



## Police Federation of Australia

The National Voice of Policing

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### **My Health Record System**

I thank you for the opportunity for the Police Federation of Australia (PFA), to make this submission on behalf of all state, territory and federal police associations/unions and our combined 62,000 members.

The PFA's concerns with the *My Health Records Act 2012*, relates to the potential release of records, particularly as it applies to, Section 70 – Disclosure for law enforcement purposes.

The PFA believes such disclosures should not be available without a Court Order and this should be enshrined in the legislation. Access to such personal information, without the need for a Court Order, could see police officer's personal health information disclosed for minor disciplinary investigations.

Further concerns relate to where a medical practitioner, either employed by an employer, or paid for by an employer, could access an employees' medical records without the consent of the patient.

If an employee was compelled by their employer to attend an appointment with either the employers' medical practitioner or a medical practitioner engaged by the employer, what access might that medical practitioner have to an employees' medical records? Again, those records should not be available without the consent of the employee.

The same situation arises where a medical practitioner is employed by an insurance company, particularly in relation to workers compensation matters. Would such a medical practitioner have access to an employees' medical records for matters that might solely relate to the purposes of an insurance claim? As in the above instance, such records should not be available to a medical practitioner engaged by someone other than the employee.

As we understand it, the 'My Health Record' system has been designed to provide effective information flow to practitioners for the purpose of treatment. In the cases stated above, the medical practitioner engaged by an employer or an insurance company, are not providing treatment to an individual but are instead making assessments about a person's fitness for duty, or eligibility for a workers' compensation claim.

This is not consistent with the stated aims of the system, and as such, medical practitioners should be precluded from accessing the information of patients referred to them for purposes other than treatment.

The PFA would be happy to appear before the Committee if so desired.

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Chief Executive Officer

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