

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Budget Estimates 2017 - 2018, 29 & 30 May 2017

Ref No: SQ17-000912

OUTCOME: 1 - Health System Policy, Design and Innovation

Topic: My Health Record

Type of Question: Written Question on Notice

Senator: Griff, Stirling

Question:

A News Corp story published on April 10 stated that the default privacy setting during the trial stage was for “universal access” meaning that any registered health practitioner could view a person’s ehealth record. Is that still the case? Will privacy be set at “universal access” when the system is rolled out nationally?

- a) If so, how will the department ensure people understand this, and encourage them to set up a Personal Access Code to protect their privacy?
- b) Will there be an education component to advise people of what people need to do to protect their privacy, as well as how they can opt out?

Answer:

The My Health Record system is not an open access system and has strict privacy controls which are thoroughly enforced and protected by law. People have full control over what information is in their My Health Record and who can access it.

The default access control settings for a My Health Record are to permit any registered healthcare provider organisation that is providing them care to access their My Health Record. People can change these settings at any time to create access codes to restrict access to all or certain records in their My Health Record. They can also limit access to or remove certain documents and ask providers not to upload information, and they can choose to get SMS notifications of who has accessed their record. These access control settings of the My Health Record system will apply when it is rolled out nationally as an opt-out system.

The user privacy controls align with the *My Health Records Act 2012*, which imposes a range of obligations on participants to ensure their interactions with the My Health Record system meet particular privacy and security standards and support investigation and complaint resolution activities. The misuse of information in the My Health Record system is subject to penalties under the *My Health Records Act 2012*.

A My Health Record cyber security operations team is in place to monitor My Health Record activities and looks for instance of unauthorised access.

The 2017-18 Budget measure includes activities to educate and raise awareness about the My Health Record, its benefits, how people can control access to their health information and how they can opt-out.