



Australian Government
Department of Health

Department Reference: FOI 210-1516

B Bear

Via email: foi+request-1877-28d448f0@righttoknow.org.au

Dear B Bear

NOTICE OF DECISION

I refer to your request to the Department of Health (Department) of 19 May 2016 seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

'Documents and or reports which identity the dollar cost to Medicare for the number of revision operations for hips and knees replacements which were caused by recalls/hazards and failures of those items between December 2005 to December 2016.'

I am writing to advise you of my decision.

Decision

All reasonable steps have been taken to find the documents referred to in your request including thorough and extensive searches and consultation with a number of policy and program areas across the department.

I am satisfied that the documents referred to in your request cannot be found or do not exist.

As a consequence, I refuse access to the documents referred to in your request pursuant to section 24A of the FOI Act.

Review rights

If you are dissatisfied with my decision, you may apply for an internal review or Australian Information Commissioner (Information Commissioner) review of the decision.

Internal review

Under section 54 of the FOI Act, you may apply in writing to the Department for an internal review of my decision. The internal review application must be made within 30 days of the date of this notice (or such further period as the Department allows). Where possible please provide reasons why you consider review of the decision is necessary. The internal review

will be carried out by another officer of this Department within 30 days. An application for an internal review should be addressed to either of the following:

Email: FOI@health.gov.au

OR

Mail: FOI Director (MDP 41)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Information Commissioner Review

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review my decision. An application for review must be made in writing 60 days of this notice (if you do not request an internal review).

The Australian Information Commissioner can be contacted by:

Email: enquiries@oaic.gov.au
Phone: 1300 363 992

More about the Information Commissioner review is available on the Office of the Australian Information Commissioner (OAIC) website at <http://www.oaic.gov.au/freedom-of-information/requesting-a-review>

You may also make a complaint to the Information Commissioner about action taken by the Department in relation to your application. Further information can be obtained from the OAIC website.

Relevant provisions

The FOI Act, including provisions relevant to your request can be accessed from the Federal Register of Legislation website at the following:
<https://www.legislation.gov.au/Details/C2004A02562>

Contacts

If you require clarification of any of the matters discussed in this letter you should contact the Department's FOI Unit on (02) 6289 1666 or via email FOI@health.gov.au.

Yours sincerely



Debbie Miller
Acting Assistant Secretary
Ministerial, Parliamentary, Executive Support and Governance Branch

20 May 2016