



## Merging Practices – Checklist (for practices needing to relocate as a result of a merger)

The following information will assist with compliance with changes to the ACT health record law that came into effect on 1 October 2010

### STEP 1 – IDENTIFY RECORD KEEPERS

- 1.1 Have relevant health record keepers been identified?

(Hint #1: Relevant health record keepers can be any person, including corporations, who hold health records of patients who attend the practice—or a legal representative of a sole practitioner who is deceased or legally incompetent)

(Hint #2: Record keepers must ensure that the requirements of Step 2 and Step 3 of the Checklist are satisfied)

### STEP 2 – CREATE AN ACTION PLAN

- 2.1 Does the action plan consider what actions need to be done by the various record keepers?

- 2.2 Does the action plan identify where health records will be transferred to?

(Hint: Health records may be transferred to another practice, storage facility or other location)

- 2.3 Does the action plan identify the address and contact details of any transfer recipient/s?

- 2.4 Does the action plan consider what actions need to be done when a patient requests a transfer of their health record to another health service provider?

(Hint#1: See transferring a Health Record on Health Practice Closure, Merger and Relocation Factsheet at: <http://www.health.act.gov.au/healthpracticetails> )

(Hint#2: Transfer requests must be completed by record keepers within 30 days of the request being made, except in cases where an applicable fee to a request has been fully paid. If a fee is payable, the health record must be provided no later than 30 days after the day of receipt of the transfer request or 7 days after the day of payment, whichever is the later.)

- 2.5 Does the action plan clearly and correctly identify any relevant fees?

(Hint #1: Not all requests attract a fee, and where there is no fee, a record keeper is expected to complete the request as soon as possible but not later than 30 days from the day the request was first made)

(Hint #2: Fees are determined by the ACT Government and are updated routinely, so make sure you have the most current set of fees by visiting the ACT Legislation Register at [www.legislation.act.gov.au/li/current/h.asp](http://www.legislation.act.gov.au/li/current/h.asp) and selecting "Health Records (Privacy and Access) (Fees) Determination")

(Hint #3: ACT Health also maintains a simplified version of the fees which can be accessed from the ACT Health website at <http://www.health.act.gov.au/c/health?a=da&did=10101609&pid=1132871229>)

2.6 Does the action plan consider what actions need to be done when a patient makes an urgent request?

(Hint #1: Whether a request is urgent may be decided by a clinician based on a patient's medical history, the patient's immediate circumstances, a recommendation by another clinician, or any other information or evidence that may be relevant.)

(Hint #2: Urgent requests, must be completed by the record keeper within 7 days of the request being made)

2.7 Does the action plan identify methods of notifying the public of the closure?

See Step 3

## STEP 3 – NOTIFICATION

3.1 Has the practice provided 30 days notice of the merger and relocation to the public, but in particular, patients and employees of the practice?

(Hint #1: Notice must be provided in the form of an advertisement in a daily newspaper—a *sample notice has been provided at page 3*)

(Hint #2: A relocating practice may also inform patients and employees in any other way it sees fit)

3.2 Does the notice include statements about the following things?

- The date of the notice being the date when the notice is published;
- The date of merger of the practice (ie minimum 30 days from the publication date of the notice);
- A consumer may request that a copy or written summary of the consumer's health record be given to the consumer or health service provider nominated by the consumer;
- If a consumer makes a request for a copy or written summary, then the consumer must do so no later than 14 days after the date of the notice;
- If a consumer does not make a request for a copy or written summary of their record within 14 days after the date of the notice, the consumers health records will be given to any identified future record keeper/s;
- Address and contact details of the future record keeper/s;
- Any relevant fees; and
- If a fee is applicable, the fee must be paid before the request is completed.

3.3 Has the ACT Health Practice Closure, Merger or Relocation Form been filled out and submitted to ACT Health? An online and pdf version of the form is available at:   
<http://www.health.act.gov.au/healthpracticetails>

This form should be submitted to ACT Health as soon as practicable after publication of the notice to notify ACT Health of the notice details. ACT Health is required to forward a copy of the form to the Health Services Commissioner.

# Sample Notice A

## (When records will be transferred to another practice)

*(Disclaimer: Names, addresses and contact details are fictitious)*

### **NOTICE OF PRACTICE MERGING**

**Date of Notice: 15 October 2010**

The Carefree General Practice at 66 Barton Highway, Barton ACT 2611 will merge on **15 November 2010**.

Unless otherwise requested, all health records held by Carefree General Practice will be transferred to:

**The Family Friendly Clinic**  
**19 Byron Street**  
**Barton ACT 2611**

**Contact Person: Bernice Reynolds**  
**Telephone: 02 6000 0000**  
**Email: FFC@ask.com.au**

If you have been a past, or are a present patient at the Carefree General Practice, you may request or ask for a copy or written summary of your health record to be given to you, or you may ask for your record to be transferred to another practice of your choice.

If you are thinking of making such a request, please make sure you give us enough time to complete your request by phoning us on (02) 6000 0000, or emailing us at: CFGP@ask.com.au **before 29 October 2010**.

Please note that fees (if applicable) will vary depending on your type of request and must be paid for before your request is actioned.

If you have not made a request to send your records to another practice by 29 October 2010, all health records held by Carefree General Practice will be transferred to The Family Friendly Clinic in Barton.