

5 March 2010

Committee Secretary
Senate Standing Committee on Community Affairs
Email: community.affairs.sen@aph.gov.au

Dear Committee Secretary

Submission to the Senate Community Affairs Committee inquiry into the Healthcare Identifiers Bill 2010 and Healthcare Identifiers (Consequential Amendments) Bill 2010

The Australian General Practice Network (AGPN) welcomes this opportunity to provide comment against the Healthcare Identifiers Bill 2010 and Healthcare Identifiers (Consequential amendments) Bill 2010.

About AGPN

AGPN is the peak national body representing a network of 110 General Practice Networks (GPNs) across Australia, as well as eight state based organisations (collectively termed the Network.) Approximately 90 percent of GPs and an increasing number of practice nurses and allied health professionals are members of their local GPN. The Network plays a pivotal role in the delivery and organisation of primary care through general practice and broader primary care teams and aims to ensure all Australians can access a high quality health system.

The Network has a long history of active involvement in supporting the adoption of eHealth solutions by general practice and primary health care providers. AGPN and the Network's State Based Organisations (SBOs) have been implementing the Commonwealth-funded eHealth Support Officer Program (eHSOP) since 2005 to encourage and support general practices and General Practitioners (GPs) to adopt best practice eHealth tools and other information management solutions. Through this program the Network has successfully increased the uptake of eHealth infrastructure, encouraged connectivity across the primary health care sector and realised improvements in the quality of clinical information collected through general practice. It is in this context that AGPN makes submission to the two stated Bills.

AGPN's response to the proposed Bills and amendments

AGPN recognises the establishment of healthcare identifiers (HIs) as a critical foundation for establishing an integrated national e-health system that can deliver individual electronic health records. We support progress of the national e-health agenda, as outlined in the National E-Health Strategy, as facilitating a better connected health care system that can deliver more coordinated and safer care for patients in a more efficient manner. We believe that the introduction of HIs in and of itself will support greater patient safety and system efficiency.

AGPN believes it is paramount that individual rights are not contravened by the introduction of HIs or the HI Service and that effective uptake of HIs demands their integration with established clinical software packages and education and support for healthcare providers. We are confident that the Bills under discussion introduce safeguards appropriate to securing individual privacy and recommend that the Government act to facilitate broad integration of

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HIs within clinical software and fund the provision of support for health care providers to utilise HIs.

Privacy Safeguards in the Bill

Any approach to the introduction of healthcare identifiers must have at its core measures that ensure that an individual's right to privacy is upheld and protected. This is important for two reasons; firstly to uphold individual rights in this matter and secondly to assure the community that these valued rights are protected to the degree that they are confident in providing information that will enable individual HIs to be used to their greatest benefit.

AGPN acknowledges the two Bills under discussion as providing for appropriate privacy safeguards in relation to HIs. In this regard we particularly note:

- the HI Service will not hold any clinical information about individual patients
- only minimum demographic data will be required to assign and obtain a HI and only minimum demographic data for a patient will be stored by the HI Service
- access to HIs will be limited to authorised users and access by authorised users to Individual HIs (IHIs) will not in itself provide any additional clinical or demographic data about the individual
- disclosure of an IHI for purposes relating to insurance or employment of the relevant individual is specifically excluded
- breaches of the proposed Healthcare Identifiers Act will be established as an interference with privacy and the Bill proposes empowering the Federal Privacy Commissioner to investigate and act to settle any such behaviour
- the Bill supports public monitoring of privacy breaches relating to HIs by requiring the Privacy Commissioner to report annually on relevant compliance and enforcement activities to the Minister, who must table the report in Parliament
- the specific consent of healthcare providers is required to include their details in the Healthcare Provider Directory

In ensuing rights to privacy are upheld however, it will remain critical that the HI Service operator institutes and monitors policies and processes to ensure that internal staff access is restricted to an as needs basis.

Concerns about the impact of the introduction of HIs on privacy rights must be comprehensively considered and addressed. At the same time, it is important that unwarranted concerns do not impede the introduction of a system that will support better quality healthcare. AGPN believes that, by building appropriate safeguards into the two bills under discussion, commissioning three independent privacy impact assessments and commissioning the Senate Committee inquiry into the Bills, the Government is already addressing these issues and acting to guarantee individual rights.

Operation of the Healthcare Identifier Service, including access to the Identifier

AGPN supports, in principle, the proposed appointment of Medicare Australia as the initial HI Service operator. This offers an efficient use of available infrastructure as well as leveraging established relationships between healthcare providers and the agency and the public's trust in the capability and security the agency provides.

Realising the value of HIs will require their broad uptake across the whole health system. Supporting timely uptake of HIs in general practice, which provides the medical 'home' for most patients, as well as across the broader primary health care sector, will be an important

step in this initiative and will be critical to securing its success. Key enablers to support the broad uptake of HIs by general practice and primary healthcare providers must include:

- *Integration with practice software.* Healthcare providers must be able to access Individual His (IHIs) from the IH Service via their own clinical information systems. This requires this capability to be built into the clinical software health providers use. If this is not done health providers will be required to undertake the more resource intensive process of accessing each patient's IHI via a web service or telephone and manually recording this in their existing patient record systems. Such a resource-intensive process is likely to hinder access to IHIs for all patients. AGPN believes that the value of HIs will only be realised when capability to readily update clinical records with HIs is integrated into practice software. Achieving this will require clinical software vendors to integrate this capability into their products and support providers with ready access to relevant software updates. Collaborating with the whole of the clinical software industry to ensure this occurs in a timely manner must be a first priority for the HI Service operator.
- *Education and support for primary healthcare providers.* Realising the broad uptake of HIs by primary healthcare providers will require providers to be educated about the benefits of HIs, have the opportunity to resolve concerns about the impact of HIs on their practice and their patients' privacy, and be supported in accessing and using HIs.

The Network, which provides national infrastructure, has well established relationships with general practice, and over fifteen years of experience in supporting general practice to adopt new programs and systems, is ideally placed to support the uptake of HIs across the primary health care system. AGPN has begun discussions with the Department of Health and Ageing regarding the realisation of a plan to provide support for general practice and primary health care providers across Australia to adopt eHealth initiatives.

Relationship to the national e-health agenda and electronic health records

AGPN acknowledges eHealth as a key enabler in realising better connected care, improving the quality and safety of health care and supporting a more efficient health care system. We believe the National E-Health Strategy offers a comprehensive, detailed framework for the consistent and effective rollout of eHealth across Australia.

Delivering Individual Electronic Health Records (IEHRs) will be a key outcome for the National E-Health Strategy and promises many benefits for the Australian health system. IEHRs will support better coordinated, high quality patient care with less medical errors. Ensuring that consistent, complete clinical records travel with the patient through the health system will enable clinicians to make more informed decisions about patient care, reduce service duplication and support reductions in medication misadventure and other medical errors.

HIs are an essential building block necessary to realise of the National E-Health Strategy and the national roll-out of IEHRs. AGPN agrees that, as stated in the National E-Health Strategy, the accurate identification of patients, their health care providers and service organisations, is the first milestone that must be achieved to progress the ehealth agenda. Implementing HIs is a critical step toward making comprehensive IEHRs a reality as it will enable reliable matching of an individual's disparate data that has been produced and stored by multiple healthcare providers.

Significantly, the introduction of a national system of HIs not only provides a foundational block for delivering on a more comprehensive e-health agenda. The identification system in itself will support better care by minimising the likelihood of information being linked to the

wrong patient. It will enhance efficiency and patient privacy by reducing the risk that patient information will be provided to the wrong health care provider. The introduction of HIs will also support greater confidence in electronic communication systems used by, or available to, health care providers, such as electronic referrals or prescription services. This is another element that will support a health system that is more efficient for patients and providers.

Thank you for this opportunity to voice our support for the proposed national system of HIs and provide comment on these two Bills that, when enacted, will enable the introduction of a nationally consistent HI scheme.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Liesel Wett', with a stylized, cursive script.

Liesel Wett
Deputy Chief Executive Officer and Chief Operations Officer