



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2022-2023

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair),
Dr Marisa Paterson MLA

ANSWER TO QUESTION ON NOTICE

LEANNE CASTLEY MLA: To ask the Minister for Health:

Ref: Health

In relation to: Digital Health Records

- 1) What is the total spend for the Digital Health Records (DHR) program as of 30/08/22?
- 2) What is the burn rate per day for the DHR program?
- 3) How many of the 49 go-live systems are connected by the DHR technical team.
- 4) Has there been consultation for privacy for consumers?
 - a. If yes, who has been consulted?
 - b. What has the cost been of the consultation?
 - c. what are the protections for the DHR program based on the consultation?
- 5) Will Canberrans be able to “opt out” of the DHR program if they are not comfortable with their information being collected under the DHR platform?
- 6) Will primary health workers be able to access the DHR system and if so, will they have access to all medication, mental health treatment and medical treatment they have received?
- 7) Will all public health workers have access to the DHR system and if so, will they have access to all medication, mental health treatment and medical treatment they have received?
- 8) Will consumers be able to make complaints about privacy concerns once the system is live?
 - a. If so, how will these allegations be investigated?
 - b. What will be the consequences or fixes to the system?
- 9) Has the directorate consulted about privacy with Mental Health Consumers and Health Consumers? If so, did they have concerns and what work is underway or completed to address these issues?
- 10) If the directorate has not consulted with consumers or consumer advocacy groups, will they and when?

MINISTER STEPHEN-SMITH MLA: The answer to the Member's question is as follows: –

- 1) The August accounting period is not yet closed, however, Digital Health Records (DHR) total expenditure up to 31 July 2022, including the ACT Pathology Laboratory information system replacement project is \$83,613,329 (\$68,779,099 capex and \$14,834,230 opex).
- 2) The daily cost for the ACT Health Directorate's DHR project team for 2021-22 was \$181,228.
- 3) The planned 49 systems plus three additional systems (total of 52) are connected to the DHR in the test environment.
- 4) Yes, consultation for privacy for consumers has occurred.
 - a) A Privacy Impact Assessment was undertaken by an external legal firm. Consultation on this Privacy Impact Assessment occurred with the Health Care Consumers Association ACT between March 2021 and June 2021. The DHR Consumer Experience Steering Committee (which has representatives from key consumer groups across the ACT) has also been assisting the DHR Program with configuration of the patient facing aspects of the DHR as well as the privacy configuration of the DHR monthly since 1 June 2021.
 - b) There was no cost for the consultation as this was performed through already existing meeting structures with ACT Health Directorate.
 - c) The consultation provided valuable feedback that funnelled into the responses to the recommendations in the Privacy Impact Assessment. The feedback also helped to direct the configuration of the system to ensure the balance between usability for treating team members and privacy of the consumers. The DHR Program has not made any decisions on privacy elements of the DHR without following appropriate governance.
- 5) Health services are legally required to collect and store medical information. This is already done in the ACT, but currently the information is stored in mix of paper records and in many separate clinical IT systems.

In the future this information will be collected in the DHR. It is important that staff can access accurate health information quickly when treating patients.

While people cannot choose whether their information is held in the DHR, some sharing functions will be optional. For example, people will be able to decide if they would like to share detailed information from the DHR with external members of their health care team such as their GP or private specialists.

- 6) DHR Link is the external provider portal. This will provide external providers with access to the patient record if they are a member of that patient's treating team. This access will include medication information and treatments they have received. A pilot is planned with a small number of GP practices.
- 7) The treating team will be able to access their patients' records including medications and treatments.
- 8) Yes. The privacy policy is published and outlines the approach for making complaints. Further information is available here: <https://www.health.act.gov.au/privacy>.

- a) Each complaint would be assessed on a case-by-case basis and a response will be provided to the consumer on the findings of the assessment and proposed approach to address the concerns.
 - b) System fixes and consequence will depend on the individual case raised. The *Health Records (Privacy and Access) Act 1997* contains provisions that have penalty units or 6 months imprisonment where inappropriate access to records has occurred.
- 9) A DHR Patient Experience Lead was appointed full-time at the commencement of the program and is responsible for engagement with consumer organisations. A Consumer Experience Steering Committee (the Committee) was established in June 2021 to allow for consultation with consumers about the program and to ensure their voice is heard in key decisions affecting consumers. The Committee includes representatives from a broad range of consumer representative groups including ACT Mental Health Consumer Network, Carers ACT, Meridian ACT, Health Care Consumers Association ACT, Youth Coalition of the ACT, Advocacy for Inclusion and Multicultural Hub Canberra. The Committee considers a broad range of issues including privacy issues. For example, they considered and endorsed the approach for use of DHR Link.
- 10) Consultation has occurred with consumers and consumer advocacy groups.

Approved for circulation to the Select Committee on Estimates 2022-2023

Signature:



Date: 6/9/22

By the Minister for Health, Rachel Stephen-Smith MLA