

Media Release, October 17 2021

**APF:** Too late? The new normal, State government slurps up all patient information.

*The Victorian government acts in haste to pass health database law, the community will repent at leisure.*

The Victorian government's "Health Legislation Amendment (Information Sharing) Bill 2021" was hurried through its first Parliamentary vote last week.<sup>1</sup> The Bill links all patient medical and health information through a single portal, to be shared between authorised end-users, decided and controlled by the Secretary of the Department of Health. The Legislative Council can interrupt the Bill's progress.

The powers embodied in the Bill are unprecedented, threatening patient-doctor confidentiality, risking health and wellness should some individuals decide not to seek clinical attention for potentially life threatening or serious illnesses and conditions. But the APF cannot locate the Privacy Impact Assessment (PIA) supporting the Bill. The PIA, assuming one was conducted, must be published in the public domain if Victorians are to trust the Bill.

The APF asks Victoria's Legislative Council to pause the Bill's passage and send it back to the lower house for amendment, requesting a more thorough community consult than has occurred. Some information must be withheld from the collection enabled by the Bill, especially where there is no patient consent. Patient health and wellbeing, even lives, are at stake here.

Juanita Fernando, chair of the APF Health Committee said "The data collected and linked by the portal will authorise use of each patient's current and historical medical information, including mental health and ambulance services; evidently a complete record of every Victorian person's sensitive and private information."

The disproportionate powers embodied in the Bill also require a softening of Victoria's Health Privacy Principles to operate.

Fernando continued, " People will have no ability to consent to or opt-out of the process. They cannot even look at a complete log of who can see what and who has seen what." She concluded, "Only a dozen or fewer sentinel events need to be flagged for medical emergencies, so we wonder at the need for the Victorian government to harvest and centrally store such a rich database of sensitive patient information."

The Australian Doctors Federation is alarmed and, with the APF, raises serious questions about the Bill, calling for public debate, careful examination and resolution of community concerns.<sup>2</sup>

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#### **References**

1. Health Legislation Amendment (Information Sharing) Bill 2021, Victorian Legislation, October 2021.  
<https://www.legislation.vic.gov.au/bills/health-legislation-amendment-information-sharing-bill-2021>
2. Australian Doctors Federation (ADF) Rushed VIC government health database law raises more questions than answers, media release; 14 October 2021