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Dear Annabel

Health on the Road – Guidance

Thank you for providing the Royal New Zealand College of General Practitioners (the College) the opportunity to comment on the Office of the Privacy Commissioner's draft guidance on *Health on the Road*.

Introduction to general practice and the College

General practice is the specialty that treats patients: with the widest variety of conditions; with the greatest range of severity (from minor to terminal); from the earliest presentation to the end; and with the most inseparable intertwining of the biomedical and the psychosocial. General practitioners (GPs) treat patients of all ages, from neonates to elderly, across the course of their lives.

GPs comprise almost 40 percent of New Zealand's specialist workforce and their professional body, the Royal New Zealand College of General Practitioners (the College), is the largest medical College in the country. The College provides training and ongoing professional development for general GPs and rural hospital generalists, and sets standards for general practice. The College is committed to achieving health equity in New Zealand. To achieve health equity, we advocate for:

- A greater focus on the social determinants of health (including labour, welfare, education and housing).
- A greater focus on measures to reduce smoking and to increase healthy food options for low-income families.
- Health services that are better integrated with other community services.
- A review of the funding model for primary care to ensure that funding is targeted towards the most disadvantaged.
- Free primary health care for low-income families, because health inequities begin early and compound over the life course.

Submission

Under the *Foundation Standard* and *Aiming for Excellence* quality standards, all general practices must have a privacy policy that complies with the Privacy Act 1993 and Health Information Privacy Code 1994. The *Health on the Road* guide is a good, clear reminder that these standards should be applied in off-site settings as well. The College finds the *Health on the Road* statement to be reasonable and practicable, and supports its message.

One suggested addition is that USB flash drives (aka data sticks/ memory sticks) are specifically referenced in the paragraph regarding taking information home ('Once you get there' section) as these small devices are easy to accidentally leave in a pocket or in a bag.

Additionally, it may be helpful to include a reminder to ensure that portable information devices used for work purposes are encrypted and not used for personal purposes as far as reasonable. The Occupation Therapy Board of New Zealand recently produced a brief guidance on this matter that may be a useful reference:

OTBNZ. Don't lose that memory stick. Available from: <http://www.otboard.org.nz/wp-content/uploads/2016/07/Memory-sticks.pdf>

Another key consideration for offsite health information is the clinical images taken on personal mobile devices (cell phones, tablets, etc.). Like USBs, these are also highly likely to be regularly taken offsite/home without specific intention to utilise the information stored on them. The New Zealand Medical Association has produced an excellent resource for medical students and doctors (that may also be relevant to other health professionals) on the specific security issues relating to clinical images:

NZMA. Clinical images and the use of personal mobile devices. Wellington: New Zealand Medical Association, 2016. (Available from: https://www.nzma.org.nz/_data/assets/pdf_file/0003/50988/Clinical-images-guide-ONLINE.pdf)

The College recommends the addition of key points from this resource or a reference to it as part of the general guide to taking health information 'on the road'.

One member commented that it would be valuable to have clear guidance on some of the more nuanced aspects of moving data from one practice to another electronically. That is, the use of secure emailing systems (eg [hMael](#)) for sharing information with another practice rather than using standard email or physically taking the information from one practice to another.

On a separate but related note, it is suggested that your resource include a clear definition of what you mean by 'identifiable' health information. For example, it is not currently clear whether health information that doesn't include a name but does include an NHI number would be considered as 'identifiable' in a public setting.

We hope you find our submission helpful. Should you require any further information or clarification please contact the College's policy team at policy@rnzcgp.org.nz.

Yours sincerely



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