



## Privacy and notifiable data breach – what it means for you

Dr Peter Walker – GP, Risk Advisor

Annual Women's and Children's Health Update - HealthEd

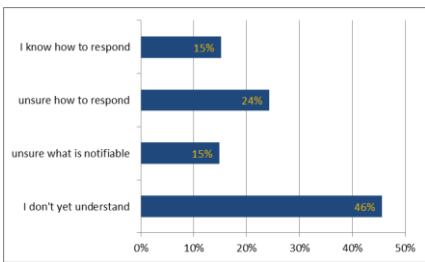
August 2018

### Agenda

- > Why do you need a "data breach response plan"?
- > What is a notifiable breach?
- > What do really you need to do?



### Do you need a data breach response plan?



Source: Avant survey data 2017/18

### Healthcare data is vulnerable

**Data of over 220,000 organ donors pledged leaked online**

**Red Cross apologises after mass leak of Australian blood donor records**

**'Professional' hack on Norwegian health authority compromises data of three million patients**

**Dark family secrets: Anonymous letter uncovers child welfare records**

**Cosmetic surgery online mistake allows public viewing of women's photos, private details**

**Hundreds left vulnerable to hackers after Johnson and Johnson data blunder**

**BREACH BAROMETER REPORT: YEAR IN REVIEW**  
5.6M Patient Records Breached in 2017, as Healthcare Struggles to Comprehensively and Proactively Detect Health Data Breaches

### Healthcare data is vulnerable

**Family Planning NSW targeted by hackers with ransom demand, data of 8,000 people at risk**

**Statement on Family Planning NSW**

14 May 2018

The Office of the Australian Information Commissioner was notified by Family Planning NSW about a data breach incident that occurred on 25 April 2018. The OAIIC understands that Family Planning NSW is in the process of notifying individuals whose personal information may have been affected by the breach.

### And people make mistakes

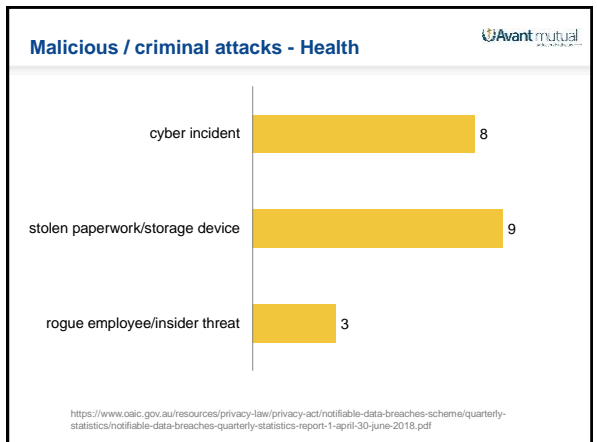
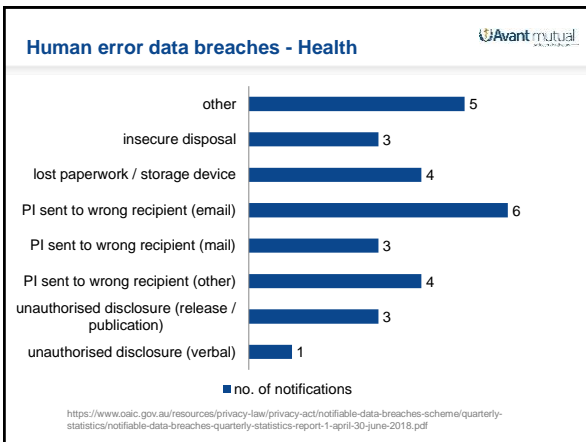
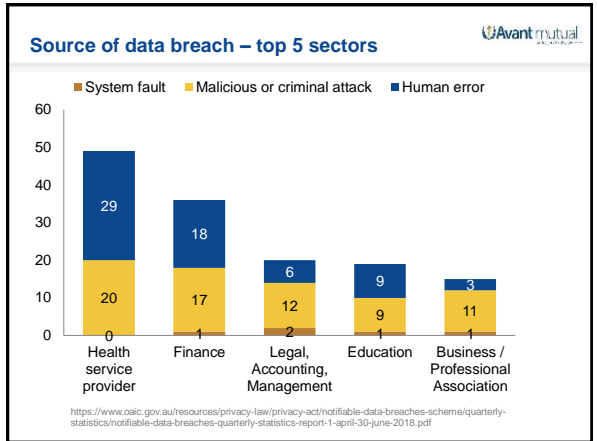
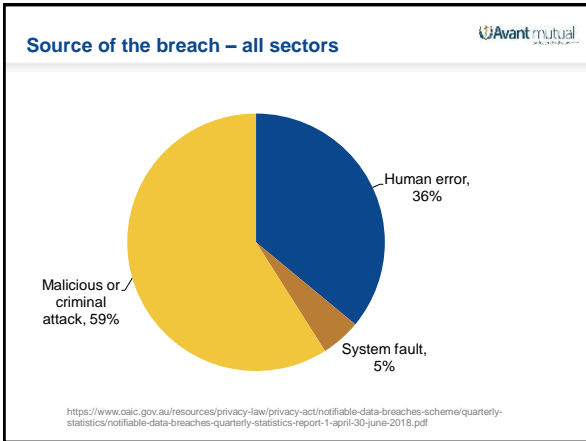
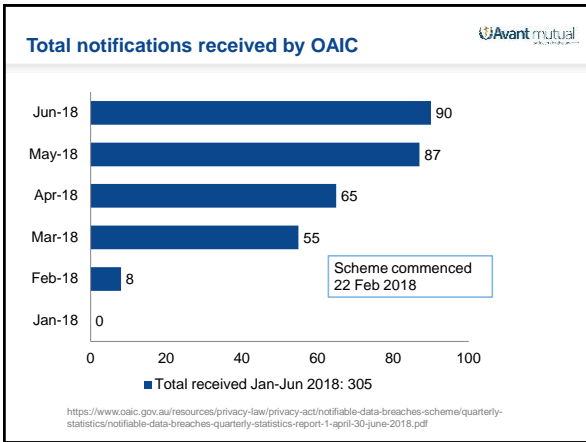
**Thousands of SA children's medical test results online for 13 years: SA Health**

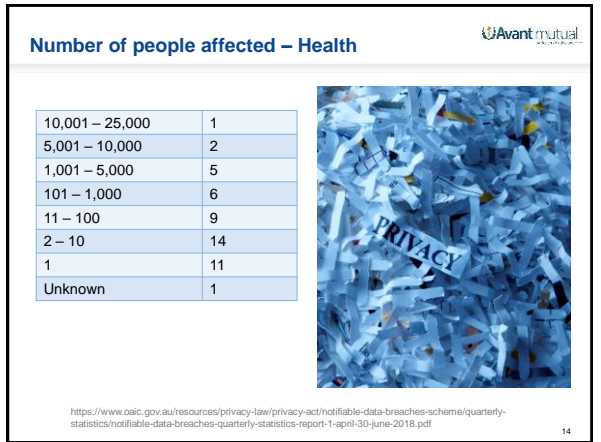
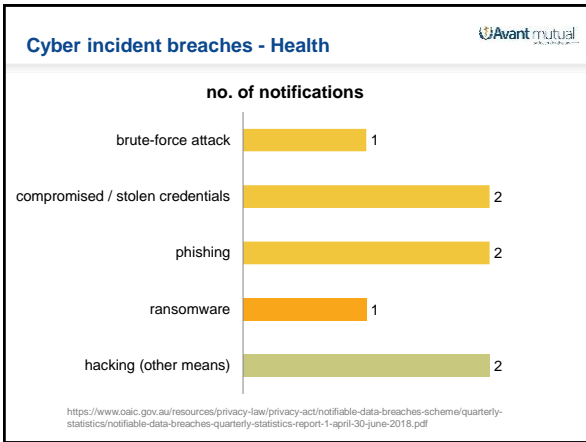
**'Disturbing' privacy breach revealed: Over 1,000 NSW Health medical records abandoned in derelict building**

**The Advertiser**

**More SA Health staff sacked and disciplined for spying on patient records**

More than 1,000 confidential medical records have been left on the floor at a derelict former aged care facility operated by the New South Wales Government.

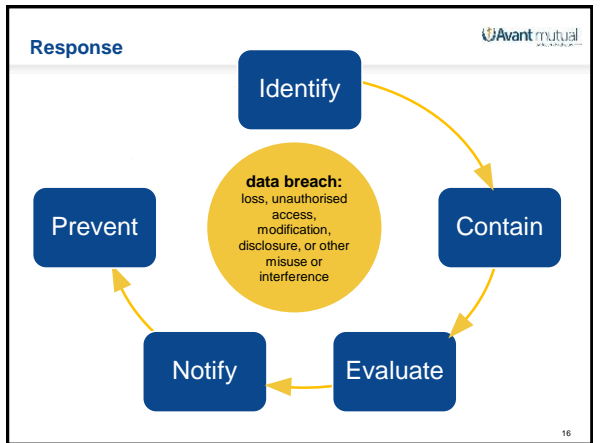




### Could this be you?

For example ...

- You've been undertaking an audit of patients who have received Implanon in your clinic
- You transfer the Excel file onto a USB flash drive, which you put in your bag to take it home to finish the audit
- On the way home you go past some shops
- After dinner when you are ready to work on the audit, the USB is missing from your bag...

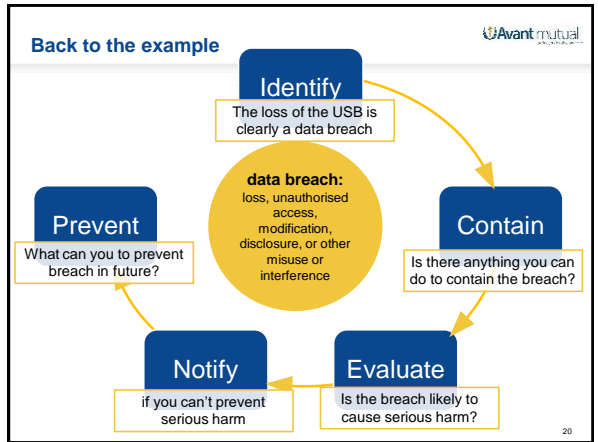


### Notify

**Who to notify?**

**How to notify?**

**What information to provide?**



What can I do now?

1. Be aware of privacy and security obligations.
2. Review information handling practices, procedures and systems.
3. Review contracts with third party providers.
4. Implement mitigation strategies.
5. Know what to do if you discover a breach.

Avant mutual

21

Where can I find more information?

- > Office of the Australian Information Commissioner [www.oaic.gov.au/](http://www.oaic.gov.au/)
- > Australian Digital Health Agency [www.digitalhealth.gov.au/](http://www.digitalhealth.gov.au/)
- > Australian Cybersecurity Centre [www.acsc.gov.au/](http://www.acsc.gov.au/)
- > Australian Signals Directorate [www.asd.gov.au/publications/protect/essential-eight-explained.htm](http://www.asd.gov.au/publications/protect/essential-eight-explained.htm)
- > Stay Smart online Information Security Guide for small healthcare businesses [www.staysmartonline.gov.au/](http://www.staysmartonline.gov.au/)
- > Avant [www.avant.org.au](http://www.avant.org.au)

Avant mutual

22

Important notices

**General disclaimer**

The information in this presentation is general information relating to legal and/or clinical issues within Australia (unless otherwise stated). It is not intended to be legal advice and should not be considered as a substitute for obtaining personal legal or other professional advice or proper clinical decision-making having regard to the particular circumstances of the situation.

While we endeavour to ensure that documents are as current as possible at the time of preparation, we take no responsibility for matters arising from changed circumstances or information or material which may have become available subsequently. Avant Mutual Group Limited and its subsidiaries will not be liable for any loss or damage, however caused (including through negligence), that may be directly or indirectly suffered by you or anyone else in connection with the use of information provided in this presentation.

Avant mutual  
by doctors for doctors

23