1. **Statement**

The My Health Record system will be utilised throughout the Department of Health in accordance with the My Health Records Rule 2016.

The Department of Health is the registered healthcare provider seed organisation.

Hospital and Health Services (HHS) are registered healthcare provider network organisations.

2. **Scope**

Compliance with this standard is mandatory.

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

This standard may be adopted by Hospital and Health Services (HHS) and re-branded as a local HHS standard, or used as a base for a local HHS specific standard.

This standard will be reviewed at least annually.

3. **Requirements**

3.1 **Authority to Act**

3.1.1. The Department shall appoint a Responsible Officer (RO) and Organisational Maintenance Officers (OMO) to collaborate with the My Health Record System Operator as required by the healthcare identifiers (HI) service.

3.1.2. The existing appointed RO and OMO shall act on behalf of the Department of Health (seed organisation) and the HHSs (network organisations) to maintain information in the HI service.

3.1.3. The Department of Health RO and OMO as representatives of the seed organisation are authorised to act on behalf of the network organisations in dealing with the My Health Record System Operator.

3.2 **Training**

3.2.1 Prior to accessing the My Health Record system, Department of Health staff shall receive training in:

- how to use the My Health Record system accurately and responsibly
- the legislative obligations of healthcare organisations and staff members using the My Health Record system
- the consequences of healthcare organisations and staff members breaching the legislative obligations when accessing and using the My Health Record system.

3.3 **Access Controls**

3.3.1 Department of Health staff shall only access the My Health Record system when such access is required by the duties of their role.

3.3.2 Department of Health staff shall not record, store or retain a copy of a healthcare recipient’s record code or document code for the purposes of accessing the healthcare recipient’s My Health Record, or a record in the healthcare recipient’s My Health Record, in the future.

3.3.3 In the event of a serious threat to the healthcare recipient’s life, health or safety or a serious threat to public health or public safety, as described in Rules 7 and 8 of the My Health
Records Rule 2016, all healthcare providers shall have access to a healthcare recipient’s My Health Record.

3.3.4 All residential addresses shall be suppressed on records sent to the My Health Record system.

3.4 Access Authority

3.4.1 Access to the My Health Record system shall be provided to Department of Health authorised users through The Viewer application in accordance with the requirements of the Information Security Policy and the Use of ICT Services Policy.

3.4.2 Access to The Viewer application shall be provided based on the duties of the role through the Online Provisioning System.

3.4.3 Access to The Viewer application shall be suspended or deactivated by the staff member’s manager in accordance with the requirements of the Information Security Policy and the Use of ICT Services Policy when a staff member:
  - leaves the organisation
  - changes role/position or responsibility
  - has compromised security or created a security breach.

3.5 Consent

3.5.1 Access to a healthcare recipient’s My Health Record is provided by the My Health Record System Operator upon consumer registration.

3.5.2 The decision to withdraw consent to upload documentation to a healthcare recipient’s My Health Record shall be captured and recorded on the patient’s clinical record.

3.6 Access Flags

3.6.1 The Department of Health’s OMO shall set and maintain the My Health Record access flags for the Department of Health’s network hierarchy in accordance with the My Health Records Rule 2016 Rule 9. This will define what level access controls are applied to the Department of Health in order to allow a consumer to restrict access to their record.

3.7 Security and privacy controls

3.7.1 The Department of Health shall comply with the security and privacy requirements of departmental policies and the My Health Records Rule 2016 in managing the security of the My Health Record system and The Viewer.

3.7.2 Department of Health staff shall report any security or privacy breaches to their manager as soon as practically possible in accordance with departmental policies.

4. Related legislation and documents

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

Legislative or other Authority
  - My Health Record Act 2012 (Cth)
  - My Health Records Regulation 2012 (Cth)
  - My Health Records Rule 2016 (Cth)
  - Healthcare Identifiers Act 2010 (Cth)
  - Healthcare Identifiers Regulations 2010 (Cth)
  - Hospital and Health Boards Act 2011
  - Information Privacy Act 2009
  - Privacy Act 1988 (Cth)
  - Public Records Act 2002
• *Right to Information Act 2009*

**Supporting documents**
- My Health Record system Participation Policy
- Printing of My Health Record documents from The Viewer Standard

**Related documents**
- Department of Health
  - Data Management Policy
  - Information Security Policy
  - Recordkeeping Policy
  - Managing Paper Records Standard
  - Clinical Records Management Policy
  - Retention and Disposal of Clinical Records Standard
  - Requirements for Reporting Corrupt Conduct HR Policy E9
  - Use of ICT Services Policy
- Health Service Directive
  - Enterprise Architecture
- Queensland Government Enterprise Architecture (QGEA), Department of Science, Information Technology and Innovation:
  - Information Access and Use Policy (IS33)
  - Information Security Information Standard (IS18)
  - Recordkeeping Information Standard (IS40)
  - Retention and Disposal of Public Records Information Standard (IS31)

### 5. Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access flag</td>
<td>An information technology mechanism made available by the My Health Record System Operator to define access to a healthcare recipient’s My Health Record.</td>
<td>My Health Records Rule 2016</td>
</tr>
<tr>
<td>Access list</td>
<td>The record associated with a healthcare recipient’s My Health Record that specifies registered healthcare provider organisations that are permitted to access a healthcare recipient’s My Health Record.</td>
<td>My Health Records Rule 2016</td>
</tr>
<tr>
<td>Document code</td>
<td>A code which may be used to restrict access to individual records within a healthcare recipient’s My Health Record.</td>
<td>My Health Records Rule 2016</td>
</tr>
<tr>
<td>Healthcare identifier</td>
<td>A number assigned by an authorised service operator that is used to uniquely identify a healthcare provider or a healthcare recipient.</td>
<td>Adapted from <em>Healthcare Identifiers Act 2010</em></td>
</tr>
<tr>
<td>Healthcare provider organisation</td>
<td>An entity or part of an entity that has conducted, conducts, or will conduct, an enterprise that provides healthcare (including healthcare provided free of charge).</td>
<td><em>Healthcare Identifiers Act 2010</em></td>
</tr>
<tr>
<td>HI Service Operator</td>
<td>Chief Executive Medicare</td>
<td><em>Healthcare Identifiers Act 2010</em></td>
</tr>
<tr>
<td>Healthcare recipient</td>
<td>An individual who has received, receives, or may receive, healthcare.</td>
<td><em>My Health Records Act 2012</em></td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
<td>Source</td>
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<tr>
<td>My Health Record system</td>
<td>National electronic health record system available to Australian consumers and operated by the Commonwealth government. It provides for the collection, use and disclosure of information through the use of telecommunications services for the provision of healthcare.</td>
<td>Adapted from the My Health Records Act 2012</td>
</tr>
<tr>
<td>My Health Record System Operator</td>
<td>The System Operator is the Australian Digital Health Agency.</td>
<td>My Health Records Regulation 2012</td>
</tr>
<tr>
<td>Network hierarchy</td>
<td>A network hierarchy operating in the My Health Record consists of one seed organisation and one or more network organisations.</td>
<td>Participating in the My Health Record system (sourced from the My Health Record website)</td>
</tr>
<tr>
<td>Network organisation</td>
<td>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. HHSs are network organisations within Queensland Health.</td>
<td>Adapted from the Healthcare Identifiers Act 2010</td>
</tr>
<tr>
<td>Organisation Maintenance Officer (OMO)</td>
<td>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.</td>
<td>Healthcare Identifiers Act 2010</td>
</tr>
<tr>
<td>Record Code</td>
<td>A code which may be used to restrict access to a healthcare recipient’s My Health Record.</td>
<td>My Health Records Rule 2016</td>
</tr>
<tr>
<td>Responsible Officer</td>
<td>A person with authority to act on behalf of a healthcare organisation with respect to the HI service, as defined in the Healthcare Identifiers Act 2010.</td>
<td>Healthcare Identifiers Act 2010</td>
</tr>
<tr>
<td>Seed organisation</td>
<td>National healthcare systems (such as the Healthcare Identifiers Service and the My Health Record system) use this term to describe the principal legal entity which provides or controls the delivery of healthcare services. Department of Health is the seed organisation for Queensland Health.</td>
<td>Adapted from the Healthcare Identifiers Act 2010</td>
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**Version Control**

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Comments</th>
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<tr>
<td>1.0</td>
<td>12 Sep. 2013</td>
<td>New standard.</td>
</tr>
<tr>
<td>1.1</td>
<td>25 May 2015</td>
<td>Transferred information to new template and reviewed by NeHiCU.</td>
</tr>
<tr>
<td>2.0</td>
<td>17 May 2016</td>
<td>Updated to align with the My Health Records Act 2012 and My Health Records Rule 2016 and a general review</td>
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<tr>
<td>2.1</td>
<td>6 September 2017</td>
<td>Transferred information to new template and updated to reflect change of System operator and general review. Approved by the Architecture and Standards Committee</td>
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</table>
Appendix 1 – Legal Obligations and Responsibilities

Misuse of a person’s health information is a serious matter. The potential for damage (whether personal damage to an individual or reputational damage to a healthcare provider organisation) is significant and this is reflected in current professional and legal obligations on persons such as healthcare providers to protect patient information.

Several obligations that were previously part of the participation agreements have been incorporated into the My Health Records Rule 2016 including:

- ensuring that any record uploaded is accurate, up-to-date and not defamatory or misleading;
- notifying the My Health Record System Operator of non-clinical errors; and
- providing assistance to the My Health Record System Operator in relation to inquiries or investigations.

<table>
<thead>
<tr>
<th>Position</th>
<th>Responsibility</th>
<th>Audit criteria</th>
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<tbody>
<tr>
<td>Director-General – Responsible Officer (RO)</td>
<td>Is authorised to act on behalf of the Department of Health—seed organisation—and the Hospital and Health Services (HHS)—network organisations—in dealing with the My Health Records System Operator. Communicate the My Health Records policy to all its employees and healthcare provider organisations. Provide a copy of the My Health Records policy to the System Operator if requested within seven days of receiving the request.</td>
<td>Department of Health records maintained in HI service</td>
</tr>
<tr>
<td>Organisation Maintenance Officer (OMO)</td>
<td>eHealth Queensland will be the OMOs for the Department of Health. Responsible for maintaining information about the Department within the Healthcare Identifiers Service (HI service) as defined in the Healthcare Identifiers Act 2010; required for accessing the My Health Records system. Establish and maintain with the Service Operator accurate and up-to-date record of the linkages between the organisations within the network hierarchy. Coordinate OMO activities with HHSs (network organisations). Review and adjust access flags as required.</td>
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</table>

My Health Record system participation
Digital Strategic Partnerships
Office of the Chief Executive, eHealth Queensland
20 December 2017