

From:
Sent:
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Subject:

CC message - access to electronic patient records



Dear colleagues,

I am writing to you about a serious matter. It is disappointing that it is necessary, but I want everyone to be clear. The issues directly relate to our principles of integrity and respect.

Patients have an expectation and a right to assume their information will remain private and confidential. Both Health Support Queensland (HSQ) and each of us as employees have legal obligations when dealing with patient information and the systems which contain this information.

- **Information Privacy Act 2009 (Qld)** - Imposes strict privacy principles which are essentially rules about how the HSQ and its employees must deal with collection, storage, use or disclosure of 'personal information'. The Act allows an individual to make a complaint if there is a reasonable suspicion that a breach of the privacy principles has occurred.
- **Hospital and Health Boards Act 2011 (Qld)** - It is an offence to access a database containing information without a clinical need and/or to disclose 'confidential information' without an appropriate exception applying under the Act.
- **Code of Conduct for the Queensland Public Service** - All staff have a responsibility to treat patient information with care and use it only for the purpose for which it is authorised or collected.
- **Criminal Code 1899 (Section 408E)** It is a criminal offence to access confidential information from a database unless you are authorised to do so as part of your official duties.

Access to patient information for other purposes, such as research, reporting or third-party disclosure, must comply with relevant legal requirements.

Staff are *strictly prohibited* from using or accessing patient information in any manner that does not meet the above requirements. Accessing a clinical information system to look up *yourself, family, friends or a notable person (for example an HSQ senior manager or a person of media interest)* is not part of an employee delivering healthcare and is a breach of legislative requirements.

It's important to be aware of when and how you access information to avoid an inadvertent breach of confidentiality. Under the *Crime and Corruption Act 2001*, inappropriate access, use and/or disclosure of patient information may be considered suspected corrupt conduct. The Crime and Corruption Commission has issued the Department of Health, which includes HSQ with a direction about how these matters should be reported and managed. Inappropriate access may result in disciplinary action.

Regular reports are run to identify potential breaches of access to information held within electronic patient record systems such as the Viewer, AUSLAB and ieMR. Where potential breaches are identified they will be referred to the Ethical Standards Unit for assessment.

Staff wanting to view your own medical information can access this through the Commonwealth Government web site at [My Health Record](#). Should you require more detailed information you can apply to the relevant HHS [Right to Information/Information Access Units](#).

More information about [privacy](#) and [confidentiality](#) is available online.

If you have any questions or concerns, please speak with your line manager in the first instance.

Regards

Dr Peter Bristow



[Privacy statement](#)

This email was sent by Communication Services, Health Support Queensland, Department of Health, 41 O'Connell Tce, ROWEN HILLS QLD 4006 to [REDACTED]