

PRIVACY, CONFIDENTIALITY AND SECURITY

Enhancing privacy with HealthConnect

Personal health information is highly sensitive, requiring the utmost attention to ensure that it is kept private and confidential. Current paper-based record systems of record keeping, however, mean that it is not always possible for such information to be kept separate from routine administrative details, resulting in people having access to more information than they might need for a particular purpose.

HealthConnect — Australia's national health information network — offers new opportunities to improve the way in which health records are kept. By enabling records to be stored electronically, HealthConnect will set boundaries around who can access what information, and when, thereby enhancing individual privacy.

At any time, consumers will be able to nominate which provider organisations can access their HealthConnect record. Providers will also need to be registered with HealthConnect to access this information.

Passwords, audit trails, review processes and other security mechanisms will prevent unauthorised people from being able to browse through records.

Necessary safeguards

Tasmania, South Australia and the Northern Territory will be the first states and territories to implement on a whole of state basis, expected from July 2005. General privacy legislation and a requirement to abide by HealthConnect rules will apply in the early stages, ahead of full-scale implementation across all States and Territories.

Key privacy elements of the HealthConnect system will ensure that:

- participation in the network will be on a voluntary and informed basis. Individuals must freely agree to participate in the network in the first place and on a continuing basis;
- a person must not be penalised or discriminated against for not participating in the system;
- consumers will have access to their own information and be able to control who can access their information;
- stringent security measures will be in place wherever health information is collected, stored or exchanged in the network;
- consumers will know what information is being collected about them, the purposes for which it will be used, and who has accessed the information;
- information collected and stored on the network can be used only for agreed purposes and will be restricted to the health sector;
- any providers or health services participating in the network will be bound by privacy rules and existing privacy legislation; and

- complaints and redress mechanisms will be in place to allow consumers or providers to take action in the unlikely event there is a breach of privacy or a breakdown in security.

Developing a national privacy framework

As a national network, the rules for *HealthConnect* relating to privacy, confidentiality and security will need to be the same across Australia.

Work is underway to develop a robust national privacy framework for health information in general and for the wider implementation of *HealthConnect*.

The proposed framework comprises the following layers:

- The first layer of protection is the *Privacy Act (1988)*. The Act sets out the rules (or “National Privacy Principles”) for how personal information, including personal health information, should be handled using a consistent approach in the private sector and applied across jurisdictions. The Office of the Federal Privacy Commissioner (OFPC) has developed guidelines to assist health sector organisations with implementing the provisions relating to health information, including access to medical records.
- The second layer of privacy protection will be provided by the proposed National Health Privacy Code (the Code), currently under development. The Code will contain a greater level of detail about the handling of personal health information than the National Privacy Principles and is intended for use by both public and private sector organisations. It is anticipated that *HealthConnect* participants will be bound by the Code when it has been implemented. Ahead of a single national solution, privacy arrangements will be tailored to suit individual jurisdictions for each implementation.
- The third layer of privacy protection will be made up of specific *HealthConnect* privacy rules which will govern the operation of *HealthConnect*.

Further information

Privacy, Confidentiality and Security is one in a series of *HealthConnect* fact sheets. For more detail on specific components of *HealthConnect*, the following fact sheets are available:

HealthConnect – An Introduction; Questions & Answers; Case Studies; Progress on HealthConnect; The Building Blocks; HealthConnect – Trial Sites; and Standards Development.

To find out more about *HealthConnect* visit the web site www.healthconnect.gov.au

Further information can be obtained from the *HealthConnect* Program Office, Australian Government Department of Health and Ageing, MDP 25, GPO Box 9848, Canberra ACT 2601.

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HealthConnect Program Office

A joint Commonwealth, State and Territory initiative