

# Practitioner Privacy Policy

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

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

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

If you have any questions about our use of your Personal Information or have any concerns about this Practitioner Privacy Policy, please contact the Practitioner:

Name: Kaliane Marshall  
Tel: 07 2104 1190  
Email: Admin@thinkhealth.au  
(please attention the Practitioner in written correspondence).

The Practitioner has engaged Think Health to provide various services and facilities to assist the Practitioner to carry out its practice. As part of this arrangement, Think Health may collect data including Personal Information for and on the Practitioner's behalf. Please refer to Think Health's privacy policy which outlines how Think Health collects, uses and otherwise deals with Personal Information, available at: <https://thinkhealth.au/privacy-policy-2/>.

## Personal Information collection and usage

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This Practitioner Privacy Policy relates to all information supplied by you (or Think Health on your behalf) to the Practitioner including:

- **Contact information:** your name, position, role, company or organisation, telephone number email, postal address emergency contact details;
- **Communications:** information provided in communications with the Practitioner or Think Health including when you book (or enquire about booking) an appointment with the Practitioner;
- **Information from public sources:** for example, from LinkedIn and similar professional networks, directories or internet publications;
- **Financial information:** the Practitioner or Think Health Specialists (on the Practitioner's behalf) may obtain your bank account details (or third party payer details) for example when taking payment for an appointment with a Practitioner (whether that appointment has occurred or not and including a deposit, or late or cancellation fees);
- **Medical information:** the Practitioner or Think Health (on the Practitioner's behalf) may collect information about your health and medical history for the purpose of your consultation and to process payment and rebates, for example through HICAPS and Medicare;
- **Social media:** interactions with Think Health's or the Practitioner's social media presence including posts, likes, tweets;
- **Technical information:** when you access Think Health's website (including the Practitioner's webpage on Think Health's website) and technology services;

- **Online data:** when you access the Practitioner's website (or Think Health's website), app and technology services, information about your visit including URL clickstream to, through and from the Practitioner's website (or Think Health's website) (including date and time), information about your network as such as information about devices, nodes, configurations, connection speeds and network application performance; pages viewed or searched for, page response times, download errors, length of visits and interaction information (such as scrolling, clicks, mouse-overs) and other similar information and whether you click on particular links or open emails from the Practitioner or Think Health;
- **Medicare number:** your Medicare number (in certain circumstances where it is necessary for us to liaise with Services Australia); and
- **Individual Healthcare Identifier (IHI):** your IHI number (in certain circumstances for the purposes of communicating and managing health information including through the My Health Record in accordance with the *Healthcare Identifiers Act 2010* (Cth)).

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

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

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

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

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

## How your Personal Information is used

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Your Personal Information is used by the Practitioner for the following purposes:

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

The Practitioner may transfer your personal information to Think Health Specialists, for the purpose of allowing Think Health Specialists to undertake research and development. Think Health Specialists has agreed with the Practitioner to de-identify your personal information before undertaking that research and development. How Think Health Specialists will use, store and deal with this data is outlined in Think Health Specialists' privacy policy which is located on Think Health Specialists' website. You can request in writing that we: (a) not provide your personal information to Think Health Specialists to allow it to de-identify your personal information and for the purpose of allowing Think Health Specialists to undertake research and development; or (b) that Think Health Specialists remove your de-identified data from the data extraction process and ceasing using any of your personal information that has been identified altogether.

## Why your Personal Information is used

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

- with your consent for example you share details for particular purposes including relating to receiving services;
- to contact you, for example, to respond to your queries, or to tell you something important;
- to comply with legal, regulatory and licencing requirements;
- to look after your health and wellbeing when providing services to you.

## Why Sensitive Information may be used

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Sensitive Information is only used if:

- it is not otherwise permitted under this Practitioner Privacy Policy, but you have provided express and informed consent for the particular processing;
- it is necessary to protect your vital interests or those of another person for example, in medical emergencies;
- you have manifestly made the data public for example, where you have published it on social media;
- it is necessary to deal with legal claims for example, involving court proceedings;
- it is necessary for substantial public interest for example, to prevent or detect unlawful acts; or
- it is permitted by applicable law.

## Who your Personal Information is shared with

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

- **To Think Health:** to allow Think Health to assist the Practitioner to manage its files, records, and bookings, process payments and otherwise conduct its business;
- **Law enforcement bodies and our regulators:** or authorities in accordance with law or good practice for example by order of a court or otherwise required by law;
- **Healthcare professionals:** including hospitals, your treating GP or other specialists for example in connection with your referrals and mental health treatment plan;
- **Government related third parties:** including Services Australia in connection with the services including for payment and claim processing;

- **Family or representative:** any person, family member, representatives or other organisations that you have consented or where we are required, permitted, authorised or otherwise directed to by law;
- **Appropriate parties in the event of emergencies:** in particular to protect health and safety of you and others including where it is required to prevent serious risk to the health, safety or life of you or another; and
- **You consent:** in instances where you consent for example to provide a report to another medical professional, lawyer, insurer or advisor, to discuss with another person connected with your treatment (including a spouse, parent or employer).

## How your Personal Information is stored

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

Think Health may be asked by the Practitioner to store your Personal Information in physical and electronic form (or a combination) on their behalf. All of your Personal Information, whether stored by the Practitioner or Think Health Specialists, will be stored securely using good practice physical, technical and administrative security measures.

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

## How long your Personal Information is stored for

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

Once your Personal Information is no longer needed (for example you no longer see the Practitioner at Think Health Specialists' premises), it will be destroyed (either by shredding physical documents or deleting electronic information from all servers, subject to any back-up records).

## How you can correct your Personal Information

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

## Access to your Personal Information

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

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

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

## Use of Commonwealth government identifiers

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

## Where your information will be held

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

## Definitions

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

- (a) **APPs:** means the Australian Privacy Principles;
- (b) **Personal Information:** has the meaning given to it in the Privacy Act, which includes information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not or in a material form or not;
- (c) **Practitioner:** the independent practitioner named in this privacy policy that operates its practice out of Think Health's premises, that you are treated by (or intend to be treated by) whether or not you engage the services of that Practitioner or not;
- (d) **Practitioner Privacy Policy:** means this privacy policy as amended from time to time made available on the on Think Health Specialists 's website and available in physical copy upon request;
- (e) **Privacy Act:** means the *Privacy Act 1988* (Cth) as amended from time to time;
- (f) **Sensitive Information:** has the meaning given to it in the Privacy Act, which includes information or an opinion about an individual's racial or ethnic origin, political opinions, religious beliefs, sexual orientation or criminal record;
- (g) **Think Health:** Think Health Specialists Pty Ltd ACN 673 296 314; and
- (h) **You/Your:** means the individual who we collect the Personal Information from and about.