Industry Offer
Enhancements to Pathology and Diagnostic Imaging Requesting Systems

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Key information

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1 Introduction

Digital health is a core enabler of a productive and safer health system. Over the years, significant investments have been made by the IT industry and healthcare providers to design, build and purchase new technologies in healthcare, and the sector is now realising significant productivity and safety improvements.

In recent years, Commonwealth, State and Territory governments in Australia have invested significantly in the creation of national digital health infrastructure. This infrastructure includes the Healthcare Identifiers Service (HI Service), the My Health Record system, the National Authentication Service for Health (NASH), and clinical information and terminology standards.

In mid-2017, the Australian Digital Health Agency conducted a public industry offer that resulted in agreements with over 20 providers of pathology and diagnostic imaging (“diagnostic services”) clinical information systems. These providers are under contract with the Agency to enhance their laboratory information systems and radiology information systems to connect to the My Health Record system. This will allow users of these software packages to view a patient’s My Health Record and upload pathology and diagnostic imaging reports to the My Health Record system. Making these reports easily available, via the My Health Record system, to the various clinicians assisting a patient will enable more informed, efficient, and effective delivery of healthcare.

To facilitate the upload of these diagnostic services reports, and support these My Health Record connectivity solutions in the pathology and diagnostic imaging sectors, the Agency is seeking to instigate a complementary enhancement to those clinical information systems that are used by clinicians to request diagnostic services. This enhancement will make it easier for a patient to withdraw their consent for a diagnostic services report to be uploaded to the My Health Record system.

This document outlines the objectives and process for the Agency to enter into agreements with developers of these requesting systems.
2 General collaboration principles

In recognising the interests that the health software industry and the Australian Digital Health Agency share, the following principles apply to the Agency’s approach to collaborating with industry in the enhancement of health software.

- The Agency is keen to create strategic relationships with health software providers to ensure that the future digital health ecosystem serves the needs of its users, and that everyone with an interest in investing their business in this space has equal access to information and future government reform directions.

- The Agency will promote a level playing field, by sharing information on future directions and learnings from consultations with consumers and clinicians, and fostering ideas and promoting innovation in the health software industry. Any opportunities to collaborate will be shared openly with the market.

- The Agency is responsible for continuing to operate and improve national digital health infrastructure and the foundations upon which a truly connected and interoperable health system can be achieved. The connection to consumers and clinicians, and the additional value that can be created through innovating in this area, is the domain of the health software industry. If there is value for consumers and clinicians, they will provide the market for health software innovations to flourish.

- The Agency, as a general principle, will not be a funder of health software solutions. This creates an artificial marketplace, interferes with natural industry competition and stifles innovation. It isn’t sustainable.

- The Agency wants to ensure that high value consumer health data is made available in the My Health Record so that consumers and their clinicians have access to this information. Where this requires research or connectivity solutions, the Agency’s collaboration with industry may include making payments to health software providers under contract for services arrangements with the Agency.

The enhancement of requesting systems complements and, in a practical sense, completes the connectivity solutions being delivered by the developers of laboratory and radiology information systems. Consequently the Agency is making this offer to the developers of requesting systems to support the delivery of these enhancements.
Industry offer overview

3.1 Background and objective
This offer is part of a program of work designed to increase the number of diagnostic services reports uploaded to My Health Record, so clinicians and consumers have a more complete record to reference.

Under the applicable legislation, consumers who are registered for the My Health Record system have given implied consent for diagnostic services reports to be uploaded to their My Health Record. However, consumers have the right to withdraw that consent.

The objective of this offer is to make it straightforward for a consumer to exercise their right to withdraw their consent for their diagnostic services reports to be uploaded to their My Health Record at the point a test is being requested.

3.2 Systems covered by this offer
This offer is targeted at requesting systems. For the purposes of this offer, a “requesting system” is a clinical information system that is used by clinicians to:

- Record pathology and/or diagnostic imaging requests in a patient’s medical record; and
- Print paper requests for pathology and/or diagnostic imaging reports.

3.3 Eligibility
Expressions of interest (EOIs) are sought from organisations that:

- Are the developer of a requesting system;
- As of 1 November 2017 have that requesting system installed and being used in production in at least 10 healthcare provider sites in Australia;
- Are not a State or Territory health department; and
- Have not previously entered into contracts with the Australian Digital Health Agency or the National E-Health Transition Authority to perform comparable work in respect of the requesting system in question.

3.4 Statement of requirements
A participating organisation will be required to do the following:

- Enhance its requesting system according to the following requirements (“Software Enhancement Requirements”):
  - At the time of creating a pathology or diagnostic imaging request in the requesting system, the requesting system must display in its user interface a ‘checkbox’ (or some other interface element as may be agreed with the Agency). The purpose for this checkbox is for the requesting healthcare
provider to indicate that the patient has withdrawn their consent to upload the report(s) to the My Health Record system.

- This checkbox must be labelled “Do not send reports to My Health Record” and the default state of this checkbox must be unticked.

- The requesting system must capture and store this consent status locally and for each request, for auditing and tracking purposes.

- When printing a paper request, the requesting system must print the statement “Do not send reports to My Health Record” and a single checkbox. If consent has been withdrawn the requesting system must print a tick in that checkbox.

- The checkbox and the “Do not send reports to My Health Record” statement must be printed in any space allocated to clinical notes/history or reason for examination, and they must be in close proximity to where the requesting healthcare provider affixes their signature to the paper request, or in some other location on the paper request, as agreed in writing with the Agency.

- There must be only one consent question per request and the consent may cover many orderable items within the requesting event.

- Present its design for satisfying the Software Enhancement Requirements to the Agency and obtain written confirmation from the Agency that the design is appropriate prior to commencing enhancement of the requesting system.

- In a virtual or in-person meeting with the Agency, and prior to releasing the updated version of the requesting system to the participating organisation’s users, demonstrate the enhanced requesting system to the Agency and get written confirmation from the Agency that the enhanced requesting system conforms to the Software Enhancement Requirements.

- Make available these software enhancements to its users via the general release of a new version of the requesting system by 30 May 2018, unless otherwise agreed with the Agency. As part of this release, the participating organisation must issue a communication, by email or some other mode of communication to be agreed to by the Agency prior to release, to its users explaining the nature and purpose of the software enhancements.

3.5 Contracting approach

Money is available to developers under contract for services arrangements, to offset the cost of making the necessary enhancements to their requesting systems and releasing updated versions to their users.

To access this offer, prospective participants will need to submit an EOI, have it approved by the Agency, and enter into a contract with the Agency. Appendix A provides a copy of the contract template that will be employed for this purpose.

Under the contract there will be a fixed payment of $15,000 (ex GST), which will be payable once the participating organisation has met the requirements specified in Section 3.4.
Note that the $15,000 (ex GST) available under this offer applies to each requesting system. If a single developer offers several distinct requesting systems, then the organisation may seek to enter into separate contracts to enhance each of its requesting systems. The Agency will, as required, assess whether each requesting system is in fact distinct, and therefore each eligible for a separate contract. This assessment will be based on factors such as whether the requesting systems have different brands, release cycles, and codesets.

3.6 Support from the Agency

The Agency will conduct a webinar on 5 December 2017 to discuss the requirements of this offer and answer questions from prospective participants. The details of this webinar will be published on the Agency website.

Prospective participants who have any questions or concerns regarding these requirements can email ConsentOffer@digitalhealth.gov.au.

Once participating organisations have entered into contracts with the Agency and commenced the software enhancement work, they can seek assistance and support by contacting the Agency’s Help Centre at help@digitalhealth.gov.au or on 1300 901 001.
4 Offer process

4.1 Issuance of the offer
This offer is being published on the Agency’s website (www.digitalhealth.gov.au) and is also being communicated by email to prospective participants that are known to the Agency.

4.2 Conditions for participation
This offer is subject to the terms and conditions outlined in this section, and ultimately to a contract that will be put in place between the Agency and each participant. Please refer to the contract template in Appendix A, which is indicative of the contract to which participants will be required to agree.

4.3 Submissions for all or part of the services
The Agency reserves the right to accept EoIs in relation to some and not all of the scope of activity described, or appoint one, more than one, or no organisation on the basis of the submissions received.

4.4 Contact person
All communications with the Agency relating to this offer should be made with the following contact person:

Contact person: Ian Davies  
Email: ConsentOffer@digitalhealth.gov.au

4.5 Respondent contact person
Respondents should nominate a person to answer queries that may arise during the offer. The name, position, address, email address and telephone numbers of that person should be provided in the EOI response template.

The email that the respondent has nominated will receive email notifications of any alterations, corrections and notices.

4.6 Timeline
Key milestones of the offer process are given below.

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<tr>
<td>Offer open</td>
<td>Friday 24 November 2017</td>
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<tr>
<td>Industry briefing (webinar)</td>
<td>Tuesday 5 December 2017</td>
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<tr>
<td>Support for EoIs</td>
<td>Friday 24 November 2017 – Wednesday 13 December 2017</td>
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<td>Deadline for submitting EoIs</td>
<td>Wednesday 13 December 2017</td>
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<td>Notification of acceptance</td>
<td>Commencing from Monday 18 December 2017</td>
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4.7 Lodgement of EOIs

Prospective participants should submit a written response, using the EOI response template provided at Appendix B.

Any questions about the lodgement of an EOI, or any issues in relation to lodgement, should be directed by email to the contact person (see Section 4.4).

Respondents will be sent a confirmation email within two working days of submitting their EOI by email. If respondents do not receive this confirmation email, they should call the Agency on 1300 901 001 to confirm receipt.

4.8 Closing time

Respondents should submit one electronic copy of the EOI by 17:00 hours (Australian Eastern Daylight Time) on Wednesday 13 December 2017.

An EOI which is received after 17:00 hours (Australian Eastern Daylight Time) on Wednesday 13 December 2017 is a late submission.

The Agency will make efforts to accommodate all submissions, but reserves the right to refuse any EOIs submitted after the closing time, in order that the contacting process and support for timely respondents can proceed efficiently.

4.9 Variation to this offer

The particulars of this offer have been defined in consultation with industry representatives with a view to ensuring mutual advantage. However, if the offer varies during the course of the offer period, the Agency will issue such advice to the prospective participants invited to apply, and update the details on the Agency website.

4.10 Requests for further information and clarification by the Agency

The Agency may seek further information from prospective participants at any stage during the offer process. EOIs that are incomplete may be excluded from consideration at any time during the process, though in the case of apparently unintentional errors contained in an EOI, the Agency will seek clarification from respondents.

If there are major gaps in the information provided in an EOI, the Agency may discontinue any further evaluation of the EOI. If there are minor gaps in the information, then the Agency may, at its absolute discretion:

- Determine not to seek further information from the respondent; or
- Ask the respondent to provide the missing information within a reasonable time period.

Any changes to the EOI should be made within a reasonable proximity to the offer deadline, so that the intent of the arrangement is not compromised.

4.11 Requests for further information by respondents

Respondents may seek additional information or clarification about this offer via the ConsentOffer@digitalhealth.gov.au email up until the closing date of Wednesday 13 December 2017.

The Agency may publish answers to questions to all respondents on a non-attributable basis. Questions received from one respondent may be reworded to provide greater clarity or relevance to other respondents. While the Agency will not indicate which respondent submitted the
questions, the Agency will not be required to take any particular steps to disguise the identity of those respondents.

4.12 Communication of outcome
All respondents will be notified of their application success in writing. The Agency may offer unsuccessful respondents a debriefing session as required.

4.13 Composition of submissions
EOIs should be prepared using the template provided at Appendix B. EOIs should be clear, concise, complete and relevant. Respondents are advised to avoid extensive use of cross-references and, if cross-referencing is used, references should be clearly marked.

Submissions must be written in English, measurement must be expressed in Australian legal units, and any references to currency must be expressed in Australian dollars.

4.14 Contracting with legal entities
The Agency will contract only with entities that are legal entities having full legal capacity under the governing law of New South Wales to enter into a contract to provide the services requested under this offer.

4.15 Foreign companies
The Agency supports the Australia software industry; however, it will accept a submission from a foreign company only if it is registered under Part 5B.2 of the Corporations Act 2001.

4.16 Respondent submissions
The Agency seeks to attract as many participants as possible to this offer, and to support them in making a successful application and deliver against the requirements.

As such, the eligibility criteria and response requirements are designed to include as many prospective participants as possible, within a minimal set of parameters.

Each respondent authorises the Agency to collect any information from the respondent and from relevant third parties, including customers and referees, and to use such information in evaluating the respondent’s submission. Should the Agency wish to contact a third party, the Agency will notify the respondent before making contact.

Respondents should submit a single EOI for their organisation using the EOI response template. If a respondent has more than one requesting system, the response should provide details of each product.

While a respondent’s submission and response to this offer is confidential, the terms of any subsequent contract, including parts of that contract drawn from the respondent’s submission and response, are not confidential.

4.17 Participant selection
The Agency welcomes any prospective participants who satisfy eligibility criteria to collaborate with the Agency in accordance with this offer. The Agency will not be shortlisting or otherwise selecting from within respondents who satisfy the criteria.
All successful respondents will be invited to contract with the Agency in accordance with the approach described in Section 3.5. At any stage during the offer process, any respondent may withdraw. Withdrawal requests should be made in writing to the Agency contact person.

Appendices A and B are included as separate documents

Appendix A: Contract template
Appendix B: EOI response template