

**Question on Notice
No. 553
Asked on 20 April 2006**

MR FOLEY asked the Minister for Health (MR ROBERTSON)-

QUESTION:

Under what circumstances can a patient's files be accessed without their consent?

ANSWER:

Queensland Health respects the privacy of all patients, and Departmental staff are in fact subject to a strict legal duty of confidentiality.

While consent has always been the most common and preferable mechanism permitting access to, or disclosure of, patient information, there are other exceptions to the legal duty which permit disclosure of a patient's health information without their consent. For example, the Director-General of Queensland Health can authorise disclosure of patient information if it is considered necessary to prevent a serious risk to someone's life or safety. Patient information may also on occasion be used to undertake quality assurance activities and other activities that facilitate monitoring and improvement of health services generally.

My department has always been very open about its information handling practices. The Department's privacy brochure sets out in some detail how patient information is used or disclosed. The brochure is available from all our hospitals and is also available on the department's Internet site at: <http://www.health.qld.gov.au/privacy/20659.pdf>.

Confidentiality Guidelines that deal with the legal duty of confidentiality and the exceptions to the duty are also publicly available on the Department's Internet site at: http://www.health.qld.gov.au/privacy/Confidentiality_Mar06.pdf