



4 May 2022

Health Information Privacy Code Submissions  
Office of the Privacy Commissioner  
Wellington 6143

By email: [privacy.code@privacy.org.nz](mailto:privacy.code@privacy.org.nz).

Tēnā koe

## **Submission – proposal to amend the Health Information Privacy Code 2020**

Pegasus Health (Charitable) Ltd (Pegasus) welcomes the opportunity to comment on the proposed amendments to the Health Information Privacy Code 2020, to align to the Pae Ora (Healthy Futures) Bill.

Pegasus is committed to improving the health outcomes for the people of Canterbury. As a large Primary Health Care Organisation (PHO), we support General Practices and community-based health providers within Canterbury to deliver quality health care, and coordinate and link parts of the health system together. The application of the Health Information Privacy Code 2020 is therefore central to and underpins all our mahi.

Pegasus provides comments below in relation to the proposed changes and responds to the questions posed for submitters.

### **1. Definition changes**

We support the change of the title of the definition of 'disability support services'.

We agree that the definition of 'health information' encompasses information about end-of-life services and that no further change is required.

### **2. Proposed changes to Schedule 2**

We agree that the changes made to Schedule to add the Māori Health Authority, Health New Zealand, and the Ministry for Disabled People.

Regarding the insertion of new paragraph 15, we are of the view that the proposed approach makes sense in the overall context of the Pae Ora (Healthy Futures) Bill as it currently stands. We note however that the contracting environment remains unclear, and care still needs to be taken that the NHI number is only assigned by health agencies where it is necessary. It is important that there is the restriction on the circumstances in which NHI can be assigned, to avoid "function creep".

### **3. Proposed change to Rule 13**

We recommend that Rule 13(3) and (4) should be amended to reflect the agency (being the Ministry of Health or Health New Zealand) that is ultimately accountable for the NHI and CPN numbers.

Because NHI number is specific to the health sector and is the one unique identifier that is exempt from the prohibition on the assignment of the same unique identifier by multiple agencies, we do consider it necessary to reflect in the Code who is responsible for maintaining these.

We hope these comments, made in consultation with our Pegasus Advisory Group, are helpful. Please contact [privacy@pegasus.org.nz](mailto:privacy@pegasus.org.nz) if further comment is required.

Nāku noa nā

Ben Sutton  
General Counsel

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