



Victoria Government Gazette

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SPECIAL

Health Records Act 2001 NOTICE OF INTENTION TO ISSUE STATUTORY GUIDELINES PURSUANT TO SECTION 22 (2), **HEALTH RECORDS ACT 2001 (VICTORIA)**

The **Health Records Act 2001** (Vic) (the Act) creates a scheme to regulate the collection and handling of health information in Victoria. The Health Services Commissioner is responsible for the implementation of the Act

The Act:

- gives individuals a legally enforceable right of access to health information about them which is contained in records held in the private sector; and
- establishes Health Privacy Principles (HPPs) that will apply to personal health information collected and handled in both the public and private sectors.

It is intended that the Act will commence operation on 1 March 2002.

The Health Services Commissioner is empowered by section 22 of the Act to “issue, approve or vary guidelines for the purposes of the Health Privacy Principles”. The Commissioner proposes to issue guidelines under section 22 for the purposes of HPP 1.1(e)(iii), HPP 2.2(g)(iii) and HPP 10.2.

These guidelines concern the collection, use and disclosure of health information for the purposes of research or the compilation or analysis of statistics, in the public interest, and the actions which must be taken to notify service users when a health service provider's practice is sold, transferred or closed down.

The Act specifies the publication and comment process that must be completed before guidelines are issued:

Step 1 Notice of intention to issue guidelines is published.

Step 2 Submissions are received and considered.

Step 3 The Commissioner may then issue the guidelines with whatever amendments are considered appropriate.

Copies of the guidelines as proposed to be issued are available on request by telephone or email from the Office of the Health Services Commissioner or via its website at <http://www.health.dhs.vic.gov.au/hsc>

Submissions should be made to the Health Services Commissioner by Monday 17 December 2001.

Submissions should be sent via email or mail to: Health Records Act – Statutory Guidelines, Health Services Commissioner, Level 30, 570 Bourke Street, Melbourne, 3000. Tel: (03) 8601 5222. Email: hra@dhs.vic.gov.au.

Dated 17 November 2001

BETH WILSON
Health Services Commissioner

Gazette Services

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