



11 June 2019

Our reference: REQ-0001974

Mr Hanh Yoon
c/- Right To Know
By email foi+request-5422-48dc413a@righttoknow.org.au

Dear Mr Yoon

Freedom of Information Request No: REQ-0001974
Statement of Reasons

I refer to your request for access to documents under the *Freedom of Information Act 1982* (FOI Act) for access to:

'Can you please provide the names of hospitals that have cancelled their registration with My Health Record.'

FOI decision maker

I am the authorised officer pursuant to section 23 of the FOI Act to make a decision on your FOI request.

Documents identified

The Australian Digital Health Agency (the Agency) has identified no documents that fall within the scope of your request. I am satisfied that a diligent search has been undertaken and that no document is in the possession of the Australian Digital Health Agency within the scope of your application.

I have accordingly decided to refuse your request for access to the documents. More information, including my reasons for my decision, is set out below.

Decision

Section 24A of the FOI Act states that a request may be refused if all reasonable steps have been taken to find the documents requested and the documents cannot be found or do not exist. With regard to the documents requested in your application, I have found that:

- the documents you requested about the names of hospitals that have cancelled their registration with My Health Record do not exist (section 24A(1)(b)(ii)) within this Agency.

Upon further analysis, the Agency has determined that although the Agency is in possession of a document that lists the names of organisations with cancelled registrations as published previously on the My Health Record website, this statistic is provided by the Department of Human Services. This data is in relation to organisations that have cancelled their registration with the HI (Healthcare Identifier) Service. This does not mean the organisation had registered with My Health Record before cancelling their Healthcare Provider Identifier – Organisation (HPI-O).

Furthermore, the Agency does not possess the required data to determine the organisation category (ie Hospital).

Material taken into account

In making my decision, I had regard to:

- the content and information of the documents that would fall within the scope of your request;
- relevant provisions of the FOI Act (specifically section 24A(1)(b)(ii); and
- the guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act.

Reasons for the decision

Upon further analysis, the Agency has determined that although the Agency is in possession of a document that lists the names of organisations with cancelled registrations as published previously on the My Health Record website, this statistic is provided from the Department of Human Services. This data is in relation to organisations that have cancelled their registration with the HI (Healthcare Identifier) Service. This does not mean the organisation had registered with My Health Record before cancelling their Healthcare Provider Identifier – Organisation (HPI-O). Further details on this process can be found here:

<https://www.myhealthrecord.gov.au/for-healthcare-professionals/howtos/access-my-health-record-using-provider-portal>

Your review rights

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

Internal review

Under section 54 of the FOI Act, you may apply in writing to the Agency for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter.

Where possible, please attach reasons why you believe a review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

Information Commissioner Review

Under section 54L of the FOI Act, you may apply to the OAIC to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online: [OAIC FOI Review](#)

email: enquiries@oaic.gov.au

in person: Level 3, 175 Pitt Street, Sydney NSW

More information about Information Commissioner Review is available on the OAIC website.

Go to www.oaic.gov.au/freedom-of-information/foi-reviews

Further information

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

Yours sincerely



Bettina McMahon

Authorised Decision Maker