



How to access health information from private sector health service providers (e.g. dentists, GPs, private hospitals)

Fact sheet

May 2014

The basics

You have a right to access health information about you that is held by any organisation that provides a health service to you (whether it is a private sector organisation, like a physiotherapist, or a government body, like a public hospital).

There is a separate process to access your health information from government organisations.

The details

You can request access to your health information from private sector organisations, such as your GP or dentist, under the *Health Records and Information Privacy Act 2002* (HRIP Act).

When contacting an organisation to request access to your health information, your request must:

- be in writing
- include your name and address
- identify the health information being requested
- specify how you would like to access the health information (for example, if you want a copy of it or just to look at the information at their office)
- if you want someone else to access the health information on your behalf you will need to put the name of the person/organisation you are authorising to access your health information.

The organisation must write to you with its decision within 45 calendar days from receiving your request.

The health service provider is entitled to charge a fee for providing access to health information.

Reasons a provider may decline to provide you access

- Providing access would pose a serious threat to the life/health of an individual
- Providing access would have an unreasonable impact on the privacy of other individuals

- The health information relates to existing/ anticipated legal proceedings and you would not be able to access this information through court processes
- Providing access would be unlawful; or denying access is required/authorised by another law
- The request is a repeated request and has been reasonably declined previously, or the information has already been provided
- Providing access would prejudice an investigation of possible unlawful activity or prejudice a law enforcement agency's functions.

There may be other legitimate reasons that a health service provider has declined your request. You should contact us if the reason is not listed above.

Not happy with the response?

You can contact the NSW Privacy Commissioner if:

- you are not happy with the response from the health service provider
- you believe the organisation is charging you too much
- the organisation does not respond to you within 45 days.

You can contact us with your concerns in writing by email, letter or fax. You have **six months** to do this from when you become aware of the situation

For more information

Contact the Information and Privacy Commission NSW (IPC):

Freecall: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au