

Health Records (Privacy and Access) (Fees) Determination 2023 (No 1)

Disallowable instrument DI2023-31

made under the

Health Records (Privacy and Access) Act 1997, s 34

EXPLANATORY STATEMENT

This instrument revokes and replaces the Determination of Fees DI2021-265, notified on 22 November 2021.

This instrument comes into effect on 1 April 2023 and reproduces DI2021-265 except for:

- fees have increased by Wage Price Index of 3.25% (rounded);
- item (a) has been amended to include “Includes search fee and time of birth requests”;
- the fee at item (b) i) has been identified as being for a hard copy and two new fees have been added for electronic copies of health records;
- item (f) has been added, which states that no fee is payable for a copy of a record for a patient’s continued treatment or care;
- minor numbering changes; and
- the date of effect.

The fees schedule balances the importance of ensuring that fees are not a barrier to accessing health records with the need to ensure service providers receive reasonable reimbursement for the cost of providing access to the health records they hold.

Fee	Old Fee	New Fee
View a health record under the Act, section 13C(2)(a). (Includes search fee and time of birth requests).	\$16.60	\$17.10
Provision of a copy of a health record inclusive of any search fee under the Act, section 13C(2)(b)(i):		
(i) Hard copy – Up to 50 pages	\$45.50	\$47.00
(ii) Electronic Delivery, includes secure encrypted email and via the MyDHR Portal	N/A	\$17.10
(iii) Electronic Delivery via Encrypted USB	N/A	\$33.10

Fee	Old Fee	New Fee
Provision of a copy of a health record for health records containing more than 50 pages inclusive of any search fee under the Act, section 13C(2)(b)(i).	\$45.50 plus an additional 40 cents per page charged for each page copied over 50 pages	\$47.00 plus an additional 40 cents per page charged for each page copied over 50 pages
Provision of an accurate summary of a health record under the Act, section 13C(2)(b)(ii), or a written summary of a health record under the Act, section 13C(2)(b)(iii).	\$94.70	\$97.80
To view a health record and have its contents explained by a health service provider under the Act, section 13(C)(2)(c), or to discuss the health record with a health service provider, under the Act, section 16(2) or section 16(C).	A fee equal to the health service providers usual consultation fee	A fee equal to the health service providers usual consultation fee
Provision of a copy of a health record for a patients' continued treatment or future care.	N/A	No fee
When a health service provider notifies of a practice closure or relocation and transfers the health records or copy of the health records to another health service provider or record keeper.	No Fee	No Fee
When a health service provider notifies of a practice closure or relocation and transfers a copy of a health record at the request of the consumer to the consumer or another health service provider nominated by the consumer.	\$45.50 plus an additional 40 cents per page charged for each page copied over 50 pages	\$47.00 plus an additional 40 cents per page charged for each page copied over 50 pages
When a health service provider notifies of a practice closure or relocation and transfers a written summary of a health record at the request of the consumer to the consumer or another health service provider nominated by the consumer.	\$94.70	\$97.80
When a health service provider notifies of a practice closure or relocation and chooses to transfer an original health record at the request of the consumer to the consumer or another health service provider nominated by the consumer.	The cost of actual postage	The cost of actual postage

Fee	Old Fee	New Fee
Provision of a health record or copy of a health record inclusive of any search fee at the request of the consumer.	A fee of \$16.60 plus the cost of actual postage	A fee of \$17.10 plus the cost of actual postage
Provision of a written summary of a health record at the request of the consumer.	\$94.70	\$97.80