

National Healthcare Identifiers Implementation

Department of Health Standard

QH-IMP-490:2021

1. Statement

The Department of Health will collect, use and disclose healthcare identifiers and identifying information in accordance with the *Healthcare Identifiers Act 2010* and Healthcare Identifiers Regulations 2020.

Queensland Health is the registered healthcare provider seed organisation. Hospital and Health Services (HHSs) and facilities are registered healthcare provider network organisations.

2. Scope

This standard applies to all employees, contractors and consultants within the Department of Health divisions and business units.

This standard may be adopted by HHSs and rebranded as a base for a local HHS specific standard.

3. Requirements

3.1. Authority to act

- 3.1.1. The Department of Health must appoint a Responsible Officer (RO) and Organisation Maintenance Officers (OMOs) to collaborate with the Healthcare Identifiers Service Operator and My Health Record System Operator. The RO is the Director-General, Queensland Health. The OMOs are appointed representatives within eHealth Queensland.

3.2. Healthcare Provider Identifier – Organisation

- 3.2.1. The appointed RO and OMOs must act on behalf of Queensland Health (seed organisation), HHSs and facilities (network organisations) to maintain information in the Healthcare Identifiers Service (HI Service).
- 3.2.2. The Queensland Health RO and OMOs, as representatives of the seed organisation, are authorised to act on behalf of the network organisations in dealing with the HI Service Operator and My Health Record System Operator.
- 3.2.3. If Department of Health staff become aware that information held by the service operator in relation to the organisation is not accurate, up-to-date and complete, they must advise the OMO. The OMO will then be required to provide the Healthcare Identifiers service operator, in writing, accurate, up-to-date and complete information within 20

business days. Deliberate or reckless failure to do so may attract a civil penalty.

3.3. Individual Healthcare Identifiers

- 3.3.1. Department of Health staff must only collect, use, or disclose the Individual Healthcare Identifier (IHI) of a healthcare recipient for the purpose of communicating or managing health information as part of:
- the provision of healthcare to the healthcare recipient, for example by using it to access the My Health Record of a healthcare recipient
 - the management (including the investigation or resolution of complaints), funding, monitoring or evaluation of healthcare
 - the provision of indemnity cover for a healthcare provider
 - the conduct of research that has been approved by a Human Research Ethics Committee.
- 3.3.2. Department of Health staff may disclose the IHI of a healthcare recipient to the Aged Care Department for an aged care purpose, including identifying information if authorised. The Department of Health may also collect and use identifying information from the Aged Care Department for an aged care purpose.
- 3.3.3. A healthcare recipient may choose to receive healthcare on a pseudonymous basis and may be issued with a pseudonymous IHI. In accordance with section 37 of the *Human Rights Act 2019*, a healthcare recipient must not be refused treatment or discriminated against because they do not wish their healthcare provider to access their IHI.
- 3.3.4. The Department of Health may adopt the IHI of a healthcare recipient, an authorised representative of a healthcare recipient or a nominated representative of a healthcare recipient for use as a Department of Health identifier of the recipient or representative.
- 3.3.5. Department of Health staff wishing to access data held in enterprise applications managed by eHealth Queensland which use and store the IHI are required to undertake a Data Access Request Process.

3.4. Healthcare Provider Identifier - Individual

- 3.4.1. Department of Health must only collect, use or disclose Healthcare Provider Identifiers – Individual (HPI-Is) of a healthcare provider for the purpose of communicating or managing health information, as part of providing healthcare to a healthcare recipient. This includes the use of the identifier in electronic transmissions. The collection use and disclosure of identifying information and healthcare identifiers is permitted for the purposes of authenticating a healthcare provider's identity in electronic transmissions.

3.4.2. Department of Health staff wishing to access data held in enterprise applications managed by eHealth Queensland which use and store the HPI-Is are required to undertake a Data Access Request Process.

3.5. Unauthorised use and disclosure of national healthcare identifiers

3.5.1. Department of Health staff must not use or disclose information collected, except where required or authorised to do so under the *Healthcare Identifiers Act 2010*. Unauthorised use or disclosure of healthcare identifiers may result in civil fines or criminal penalties.

3.6. Protection of national healthcare identifiers

3.6.1. Department of Health staff must only access the national healthcare identifiers when such access is required by the duties of their role. Misuse of the national healthcare identifiers may result in civil fines and/or criminal penalties under the *Healthcare Identifiers Act 2010* and *Privacy Act 1988 (Cth)*, and/or disciplinary action under the Code of conduct for the Queensland public service for the individual responsible for the breach.

3.6.2. The Department of Health staff must take reasonable steps to protect national healthcare identifiers from misuse and loss and unauthorised access, modification, or disclosure.

3.6.3. Department of Health staff must report any security or privacy breaches to their manager as soon as practically possible in accordance with department policies. Any security or privacy breaches must also be reported internally in accordance with the Legislation compliance internal breach reporting guideline.

3.6.4. Services Australia, as the Service Operator of the HI Service, is responsible for logging each time a healthcare identifier is accessed and retrieved. The HI Service keeps a full audit of all system interactions for use if investigations are required.

3.6.5. Services Australia, as the Service Operator of the HI Service, can support a person if they believe their healthcare identifier, or identifying information has been inappropriately accessed. A person can also contact their healthcare provider, or ask the Office of the Australian Information Commissioner to investigate.

4. Legislation

Relevant legislation and associated documentation include, but is not limited to, the following:

- *Healthcare Identifiers Act 2010 (Cth)*
- *Healthcare Identifiers Regulations 2020 (Cth)*

- *My Health Records Act 2012 (Cth)*
- *My Health Records Regulation 2012 (Cth)*
- *My Health Records Rule 2016 (Cth)*
- *Privacy Act 1988 (Cth)*
- *Hospital and Health Boards Act 2011*
- *Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Public Records Act 2002*
- *Right to Information Act 2009*

5. Supporting documents

This standard supports the National Healthcare Identifiers Policy

Department of Health

- My Health Record system participation Policy
- My Health Record system participation Standard
- Clinical Records Management Policy
- Corporate Records Management Policy
- Corporate Records Roles and Responsibilities Standard
- Creation of Corporate Records Standard
- Data Access Request process
- Data Management Policy
- Digitisation Disposal of Corporate Records Standard
- Enterprise Architecture Position Statement 041 – Healthcare Identifiers Service
- Legislation compliance internal breach reporting Guideline
- Managing general legislation compliance Standard
- Patient Identification Management Factsheet
- Retention and Disposal of Clinical Records Standard
- Use of Corporate Records Standard

Queensland Health

- Data and application custodianship policy
- Data and application custodianship standard
- Information Security Policy

- Use of ICT Services Policy
- User Access Management Guideline

Queensland Government Customer and Digital Group

- Information Access and Use Policy (IS33)
- Information Security Policy (IS18:2018)
- Records Governance Policy

6. Definitions

Term	Definition
Aged care purpose	<p>The purpose of:</p> <ul style="list-style-type: none"> • enabling the Aged Care Department to create and maintain a record about aged care provided to a person by an approved provider (with the meaning of the <i>Aged Care Act 1977</i>); or • the Aged Care Department verifying the identity of a person who is receiving, or who is to receive, aged care. <p>Source: Healthcare Identifiers Act 2010</p>
Contracted service provider (CSP)	<p>An entity that provides health information management services or IT services relating to the communication or health information to the healthcare provider under a contract with the healthcare provider.</p> <p>Source: Healthcare Identifiers Act 2010</p>
Healthcare identifier	<p>A number assigned by an authorised service operator that is used to uniquely identify a healthcare provider or a healthcare recipient.</p> <p>Source: Adapted from Healthcare Identifiers Act 2010</p>
Healthcare Identifiers Service (HI Service)	<p>A national system that uses a unique number to match healthcare providers to individuals.</p> <p>Source: Services Australia</p>
Healthcare Identifiers Service Operator	<p>Chief Executive Medicare</p> <p>Source: Healthcare Identifiers Act 2010</p>
Healthcare Provider Identifier–Individual (HPI–I)	<p>Identifies an individual healthcare provider who provides healthcare, such as general practitioners, allied health professionals, specialists, nurses, dentists and pharmacists, among others.</p> <p>Source: Services Australia Healthcare Identifier Service User Guide</p>
Healthcare Provider Identifier–Organisation (HPI–O)	<p>Identifies the healthcare provider organisation where healthcare is provided, such as hospitals, medical practices, pathology or radiology laboratories and pharmacies.</p>

Term	Definition
	Source: Services Australia Healthcare Identifier Service User Guide
Healthcare recipient	An individual who has received, receives, or may receive, healthcare. Source: My Health Records Act 2012
Individual Healthcare Identifier (IHI)	Identifies a patient (individual) receiving healthcare. IHI is for individuals getting healthcare services. The HI Service assigns IHIs to every person enrolled in Medicare or registered with the Department of Veterans' Affairs. Source: Services Australia Healthcare Identifier Service User Guide
Individual healthcare provider	This is someone who provides healthcare services. An individual healthcare provider can search for, retrieve and use IHIs of their patients in healthcare-related management and communication. Individual healthcare providers registered with AHPRA are automatically assigned a HPI-I by the agency.
My Health Record system	A national public system for making health information about a healthcare recipient available for the purposes of providing healthcare to the recipient. Source: Adapted from My Health Records Act 2012
My Health Record System Operator	Australian Digital Health Agency Source: My Health Records Regulation 2012
Network organisation	A subordinate organisation to the seed organisation that is linked to, and provides services to the seed organisation, and can be a separate legal entity from the seed organisation. Note: HHSs are network organisations within the Queensland Health system. Source: Adapted from Healthcare Identifiers Act 2010
Organisation Maintenance Officer (OMO)	The role within an organisation responsible for maintaining information about the organisation within the Healthcare Identifiers Service, as defined in the Healthcare Identifiers Act 2010. Source: Healthcare Identifiers Act 2010
Responsible Officer	A person with authority to act on behalf of a healthcare organisation with respect to the Healthcare Identifiers Service, as defined in the Healthcare Identifiers Act 2010. Source: Healthcare Identifiers Act 2010
Seed organisation	National healthcare systems (such as the Healthcare Identifiers Service and the My Health Record system) use this term to describe the principal organisation which provides or controls the delivery of healthcare services. Note: HHSs are network organisations within the Queensland Health system.

Term	Definition
	Source: Adapted from Healthcare Identifiers Act 2010

Version Control

Version	Date	Comments
1.0	30 November 2021	Approved by Information Management Strategic Governance Committee

Appendix 1 –Responsibilities

Position	Responsibility	Audit criteria
Responsible Officer (RO)	<p>Responsible for the Department of Health’s interaction with the HI Service.</p> <p>The RO of Queensland Health is the Director-General.</p> <p>Ensure Queensland Health staff comply with the <i>Healthcare Identifiers Act 2010</i> and <i>Healthcare Identifiers Regulations 2020</i>. Queensland Health is the seed organisation, and HHS and facilities are network organisations.</p> <p>Accountable for all staff in the Queensland Health system, and violations and breaches.</p> <p>Create and manage links between their organisation and a contracted service provider CSP organisation if required.</p>	
Organisation Maintenance Officer (OMO)	<p>Appointed officers within eHealth Queensland will be the OMOs for the Department of Health.</p> <p>Maintaining information about Queensland Health within the HI Service in line with the duties outlined in the <i>Healthcare Identifiers Act 2010</i>.</p> <p>Ensuring information about authorised employees is maintained. Under the <i>Healthcare Identifiers Act 2010</i>, details of current and past employees must be kept for seven years after the employee has finished employment. The HI Service operator can ask for details of authorised employees under the legislation.</p> <p>Establish and maintain with the Service Operator accurate and up-to-date record of the linkages between the organisations within the network hierarchy.</p> <p>Coordinate OMO activities with HHSs (network organisations).</p> <p>Review and adjust access flags as required.</p>	Department of Health records maintained in the HI Service
Authorised employee	<p>This is an employee within an organisation, such as (for example, a hospital clerk), who retrieves IHIs for their organisation’s patients from the HI Service.</p> <p>Responsibilities of authorised employees may include verifying patient information, including existing patients’ IHIs, searching for and retrieving IHIs of new patients and notifying the HI Service when a patient dies.</p> <p>An authorised employee does not have to register in the HI Service; however, a list of the</p>	

Position	Responsibility	Audit criteria
	organisation's authorised employees' details must be maintained by the OMO.	