

PRIVACY and ACCESS to your PATHOLOGY RESULTS in Australia

About **500 million pathology tests** are performed in Australia every year. This means a lot of **personal and health information is collected by pathology laboratories for different reasons** such as making sure you have the **right pathology tests** and to make sure your **pathology results are delivered to the right person and place**.

Pathology laboratories take your PRIVACY and healthcare rights very seriously, even though they don't always need your permission to collect, use or share your information. There are **laws and privacy acts** that protect your personal and health information, and pathology laboratories must follow these as well.

Correctly identifying you by collecting personal information before you have a pathology test is very important. When your pathology results are ready they **must be delivered to the right person and place in a secure way**. There are many ways pathology laboratories make sure this happens **to protect your privacy**. For example, the doctor who requested your pathology tests can only access your pathology results online if they have a **unique password and login**.

You may be interested to know that **you don't own your pathology results**, but you are **usually** allowed to see them. (OAIC 11)

There are **laws about who else can see your pathology results**, and pathology laboratories take these very seriously. Not even a relative who is a doctor can see your pathology results unless they are also your treating doctor.

There are **rules that protect ACCESS to your pathology results** when you are in hospital, and **rules about how long your pathology results are kept** by pathology laboratories.

Access to your pathology results is also **protected after you die**.

It is important to realise that some of the **privacy and access rights** for pathology results **are a bit different for genetic test results**. This is because you **share your DNA with your family**.

The Australian Charter of Healthcare Rights outlines **seven rights** that you also have in Australia's health system. You have the right to:

1. have access to health care
2. receive safe and high quality care
3. be shown respect, dignity and consideration
4. be informed about services, treatment, options and costs in a clear and open way
5. be included in decisions and choices about your care
- 6. privacy and confidentiality of your personal information**
7. comment on your care and have your concerns addressed. (ACSQH 1)

You can find more information in our *How PRIVACY and ACCESS to your pathology results is managed in Australia* fact sheet.

New reference:

OAIC 11 - <https://www.oaic.gov.au/agencies-and-organisations/app-guidelines/chapter-12-app-12-access-to-personal-information#refusing-to-give-access-under-app-12-agencies>