

**Panel on Health Services
Meeting on 11 June 2012**

**Report on Public Consultation
on the Legal, Privacy and Security Framework
for Electronic Health Record Sharing**



**eHealth Record Office
Food and Health Bureau**



Views Gathered

- **111 responses received, generally support development of eHR Sharing System**
- **Key issues**
 - Patient Access
 - Sharable Scope and Exclusion of Data
 - eHR of Withdrawn / Deceased Patients
 - eHR Sharing System Operating Body

Patient Access

Views gathered : 19

- Patients have the right to access and download data
- Sensitive data may cause distress or misunderstanding
- Charges may have deterring effects
- More convenient access

Analysis

- Charges not high
- Balance between convenient access, risk of misinterpretations and security risk
- May provide more access channels in second stage

Sharable Scope and Exclusion of Data

Views gathered : 23

- Prefer “safe deposit box”
 - Patients’ right to choose sharable data
 - Sensitive information may lead to discrimination
 - Move data in and out anytime
 - More types of data stored, smaller labeling effect
- Support no safe deposit box nor exclusion
 - Need to protect healthcare professionals / public
 - Access on a “need-to-know” basis
 - Undermine the merit of eHR sharing and healthcare quality

Sharable Scope and Exclusion of Data

Analysis

- Hiding of information:
 - undermine patient / healthcare professional trust
 - increase healthcare providers' professional and legal risk
- Difficult to determine sensitivity
- Not aware of successful examples overseas
- Further study is required

eHR of Withdrawn / Deceased Patients

Views gathered : 13

- General support for “freezing”
- Different length of frozen period
 - support three and 10 years respectively
 - uniform: seven years
 - six years (deceased patients)
 - 15 years (deceased patients)

Analysis

- Respondents’ suggestions not substantiated
- The original proposal has taken into consideration the Limitation Ordinance (Cap. 347)
- Maintain the proposed three and 10 years

eHR Sharing System Operating Body

Views gathered : 11

- Higher transparency and accountability
- Engage key stakeholders (e.g. medical and ICT sectors)
- Independent governing body to oversee implementation
- Independent bodies to investigate complaints and monitor / audit operation

Analysis

- Empower operating body to conduct security audits on healthcare providers' systems
- Regular security audits on eHR Sharing System
- Minimize conflict of interest:
 - Suitably engage stakeholders in governance structure
 - Appropriate authorities for handling complaints

Next Steps

Mid 2012 onwards Drafting of eHR Bill

2013 – 14 1st / 2nd / 3rd Reading of eHR Bill

End 2014 Commencement of eHR Sharing System



Thank You