

Documentation for the Maternal and Child Health Nurse

Presentation by
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Health complaints commissioners in Australia and New Zealand

- **Who we are**
- **Legislation:**
 - *Health Services (Conciliation and Review) Act 1987*
 - *Health Records Act 2001 (HRA)*
- **What we do**
- **How we do it**

Examples

- Wrong side procedures
- “The Foetus Smith”
- Palliative Care Volunteer
- Taxi Driver

Privacy for Victorians

Victorian:

- *Health Records Act 2001*
- *Information Privacy Act 2000*

Commonwealth:

- *Privacy Act 1988*

What is health information?

- **For health service providers** it is all identifying *personal information* collected to provide a health service;
- **For non health service providers** it is all identifying personal information about the health or disability of an individual

Personal information means

- Information or opinion about an individual whose identity is apparent, or can be reasonably ascertained
- Does not have to be true
- Does not have to be recorded
- Includes that forming part of a database

Privacy Protection is a Balancing Act

Maximising the level of control that individuals have over their personal information while ensuring that the right information is available to the right people at the right time in the right way to enable necessary operations and services.



Issues that arise for MCHN

- Take reasonable steps to protect health information
- Have protocols in place for working with local agencies so nurses are appropriately warned where a home visit may be risky
- Specific provisions in another Act override the more general provisions in HRA

Issues that arise for MCHN

- Health Records Regulations allow for collection of family information for provision of health service
- Hospital would get consent of mother for MCHN get notification of births from local hospital so can do home visit.
- MCHN would comply with other HPPs relevant to them as collector and holder of health information
- Don't need to consent to collect information re other members of family when providing a health service

Contact Details

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