



Media release

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Opt in or opt out of My Health Record at any time in your life: Australian Parliament strengthens privacy protections of My Health Record

The Australian Parliament has this morning passed legislation to strengthen privacy protections in *My Health Records Act 2012* without debate or division.

The new legislation means that you can opt in or opt out of My Health Record at any time in your life. Records will be created for every Australian who wants one after 31 January 2019. After then, you can delete your record permanently at any time.

More than 6.3 million Australians already have a My Health Record and over 14,000 healthcare professional organisations are connected, including general practices, hospitals, pharmacies, diagnostic imaging and pathology practices. My Health Record supports the health and care of Australians who choose to have one.

Briefly, the changes will:

- Allow Australians to permanently delete their records, and any backups, at any time.
- Explicitly prohibit access to My Health Records by insurers and employers.
- Provide greater privacy for teenagers 14 years and over.
- Strengthen existing protections for people at risk of family and domestic violence.
- Clarify that only the Agency, the Department of Health and the Chief Executive of Medicare (and no other government agency) can access the My Health Record system.
- Explicitly require law enforcement and other agencies to produce a court order to access information in My Health Records.
- Make clear that the system cannot be privatised or used for commercial purposes.

This is backed up by harsher penalties and fines for inappropriate or unauthorised use of My Health Records.

A [summary of the changes](#) is available here.

The Australian Digital Health Agency welcomes this decision by the Australian Parliament and would like to thank all those who have collaborated in successful development of these additional privacy protections and the broader initiative to provide a My Health Record to all Australians who choose to have one.

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About the Australian Digital Health Agency

The Agency is tasked with improving health outcomes for all Australians through the delivery of digital healthcare systems, and implementing *Australia's National Digital Health Strategy – Safe, Seamless, and Secure: evolving health and care to meet the needs of modern Australia* in collaboration with partners across the community. The Agency is the System Operator of My Health Record, and provides leadership, coordination, and delivery of a collaborative and innovative approach to utilising technology to support and enhance a clinically safe and connected national health system. These improvements will give individuals more control of their health and their health information, and support healthcare providers to deliver



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informed healthcare through access to current clinical and treatment information. Further information:
www.digitalhealth.gov.au.