

30 April 2004

New health privacy law commences in NSW on 1 July 2004

On 1 July 2004 a new health privacy law commences in NSW. The *Health Records and Information Privacy Act 2002* (HRIP Act) regulates how public and private sector organisations in NSW collect and handle health information. The HRIP Act applies to health service providers (including GPs, physios etc), and organisations that collect, hold or use health information.

The objects of the HRIP Act are to:

- balance the public interest in protecting the privacy of health information with the public interest in the legitimate use of that information
- enhance the ability of individuals to be informed about their health care
- promote the provision of quality health services.

What is health information ?

'Health information' is a specific type of personal information. Health information includes information or an opinion about the physical or mental health or a disability of an individual. It can include information about a health service provided, the donation of human tissue, or genetic information about a family member, and so on.

If your organisation is a health service provider, 'health information' includes all of the above *plus* any other personal information collected to provide a health service.

15 Health Privacy Principles

The HRIP Act contains 15 Health Privacy Principles (HPPs). The 15 HPPs are the key to the HRIP Act. They are legal obligations that describe what organisations must do when they collect, store, use or disclose health information. You can download a plain English version of the HPPs from our website.

If a person believes that a private health service provider or an organisation may have breached any of the 15 HPPs when handling their health information, they have a right to complain to Privacy NSW. Remedies are enforceable on appeal to the Administrative Decisions Tribunal.

Preparing for the HRIP Act

There are 7 key steps to preparing your organisation or practice for the HRIP Act. See our *Privacy Essentials: How to Prepare for the NSW HRIP Act* for more information. You can download a copy from our website.

For more information

To view a copy of the HRIP Act, to download additional resources, or to find out about training, please go to the Privacy NSW website at: www.lawlink.nsw.gov.au/privacynsw

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