

Senate Standing Committee on Finance and Public Administration

ANSWER TO QUESTION ON NOTICE

Human Services Portfolio

Department of Human Services

Budget Estimates 2007-08 - May 2007

Question: HS67

Outcome 1, Output 1

Topic: Department of Human Services – Access Card: Policy/Legislative Development

Hansard Page/Written Question on Notice: Written

SENATOR STOTT DESPOJA asked on 24/05/2007:

1. Other than the need to have a single Bill to present for debate, what concerns identified in the Senate Committee's report have been picked up in the new Bill?
 - (a) What work has been done (since the Senate Committee's report) on re-considering the design of the card, identifying number, network system and national biometric photograph population register?
2. What happened to the promised "series of round table discussions" the Minister was going to host in light of the Senate Committee's report? Why has the Minister chosen to meet stakeholders independently rather than as a series of roundtable discussions?
3. Has the complete scope of the project been worked out yet? For example: will the new Bill address the user-controlled part of the card?

Who will be liable if a card-holder is given incorrect medical treatment because of what they've put on the card?

Will the Bill address third party users of the card and third party access to the Register?

Will the Bill address what should happen if a service provider suspects a person of using someone else's card? For example, who will be liable if the person is denied medicine or treatment as a result?

4. What is the policy rationale for having the entire legislative framework ready for the June Parliamentary sitting period, when the Fels Taskforce is still working on report # 3 out of a predicted 7 reports needed?
5. How long will be allowed for public discussion/review/input between the legislation being tabled and when debate on the legislation will start? Will there be two months for public discussion?
6. Is the Access Card System and national photographic population database in any way going to form part of any new electronic health record system? If not, why store health information in the database and on the chip?

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Answer:

The Government has decided not to proceed with the Access Card Program. Details of funding to be returned to the Budget will be provided as part of the forthcoming Budgetary processes.

With respect to the specific questions asked by the Senator, the answers are as follows:

- (1) The then Government had accepted the Senate Inquiry's recommendation and subsequently presented a consolidated legislation exposure draft for further consultation.
- (2) The then Minister met with stakeholder groups for one-on-one discussions. The purpose of the meetings was to hear first hand from groups who made submissions or attended the public hearing of the Senate inquiry, about their views regarding the access card.

Following the release of the Exposure Draft on 21 June 2007, the then Minister held a series of roundtable meetings with stakeholders.

- (3) The full scope of the access card was reflected in the exposure draft legislation released in June 2007. This included provisions controlling third party uses of the card and access to the Register.

Consumers were interested in using the owner-controller part of the chip for the purposes of including voluntary medical and emergency information, but after consideration, the then Government decided to defer the introduction of the owner-controlled part of the chip.

- (4) All relevant advice from the Fels Taskforce that related to the exposure draft of the legislation was received and considered.
- (5) There was a two month period for public discussion and comment on the exposure draft of access card legislation, but the legislation did not proceed before the election.
- (6) No, the proposed Access Card System was not envisaged to contain medical records or transactional information.