billing by hospitals and medical practitioners, to ensure the interests of HIF members are preserved.

Where HIF does disclose personal information, it is administered in a way consistent with our obligations under this Privacy Policy. Members may allow other people of their choosing to access their personal information through the completion of a Spousal or Agent's Authority. HIF will not permit a third party to use or disclose an individual's personal information for direct marketing purposes.

Sensitive Information

HIF will not collect sensitive information e.g. status or condition, racial or ethnic origin, criminal record, religious belief, political opinion, affiliation or sexual preference unless the individual has consented to the collection or it is required by law and in compliance with National Privacy Principle 10.

Data Quality

HIF will take all reasonable steps to make sure to the best of its ability that personal information it collects, uses or discloses is accurate, complete and up-to-date.

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Data Security

HIF will take all reasonable steps to protect the personal information it holds from misuse, loss, unauthorised access, modification or disclosure.

HIF will also take all 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.

Openness

The HIF Privacy Policy will be available to anyone upon request. When requested, HIF will confirm or advise individuals what information is being collected about them. HIF will take reasonable steps to ensure individuals are generally aware of the purpose for which the information is being collected and who can have access to the information. HIF will be open with individuals about what personal information it holds and what HIF does with such information.

Identifiers

HIF will only collect, utilise or disclose Commonwealth Government identifiers such as your Medicare number in a way that is consistent with its original purpose and will not adopt as its own identifier an identifier of an individual that has been assigned by the Commonwealth Government or any of its service provider agencies.

Anonymity

Individuals have the option of not identifying themselves when contacting HIF for general information. General information is classified as non-membership specific information such as whether or not a certain hospital is contracted to HIF or whether or not Super Options covers Optical.

Trans-border Data Flows

HIF may transfer information about an individual to someone in a foreign country only if HIF reasonably believes that the recipient of the information is subject to a law, scheme or contract which effectively upholds principles that are substantially similar to the National Privacy Principles, the individual consents to the transfer or the transfer will otherwise be in compliance with National Privacy Principle 7.

Access and Correction

Upon written request, HIF will provide a copy of personal information it holds relating to an 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 person(s); or
- b. In the case of health information, providing access would pose a serious threat to the life or health of any person(s); or
- c. Providing access would have an unreasonable impact upon the privacy of another person(s); 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 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
- f. Providing access would be unlawful; or
- g. Denying access is required or authorised by or under a law; or
- h. Providing access would be likely to prejudice an investigation of possible unlawful activity; or

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- i. Providing access would be likely to prejudice:
- 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
 - The enforcement of laws relating to the confiscation of the proceeds of crime; or
 - The protection of the public revenue; or
 - The prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
 - 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.



- j. An enforcement body performing a lawful security function requests or requires HIF not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.

If an individual is able to establish that information collected about that individual is wrong, HIF will take reasonable steps to correct it. If HIF corrects the individual's information, HIF will take reasonable steps to notify any health service provider to whom HIF has disclosed the health information before its correction and who may reasonably be expected to rely on the information in the future.

HIF will provide reasons for denial of access or a refusal to correct information.

Process for Providing Access to Personal Information

- a. All requests from a HIF member for access to personal information relating to that membership must be in writing.
- b. The Application to Access Information Form must be provided to the member.
- c. All completed Application forms to access information are referred to the Privacy Officer for risk assessment and are referred to appropriate Executive staff as required. All completed applications are to be referred to the Managing Director with the risk assessment of the Privacy Officer. The Privacy Officer is responsible for ensuring compliance with the Privacy Amendment (Private Sector) Act 2000.
- d. Applications for access to personal information will be acknowledged within 7 days, and the applicant advised of the decision regarding access within 14 days. Fees for access as detailed below are charged and advised to the applicant at this time. A deposit may be required, and all fees must be paid prior to time of access. If fees have not been paid, access shall be denied until payment in full is received and credited to HIF.
- e. There are certain circumstances where fees may be reduced and/or waived. Extenuating circumstances shall be referred to the Managing Director for his/her consideration by the Privacy Officer.

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- f. The Privacy Amendment (Private Sector) Act 2000 provides exceptions where access to information may be withheld. The Managing Director must make a decision in respect of these exceptions. The applicant will be sent a notice giving reasons for the decision and advising of review rights where access is denied.
- g. All successful applicants must provide appropriate identification prior to accessing the information.
- h. Copies of information can be supplied when requested on the application form.
- i. The Privacy Officer or the Managing Director must supervise all access.

Fees and Charges

The Privacy Act and regulations provide for a standard scale of fees to be paid by an applicant. The fees are:

- \$30 per hour for the time taken to find the information
- \$30 per hour for supervising the inspection of any material to which access is given
- 20c per page for photocopying of A4 pages (non-coloured)
- \$15 per page for supplying written transcripts
- Other reasonable costs i.e. postage

The maximum charge for personal information is \$150.

Amending Personal Information

The Privacy Amendment (Private Sector) Act 2000 permits individuals to amend the information held concerning them.

A request to amend information must:

- Be in writing.
- Give an address for notice.
- Give details of the information that the individual believes is incorrect, incomplete, out of date or misleading.
- Specify the amendment(s) requested.

Requests to amend information will be reviewed by the Privacy Officer, and referred to the appropriate Executive Manager.

All requests for amendments are to be referred to the Managing Director.

HIF may decide to:

- Amend the information as requested.
- Permit a notation to existing information.
- Deny the request.

Individuals must be advised of HIF's decision within 28 days of the request date, together with advice as to the individual's review rights.

Appeals/Reviews/Complaints

Appeals/reviews/complaints may arise in the following circumstances:

- The fee charged for provision of the information is disputed;
- When refusal to grant access to all or part of the information occurs;
- When refusal to amend personal information occurs; and
- When disclosure of information to a third party without consent occurs.

Stage 1

An internal review is conducted by HIF's Managing Director.

Stage 2

Utilisation of an intermediary. The intermediary's role is to act as a facilitator with the aim of providing sufficient access to meet the needs of both parties. The intermediary is a person who is acceptable to both parties. Consent is required to allow disclosure of information to the intermediary.

Stage 3

If the matter remains unresolved, then the individual may seek an external review by the Federal Privacy Commissioner.

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Request for Access to Personal Information by the Legal Profession

A member may engage the services of a solicitor to review their personal information. With the written authority of the member, the solicitor may seek to inspect the member's personal information.

Information shall only be supplied after the solicitor provides HIF with written authority from the client to do so. Any such authority from the member authorising the solicitor to inspect the member's information shall contain:

- The full name of the member.
- His/her date of birth.
- His/her present address, and, if different, address at the time the information was collected.
- The purpose for which access is sought to the material.
- The information in question.
- The dates between which the information collection took place.
- The date of the written consent which should be less than 6 months before access is sought.

Access must be supervised, and no photocopying is permitted.

Access may be refused at the absolute discretion of the Managing Director or the Chairman of Directors.

Request for Information from a Minor by Parents/Guardians

In the case of members less than 16 years of age at the time of request, the guidelines set down in section 1 (access by the member), apply to parents or guardians requesting access to a member's information.

Requests for Information from Deceased Member's Records

The guidelines set down in section 1 apply to those persons seeking access to the records of a deceased member, unless access is demanded via search warrant, or the police (see relevant sections). Written authority is to be provided by the Executor or Administrator of the estate (whether testate or intestate) or by the Court if 7 years have passed since the death and/or the estate has been finalised.

Requests for Information Under Subpoena

HIF must comply with requests for access to records under court order or subpoena. Upon service of a subpoena the records should be forwarded under adequate security to the Registrar of the court in question. 'Adequate security' involves hand delivery of records to the court where possible or production of the records by courier or security officer.

Under some circumstances, and with the approval of the Court in question, photocopies of records may be produced under subpoena, with HIF retaining the original.

A search and production fee shall apply for production of records under subpoena. This should be sent to the solicitor who requested the Court to issue the subpoena. In the case of subpoenas issued by the Police, an invoice will not be raised as this information is provided free of charge.

Any request under subpoena must be brought to the attention of the Managing Director.

Request for Information under Search Warrant

The law requires compliance with a search warrant. Any such official demand for data must be immediately brought to the attention of the Managing Director.

Request for Information from the Police

–search or general warrant empowering access to the information sought by law, or otherwise pursuant to a court order. Police access to records as above must be complied with and must be brought to the attention of the Managing Director.

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Requests for Information from HIF's Insurer or Solicitor

All requests for access to records by HIF's insurer or solicitor shall be referred to the Managing Director. In such cases the Managing Director may determine that the consent of the member is not necessary, however, information not relevant to the case being investigated should not be disclosed. Any communication between HIF and its solicitor is privileged (i.e. disclosure cannot be accessed by any person or court) and is deemed to occur for the purpose of obtaining legal advice.

Requests for Information from the Media

All requests for information or interviews by the media must be directed to the Managing Director. No information is to be released to the media without the consent of the member, (or parent or guardian of the member) concerned.

Hospitals/Ancillary Service Providers

Information will only be supplied to Hospitals and Ancillary Service Providers when it relates to the verification of membership or eligibility to claim a service.

Requests for Information from Relatives, Friends or Others

When dealing with requests for information by relatives, friends or others, no information shall be released without the member's written consent. This includes the fact that the person is/was a member.

Compulsory Release of Information - Legislative Requests

HIF is also required to observe the requirements of the following legislation (where applicable):

Federal

- The Health Insurance Act 1975 (as amended)
- The National Health Act 1953 (as amended)
- The Private Health Insurance Incentives Act 1998 (as amended)

All requests, orders, directions pursuant to the above under legislation shall be referred to the Managing Director.

Photocopying

The following circumstances are the only circumstances under which a member's information may be photocopied.

- a. Member's accepted request
- b. Under subpoena
- c. Under search warrant
- d. Under legislation

Costs of Releasing Information

All costs incurred in releasing information (i.e. photocopying etc) are at the expense of the member/requestor (e.g. solicitor). A fee should be charged when producing records under subpoena, except in the case of answering subpoenas from the Police.

Sending Information by Fax

Facsimile machines present unique opportunities for the rapid transmission of information. However, information sent by fax is vulnerable to interception by non-authorised individuals. For this reason, confidential records should only be faxed from one institution to another in exceptional circumstances. The sender is responsible for ensuring the security of the information, while the receiving institution must guarantee the confidentiality and security of the information once received. The receiver must acknowledge receipt of the information by telephone. Information sent by fax should be addressed to the specific requestor and sent to a specific or identified area within the receiving institution.

Information about the use of HIF's Website and Electronic Transactions

You are not required to provide HIF with any personal information when visiting our website, unless completing a formal application of membership change request, making changes to your own health cover details within the Member Centre area of the website, or sending us an 'online' information request.

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When you visit HIF's website, or download information from it, our Internet Service Provider makes a record of your visit and may record your internet address, domain name, date and time of your visit to the website you have visited and the type of browser you are using. This information is only used for statistical and website development purposes.

Address for Requests for Personal Information

The Privacy Officer
HIF
GPO Box X2221
PERTH WA 6847

Privacy Commissioner

If HIF cannot resolve your Privacy concerns you may contact the Privacy Commissioner in writing:

Director of Compliance
Office of Federal Privacy Commissioner
GPO Box 5218
Sydney NSW 1042





Health Insurance Fund of W.A. (HIF) ACN 128 302 161
An Australian public company limited by guarantee.
A registered private health insurer.

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The information in this brochure was correct on the 1st of June 2010. Minor changes may have occurred since that date. If major changes occur, the brochure will be reprinted. Details of minor changes can be obtained from the Fund or downloaded from hif.com.au. This brochure supersedes all previous brochure information.