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Committee Secretary
Senate Standing Committees on Community Affairs
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Parliament House
Canberra ACT 2600

Dear Secretary

I am writing to provide additional information in response to questions asked of me on 6 February at the Committee hearing on the Personally Controlled Electronic Health Records Bill 2011.

Question from Senator Siewert:

Do you think the definition [of 'healthcare'] is satisfactory and do you think the difference in definition between this legislation and private health legislation is going to be a problem?

The definition of 'healthcare' provided in section 5 of the PCEHR Bill 2011 is satisfactory because it is consistent with definitions in legislation that directly interacts with the Bill, being the *Healthcare Identifiers Act 2010* and the *Privacy Act 1988*.

We do not think there will be a problem with the different definition in the *Private Health Insurance Act 2007*. That Act provides for the payment of benefits for private health care services, whereas the PCEHR legislation is about the sharing of important clinical information between patients and their healthcare providers. Therefore, these two definitions don't necessarily need to be aligned.

Question from Senator McKenzie:

I would be interested in the AMA's perspective on the definition of health provider in the legislation.

As with the definition of 'healthcare', the definitions of 'healthcare provider', 'healthcare provider organisation' and 'individual healthcare provider' in the PCEHR Bill are consistent with the *Healthcare Identifiers Act 2010*. It is important that these definitions remain consistent across legislation governing the electronic sharing of health information.

The providers that fall within the definition of a 'healthcare provider' should be those that can effectively achieve the goal in the PCEHR Bill of reducing adverse medical events and avoiding duplication of treatment. The practical implication is that healthcare professionals who have this pertinent clinical information to contribute to the patient's PCEHR should be able to do so.

Question from Senator McKenzie:

In their submission, the Australian Medical Students' Association suggests that the difference in the rights and responsibilities of medical students and registered medical practitioners is lost in the bill. I am just wondering if the AMA has a perspective on that.

It is important that medical students are able to access the PCEHR system as necessary in the course of their clinical training in the same way that they currently access patient information in health care settings. They should be able to do so in a way that reflects, and does not materially change, their existing roles, responsibilities and supervision arrangements.

If you require any further information, please contact Belinda Highmore, Senior Manager, Medical Practice and eHealth on 02 6270 5439 or by email to bhighmore@ama.com.au.

Yours sincerely



Dr Steve Hambleton
President

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