

REQUEST FOR ACCESS TO ANOTHER PERSONS MEDICAL RECORDS

Please read the following information prior to completing the attached request for access application form.

Requests for Access to Documents

Requests for access can be made for any document or documents that are held by South Australian State Government Agencies, Local Government Councils or Universities. You need to apply directly to the agency that holds the document.

All requests will be dealt with by the agency's Accredited FOI Officer.

You will need to provide sufficient information to enable the correct document or documents to be identified. If you are uncertain, the agency can assist you in clarifying your request.

If you are seeking documents relating to your own personal affairs you may be requested to provide proof of your identity. Alternatively, if you are seeking access to documents on behalf of another person relating to their personal affairs, you may be asked to submit written consent signed by that person.

After processing your application the agency is required to provide you with a written determination in relation to your application. This is called a Notice of Determination. The Notice of Determination will include the agency's decision in relation to your request and, if access has been refused in full or in part, the reasons why this has occurred.

How can I request the documents be provided?

You can request access to documents in various forms depending on how the information is stored. The different ways you can access documents include:

- inspecting documents
- requesting a copy of documents
- hearing and viewing audio and video tapes
- requesting a transcript of a recorded document
- requesting a transcript of words recorded in shorthand or encoded form
- requesting a document be produced from computerised information.

How long will it take?

A request for access will be dealt with as soon as practicable, or within 30 (calendar) days of it being received.

In certain circumstances the agency may extend the timeframe for dealing with your application. The agency will advise you within 20 (calendar) days if an extension is necessary.

If the agency has not extended the timeframe for dealing with your application and you do not receive a determination within 30 (calendar) days, the legislation deems that the agency has refused your application. If this is the case you are entitled to lodge an application for review or appeal. For further information you should speak to the agency that you originally sent your FOI request to.

How much will it cost?

The fees and charges for making and processing a Freedom of Information application are as follows. Application fee for access to documents is **\$42.00**.

Charges for processing an application for access are:

- for documents concerning your personal affairs, the first two hours are free after which **\$14.70** is charged for each subsequent 15 minutes
- for all other documents, there is a charge of **\$14.70** for each 15 minutes spent.

In addition to these charges the following is payable in respect to:

- a photocopy of the document (**\$0.25 per page**)
- a written transcript of words recorded or contained in the document (**\$8.70 per page**)
- a photograph, x-ray, video tape, computer tape or computer disk (**the actual cost incurred in producing the copy**)
- any postal or delivering charges incurred.

The fee for making an application for a review of a determination is **\$42.00**.

If you are dissatisfied with a fee or charge calculated by the agency, you are entitled to request the agency for a review. You are not required to pay a fee or any other charge for this review. If you are still dissatisfied with the outcome of that review, you can seek a further review from the Ombudsman or, for applications made to SA Police, the Police Complaints Authority.

Generally agencies accept payment by cash, money order or cheque. However, if you would like to pay by credit card you will need to ask the agency if they are able to accept credit card payments.

What if I have a concession card or can't afford to pay?

In some cases the fee for your application can be waived. If you are the holder of a current concession card, or if you can satisfy the agency that the payment of the fee would cause financial hardship, the agency must waive or remit (reduce or refund) the application fee.

If you are a concession cardholder you will need to provide the agency with evidence, e.g. you should attach a copy of your concession card when you make the application. Alternatively you will need to give written reasons as to why the payment of a fee would cause you financial hardship.

Access to documents by Members of Parliament

A Member of the South Australian Parliament who applies for access to a document held by a State Government Agency, Local Government Council or University is entitled to access the document without charge unless the work generated by the application involves fees and charges totalling more than \$1,000.

Further Information

In the first instance it may be helpful for you to contact the State Government Agency, Local Government Council or University holding the document to which you require access, and ask for the Freedom of Information Officer.

Information about Freedom of Information is also available through public libraries, community centres and government agencies, or visit the State Records SA website www.archives.sa.gov.au.

To purchase a copy of the *Freedom of Information Act 1991*, please visit a Service SA Customer Service Centre or the Service SA online shop at www.shop.service.sa.gov.au. Alternatively you can download a copy from the South Australian legislation website at www.legislation.com.au.

Making a Request for Access to Documents

Lodgement of Application

Agency holding document(s): **CALHN - Please circle the relevant Hospital(s)**

Royal Adelaide Hospital
Including Hampstead Rehabilitation

The Queen Elizabeth Hospital
Including St Margaret's Rehabilitation

SA Prison Health Services

Details of Applicant

Last NameMr/Mrs/Ms/Miss

Given Name.....Date of birth.....

Australian Postal Address

..... Post Code

Tel (hm) Tel (wk) Tel (mob)

Email *(Optional)*.....

Your relationship to the person
(Please supply proof of this relationship e.g. marriage certificate, death certificate)

DETAILS OF PATIENT'S DOCUMENTS YOU WISH TO ACCESS

Surname: Mr/Mrs/Miss/Ms

Given Names:

Maiden / Other Names used:Date of Birth

Current Address:

.....Post Code:

Is this person: Alive Deceased (Please circle)

If you are seeking access to the information of another person, you will need to supply the patient's consent or a copy of a current Advance Care Directive/Guardianship Board Authority or Death Certificate and if there is a will the consent of the executor with this application.

Please provide sufficient information to assist with identifying the specific records you require, e.g. dates of admissions or outpatient appointments etc.

Please note that access to deceased patient information under the FOI Act is subject to the authorisation of the CEO in accordance with Section 93 of the Health Care Act.

Fees and Charges

An application fee of \$42.00 must be submitted with the completed application form, unless you are seeking to have the application fee waived. Please attach evidence, e.g. a copy of your concession card, pension card, healthcare card, student card etc. or other evidence as proof of financial hardship if this is the case.

In the following section please tick as appropriate:

- Do you qualify for fee waiver? Yes No
- Is proof attached? Yes No
- Is the fee attached? Yes No
- Fee is in the form of: Cheque Cash Money Order Credit Card

(Please do no send cash through the mail)

We accept payment by cheque, money order, cash or credit card. If no fee is attached and you do not qualify for a fee waiver then this application will not be valid (and will not be processed) until the fee has been received.

If you wish to pay the application fee by credit card please call the appropriate FOI office as listed below and we will then arrange for the application fee to be charged to your credit card.

PROOF OF IDENTITY MUST BE SUPPLIED WITH ALL REQUESTS FOR INFORMATION

e.g. a photocopy of a drivers licence, passport, birth certificate etc.

Send applications to:

Royal Adelaide Hospital requests

The Freedom of Information Office
Level 10
Roma Mitchell House
136 North Terrace
ADELAIDE SA 5000

Ph: 7117 2385
Email: Health.RAHFOI@sa.gov.au

**The Queen Elizabeth Hospital or
Prison Health requests**

The Freedom of Information Office
Level 9A
The Queen Elizabeth Hospital
28 Woodville Road
WOODVILLE SOUTH SA 5011

Ph: 8222 7275
Email: Health.TQEHFOI@sa.gov.au

Applicant's Signature **Date** / / 20.....