

Notification of Scheduled Medical Conditions and Australian Privacy Principles

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The Public Health Act 2010 sets out the circumstances where certifying pathology laboratories (“the certifier”) and medical practitioners are lawfully required to notify the Secretary of NSW Health of certain medical conditions.

What are the notification of Scheduled Medical Conditions and Australian Privacy Principles?

Outbreaks of communicable diseases represent a threat to public health. To prevent outbreaks it is important to monitor the number of people who contract certain infectious diseases and their characteristics, and to work with patients and their doctors to help prevent spread to other people.

The *NSW Public Health Act 2010* lawfully requires and authorises doctors, hospitals, laboratories, school principals and child care centre directors to confidentially notify NSW Health of patients with certain conditions, and to provide the information delineated on the [notification forms](#).

Specialist trained public health staff review this information and if necessary contact the patient’s doctor, and sometimes the patient, to provide advice about disease control and to complete the collection of information.

All information is held confidentially in order to protect the patient’s privacy. Both the NSW and Commonwealth Privacy Acts contemplate the release/disclosure of patient information where it is lawfully required or authorised.

The *Privacy Act 1988 (Cth)* permits the use or disclosure of health information where it is required or authorised by law (see Australian Privacy Principle 6.2(b)). “Law” includes Commonwealth, State and Territory legislation as well as common law. Similarly, under the *Health Records and Information Privacy Act 2002* “an organisation may use or disclose health information in circumstances where it is lawfully authorised to do so” (see *Health Privacy Principles 10 & 11, Schedule 1*).

Further information?

Further information about the notification procedure, including the lists of notifiable conditions in NSW is available at <http://www.health.nsw.gov.au/phact/Documents/is6-disease-notification.pdf> or contact your local public health unit on 1300 066 055.