

APPENDIX 1

PUBLIC CONSULTATION – LEGISLATIVE SUPPORT FOR THE HEALTHCARE IDENTIFIERS SERVICE

On 13 July 2009, a discussion paper was released seeking comments on legislative proposals to support the establishment and implementation of unique identifiers for healthcare purposes and the privacy of health information. As part of this consultation, two stakeholder forums were held to allow detailed discussion of the proposals. Consultation closed on 14 August 2009, and over 90 submissions were received from stakeholders.

Further consultation was undertaken from 20 November 2009 to 7 January 2010, including the release of exposure draft legislation and a stakeholder forum. Over 50 submissions were received.

Details of participation by organisations in both consultations are set out below.

The Office of the Privacy Commissioner actively participated in both consultation processes and provided detailed written comments on the proposals and draft legislation.

The Office of the Privacy Commissioner attended the stakeholder forums held in Sydney, Melbourne and Canberra, and a number of discussions have been held on the legislative proposals and on the proposed oversight role of the Privacy Commissioner.

The work of the National E-Health Transition Authority (NEHTA) on development of the Healthcare Identifiers (HI) Service has involved ongoing consideration of privacy issues. Three independent Privacy Impact Assessments (PIAs) were commissioned by NEHTA in 2006, 2007 and 2009 to inform the design of the HI Service.

NEHTA publicly released the three PIA reports on 16 November 2009.

A. First consultation period – July/August 2009

July 2009 Pre-Consultation Meetings

Australian Medical Association
Australian Privacy Foundation
Consumers Health Forum
Electronic Frontiers Australia
Health Informatics Society of Australia
Liberty Victoria (also Access Card No Way)
Medical Software Industry Association

Attendance at Sydney Forum 30 July 2009

Aged Care Association Australia
ARAFMI (NSW)
Australian Association of Practice Managers
Australian Commission on Safety and Quality in Health Care
Australian General Practice Network
Cancer Voices Australia

Cancer Voices NSW
Department of Prime Minister and Cabinet
Family Planning NSW
Health Informatics Society of Australia
Health Information Management Association of Australia
Health Services Commissioner (ACT)
MDA National Insurance
Medical Indemnity Industry Association of Australia
National Coalition of Public Pathology
Network of Alcohol and Other Drug Agencies
Office of the Privacy Commissioner
Pharmaceutical Society of Australia
Physical Disability Council of NSW
Public Interest Advocacy Centre
Royal Australasian College of Physicians
Royal Australasian College of Surgeons
Royal Australian and New Zealand College of Ophthalmologists

Attendance at Melbourne Forum 29 July 2009

Allied Health Professions of Australia
Australian and New Zealand College of Anaesthetists
Australian Health Insurance Association
Australian Nursing Federation
Australian Privacy Foundation
Australian Psychological Society
Consumers Health Forum of Australia
Department of Prime Minister and Cabinet
Electronic Frontiers Australia
Health Services Commissioner (VIC)
Healthscope
Medical Indemnity Association of Australia
National Health & Medical Research Council
National Registration and Accreditation Implementation Project
Privacy Victoria
Royal Australasian College of Surgeons
Royal Australian and New Zealand College of Obstetricians and Gynaecologists
Royal Australian College of General Practitioners
Speech Pathology Australia

Submissions by Organisations to Discussion Paper on Legislative Proposals July-August 2009 - where consent to these being made public has been received (available at:

<http://www.health.gov.au/internet/main/publishing.nsf/Content/eHealth-submissions>)

Australia and New Zealand College of Anaesthetists
Australian College of Health Informatics
Australian College of Nurse Practitioners
Australian Commission on Safety and Quality in Healthcare

Australian Democrats (ACT Division)
Australian Dental Association
Australian Health Insurance Association (AHIA)
Australian Medical Association
Australian Nursing Federation
Australian Physiotherapy Association
Australian Privacy Foundation
Bupa Australia
Cancer Council of Australia
Carers Australia
Civil Liberties Australia
Consumers Health Forum of Australia
Council of Ambulance Authorities
Crisis Support Services
CSC (Computer Sciences Corporation)
Department of Community and Safety Qld
Department of Innovation, Industry, Science and Research
Electronic Frontiers Australia
Giesecke & Devrient Australasia
Health Consumers Alliance of SA
Health Consumers' Council WA
Health Informatics Society of Australia
Health Information Management Association of Australia
Health Quality and Complaints Commission
Health Services Commissioner, Victoria
Inspire Foundation
Insurance Council of Australia
Law Council of Australia
Liberty Victoria
LifeSense
Medical Deans Australian and New Zealand Secretariat
Medical Indemnity Industry Association of Australia
Medical Practitioners Board of Victoria
National Cervical Screening Program
National Coalition of Public Pathology (NCOPP)
NSW and National Councils on Intellectual Disability
Office of the Privacy Commissioner
Office of the Public Advocate - QLD
Office of the Victorian Privacy Commissioner
Officer of the Information Commissioner - QLD
Optometrists Association Australia
Pharmaceutical Society of Australia
Physical Disability Council of NSW (PDCN)
Privacy Committee of South Australia
Professional Services Review
Public Interest Advocacy Centre
Queensland Council for Civil Liberties
Queensland Health

Renal Health Networks WA
Royal Australasian College of Physicians
Royal Australian and New Zealand College of Ophthalmologists
Royal Childrens' Hospital
Services for Australian Rural and Remote Allied Health (SARRAH)
Standards Australia
The Council of Ambulance Authorities
The Australian Orthotic Prosthetic Association
The Australian Psychological Society
The Pharmaceutical Council of WA
The QLD Commission for Children and Young People and Child Guardian
The Royal College of Pathologists of Australasia
The Smith Family

***B. Second consultation period with release of Exposure Draft legislation
November 2009 – January 2010***

November 2009 Pre-Consultation Meetings

Australian Medical Association
Australian Privacy Foundation
Cancer Voices Australia
Civil Liberties Australia
Consumers' Health Forum
Cyberspace Law & Policy Centre, UNSW
Electronic Frontiers Australia
Federal Office of the Privacy Commissioner
Health Informatics Society of Australia
Liberty Victoria
Medical Software Industry Association
NCOSS (Council of Social Service of NSW)
Public Interest Advocacy Centre
Queensland Council of Civil Liberties

Stakeholder forum, Canberra – 20 November 2009

ACT Human Rights Commission
Aged Care Association Australia
Argus
Australian and New Zealand College of Anaesthetists (ANZCA)
Australian Association of Occupational Therapists
Australian Association of Pathology Practices
Australian Association of Practice Managers
Australian Association of Social Workers (AASW)
Australian Bureau of Statistics
Australian College of Nurse Practitioners
Australian Commission of Safety and Quality in Healthcare
Australian Dental Association
Australian Diabetes Educators Association

Australian Diagnostic Imaging Association
Australian General Practice Accreditation Limited (AGPAL)
Australian General Practice Network
Australian Health Insurance Association (AHIA)
Australian Healthcare & Hospitals Association (AHHA)
Australian Medical Council
Australian National University Medical School
Australian Nursing Federation
Australian Orthotic Prosthetic Association
Australian Physiotherapy Association
Australian Primary Healthcare Research Institute
Australian Privacy Foundation
Australian Private Hospitals Association
Bupa Australia Group
Cancer Council Australia
Cancer Voices Australia
Capital Hill Consulting
Carers Australia
Cerner
CHIK Services
Combined Pensioners and Superannuants Association of NSW (CPSA)
Consumers Health Forum of Australia
Corum
CRAN <i>Aplus</i>
CSC (Computer Sciences Corporation)
Department of Defence
Department of Families, Housing, Community Services and Indigenous Affairs
Department of Health and Ageing
Department of Health and Families, Northern Territory
Department of Health, Victoria
Department of Human Services
Department of Innovation, Industry, Science and Research
Department of the Prime Minister and Cabinet
Department of Veteran's Affairs
Dialog Information Technology
Dietitians Association of Australia
Episoft
Genie Solutions
Health Information Management Association of Australia
Health Issues Centre
Healthlinks.Net
Heart Foundation
International Technology Specialists P/L
Inverness Medical Innovations Australia
iSOFT Australia
Kidney Health Australia
Law Council of Australia
Liberty Victoria

Medical Indemnity Industry Association of Australia
Medical Indemnity Industry Association of Australia
Medicare Australia
Medicines Australia
Mednic/Lifesense/Nova Medica
Microsoft Australia
Minfos
National Coalition of Public Pathology
National E-Health Transition Authority (NEHTA)
National Health & Medical Research Council
National Health Call Centre Network (NHCCN)
National Seniors Australia
Office of the Health Services Commissioner (Victoria)
Office of the Medical Board, Queensland
Office of the Privacy Commissioner
Optometrists Association Australia
Pen Computing
Pharmaceutical Society of Australia
Physical Disability Council of NSW
Professional Services Review
Pulse IT
Queensland Health
Queensland Health
Royal Australasian College of Physicians
Royal Australasian College of Surgeons
Royal Australian and New Zealand College of Ophthalmologists
Royal College of Nursing, Australia
Royal College of Pathologist of Australasia
Services for Rural and Remote Allied Health (SARRAH)
Smart Health
Standards Australia
Stat Health Systems
The Australian Psychological Society Limited
The Pharmacy Guild of Australia
Universities Australia
Zedmed

Submissions by Organisations to Exposure Draft Bill Consultation Dec 2009 – Jan 2010. Available at:

<http://www.health.gov.au/internet/main/publishing.nsf/Content/eHealth-submissions2>

Aged Care Industry IT Council (ACIITC)
Australasian College of Health Informatics
Australian Association Pathology Practices
Australian Bureau of Statistics
Australian Commission on Safety and Quality in Health Care (ACSQHC)
Australian Council of Social Services (COSS)

Australian Democrats ACT Division
Australian Dental Association
Australian Dental Association Victorian Branch
Australian Federation of AIDS Organisations'
Australian Health Insurance Association
Australian Institute of Health and Welfare (AIHW)
Australian Medical Association
Australian Nursing Federation
Australian Osteopathic Association
Australian Physiotherapy Association
Australian Privacy Foundation
Australian Private Hospitals Association
Bupa Australia Group
Civil Liberties Australia
Consumers Health Forum of Australia
Council of Ambulance Authorities
Department of Families, Housing, Community and Indigenous Affairs
Epworth HealthCare
Geoff Sims Consulting Pty Ltd
HBF
Health Consumers Council WA
Health Information Management Association of Australia
Health Insurance Restricted Membership Association of Australia (HIRMAA)
Health Quality and Complaints Commission
Hospital Contribution Fund of Australia Limited (HCF)
Insurance Council of Australia
iSOFT Group Limited
Law Council of Australia
Liberty Victoria
Medibank Private Limited
Medical Indemnity Industry Association of Australia
Melbourne Pathology
National Rural Health Alliance
NSW Physiotherapists Registration Board
Office of the Health Services Commissioner, VIC
Office of the Privacy Commissioner
Office of the Victorian Privacy Commissioner
Population Health Research Network
Public Interest Advocacy Centre
Royal Australian College of General Practitioners
South Australian Department of Health
The Australian Psychological Society Limited