



KATHERINE WEST HEALTH BOARD

Primary Health Care Policy and Procedures

Release of Medical Records

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Purpose:	KWHB has an ethical and legal responsibility to protect and secure medical records to maintain client confidentiality. At times it will be necessary to transfer information between providers and it is important to have clear guidelines in place.
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Related Form / Document:	N/A
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	2. Reviewed and approved PHCCGC October 2014
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Background

KWHB has an ethical and legal responsibility to protect and secure medical records to maintain client confidentiality. At times it will be necessary to transfer information between providers and it is important to have clear guidelines in place. Generally release of medical information to another provider should only happen with the permission of the client. Under circumstances that the client is unable to consent and the information is required urgently to benefit the client, a clear justification is documented in the client file describing the specific circumstances. In this situation only the relevant information should be released. There are legislative requirements around some diagnosis and client situations that providers are mandatorily required to report to the health department, police or welfare agency. It is not a requirement to gain client consent if the medical records are requested by the subpoena, the subpoena should outline the specific event that is required to be released and only that information should be released to the police.

Principles

1. Provision of well designed, high quality and accessible care
2. Provision of care that is relevant and supportive
3. Provision of care that is safe and is client focused
4. Provision of a safe and healthy work environment

Procedures

1. Written consent from the client is needed for release of the following information:
 - Medical record details
 - Deceased clients: medical records need written consent from next of kin or executor of the will before they can be released.
2. Where medical records details are required from a hospital, health or medical centre the *Request for Medical Details* form will be completed. The form will be signed by the requesting person and the client. The form will be completed and faxed to the hospital or health centre and the copy filed in the *Correspondence* section of the client's file.
3. Written consent from the client, or if deceased or incapacitated, their next of kin or executor is needed for any information to be given at the request of:
 - Legal representative (eg. solicitor, lawyer, counsel, barrister)
 - Police
 - Social welfare
 - Health insurance agency
 - Employer
 - Specialists/ doctors/ pathology companies

All requests in writing must be forwarded to and approved by the Director PHC, Director Community Engagement or the CEO.

4. No consent is needed for information to be given in respect of:
 - Subpoena for court (stamped with a court seal)
5. All requests in writing must be forwarded to and approved by the Director PHC, Director Community Engagement or the CEO.

- Notifiable diseases for health department
- Situations requiring mandatory reporting
- Justifiable emergency situations

Note: only relevant and necessary information is to be given.