

## Client Access to Their Health Information

Last updated 2nd April 2026

### Purpose

The purpose of this policy is for AVA Orthopaedics employees to understand and comply with client rights regarding accessing a client's own health information.

### Definitions

Person Responsible describes a parent of the individual, a child or sibling of the individual, who is at least 18 years old, a spouse or de-facto spouse, a relative (at least 18 years old), a member of the household, a guardian or a person exercising an enduring power of attorney granted by the individual that can be exercised for that person's health, a person who has an intimate relationship with the individual or a person nominated by the individual in case of emergency.

### Policy

Clients have the right to access their personal health information. This principle obliges health practices and other parties that hold health information about a person to grant access to their information on request, subject to certain exceptions and payment of fees (if any).

AVA Orthopaedics has a privacy policy in place that outlines the management of health information, and the steps a client must take to access their health information. This includes the different forms of access and the applicable time frames and fees.

AVA Orthopaedics respects each client's privacy, and allows access to information whilst following the processes outlined in this policy. The client may take notes about the content of their record or may be given a copy of the requested information. A practitioner may explain the contents of the record to the client if required. An administrative charge may be applied, at the clinic's discretion.

Release of information is an issue between the client and the practitioner. Information will only be released according to privacy laws and at the practitioner's discretion. Requested records are notified to the practitioner prior to their release.

### Procedure

When AVA Orthopaedics clients request access to their records and related personal information, the procedure is as follows:

- Document each request in the client's health record
- Assist clients in providing records where possible and according to privacy laws
- Exemptions to access will be noted

- Each client or legally nominated representative must have their identification checked prior to access being granted

### **Request by a Client**

A client may make a request verbally via telephone or in writing. No reason is required. The request is referred to the client's practitioner or delegated employee.

A Request for Personal Health Information form is completed to ensure correct processing.

Once completed, a record of the request is filed / scanned in the client record.

### **Request by Another Person (Not the Client)**

A client may approve another person to be given access, if they have the right and if they have a signed authority.

A person responsible for the client, if that client is incapable of giving or communicating consent, may apply for and be given access to information. Such access will be approved by the treating practitioner. Identity validation applies.

### **Children**

Where a young person is capable of making their own decisions regarding their privacy, they should be allowed to do so, each case is dealt with subject to the individual's circumstances. A parent will not necessarily have the right to their child's information.

### **Deceased Person**

A request for access may be allowed for a deceased client's legal representative if privacy law requirements have been met.

### **Acknowledge Request**

A letter must be sent to the client acknowledging a request for information within 14 days of receipt of the request.

### **Fees**

Fees that AVA Orthopaedics charge for providing access to client information are not excessive and do not apply to the mere submission of a request for access.

If AVA Orthopaedics incurs substantial costs in meeting a request for access, then a reasonable fee will be charged.

## Collate and Assess Information

All records will be retrieved and stored digitally. Refer to the client's request to help identify what information is to be given to the client.

Data may be withheld for the following reasons.

- Where access would pose a serious threat to the life or health of any individual
- Where the privacy of others may be affected
- If a request is frivolous or vexatious
- If information relates to existing or anticipated legal proceedings
- If access would prejudice negotiations with the individual
- If access would be unlawful
- Where denying access is required or granted by law

## Access Denied

Reasons for denied access must be given to the client in writing. In some cases, refusal of access may be in part or full.

If a request for access is denied, an intermediary, such as a medical indemnity company, may operate as a facilitator to provide sufficient access to meet the needs of both the client and the practitioner.

## Providing Access

Personal health information may be accessed in the following ways:

- Talking through contents with the practitioner and viewing notes via sharescreen during video call
- Taking notes
- Obtaining a copy (digital copy)
- Information may be faxed or emailed to the client

## Check Identity

- Ensure 3 forms of information are checked to verify ID of the person seeking access - note the details
- Does the person have the authority to gain access?
- Check age, legal guardian documents - is the person an approved representative?

If a copy is to be given to the client, ensure all pages are checked and that this is noted in the client's file.

If a practitioner is to explain the contents to a client, ensure an appointment time is made.

## Request to Correct Information

A client may ask to have their personal health information amended if they consider that it is not up to date, accurate or complete.

AVA Orthopaedics always attempts to correct this information. Corrections are attached to the original health record.

Where there is a disagreement about whether the information is indeed correct, AVA Orthopaedics attaches a statement to the original record outlining the client's claims.

Original records must not be altered; changes must be noted as an amendment.

## Time Frames

Requests for information should be acknowledged within 14 days, and the request should be completed within 30 days.