

Healthelink is a new electronic health record system being tested in parts of NSW. If you're participating Healthelink will collect summary health information about you and store it in a single electronic record. This information will give you and those involved in your healthcare access to up to date information about your health.

If you are in Healthelink information is automatically added to your Healthelink Electronic Health Record each time you visit a participating health service. A description of the program, including the types of information stored in Healthelink and the full privacy policy, can be seen at [www.healthelink.nsw.gov.au](http://www.healthelink.nsw.gov.au).

**We will protect the privacy of your Healthelink Electronic Health Record by:**

- Only giving access to the Healthelink system to registered users.
- Collecting and storing your information securely.
- Making sure that the health professionals who access your Healthelink record understand their privacy obligations.
- Allowing you to access your record through a secure log in process and giving you the ability to add information to your record.
- Allowing you to see who has viewed your record and what information they looked at.
- Providing a complaint process for dealing with complaints in a timely manner.

Apart from this specific Healthelink privacy policy:

- All participating healthcare organisations and Healthelink staff are bound by law and professional ethics to ensure the privacy and security of your information.
- Appropriate systems and policies are in place to protect your information from loss, unauthorised access and misuse.
- Healthelink is required by law to retain health records for certain periods of time.
- Security of information is maintained in accordance with national and international security standards and the *Health Records & Information Privacy Act 2002* (HRIP Act).

Healthelink privacy policy does not permit the use or disclosure of personal health information for any commercial purpose or for disclosure to insurance companies, employers or any other group seeking to use a Healthelink record for financial gain.

Under NSW Health privacy legislation, an organisation such as the Health Administration Corporation (a part of NSW Health which owns and is responsible for Healthelink) that holds personal health information can only use or disclose the information for the following purposes:

- for the primary purpose for which the information was collected;
- for directly related secondary purposes;
- for other purposes only with your consent; and
- for purposes authorised by law.

There are three main groups of people who can access a Healthelink Electronic Health Record:

- **Eligible participants and /or their authorised representative/s**, who can only access their own record or the records of individuals they are associates to.
- **Participating healthcare providers** who can access all records within the Healthelink system if they have been issued with a unique username and password.

- **Healthelink system administrators** who have restricted access to various areas of the system depending on the level of access they need to maintain the Healthelink system. For example, personal health information can be disclosed to Healthelink administrators and users if it is directly related to the functions of the Healthelink Electronic Health Record, such as quality assurance activities, auditing, complaints handling, or managing legal claims.

To access your Healthelink record all authorised users – including you, your associates, participating healthcare providers and administrators – need to log in using their personal username and password. All user activity in your Healthelink Electronic Health Record is logged in an audit record so you can see who has accessed your record and what information they looked at.

In line with NSW Health Privacy law there are certain occasions when information in your Healthelink Electronic Health Record may be used or disclosed, in the same way as a local or paper based record. These are:

#### ***Use and disclosure to prevent a serious and imminent threat to health or welfare***

NSW Health may use or disclose personal health information if there are reasonable grounds to believe that the use or disclosure of personal health information contained in the Healthelink Electronic Health Record is necessary to lessen or prevent:

- a serious and imminent threat to the life, health or safety of an individual; or
- a serious threat to public health or public safety.

#### ***Use and disclosure for management, training or research activities***

NSW Health may use or disclose personal health information for the secondary purposes of health services management, training and for research, as long as these secondary purposes comply with statutory guidelines issued by the NSW Privacy Commissioner. These guidelines apply to Healthelink.

#### ***Use and disclosure to find a missing person***

NSW Health may use or disclose personal health information if the information is to be used by a law enforcement agency to find a missing person. This exemption only applies if the person has been reported to the police as missing.

#### ***Use and disclosure to investigate and report wrong conduct***

NSW Health may use and disclose personal health information if the health service has reasonable grounds to suspect there has been or there is the possibility of unlawful activity, unsatisfactory professional conduct or professional misconduct. Disciplinary policies should be followed when using or disclosing personal health information for these purposes.

#### ***Use and disclosure to law enforcement agencies, including police***

NSW Health may use and disclose personal health information to law enforcement agencies where the disclosure is reasonably necessary to the functions of the law enforcement agency, and there are reasonable grounds to believe that an offence may have been or may be committed.

### ***Use and disclosure to investigative agencies***

NSW Health may use and disclose personal health information if this is reasonably necessary to the complaint handling or investigation functions of an investigative agency.

### ***Disclosure on compassionate grounds***

NSW Health may disclose personal health information to an immediate family member for compassionate reasons. This is likely to apply either in emergency situations, or where a person has died.

### ***Use and disclosure authorised by law***

NSW Health may use and disclose personal health information where this is allowed or required by another law. Some common examples are:

- Disclosure to the Department of Community Services under the *Children and Young Persons (Care and Protection) Act*.
- Disclosure to a court to comply with a search warrant or subpoena.
- Disclosure to WorkCover to comply with the *Occupational Health and Safety Act*.
- Notification of infectious diseases and other statutory reporting under the *Public Health Act*.

### ***Use and disclosure as required by the Minister or Premier***

NSW Health may use or disclose personal health information if the information is required by the Minister or Premier.

A full copy of the Healthelink Electronic Health Record Privacy Policy is available by contacting Healthelink on 1800 75 22 66. The policy can also be downloaded from the Healthelink website [www.healthelink.nsw.gov.au](http://www.healthelink.nsw.gov.au)

Healthelink is an electronic health record system owned and operated by the Health Administration Corporation, which is the legal entity which will collect and hold the Healthelink information.