

# Medical Ethics, Patient Safety and eHealth

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# Health complaints commissioners in Australia and New Zealand

- Who we are
- Legislation:
  - *Health Services (Conciliation and Review) Act 1987*
  - *Health Records Act 2001*
- What we do
- How we do it

# Examples

- Wrong side procedures
- The Foetus Smith
- Palliative Care Volunteer
- Taxi Driver

# What are the complaints about

- Informed Consent
- Communication issues

# Assessment, Mediation and Conciliation

- How do they work?

# Privacy for Victorians

## Victorian:

- *Health Records Act 2001*
- *Information Privacy Act 2000*

## Commonwealth:

- *Privacy Act 1988*

# What is health information?

- **For health service providers** it is all identifying *personal information* collected to provide a health service;
- **For non health service providers** it is all identifying personal information about the health or disability of an individual

# Personal information means

- Information or opinion about an individual whose identity is apparent, or can be reasonably ascertained
- Does not have to be true
- Does not have to be recorded
- Includes that forming part of a database



# Privacy Protection is a Balancing Act

Maximising the level of control that individuals have over their personal information while ensuring that the right information is available to the right people at the right time in the right way to enable necessary operations and services.



# Consumers of health services and electronic records; the good, bad and the ugly

- eHealth a primary reason for privacy legislation
- 'Once it's out there no one can get it back'
- Convenience for people suffering from chronic illness. How IT can enhance/reduce good communications.
- Access to information regarding health services e.g. indigenous health, people living in remote locations can login to gain information quickly.
- Problems: Reliability e.g. purchasing health products online – is it a good product or a bottle full of mouse poo?

# eHealth Communication Problems

- Technology should not replace compassion e.g. 'the Foetus Smith'
- Introduction of first PET machine at Austin Hospital
- Communication while undergoing scary tests (Ray Charles)
- The importance of the human touch (Stuart Diver)

# Electronic Record Keeping

- The vital importance of excellent record keeping.
- eHealth compared with poor quality of doctors writing.
- Good record keeping, best friend. Bad record keeping, worst enemy.
- Quality of information

# References

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