

Summary points to remember

- You have a right to access your medical documents held by Melbourne Health.
- Records are kept for varying periods according to legislative requirements.
- Applications to access records must be made in writing.
- Fees may be charged for access to, and photocopies of, records.

What is Freedom of Information (FOI)?

The Freedom of Information Act 1982 (Vic) gives you the right to access your records held by Melbourne Health, including its divisions: The Royal Melbourne (City and Royal Park Campus) and NorthWestern Mental Health. The Act also allows you to request your records to be annotated or to request an explanation or summary of them.

What information does Melbourne Health have about me?

Your medical record at Melbourne Health includes health information collected during your inpatient, outpatient or emergency attendances. The information is used to assist in your ongoing care and treatment. Such information includes details of current and past illnesses or injuries, operations, pathology results and medications taken and prescribed.

Where is my information stored?

Your information may be stored in many ways including paper, x-rays, computer systems, film and tapes.

Please note Melbourne Health holds information for patients treated at RMH - City Campus, RMH - Royal Park Campus, Inner West Area Mental Health Service and Orygen Youth Health.

If you have received treatment from other health services, please contact them directly.

How long does Melbourne Health keep my information?

Melbourne Health complies with the statutory requirements for information retention according to the Public Records Office of Victoria.

Generally, inpatient records are kept for a minimum of 15 years after last attendance, or until the age of 25 if the patient was a child when receiving treatment, whichever is the longest. Outpatient and emergency department records are kept for a minimum of 12 years and up to 20 years from the date of the patient's last attendance. For psychiatric inpatients and outpatients, records are kept for a minimum of 25 years, or until the age of 43, whichever is the longest.

Radiology images are kept for a minimum of five years after creation. Records of deceased patients are kept for 12 years from the date of death. At the end of the retention period, records are disposed of in a secure manner.

How do I view or obtain a copy of my record?

Applications must be in writing to the FOI Officer either on an Application Form available from the Health Information Services department or from The Royal Melbourne Hospital website:

<https://www.thermh.org.au/patients-visitors/coming-hospital/medical-records>.

Your request either to view the record or obtain a copy must be described clearly so we can assist you. Applications must be accompanied by the prescribed fee unless we waive it. Current fee information is available from The Royal Melbourne Hospital website.

Can I obtain someone else's records under FOI?

You may obtain another person's records only if you have their written authority to do so. You may also obtain another person's records if you can provide evidence that you:

- have been given appropriate Power of Attorney (Medical).
- have been appointed as a Legal Guardian of that person.
- are the Senior Next of Kin for a deceased person.

Can records be released outside FOI?

- Release of records may occur in accordance with due legal process (e.g. as evidence in a legal action before a court).
- Records may be released to other healthcare providers for the continuing provision of health care (e.g. when you are in the Emergency Department of another health service, or discharged to another health care service).

How much will it cost me?

The cost involved will vary according to each request. Charges are updated annually and may include:

- application fee (non-refundable)
- search fee (if applicable)
- photocopying of information
- CD fee
- postage and handling
- viewing and interpretation fee
- summary fee

We may waive or reduce the application fee in some instances e.g. financial hardship, Health Care Card and Pension Card holders.

Current fees and charges are viewable on the Office of the Victorian Information Commissioner website:
<http://www.ovic.vic.gov.au/>

How long will I have to wait?

We have 30 days to inform you of our decision about your request. At that time you may also receive an invoice for any applicable charges. The charges must be paid in full before we send you any documents. There may be circumstances where we need to consult with you to extend the 30 days period.

Contact

FOI Officer
Phone: 9342 7224
Fax: 9342 8008
Email: FOIrequest@mh.org.au

Further Information

The *Victorian Freedom of Information Act 1982 (Vic)* is viewable at:
http://www.austlii.edu.au/au/legis/vic/consol_act/

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