



17 April 2019

Mr Hanh Yoon

By email: foi+request-5351-4f1a08e6@righttoknow.org.au

Freedom of Information Act 1982

Notice of Practical Refusal Reason

Application number REQ-0001399

Dear Mr Yoon,

I refer to your request for access to documents relating to the number of and the names of organisations with a cancelled registration with My Health Record under the *Freedom of Information Act 1982* (FOI Act).

The statistical information you referenced in your request was last updated in February 2019:

<https://www.myhealthrecord.gov.au/statistics>

FOI decision maker

I, Bettina McMahon, am an officer authorised under section 23 (1) of the FOI Act to make decisions in relation to FOI requests.

I am writing to tell you that I believe that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of the Australian Digital Health Agency (the Agency) from its other operations due to the amount of consultation required. This is called a 'practical refusal reason' (section 24AA).

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the FOI Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

In your request you sought documents relating to:

- *'the up to date list of organisations that have cancelled their registration with MHR'*

I have decided that a practical refusal reason exists because the list of organisations with a cancelled registration with My Health Record is not currently published and I estimate the work involved in completing your request as it is currently formulated exceeds 200 working hours, primarily due to the consultation the Agency would need to undertake with every third party whose information fell within the scope of your request. This supports a finding that a practical refusal reason exists in relation to your request.

I also considered some additional factors listed in the Information Commissioner's Guidelines, including the size of the Agency and resources available to process this request.

Request consultation process

Before making a final decision on your application, I invite you to narrow the scope of your request. This is called a 'request consultation process' as set out in the FOI Act, s.24AB. You have 14 days to respond to this notice either by post or email.

Post: Freedom of Information Officer
Australian Digital Health Agency
Scarborough House
Level 7, 1 Atlantic Street
Woden ACT 2606 Australia

Email: foi@digitalhealth.gov.au

Before the end of the consultation period, the FOI Act requires you to do one of the following in writing:

- Withdraw your request
- Make a revised request
- Tell us that you do not wish to revise your request.

The consultation period runs for 14 days and will start on the day after you receive this notice.

If you make a revised request you would also need to agree to an extension of time for the Agency to process your request as the Agency would need time to reconsider your request before the statutory due date expires. The Agency would propose a 30 day extension if that were to be the case but would confirm this in writing once your response is received.

If we do not hear back from you during the 14 day period, your request will be taken to have been withdrawn.

Further information

If you have any questions, please contact the Agency FOI Team by email foi@digitalhealth.gov.au.

Yours sincerely,



Bettina McMahan
Authorised Decision Maker