



RTBU

Dear Secretary,

Over the past few weeks, there has been a lot of public debate regarding the Federal Government's new online system for recording personal medical histories, called *My Health Records*. This system will allow individual users to authorise various health professionals to access and share their medical records.

Individuals will automatically have a *My Health Record* created unless they opt out by 15 October 2018.

The National Office strongly believes that, for individual patients, there is a benefit to be gained from treating healthcare professionals having access to medical records in one central location. As such, we believe *My Health Records* is an initiative that could improve the quality of medical treatment, and could even save lives.

After careful consideration, however, the National Office remains concerned with several elements of the current scheme - particularly the potential for the misuse of irrelevant private health information by employers or their nominated healthcare representatives.

As you know, RTBU members are subject to strict medical standards to ensure their own safety and that of the wider community. Members frequently submit to medical testing to ensure they are fit to perform their role in our safety critical industries.

But there is simply no justification for employers to have access to personal health information that does not directly relate to workplace safety. Information about personal matters, including but not limited to sexual health, pregnancy and mental health, should not necessarily be sought by, or shared with, employers.

As you are aware, the RTBU has fought numerous instances of discrimination against workers following access to their private health information. Further, operators seeking to cut legal entitlements to sick leave may discriminate against prospective workers with prior or chronic health conditions that are not relevant to the role being applied for.

Our primary concern is that under the *My Health Record* scheme workers may be vulnerable to incremental and intrusive requests by employers seeking access to such personal information.

In its current form, the governing legislation does not adequately protect workers' private medical data in situations where employers or prospective employers demand access either for themselves or for employer-appointed healthcare professionals.

If employers can ask, then they will. When they do ask, workers or prospective workers will inevitably feel pressured to comply.

For this reason, the RTBU believes it is in the best interests of members to give deep consideration to opting out of *My Health Record* until protections for workers are implemented. We recognise this has to be a decision for each individual member, as other factors may influence their decision.

The following links provide information about the *My Health Record* scheme and commentary about its operation:

<https://www.myhealthrecord.gov.au/for-you-your-family>

<https://www.smh.com.au/national/my-health-legislate-now-to-protect-against-future-abuse-20180727-p4ztxh.html>

<https://www.thesaturdaypaper.com.au/news/politics/2018/07/28/the-positives-and-perils-my-health-record/15327000006624>

Rail, Tram & Bus Union Australia **The Power of Union**

Office: Level 2, Trades Hall, 4-10 Goulburn Street, Sydney NSW 2000

Phone: 02 8203 6099 **Fax:** 02 9319 2096

<https://theconversation.com/opting-out-of-my-health-records-heres-what-you-get-with-the-status-quo-100368>

More information about My Health, and the process for opting out, is available here:

<https://www.myhealthrecord.gov.au/for-you-your-family/opt-out-my-health-record>

Do not hesitate to contact the National Office if you, or members, have any questions.

In solidarity,



Bob Nanva
NATIONAL SECRETARY