

NSW Health Privacy Leaflet for HIV Patients

There's been a change to how we manage your HIV information

An amendment to the *Public Health Act 2010* in September 2017 means that, consistent with the rest of your health information, HIV information is now available to health care workers involved in providing care, treatment or counselling to you, even if the care, treatment or counselling does not relate directly to your HIV.

This means:

If you attend a NSW public health service for an HIV test or for HIV-related treatment your test result and other HIV information will be available to clinicians, nurses and other NSW Health staff involved in providing care to you for any condition.

What happened in the past?

If you accessed NSW Health services prior to the recent changes, you may have been told that your HIV information would be treated differently from other health information and would be kept separate from your general medical record.

Why has this changed?

This change has been made to better manage the care of people living with HIV. HIV is now managed as a chronic condition and there is often a genuine clinical need for care providers to be aware of your HIV status when managing conditions that may not appear to be directly related to HIV infection.

Your privacy and confidentiality is still protected

The confidentiality of HIV information remains protected by the *Public Health Act* and the *Health Records and Information Privacy Act 2002* which sets limits on how your health information, including HIV information, can be used and disclosed.

Under these laws, your HIV status may be disclosed to a person involved in your care. This may include staff at any NSW public hospital or health facility, your GP, and private health services.

Serious penalties apply to staff who inappropriately access your information, including disciplinary action and potential criminal charges.

Is there anything else I should be aware of?

My Health Record is Australia's national digital health record system. The Commonwealth has given all Australians a My Health Record, unless the person specifically opted not to have one (or later cancelled their Record).

My Health Record provides you with an online summary of your health information. It also allows you to easily share your health information between your GP, various doctors and healthcare providers, if you wish to.

Unlike health records held by your health providers, you can control what goes into your My Health Record, and who may view this information.

If you have a My Health Record, but do not wish for your records from a particular doctor's appointment or hospital visit to be included in your My Health Record, you must inform your health provider at the beginning of your encounter. There are other ways of managing your

privacy settings for My Health Record, if you choose to. You may also choose to cancel your My Health Record.

For further information, go to: www.myhealthrecord.gov.au or telephone 1800 723 471.

Do you have any other questions?

If you have any other concerns about your HIV information please talk to one of your treating clinicians.

If you have privacy concerns please contact the Privacy Contact Officer in your Local Health District. See: <https://www.health.nsw.gov.au/patients/privacy/Pages/privacy-contact.aspx>.

This leaflet should be read in conjunction with the NSW Health Privacy Leaflet for Patients: <https://www.health.nsw.gov.au/patients/privacy/Pages/privacy-leaflet-for-patients.aspx>.