

Notice of Privacy Practices in Relation to your Healthcare Record

Purpose of the Privacy Policy

The National Rehabilitation Hospital (NRH), its employees, students, contractors and volunteers follow the privacy policy described in this **'Notice of Privacy Practices in Relation to your Healthcare Record'**.

This notice describes how medical information about you may be used and disclosed and how you can access this information. Please review it carefully.

Revisions of this Notice

The NRH may change this Notice at any time and you can obtain a copy of the revised Notice by accessing our website, www.nrh.ie, or by calling Risk Management / Freedom of Information Officer at 01 2355330 and asking for a revised copy to be mailed to you, or you may request one at the time of your next visit.

This Notice does not cover the privacy practices of your Consultant when you see him or her in a private capacity, such as a Medical Legal arrangement.

Legal Responsibilities

The Data Protection Acts 1988 and 2003 and related regulations guarantee certain protections for you concerning the use or sharing of your individually identifiable healthcare information. This individually identifiable healthcare information is also referred to as your healthcare record.

Understanding Your Healthcare Record

Each time you visit the NRH, a record of your visit is made. Verbal communication with any member of your healthcare team may also be recorded. Typically, this record includes, but is not limited to, your demographic information (name, address, date of birth, gender, and other such information); symptoms, examination or test results and diagnoses; goal setting, treatment and the plan for your future care or treatment. Your healthcare record serves as a:

- Basis for planning your care and treatment.
- Means of communication among the healthcare professionals who contribute to your care.
- Legal document describing the care you received.
- Source of data in educating healthcare professionals.
- Source of data for medical research.
- Source of data to assist the NRH to continuously improve its standards of care.

Understanding what is in your healthcare record and how your healthcare information is used helps you to:

- Ensure its accuracy.
- Better understand who, what, when, where, and why others may access your healthcare information.
- Make more informed decisions when authorising disclosure to others.

Uses and Disclosures of your Healthcare Information

Data Protection Acts permit the certain uses of protected healthcare information to carry out treatment, for other purposes associated with healthcare activities and where applicable to obtain payments. Your approval is **not required** for these permitted uses of your healthcare information.

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Uses and Disclosures of your Healthcare Information.....(continued)

The following examples illustrate how your healthcare information may be used or shared with others without obtaining your approval:

▪ **For Treatment**

We may document and share your healthcare information with:

- Anyone involved in your treatment, including doctors, nurses, social workers, therapists, pharmacists, radiologists, discharge planners, dietitians, laboratory staff and others who need access to healthcare information to assist in your diagnosis and treatment.
- Anyone necessary to provide, coordinate or manage your healthcare treatment, including the coordination or management of your care with a provider outside the hospital such as Public Health Nurses, Community Care Services and Therapists.
- The doctor who referred you to the NRH and doctors that will provide follow-up care to assist you with your continued care after you are discharged from the NRH.
- The outpatient clinic or services to which you have been referred after discharge from the NRH.

▪ **For Other Healthcare Activities**

We may use and disclose your healthcare information to support the hospital rehabilitation process activities. These activities include:

- Conducting assessments and audits to continuously improve the standard of the healthcare service we provide.
- Developing clinical guidelines.
- Evaluating clinical outcomes.
- Reviewing the competence or qualifications of healthcare professionals.
- Evaluating healthcare professional's performance.
- Conducting training programmes in which doctors, healthcare students, or practitioners in other areas of healthcare learn under supervision

▪ **For Payment**

We may use and disclose your relevant healthcare information to:

- **Health Service Executive:** We may share your healthcare information with the Health Service Executive in order to obtain payment for the provision of equipment or prostheses.
- **Insurance Company:** We may share your healthcare information with your Health Insurance Company to obtain approval for payment for equipment or prostheses/orthoses, where appropriate.
- **Your Solicitor:** We may share your healthcare information with your solicitor to claim reimbursement of treatment costs up to and including the settlement of the claim in relation to legal personal injury claims following road traffic accidents.

Other Uses and Disclosures of your Health Information that may be made without your Permission

Certain laws and regulations require us to use or share your healthcare information in certain circumstances. These disclosures are usually made to ensure the health and safety of the public at large. These situations include:

- **Public Health Activities:** We may share your healthcare information with Public Health Officers that are authorised by law to collect healthcare information for the purposes of preventing and controlling disease, injury or disability.
- **Coroner:** In the event of a death we may share the healthcare records of the deceased with a coroner to determine the cause of death.
- **Gardaí:** We may share your healthcare information in a response to a request received from the Gardaí for law enforcement purposes or in response to a valid court order, subpoena, warrant, summons or similar order.

Other Uses and Disclosures of your Health Information.....(continued)

- **Health Service Executive:** We may share your healthcare information with the Health Service Executive:
 - To report suspicions or concerns or allegations of child abuse.
 - Where there are reasonable grounds for concerns or suspicions or allegations of abuse.
 - Where there are reasonable grounds to believe that disclosure is required to prevent threat to life or health.
 - In the event of serious incidents or accidents to ensure investigation
- **Regulatory Bodies:** We may share your healthcare information with regulatory bodies such as the State Claims Agency, Irish Medicines Board and National Blood Centre to report adverse events, product defects or problems.
- **Health Inspectorate:** We may share your healthcare information with the Authority authorised to conduct health oversight activities such as audits, inspections, investigations or surveys. These activities are necessary to monitor compliance to national standards.

Uses and Disclosures of your Information to which you have an Opportunity to Object

Unless you notify the NRH in writing that you object, the NRH may use or share healthcare information about you in the following circumstances:

- Include your name and location in the hospital (ward name) in the hospital directory. This information will be provided to Nursing Management, the Switchboard, and the hospital Chaplain.
- Share with a family member, or any other person you identify as your emergency contact person:
 - Your healthcare information that relates to that person's involvement in your care or payment related to your care.

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Uses and Disclosures of your Information...Opportunity to Object.....(continued)

- To notify or assist in notifying a family member, or another person responsible for your care, about your location or health status.
- When you are unable to agree or object to the use or disclosure because of your incapacity, if such disclosure is consistent with a prior expressed preference and if we determine such disclosure is in your best interest.

You may object to the uses or disclosures of your healthcare information as described by contacting the Risk Management / Freedom of Information Officer.

Uses and Disclosures of your Healthcare Information that require your Written Authorisation

We will not use or share your healthcare information for any purpose other than those noted above without your specific written authorisation to do so.

Your Individual Rights

Right of Access: You have the right to access, inspect and obtain a copy of your healthcare record under the Freedom of Information Acts 1997 & 2003 and the Data Protection Acts 1988 & 2003, for as long as we hold your healthcare record. However, the hospital will endeavour to release your healthcare record to you or to your nominated representative, where possible, without recourse to the Freedom of Information Acts or the Data Protection Acts.

- Requests for your healthcare information must be made in writing to the NRH Risk Management / Freedom of Information Officer.
- We will act upon your request no later than 28 days after receipt of the request. We may need to extend the time and in such circumstances we will provide you with written information on the reason for the delay and the date by which we will complete your request.

Your Individual Rights.....(continued)

- In certain circumstances your request to inspect or to access a copy of your healthcare record may be denied. If so, you will be informed of the decision and of your right of appeal. An appeal must be made in writing to the Freedom of Information Officer.

Right to Request Restrictions: You have the right to request a restriction on certain uses or disclosures of your healthcare information for the purposes of treatment, healthcare activity or payment. This means that you may request limits on the healthcare information disclosed about you to family members, or other individuals identified by you, who may be involved in your care or for notification purposes as described in this Notice.

- Your request must be in writing to the NRH Risk Management / Freedom of Information Officer and include the specific restriction requested and to whom the restrictions apply.
- The NRH will consider your request and notify you in writing within 28 days of the outcome of your request.

Confidential Communication: You have a right to request to receive confidential communication of your healthcare information from the NRH by alternative means or at alternative locations; you may ask the NRH only to contact you by post at a specific address.

- Request must be in writing to the NRH Freedom of Information Officer; the NRH will accommodate all reasonable requests.

Right to Amend: If you believe that the healthcare information the NRH has about you is incorrect or incomplete you may request that the information be amended.

- Your request must be in writing and must explain the reason for the requested amendment.
- The NRH will act on your request for an amendment no later than 28 days after receipt of such a request.
- This request, on occasions, may be denied. In this event, you have the right to appeal to the NRH Freedom of Information Officer.

To Make a Complaint – Privacy Rights Infringed

If you believe your privacy rights have been infringed, you may file a complaint in writing with the NRH Stakeholder and Corporate Data Manager. Complaint information should include:

- Name of the complainant.
- Name of the person affected if different from the complainant.
- Name of the healthcare facility involved.
- Describe the facts of the complaint; how the person was affected.
- Names of the person/s or services involved.
- When the complaint or situation occurred and whether it was an isolated incident or an ongoing situation (include the date, the time, and the time between different events).
- Where the event took place (on what ward or Department).
- How the incident occurred and the sequence of events.
- Whether a patient, or the family of a patient were involved.
- The names or descriptions of those who witnessed the complaint situation.
- Names of staff or other patient/s involved (including volunteers or visitors).

Contact Information

For further information about this Privacy Policy, access to, or amending your healthcare record please contact:

**The Freedom of Information Officer, Risk Management Department
National Rehabilitation Hospital,
Rochestown Avenue, Dun Laoghaire, Co. Dublin.
Telephone: 353 1 235 5000 or 235 5330.**

Complaints

Should you believe your Privacy Rights have been infringed and you wish to make a complaint, please contact:

**The Stakeholder and Corporate Data Manager,
National Rehabilitation Hospital,
Rochestown Avenue, Dun Laoghaire, Co. Dublin.
Telephone: 353 1 235 5000 or 235 5211**

