

27 September 2018



Ms Jeanette Radcliffe
Committee Secretary
Australian Senate Community Affairs References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

AUSTRALIAN MEDICAL
ASSOCIATION
ABN 37 008 426 793

T | 61 2 6270 5400
F | 61 2 6270 5499
E | info@ama.com.au
W | www.ama.com.au

42 Macquarie St Barton ACT 2600
PO Box 6090 Kingston ACT 2604

Dear Ms Radcliffe

I refer to evidence I provided to the Australian Senate Community Affairs References Committee Inquiry into the My Health Record system on Tuesday 11 September 2018.

During the hearing I took a question on notice from Senator Watt and agreed to provide details of the AMA submission to the Department of Health regarding the My Health Record Secondary Use Framework. Our submission is [here](#).

I also undertook to confirm the details of follow up correspondence and meetings between the Department of Health and the AMA regarding our submission and in particular our opposition to health insurer access to My Health Record data for secondary purposes. The below may not represent an exhaustive list of all interactions on this issue, but does cover the meetings where the Secondary use Framework was a significant part of the discussion:

- 15 November 2017, two AMA representatives attended a Canberra based community consultation facilitated by the Department of Health and HealthConsult- the consultancy the Department engaged to develop the Secondary Use Framework.
- 17 November 2017, the AMA lodged a submission to the consultation on the secondary use of My Health Record data.
- 20 February 2018, Department of Health released a draft Framework to guide the secondary use of My Health Record system data.
- 7 March 2018, AMA met with the Department of Health to discuss the parameters of the draft Secondary use of My Health Record under development. At this meeting the AMA advised we supported the exclusion of private health insurers from accessing My Health Record data.
- 11 May 2018, the Minister of Health released the final Framework to guide the secondary use of My Health Record system data, that confirmed health insurers were excluded but *'the impact of this exclusion will be considered as a part of the first review'*¹
- 11 May 2018, the Minister's press release covering the Framework noted the first release of secondary use data will not occur until at least 2020.

The AMA was satisfied the first edition of the Framework to guide the secondary use of My Health Record system data excluded insurers, but, as noted in my testimony on the 11 September 2018, there is now an opportunity to amend the *My Health Record Amendment (Strengthening Privacy)*

¹ Department of Health, [Framework to guide the secondary use of My Health Record system data](#), p4 May 2018.

Bill 2018 to put this exclusion into legislation now, rather than wait until the secondary use framework is reviewed, and to make it enduring. There is also an opportunity to now 'lift' an exclusion from a policy document into legislation.

Yours sincerely

Luke Toy
Director, Medical Practice