Release of Information (RoI) including Access to Information

What is Release of Information?
NSW legislation sets out provision for access to and release/disclosure of personal information and personal health information. The relevant pieces of legislation are:

1. Privacy & Personal Information Protection Act 1998;
2. Health Records Information Privacy Act 2002

Provisions under each Act while similar, do have slightly different conditions to be met. Please consult the Medico-legal Manager at the facility/health service or the Local Health District Privacy Contact Officer for more detailed explanation as required.

What sort of information can I ask for?
You can ask for any kind of health information pertaining to you, which is contained in your medical record or personnel file and created or collected by the hospital or health service to which you are making the request.

For patients this information may include outpatient and inpatient notes, pathology results and medical imaging reports, correspondence, medication sheets and discharge summaries (including electronically held information).

For employees, this information may include performance review reports, records relating to terms and conditions of employment and other information held on your personnel file.

Is any information not available?
Documents referring to third parties, other agency documents or correspondence will not be made available (unless they consent to release/access), however an explanation will be provided to you explaining why the document cannot be accessed.

What is sensitive information?
Where the agency is of the opinion that disclosure of information to you may have an adverse effect on your physical or mental health you will be advised and you may be asked to have a medical officer view the record with you.

Sensitive information also includes certain information which is valued as requiring a higher level of protection, and may include for example, information about sexual assault, HIV status, drug health and mental health and additional precautions are taken when managing sensitive information.

How do I request information?
Complete a Release of Information Form, which is available from the Medical Record Department at your hospital or health facility. You will be asked to provide your full name and any aliases, your address and date of birth, and details of the information you are requiring with dates if possible.

Human Resource Departments in each workplace will provide you with details advising how you can access your information.
Do I need to verify my identity?
Yes, as a general guide, health information is considered to be particularly confidential in nature and great care is taken by Sydney Local Health District to ensure appropriate identification procedures are followed.

You will need to provide at least two (2) forms of identification including photograph identification where possible. Acceptable identification includes: passport, driver's licence, Medicare card, birth certificate and health care card.

How do I verify my identity if my application is sent by mail?
Please photocopy the 2 forms of identification you are relying on and have these witnessed by a Justice of the Peace as true copies of the originals.

How do I access my child's medical record?
If you are a parent requesting information about your child you will need to show that you are in fact the child's parent and an original birth certificate will need to be sighted or an authenticated copy of the birth certificate sent by mail.

If you are a separated parent you will need to show the child's birth certificate and also evidence that you are the child's parent. Each parent has authority to request information from your child's medical record, unless the Family Court has specifically removed that right from you. If there is a Court Order/Direction you must advise the hospital/service when you make application for access.

If the child is over 14 years of age it is necessary to have authority from the child as well as yourself.

If the child is over the age of 16 years it is appropriate for the child to make the request for release of information from their record.

How much will it cost me to make a request for release of information?
There is a standard fee of $33 (which includes GST) for a maximum of 80 pages* and this is payable with your request application. You may pay in person at the cashier's office (where credit card and Eftpos facilities are available) or by money order, cheque or credit card details in a posted application. *Pages in excess of 80 incur a cost of 38.5 cents per page (which includes GST).

How will I receive the information I have requested?
The hospital or service will photocopy the requested material and send it to you by mail, Express Post or you may collect the information in person from the Medical Record Department of your hospital (or designated person if you are dealing with a health service).

Who do I refer to if I have any more questions regarding completing the request form for Release of Information?
If you have any further queries regarding completing the request form, please contact the Medical Record Department or Human Resource Department at your hospital/health service and you will be referred to a manager for assistance.

What do I do if I am not satisfied with the response to my request for information?
If you have any complaints regarding the service provided to you please contact the Medical Record
Department or Human Resource Department at your hospital/health service or the Sydney Local Health District Privacy Contact Officer. If further action is required, the process for an official complaint or review of the information request will be explained to you.