

**From:** Cheryl Shearer <[Cheryl.Shearer@bopdhb.govt.nz](mailto:Cheryl.Shearer@bopdhb.govt.nz)>

**Sent:** Thursday, 14 April 2022 8:58 am

**To:** Privacy Code <[privacy.code@privacy.org.nz](mailto:privacy.code@privacy.org.nz)>

**Cc:** Cheryl Shearer <[Cheryl.Shearer@bopdhb.govt.nz](mailto:Cheryl.Shearer@bopdhb.govt.nz)>

**Subject:** Submission on Privacy Code

## **SUBMISSION:**

### **Code changes noted:**

(2) Paragraph 13 is deleted and new paragraphs 13, 14, and 15 are inserted as follows:

Delete: (13) Any health agency which has a contract with the Accident Compensation Corporation or a District Health Board or the Ministry of Health to provide health or disability services. Insert: (13) Māori Health Authority (14) Ministry for Disabled People (15) Any health agency that is funded (whether wholly or partly and whether directly or indirectly) by a State service to provide health or disability support services.

### **QUESTIONS FOR SUBMITTERS - submission in RED**

Do you support the proposed changes Rule 13 and, in particular we would like your views on:

- Whether the list of agencies specified at Rule 13 is appropriate, having regard to the structural changes that are to take effect on 1 July 2022; **agree yes**
- Whether the proposal to extend the funding provision to include any health agency that is funded whether wholly or partly and whether indirectly or directly by a state service to provide health or disability support services is appropriate? **agree that this is appropriate**
- Does it go too far in permitting assignment of the NHI? **YES, it does go too far with the addition of (15) by allowing the assignment of NHIs to any health agency. My submission is that 15 should not be included.**
- If so, what change (if any) would you recommend we consider? **Aside from adding (13) and (14) then no other addition. Delete (15) because: NHIs are assigned at birth, and there should be very few other New Zealanders needing the assignment of a number. Those needing an NHI that has not been assigned at birth are likely immigrating or visiting the country and seeking general or emergency healthcare provision. Health New Zealand, through its funded hospitals, accident and emergency centres and GPs, is likely to be the main source of provision of NHIs. To ensure the provision of appropriate and necessary healthcare for all, there must be formal referrals to other health agencies from Health New Zealand, the Māori Health Authority, and the Ministry for Disabled People with the inclusion of a Full Name, DOB and NHI to ensure the identity of the individual referred can be confirmed. Duplicate NHIs for individuals are already a problem that has to be sorted without having numerous agencies all providing new numbers. To ensure privacy, there has to be a work related need to know information about an individual and having to search through other databases to ensure that there is no NHI allocated by any other health agency could lead to breaches of privacy where other individuals' information is accessed when it is not necessary.**

Sincerely  
**(Mrs) Cheryl Shearer (she/her) MBA**  
**Records Manager & Privacy Coordinator**  
**BOPDHB**