

Bills Committee on Electronic Health Record Sharing System Bill

**List of follow-up actions arising from the discussion
at the meeting on 26 May 2015**

The Administration was requested to -

Issues relating to protection of public officers etc.

- (a) in respect of clause 58 which provided for, among others, protection of a person appointed by the Commissioner for the Electronic Health Record ("the Commissioner") under clause 48(3) from civil liability where a person was performing a function or exercising a power under the Ordinance (if enacted) in good faith -
 - (i) advise whether it was a new policy to provide for such protection, and if so, the justification for the policy; and if not, what other ordinances had provided for such protection; and
 - (ii) advise the criteria upon which the Commissioner would adopt in deciding whether a person should be appointed under clause 48(3) and subject to protection from civil liability under clause 58; and

Committee stage amendments proposed by Dr Hon LEUNG Ka-lau

- (b) consider amending the proposed new clause 16A, which provided for the making of a request to restrict the scope of data sharing (or to remove such a restriction) by a registered healthcare recipient (or his/her substitute decision maker), to ensure that the clause would have effect notwithstanding clauses 12(6), 16 and any other provisions relating to sharing consent.