

Submission

Senate Standing Committee on Community Affairs – Inquiry into the Health Legislation Amendment (Modernising My Health Record – Sharing by Default) Bill 2024

Thank you for inviting the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG, the College) to make a submission to the Senate Standing Committee on Community Affairs on the Inquiry into the Health Legislation Amendment (Modernising My Health Record - Sharing by Default) Bill 2024.

RANZCOG is the lead standards body in women's health in Australia and New Zealand, with responsibility for postgraduate education, accreditation, recertification, and the continuing professional development of practitioners in women's health, including both specialist obstetricians and gynaecologists, and GP obstetricians.

Background

The Health Legislation Amendment (Modernising My Health Record – Sharing by Default) Bill 2024 seeks to establish a legislative framework for the mandatory sharing of key health information with the My Health Record system, with specific exceptions. This initiative aims to address the current voluntary nature of information uploads, which, despite various efforts, has resulted in limited uptake, particularly among large private providers. Supported by the Strengthening Medicare Taskforce and others, the 'sharing by default' model is designed to increase the volume of health information within the system, thereby enhancing its value to both users and the broader healthcare sector.

Specific Feedback

Centralisation of Patient Data

The ability to centralise patient results in one digital platform has substantial benefits for healthcare providers and patients. Currently, clinicians are required to access multiple separate systems for pathology and radiology results, which can be time-consuming, especially when patients do not recall where their tests were conducted. The proposed system of automatic sharing of results into My Health Record will significantly reduce these inefficiencies and improve time management for clinicians, ultimately improving patient care.

Legal Protections and Automatic Upload Requirements

The importance of incentivising healthcare providers to upload results into My Health Record is acknowledged. However, with the proposed penalties for non-compliance, it is crucial that legal protections are in place for healthcare providers who upload results, particularly in the event of cybersecurity breaches. In such cases, providers should not be held liable for sharing information through My Health Record. Establishing clear legal frameworks for data sharing will also encourage healthcare providers to integrate this functionality into their systems, ensuring that uploads occur automatically as part of the reporting process.

Trust and Transparency

Transparency is a central component of this proposal and is vital for building patient trust, particularly in the post-COVID era. Providing patients with access to their clinical records through My Health Record empowers them, encourages greater engagement, and promotes a more collaborative relationship with healthcare providers. Research shows that informed patients are more likely to actively participate in their healthcare, leading to better outcomes. Moreover, as digital literacy continues to increase, the adoption of My Health Record aligns with the broader shift toward digital healthcare solutions, ensuring the system remains in step with technological advancements.

Clear Communication to Patients

A key challenge with My Health Record is ensuring that patients can effectively interpret the results they access. The technical language used in reports may hinder patient understanding. To address this, it is recommended that layman's terms be incorporated, or clear explanations be provided alongside clinical language, to assist patients to accurately interpret their health information and reduce the risk of confusion or misinterpretation.

Interstate Data Access

For patients who move interstate, accessing historical medical records can be a cumbersome and time-consuming process, often requiring patients to contact multiple pathology or radiology providers and fill out forms to request information. The proposed system of sharing results through My Health Record will alleviate this issue by enabling patients to access all relevant records in a centralised digital platform. This will save time for both patients and healthcare providers and ensure a more seamless continuity of care for individuals moving between jurisdictions.

Empowering Patients and Enhancing Clinical Decision-Making

RANZCOG supports the principle of empowering patients with access to their own clinical information. However, it is essential that clinicians also have comprehensive access to the full spectrum of patient data, as the effectiveness of My Health Record is predicated on healthcare providers' ability to view all relevant health information. Further clarification is needed on whether the Bill will guarantee that all clinicians can access these records or if discrepancies may persist between different electronic medical records used by various providers.

Additionally, while the proposed seven-day delay for consumer access to results serves as a reasonable safeguard, it is important that clinicians have access to results in real time to make timely, informed decisions regarding patient care.

Financial Incentives and Quality Assurance

A financial incentive for healthcare providers to share results on My Health Record is a practical and effective approach to encourage adoption. However, consideration should also be given to incorporating a quality component into this incentive. International examples, such as that for medical imaging providers, show that linking financial incentives to the quality of imaging and reporting can improve care standards. It is recommended that similar models be explored to ensure healthcare providers not only share information but also uphold a high standard of quality in the data shared.

The Role of My Health Record in Enhancing Collaborative Care

The concept of 'sharing by default' aligns with current practices in obstetrics and gynaecology, such as submitting completed colposcopy forms to the National Cervical Screening Register. Expanding this expectation to include patient care summaries and consult review documentation in My Health Record is a logical next step which would further enhance patient safety, support multidisciplinary care, and provide a reliable and centralised source of patient information for healthcare professionals.

Summary

RANZCOG supports the Health Legislation Amendment (Modernising My Health Record – Sharing by Default) Bill 2024, particularly its potential to enhance the efficiency of healthcare delivery, improve patient outcomes, and strengthen the integration of health data across the sector. The College acknowledges the significant benefits of centralising patient information, which will streamline clinical decision-making, reduce inefficiencies, and foster greater collaboration among healthcare providers.

RANZCOG acknowledges with thanks, the contributions of Dr Precious Lusumbami, Dr Per Kempe and Dr Talat Uppal for this submission.

Yours sincerely,

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