



Australian Government
Australian Digital Health Agency

19 July 2018

Mr Allen Hicks
National Secretary
Electrical Trades Union

Dear Mr Hicks

Thank you for your and the Electrical Trades Union's interest in My Health Record. I appreciate the engagement your National Policy Officer, Mr Trevor Gauld, has had with the Australian Digital Health Agency (the Agency).

Your members have a lot to gain from having a My Health Record. Ensuring that healthcare providers have access to medicines, chronic condition details and the dates of recent tests available for them, particularly in an emergency situation has the potential to significantly improve the health and care for your members.

I would like to provide clarification on whether the My Health Record system can be accessed for the purposes of employment to help you determine the best way forward for your members.

Firstly, employers cannot access My Health Records and would need to apply to the Agency for such access.

Secondly, the authority provided in the legislation for healthcare providers to access a person's My Health Record is limited to the provision of healthcare. The Agency does not consider that an employment check is healthcare and therefore use of the My Health Record would not be permitted.

Thirdly, access to a My Health Record is subject to the patient's access controls. Individuals can limit access to their My Health Record and individual documents in it.

The Agency wants all Australians to be able to make an informed choice about whether to have a My Health Record created for them or to decide to opt out. We would be more than happy to support providing information to your members on My Health Record and some of the additional privacy features, for example, how to setup a Record Access Code on their record (which means that any healthcare provider wanting to access the record needs the RAC from the patient).

I want to assure you that the Australian Digital Health Agency, as System Operator of the My Health Record, takes its role as custodian of Australians' health information seriously. Protecting the integrity of the MHR system and maintaining public confidence and trust in the system is paramount.

Please do not hesitate to contact me again if you have any further questions so that we can best support your members to understand the benefits of the My Health Record system so that they can make an informed decision as to whether to have a My Health Record or to opt-out.

Best wishes,

A handwritten signature in black ink, appearing to read 'Tim Kelsey'.

Tim Kelsey