



THE LAW SOCIETY
OF NEW SOUTH WALES

Our ref: PCC:PWib1398602

11 September 2017

The Secretariat
Department of Human Services
PO Box 7788
Canberra BC ACT 2610

By email: mca.review@humanservices.gov.au

Dear Sir/Madam,

Independent Review of Health Providers' Access to Medicare Card Numbers

The Law Society of NSW appreciates the opportunity to provide input to the Independent Review of Health Providers' Access to Medicare Card Numbers ("Review"). The Law Society's Privacy and Communications Committee has contributed to this submission.

The purpose of the Review is to consider the balance between:

- (a) appropriate access to a patient's Medicare number for health professionals to confirm Medicare Eligibility; and
- (b) the security of patients' Medicare card numbers.

We note the Discussion Paper makes no comment about the My Health Record system (formerly the Personally Controlled Electronic Health Record).

The Law Society questions whether the potential implications of interaction with the My Health Record system have been properly assessed, and whether the need for health professionals to confirm Medicare eligibility will remain as significant as it has to date having regard to the proposed changes to the My Health Record system from 2018.

We suggest that the issues raised in the Review need to be considered alongside the privacy, information security, confidentiality and network access interoperability issues relating to the My Health Record system, particularly the registration of Healthcare Provider Organisations, and the auditing or logging of record access by individuals associated with them. The issues raised by health professionals accessing both systems appear to be linked particularly when considering the effectiveness of controls over registration and authentication processes as well as the adequacy of compliance systems to identify any potential inappropriate access to Medicare numbers.

Should you have any queries, please contact Ella Howard, Policy Lawyer, on (02) 9926 0252 or at ella.howard@lawsociety.com.au.

Yours sincerely,



Pauline Wright
President