

Provider terms for Gyms and Personal Trainers

1 Continuing Education Credits (CEC) / Continuing Professional Education (CPE) / Continuing Professional Development (CPD) / FITREC Education Rating

All fitness personnel including Gymnasium staff and Personal Trainers must participate in continuing professional education, including courses, seminars or other educational events that contribute to up-to-date knowledge in their area of practice. They are required to meet the CPD/CEC point / FITREC Education Rating quota required for membership by their Professional Association.

2 Provide First Aid (formerly known as Senior First Aid, Workplace Level 2 or Apply First Aid)

Gymnasiums: During staffed hours, at least one staff member must be present who holds a current Senior/Workplace First Aid Certificate (or equivalent) and the Gymnasium must ensure it has a current emergency response procedure, a fully stocked First Aid kit and working First Aid equipment that has been checked and maintained according to the manufacturer's recommendations.

Personal Trainers: Personal Trainers must hold a current Senior/Workplace First Aid Certificate (or equivalent) and ensure access to a fully stocked First Aid kit and working First Aid equipment that has been checked and maintained according to the manufacturer's recommendations.

3 Bupa requirements for Gyms and Personal Trainers

Gymnasium businesses and Personal Trainers must not:

- (a) Allow their Bupa provider number to be used by another person or business
- (b) Advertise or promote that they are a Bupa Recognised Provider without Bupa's prior written consent
- (c) Advertise or promote that their services are claimable under a Bupa health insurance policy, without Bupa's prior written consent
- (d) Use Bupa's logo or trade mark in any advertising or promotions
- (e) Discriminate against or disadvantage Bupa Customers, such as by charging them a fee for holding Health Insurance or a fee for processing a health insurance claim
- (f) Alter, amend, falsify or omit information on a Bupa Customer's invoice or receipt (enabling, for example, a Bupa Customer to falsely claim a Benefit).

Gymnasiums and Personal Trainers must obtain pre-approval from Bupa for any advertising, promotional material, communications or otherwise referencing their

status as a Bupa Recognised Provider or Bupa's products and services.

4 Bupa Recognised Providers

As a Bupa Recognised Provider, Bupa will pay Benefits for the Recognised Services in accordance with the Bupa Fund Rules and Recognition Criteria. As a Bupa Recognised Provider, the Gymnasium's or Personal Trainer's obligations are to:

- (a) Ensure that they comply with the Recognition Criteria and these Provider Terms;
- (b) Maintain a current Bupa issued provider number, ensuring that their relevant details as maintained by their Professional Association are current;
- (c) Provide their services with due care and skill and with the level of expertise reasonably expected of a member of their profession;
- (d) Only provide the Recognised Services to Bupa Customers directly and in person at the location to which their Provider Number applies;
- (e) If requested by Bupa, supply Bupa with evidence that you meet the current Recognition Criteria and comply with these Provider Terms;
- (f) Comply with all professional standards;
- (g) Comply with all relevant Australian laws and/or state laws;
- (h) Ensure their conduct or the conduct of their business, business associates or representatives does not negatively impact customer care and safety or bring Bupa's brand to disrepute.

5 Health, safety and wellbeing

Ensure that suitable and appropriate measures are undertaken to ensure the health, safety and wellbeing of Gymnasium members and clients of Personal Trainers, including (but not limited to):

- a) Gymnasium staff or Personal Trainers working with children hold a current and valid working with children check;
- b) Gymnasium staff or Personal Trainers have not been convicted of a crime;
- c) Gymnasium staff or Personal Trainers have not been expelled from a professional association;
- d) equipment is well maintained, safe and hygiene protocols are adhered to;
- e) The Gymnasium must have appropriate policies and procedures in place to ensure health and safety of staff and members; and
- f) Adherence to Australian national or state laws and industry standards.

The premises must in Bupa's reasonable opinion be:

- a) Appropriate for the delivery of the Recognised Services;
- b) Designed to promote good hygiene practices as expected of their industry;
- c) Not used for a primary purpose (as indicated by the appearance of the premises, the floor space used by the premises, or the revenue of the premises) that is not directly related to the Recognised Services. This would be the case where, for example, the main or a substantial part of the premises (by appearance, floor space, or revenues) is dedicated to the provision of other health care services such as (but not limited to) physiotherapy or other health care modalities, the provision of good(s) or service(s) that do not attract a Private Health Insurance Rebate according to the PHI Act, the sale of shoes, clothing, sporting goods, health foods or supplements, sports store;
- d) Compliant with all applicable Australian National or State law including any approvals relating to the Gymnasium or Personal Trainer's premises and the services they provide;
- e) Maintain the physical aspects of their premises to a satisfactory level.

6 Ensure confidentiality and privacy

- (a) The Gymnasium or Personal Trainer must comply, and assist Bupa to comply with any applicable privacy legislation (including the Privacy Act 1988 (Cth)) and industry codes related to the handling of Personal Information (including Sensitive Information).
- (b) Keep confidential any of Bupa's financial details Bupa discloses to them.
- (c) If the Gymnasium or Personal Trainer believes that they have breached any part of this clause 6, they must immediately notify Bupa of the nature and extent of the breach and promptly make all reasonable endeavours to rectify the breach.

7 Record Keeping Requirements

The Gymnasium or Personal Trainer must meet the following record keeping requirements as well as any others imposed by their Professional Association (such as any applicable professional standards) or required by law:

- a) They must ensure that their records include sufficient information concerning a Bupa Customer's membership or personal training agreement, including personal details, health / training status and history, goals, cost, payment method and consent.
- b) In addition, Personal Trainers must also record dates of attendance, exercise plans and progress.
- c) They must keep any hard copies of records that contain sensitive information or personal information in a secure, lockable, fire-proof storage cabinet or area when not in use. They must not store or leave records in a public area.

- d) They must keep digital copies of records containing sensitive information or personal information in an environment and on an electronic system that is only accessible by them, and persons authorised by them whom have a need to access such records, where the given electronic system:
 - i. May be audited by Bupa;
 - ii. Is protected by up-to-date, industry standard user-authentication (i.e., username and password), firewall and anti-virus technology; and
 - iii. Is regularly and securely backed up.
- e) They must make and keep a record of each good and service provided to a Bupa Customer.
- f) Attendance or training records relating to each individual Bupa Customer must be kept together and each record entered must be made in chronological order and allow for an audit trail if any changes are made.
- g) Each Bupa Customer's record must be accurate, legible and easily readable by a third party, concise, written in English and clearly indicated as applying to that customer;
- h) Bupa Customer records must be promptly retrievable when required.
- i) Any changes or corrections to the original customer record must not remove the original information.
- j) Personal Trainers must not delegate responsibility for the accuracy of Bupa Customer records or information they keep about a customer to another person.
- k) Personal Trainers must separately record the details of each training session and any goods or services provided to a Bupa Customer with each recording, including but not limited to:
 - i. Date of attendance;
 - ii. Details of personal training session.
 - iii. Training plan;
 - iv. Advice or instructions given.
- l) Parental or guardian consent for the Recognised Services are provided to children / minors.
- m) Any other details as recommended either by their Professional Association.

8 Claims Verification

- (a) From time to time, Bupa may seek to confirm the validity of a claim for services provided to a Bupa Customer by a Gymnasium or Personal Trainer. Accordingly, Bupa may at Bupa's cost, conduct an investigation using any or all of the following:
 - (i) Bupa's records;
 - (ii) The relevant Gymnasium or Personal Trainer's records or, if applicable, the records of any entity which services or manages their business; and
 - (iii) An investigator and/or clinical advisor appointed by us.

- (b) If Bupa asks the Gymnasium or Personal Trainer to make their records available to Bupa (or an investigator and/or clinical advisor appointed by us):
 - (i) Bupa will give them at least two (2) days' notice;
 - (ii) They will provide reasonable assistance at no charge to Bupa – including providing access to relevant employees, agents and contractors as nominated and required by Bupa – to all records pertaining to services provided to Bupa Customers (wherever such records are stored); and
 - (iii) They must promptly make those records available to Bupa or procure prompt provision of these records to us; and
 - (iv) If, contrary to these requirements, their records are not in English, they will prove at their cost, a translation from an interpreter service that is, in Bupa's reasonable opinion, reputable and suitably accredited. They must provide this translation in addition to their records.

9 Customer Accounts and Receipting Record Requirements

- (a) Gymnasiums and Personal Trainers must keep:
 - (i) Accurate, legible, contemporaneous, English-written accounting records of each good and/or service provided to a Bupa Customer.
 - (ii) records that are clear, accurate and not misleading; and
 - (iii) records that are made as soon as practicable after the service has been delivered or goods have been provided.
- (b) Each accounting record must be labelled with the Bupa Customer's identifying details and include the:
 - (i) Date of training for Personal Trainers or for Gymnasiums, the date period that Bupa Customers are able to access the Gymnasium for training;
 - (ii) The name of the Gymnasium or Personal Trainer who provided the service;
 - (iii) Details of the service provided, including the itemised fee for each service;
 - (iv) iv. Details of all payments, including the date of the payment.
- (c) An itemised receipt issued for each payment indicating:
 - (i) The date of payment;
 - (ii) Personal Trainer's name or Gymnasium business name;
 - (iii) Provider's ABN and business name;
 - (iv) Address where the provider performed the service;
 - (v) The provider's contact telephone number;
 - (vi) Name of the Bupa Customer;
 - (vii) Date of the service/payment;
 - (viii) Services provided and the individual charge for each item service;
 - (ix) Individual invoice or receipt number on each receipt.

- (d) There can only be one fully itemised original account / receipt. All duplicated accounts / receipts must be endorsed as "duplicate".
- (e) All Bupa Customer invoices and receipts must be:
 - (i) Separately invoiced for each date on which services are provided;
 - (ii) Issued on their official stationery denoted by their business logo;
 - (iii) Bear an invoice / receipt number and issued in sequential order; and
 - (iv) Where a quote is itemised, the Bupa Customer Account/receipt must be endorsed with "quote" or "estimate"

10 Bupa Customers

Gymnasiums and Personal Trainers must ensure that:

- (a) Before they deliver a service to a Bupa Customer, they obtain both their informed consent and their informed financial consent;
- (b) When delivering a service to a minor, they obtain parental or legal guardian consent before providing their intended service;
- (c) At all times treat clients with respect;
- (d) Deliver care with high level of professional confidence and conduct;
- (e) Personal Trainers must work within the limits of their competence and scope of practice;
- (f) They do not keep or store digital or physical Bupa Customer cards or Bupa Customer card numbers or details by any means;
- (g) They do not directly or indirectly promote unnecessary or indiscriminate use of their services or goods;
- (h) They refer any Bupa Customer enquiries about their policies, including a Bupa Customer's eligibility to claim for the Recognised Services, to Bupa.