

5 April 2012

Marie Shroff
Privacy Commissioner
PO Box 10094
The Terrace
WELLINGTON

Dear Marie

By email code@privacy.org.nz

Proposed Amendment No 7 to Health Information Privacy Code 1994

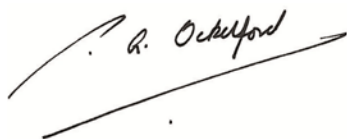
Thank you for the opportunity to comment on the proposed amendment to the Health Information Privacy Code 1994.

The New Zealand Medical Association (NZMA) notes first that the changes to the Code in respect of allowing information sharing where there is a serious (rather than serious and imminent) threat to public health or safety, or the life or health of an individual, reflects the changes to the Act as set out in the Privacy (Information Sharing) Bill. The NZMA supports this change as indeed we supported the proposed change to the Act.

The NZMA also supports the amendment to schedule 2 with the insertion of the MedicAlert Foundation, and to clause 5: rule 12(4) allowing health agencies to assign to a practitioner as a unique identifier their registration number, or the common practitioner number.

Finally, in principle, we support the proposal to set parameters around the future use of the Guthrie cards (“permitted secondary purposes”). We do have a concern that giving the Police the right to use the cards ‘to comply with a search warrant or court order’, may mean that this will prevent the use of the cards for potential future medical purposes, given the small amount of blood deposited on these. The NZMA trusts that this does not occur but notes that it will depend on how often the New Zealand Police access the cards. We hope that that access will be rare.

Yours sincerely



Dr Paul Ockelford
NZMA Chair