



THE HON NICOLA ROXON MP
Minister for Health and Ageing

MEDIA RELEASE

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RELEASE OF DRAFT EHEALTH LEGISLATION

Today the Minister for Health and Ageing, Nicola Roxon, released the draft eHealth records legislation for public consultation.

“Electronic health records have the potential to save lives, time and money and make the health system more efficient,” Minister Roxon said.

“The draft legislation outlines the process by which consumers, health care organisations and data repositories will register to be part of the eHealth system.

“It also will establish a new independent advisory council to advise the Government on the operation of the system.”

This legislation will underpin the strict security regime being established to protect the privacy of patients using the eHealth system. A benefit of eHealth is making medical information much more secure and private than paper based records.

“Using a combination of legislation, security and technology, backed by strict penalties for infringements, we will give patients peace of mind that their sensitive medical information is safe and secure,” Minister Roxon said.

“For the first time patients will have control over who accesses their information – and further they will know who has accessed their medical records, and the exact time that record was accessed.

“This system will be a first for Australia. Patients will not only be able to access their own eHealth record but, will also be able to view who has accessed their record.

The legislation includes strong penalties of up to \$66,000 for a record being inappropriately accessed. If more than one record is accessed without authorisation then the penalty multiplies by the number of records.

There will also be proactive monitoring of the system to detect suspicious or inappropriate behaviour, ensuring that records are only accessed when there is a need to do so.

“Patients can upgrade their privacy settings to suit their needs, for example, giving their GP access to their entire records, but more limited access to their dentist,” Minister Roxon said.

“Doctors, or other health professionals, will be the only people allowed to create medical notes on the file. Patients can add their own notes about their general health but cannot make medical notes.

eHealth system is a critical part of national health reform. All Australians will be able to register for a personally controlled eHealth record from July 2012.

Comments on the legislation will be open until Friday 28 October. The release of this draft legislation follows a previous round of consultation on a Legislative Issues Paper. Final legislation will be introduced into Parliament later this year.

To read the draft legislation and make a comment visit: www.yourhealth.gov.au