



Access to Health Information

The **Health Records Act 2001 (Victoria)** (the HRA Act) gives individuals a right of access to their personal health information held by any organisation in the private sector in Victoria, in accordance with Health Privacy Principle 6 (HPP6). HPP 6 obliges health service providers and other organisations who hold health information about a person to give them access to their health information on request, subject to certain exceptions and the payment of fees (if any).

Making a request for access

An individual is required to make a request in writing. In the request, the individual needs to:

- state their name and address
- identify sufficiently the health information they are seeking access to
- specify the form they want the access in ie. Obtaining a copy of their file, inspecting the information, or viewing the information, accompanied by and explanation by a health service provider. An individual can also request an accurate summary if the health records are extensive or complex.

An individual can seek access on behalf of someone else if:

- that other person has a right of access AND
 - (a) has authorised them in writing to seek access on their behalf (eg. A solicitor, family member or friend OR
 - (b) is their authorised representative (such as parent, guardian or a person holding an enduring power of attorney)
- the individual is the legal representative of the deceased person who would have had a right of access when alive

The request must be in writing and they must provide evidence of their authority to act on the person's behalf.

Correction of personal information

An individual has the right to apply to have their personal information that is held by the agency amended if they believe that it is inaccurate, incomplete, out of date or misleading. A request to amend information must be in writing with details of why the information is considered incorrect.

The agency must notify the individual in writing of its decision to correct the information within 30 days.

Timelines for responding to requests

The individual will be notified in writing that access to their request will be provided within 45 days from the date the request has been received.

Fees

Fees will not be charged for giving someone access to their health information.

Reviewing a Decision

If an individual is not satisfied with the response to their request for access or correction of health information, they can write to:

Health Services Commissioner
Level 30, 570 Bourke Street
Melbourne 3000

How to make a request to access documents

- Contact the Executive Assistant by phone on 9450 2011 to have an application pack sent to you or you can obtain application forms from Reception at Banyule Community Health West Heidelberg and Greensborough.
- Write a letter giving the full details of your request. This letter should set out clearly and list the information you are asking for. You will also need to include your personal details (full name, address and date of birth), and proof of your identity (driver's licence, passport or health care card).

Applications should be sent to:

The Executive Assistant
Banyule Community Health
21 Alamen Road
West Heidelberg 3081