Australian Capital Territory

Health Records (Privacy and Access) (Fees) Determination 2019 (No 1)

**Disallowable instrument DI2019-260**

made under the

Health Records (Privacy and Access) Act 1997, s 34

EXPLANATORY STATEMENT

This instrument revokes and replaces the Determination of Fees DI2018-294, notified on 17 December 2018.

This instrument comes into effect on 1 January 2020 and reproduces DI2018-294 except for:

* Fees have increased by Wage Price Index of 2.5% (rounded); and
* the date of effect.

The fees schedule balances the importance of ensuring that fees are not a barrier to accessing health records with the need to ensure service providers receive reasonable reimbursement for the cost of providing access to the health records they hold.

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|  | **Old Fee** | **New Fee** |
| **Fees for consumer access to health records** | | |
| View a health record under the Act, section 13C(2)(a). | $15.60 | $16.00 |
| Provision of a copy of a health record up to 50 pages inclusive of any search fee under the Act, section 13C(2)(b)(i). | $42.70 | $43.80 |
| Provision of a copy of a health record for health records containing more than 50 pages inclusive of any search fee under the Act, section 13C(2)(b)(i). | $42.70 plus an additional 40 cents per page charged for each page copied over 50 pages | $43.80 plus an additional 40 cents per page charged for each page copied over 50 pages |
| Provision of an accurate summary of a health record under the Act, section 13C(2)(b)(ii), or a written summary of a health record under the Act, section 13C(2)(b)(iii). | $89.10 | $91.30 |

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|  | **Old Fee** | **New Fee** |
| To view a health record and have its contents explained by a health service provider under the Act, section13(C)(2)(c), or to discuss the health record with a health service provider, under the Act, section 16(2) or section 16(C). | A fee equal to the health service providers usual consultation fee | A fee equal to the health service providers usual consultation fee |
| **Fees for transfer of health records under Principle 11 of the Act–Relocation and closure of health service practice** | | |
| When a health service provider notifies of a practice closure or relocation and transfers the health records or copy of the health records to another health service provider or record keeper. | No Fee | No Fee |
| When a health service provider notifies of a practice closure or relocation and transfers a copy of a health record at the request of the consumer to the consumer or another health service provider nominated by the consumer. | $42.70 plus an additional 40 cents per page charged for each page copied over 50 pages | $43.80 plus an additional 40 cents per page charged for each page copied over 50 pages |
| When a health service provider notifies of a practice closure or relocation and transfers a written summary of a health record at the request of the consumer to the consumer or another health service provider nominated by the consumer. | $89.10 | $91.30 |
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| When a health service provider notifies of a practice closure or relocation and chooses to transfer an original health record at the request of the consumer to the consumer or another health service provider nominated by the consumer. | The cost of actual postage | The cost of actual postage |
| **Fees for transfer of health records under Principle 12 of the Act–consumer transfers to another health service provider or health service provider transfers to another practice** | | |
| Provision of a health record or copy of a health record inclusive of any search fee at the request of the consumer. | A fee of $15.60 plus the cost of actual postage | A fee of $16.00 plus the cost of actual postage |
| Provision of a written summary of a health record at the request of the consumer. | $89.10 | $91.30 |