

# Senate Standing Committee on Community Affairs

## BUDGET ESTIMATES - 2 JUNE 2011 ANSWER TO QUESTION ON NOTICE

### Human Services Portfolio

**Topic:** Professional Services Reviews

**Question reference number:** HSW 13

**Senator:** Back

**Type of question:** Written

**Date set by the committee for the return of answer:** 22 July 2011

**Number of pages:** 1

#### **Question:**

Patient privacy – if patients records are sourced and accessed in preparing a case for review:

- a) Is the patient contacted for permission?
- b) If not, why not?
- c) How is patient privilege/confidentiality protected?
- d) Have there been any breaches in patient confidentiality in the process of review?

#### **Answer:**

- a) No.
- b) Medicare Australia does not seek to access patient records as a part of the practitioner review process. Medicare Australia may refer health professionals to the Professional Services Review who may then request to access clinical records as part of their review process.
- c) Medicare Australia officers are subject to the secrecy provisions as set out in the *Health Insurance Act 1973* and the *National Health Act 1953*, which set penalties for the unauthorised disclosure of information, including fines and imprisonment.
- d) There have been no recorded instances of unauthorised access by Medicare Australia officers to clinical patient records.