

AAPM Response:

OAIC consultation on new health privacy guidance



In general, AAPM is very happy with the content, readability and ease of use of the new Health Privacy Guidance resources.

Comments on specific resources are outlined below:

New health guidance

Health service provider business resources:

- Handling health information under the Privacy Act: A general overview for health service providers.
This resource provides a complete overview and is clearly laid out.
- Key health privacy concepts
This resource is comprehensive and easy to understand.
- Collecting patients' health information
This resource is comprehensive. The Compliance Tips and Examples assist in clarify the APPs relating to collection of patient's health information.
- Using and disclosing patients' health information
The guidelines about transferring information from one health provider to another need to be further clarified to cover the situation where the patient has advised a particular doctor that they have consulted another doctor (other than referring/requesting doctor) who needs a particular report for example in a hospital.
Other issues raised by our members are:
 - a) If a patient refuses consent to a particular provider, is the current healthcare provider able to refuse to send it if it is related to the direct care of the patient by the other provider? Does this process change in the case of an emergency situation?
 - b) Should patients be asked to sign a form stating that from time to time other doctors involved in their care may ask for information and approving the practice to send it? Would such a form need to be updated regularly?
 - c) If another practice asks for information to check the information about a patient in their own data base can this information be given?
 - d) In regard to overseas information being released or shared, patients who travel overseas often contact practices for information to be sent via email. How is this addressed as it is not straightforward and easy to understand?

- e) Can the Resource include guidelines on the rights of Police to access patient information?
Many Practices are unsure about whether they have to release such information to police.
- f) More definition is required regarding the authority to release information to third parties (ie insurance companies and workers compensation). Does specific consent need to be given in writing or otherwise for every such request?

- **Access to health information by health service providers**

This guideline states that a patient's request to access their personal information is not required to be in writing. Many of our members' practices currently require the patient to complete a form requesting access to their information, have this request assessed and signed by the GP, and a letter of approval sent to the patient. An example of how a patient can verbally request access their own information would assist practices to feel confident to change their policies and move from the previous time consuming and frustrating process to accepting a verbal request from an appropriately identified patient.

- **Correction of health information by health service providers**

This resource is clear and comprehensive.

- **Collecting, using and disclosing health information for health management activities**

This resource is clear and comprehensive.

- **Collecting, using and disclosing health information for research**

This resource is clear and comprehensive.

- **Using and disclosing genetic information to lessen or prevent a serious threat to the life, health or safety of genetic relatives**

This resource is clear and comprehensive.

- **Disclosure of health information and impaired capacity**

This resource is clear and comprehensive.

Change of business circumstances or closure of a health service

This resource is very detailed and quite straightforward.

Health service consumer fact sheets:

- Privacy and your health information
- How you can access or correct your health information

These documents are very detailed and clear.

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