



My Health Record Policy

1. Purpose

The purpose of the *My Health Record (MHR) Policy* is to set standards for Health Service Providers regarding the appropriate use of the MHR.

The MHR was established in 2012 under federal legislation; the *My Health Record Act 2012 (Cth)*. The MHR is a secure online summary of a patient's health information drawn from existing clinical systems in the public, private and community health sectors.

Patients can control what goes into their MHR and which healthcare providers have access to the information. The MHR is NOT a complete electronic health record but provides a potential source of additional information about a patient's healthcare. The MHR aims to empower the patient with information about their own healthcare and provide clinicians with increased information about the care their patients may have received in other settings.

This Policy is a mandatory requirement under the *Digital Health Policy Framework* pursuant to section 26(2)(a), (d) and (k) of the *Health Services Act 2016*.

This Policy supersedes the *Patient Controlled Electronic Health Record System Policy* OD 0463/13.

2. Applicability

This Policy applies to all Health Service Providers.

3. Policy requirements

3.1 WA health system application

The MHR is to be considered a WA health system application for the purpose of any mandatory policies under Policy Frameworks. Therefore Health Service Providers must apply all requirements regarding the use of WA health system applications to the MHR.

3.1 Data Breaches

Health Service Providers must ensure the Australian Digital Health Agency is advised of any data breaches or potential data breaches involving the MHR pursuant to section 75 of the *My Health Records Act 2012*. Information on how to notify the Australian Digital Health Agency of a potential or actual data breach relating to the MHR system can be found on

the MHR website: <https://www.myhealthrecord.gov.au/for-healthcare-professionals/data-breach-notification-steps>.

In addition, Health Service Providers are required to report and investigate (if appropriate) any data breaches or potential data breaches involving the MHR in accordance with existing reporting requirements under the the Code of Conduct MP 0031/16.

4. Compliance, monitoring and evaluation

The System Manager will monitor compliance with this Policy by reviewing reported data breaches and potential data breaches to the Australian Digital Health Agency and those reported through the established reporting requirements under other Policy Frameworks for other WA health system applications. This will commence approximately one year post policy release, and triennially thereafter.

5. Related documents

The following documents are mandatory pursuant to this Policy:

- N/A

6. Supporting information

The following information is not mandatory but informs and/or supports the implementation of this Policy:

- More information about MHR can be found by contacting the Australian Digital Health Agency at <https://www.myhealthrecord.gov.au/> or 1800 723 471

7. Definitions

The following definition(s) are relevant to this Policy.

Term	Definition
Data breach	A data breach involves: <ul style="list-style-type: none">• The unauthorised collection, use or disclosure of health information in an individual's My Health Record; or• A situation where<ul style="list-style-type: none">○ An event that has, or may have, occurred or○ Any circumstances have, or may have, arisenThat compromise, may compromise, have compromised or may have compromised, the security or integrity of the My Health Record system (whether or not involving a contravention of the <i>My Health Records Act 2012</i>)
Potential data breach	A situation triggering an investigation to determine whether an actual data breach may have occurred.

8. Policy owner

Deputy Director General Strategy and Governance

Enquiries relating to this Policy may be directed to:

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9. Document control

Version	Published date	Effective from	Review date	Amendment(s)
MP 0094/18	18 October 2018	18 October 2018	8 October 2019	Original version

10. Approval

Approval by	Dr David Russell-Weisz, Director General, Department of Health
Approval date	9 October 2018



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