AUSTRALASIAN INSTITUTE OF DIGITAL HEALTH

Senate Standing Committees on Community Affairs

Health Legislation Amendment (Modernising My Health Record—Sharing by Default) Bill 2024

Submission by the Australasian Institute of Digital Health (AIDH)

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Introduction

Digital health technologies should be used to drive improvements in patient care and health outcomes, deliver non-clinical health efficiencies, support clinical decision making and address workforce shortages. The *Health Legislation Amendment (Modernising My Health Record—Sharing by Default) Bill 2024* advances these aims and establishes a process for further health reforms underpinned by digital technologies and infrastructure.

The Australasian Institute of Digital Health (AIDH) supports this Bill, as outlined in detail below; we also see additional outcomes from showcasing the successful and beneficial use of digital health, particularly where these successes have been embedded into everyday functions across Australia's healthcare sector.

Increased knowledge, awareness and use of digital health will be a driver of future uptake. Sharing of essential health data, which is a key aspect of this Bill, will provide a mechanism to accelerate the march towards larger scale transformations and deliver on the promised value of digital health.

There are two main aspects to this Bill that the AIDH strongly supports. First is the sharing of key health information by default, an essential modernisation of the health system. The ability to access critical health information is absolutely essential, and is the basis for the Health Information Exchange (HIE) project, which the Government announced earlier in 2024.

Second, this Bill aligns with digital healthcare delivering on the quadruple aim: enhancing patient experiences, improving population health, reducing costs and improving provider experiences. Although the Bill focuses only on pathology and diagnostic imaging service, it signals the Government understands the benefits from investing in information sharing and digital health. On a financial and cost value measure, this will likely deliver savings and efficiencies. As the Productivity Commission's research paper into leveraging digital technology in healthcare noted, "better integrating digital technology into healthcare could save more than $5 billion a year and ease pressures on our healthcare system".[1]

AIDH notes that the Bill, when implemented, should be accompanied by the sharing of successes so the wider public becomes familiar with how health information and data is used to improve health outcomes. Healthcare providers, patients and government health agencies/departments should promote the many examples and spectrum of initiatives of digital transformation driving improved outcomes, workforce benefits, clinician experience, and cost savings.

[1] https://www.pc.gov.au/research/completed/digital-healthcare

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Feedback

The role of Australasian Institute of Digital Health (AIDH) is to advance digital health through education, innovation, and collaboration. We are fully independent, with our members comprising clinical expertise, clinicians, informaticians, academics, researchers, vendors, start-ups, developers and other digital health and artificial intelligence (AI) experts.

One of AIDH's missions is to enhance healthcare delivery and outcomes through the integration and application of digital technologies. As such, the *Health Legislation Amendment (Modernising My Health Record—Sharing by Default) Bill 2024 [Provisions]* represents a significant and welcome advancement to implementing a digitally enabled health system.

AIDH supports the key proposals and intent of *Health Legislation Amendment (Modernising My Health Record—Sharing by Default) Bill 2024* as they relate to sharing of key health information to the My Health Record system 'by default'.

The Federal Government has recognised that My Health Record needs substantial improvement. AIDH supports changes that involve improving the value of My Health Record, to both clinicians and patients; and sharing of key health information to the My Health Record system will deliver this outcome.

AIDH notes this Bill has emerged as a response to the *Strengthening Medicare Taskforce Report*. AIDH strongly supports the need for patients and clinicians to access real time health information as essential to Australia delivering digitally enabled health services. This is, as has been outlined in the Explanatory Memorandum, "a critical foundation for a modern and connected healthcare system."

There is no question that substantial amendments and reforms are urgently required to modernise Australia's health system. The AIDH position is that the proposed amendments to the *National Health Act 1953* is a reform that will begin to deliver a modern, digitally enabled health system.

Key health data should be available to healthcare consumers and their healthcare professionals through the safe and secure sharing of health information by default.

The proposed legislative changes should ensure that healthcare consumers do not have to retell their medical history or medical conditions multiple times. A system that makes it much easier to use My Health Record to locate and utilise health data can only improve patient outcomes and system efficiencies.

AIDH has previously stated that My Health Record has not been used as intended, and in many cases health practitioners are not even using it. AIDH acknowledges that those delivering healthcare services, and healthcare consumers, are often exasperated by lack of access to essential health data. This barrier impedes best clinical practice and creates unnecessary duplication and inefficiencies in healthcare.

Although the current legislation focuses on pathology and diagnostic imaging service, AIDH envisages the expansion to other critical health data in the future, if this reform is successfully implemented and used as intended.

AIDH urges the Commonwealth Government and its agencies to engage directly with consumer health groups, independent digital health associations (such as AIDH), and clinicians to address any concerns or uncertainty about sharing personal health data.

We recognise there are concerns, misinformation and lack of knowledge about personal health data, how it is used, stored, shared and accessed. To ensure the smooth and successful transition to sharing health information 'by default', My Health Record requires a 'reboot' that should include public information and close liaison with all stakeholders so that past failures are not repeated.

Delivering a digitally enabled health system requires investment and modernisation, which this legislation is designed to deliver; however, this legislation necessitates strategic and detailed awareness campaign and public discourse around data security, privacy and access.

Giving health consumers greater information, control and access to their health data will see substantial improvements in the Australian health system. The sharing of key digital health data improves healthcare, reduces costs, saves time and unnecessary procedures – a message that needs to be conveyed and supported.

Consumers and clinicians must be involved at all levels of digital health innovation, and valued for their rich and unique lived experience, and systems, technical, cultural and community knowledge that other actors generally don't have. It is essential that there is engagement with clinicians and consumers early in conceptualisation and decision-making about which problems to solve, and as co-designers in the development, implementation and evaluation of solutions.

We urge the Government to be transparent about data collection, usage and storage practices.

Conclusion

The Australasian Institute of Digital Health supports the passing of *Health Legislation Amendment (Modernising My Health Record—Sharing by Default) Bill 2024 [Provisions]*; however, we recommend that strategic and targeted public awareness/communications campaign be utilised to explain how health information/data is shared, used, and stored; and that independent digital health experts and consumer groups are engaged to ensure the smooth transition of the amendments to the Health Act.

About AIDH

The Australasian Institute of Digital Health (AIDH) represents a diverse and growing community of professionals at the intersection of healthcare and technology.

The Institute has more than 250 distinguished Fellows who are experts or pioneers in digital health, and has a growing membership of professionals comprising doctors, health informaticians, nurses, midwives, allied health, other clinicians, administrators, and health technology business leaders.

The Institute provides objective, non-partisan, and independent advice on the use of technology and health informatics to improve consumer outcomes and solve the most pressing challenges facing our healthcare system.

The Institute's unique composition and reach brings together an extraordinary network of Australia's leading digital health experts across the private, public and community sectors to advance our nation's transition to a digital health future.