



# My Health Records (Opt-out Trials) Rule 2016

## *My Health Records Act 2012*

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I, SUSSAN LEY, Minister for Health, make this Rule under subclause 1(1), and subparagraphs 5(2)(c)(i) and 13(2)(c)(i), of Schedule 1 to the *My Health Records Act 2012*.

Dated 2/2/16

SUSSAN LEY  
Minister for Health

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## Contents

<b>Part 1</b>	<b>Preliminary</b>	<b>3</b>
1.	Name of Rule	3
2.	Commencement	3
3.	Definitions	3
<b>Part 2</b>	<b>Trials of opt-out registration</b>	<b>4</b>
4.	Classes of healthcare recipients	4
5.	Period to opt-out of registration	5
6.	Period within which to make initial election on disclosure of health information	5

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## Part 1 Preliminary

### 1. Name of Rule

This Rule is the *My Health Records (Opt-out Trials) Rule 2016*.

### 2. Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

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Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
The whole of this instrument	The day after this instrument is registered.	

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Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3. Definitions

In this Rule, unless the contrary intention appears:

*Act* means the *My Health Records Act 2012*.

*Medicare Address* means the mailing address held by Medicare for correspondence with a healthcare recipient.

Note: Unless the contrary intention appears, terms used in this My Health Records (Opt-Out Trials) Rule has the same meaning as in the Act— see section 13 of the *Legislative Instruments Act 2003*.

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## Part 2 Trials of opt-out registration

### 4. Classes of healthcare recipients

For the purposes of subclause 1(1) of Schedule 1 to the Act, Part 2 of Schedule 1 to the Act applies to the classes of healthcare recipients who, on 3 March 2016, have a Medicare Address with a postcode listed in column 2 of the following table.

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<b>Trial sites for opt-out registration</b>	
<b>Column 1</b>	<b>Column 2</b>
<b>Opt-out Trial Area Name</b>	<b>Postcodes Inclusive</b>
<b>Northern Queensland Primary Health Network</b>	4705
	4707
	4721
	4737 to 4746
	4750 to 4751
	4753 to 4754
	4756 to 4757
	4798 to 4812
	4814 to 4822
	4849 to 4850
	4852
	4854 to 4856
	4858 to 4861
	4865
	4868 to 4888
	4892
4895	
<b>Nepean Blue Mountains Primary Health Network</b>	2178
	2555
	2745
	2747 to 2750
	2753 to 2760
	2765
	2773 to 2780
	2782 to 2787
	2790
	2795
2845 to 2850	

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**5. Period to opt-out of registration**

For the purpose of subparagraph 5(2)(c)(i) of Schedule 1 to the Act, if a healthcare recipient who is a member of a class of healthcare recipients prescribed under Rule 4 gives notice to the System Operator electing not to be registered for a My Health Record, the period within which the notice must be given commences on 4 April 2016 and ends on 27 May 2016.

**6. Period within which to make initial election on disclosure of health information**

- (1) This Rule is made for the purpose of subparagraph 13(2)(c)(i) of Schedule 1 to the Act, and applies to healthcare recipients:
  - (a) who are a member of a class of healthcare recipients prescribed under Rule 4; and
  - (b) who have not elected to opt-out of registration within the period prescribed under Rule 5.
- (2) If a healthcare recipient elects not to have health information about the healthcare recipient held by the Chief Executive Medicare made available to the System Operator, the healthcare recipient's initial election must be given to the System Operator within the period commencing on 28 May 2016 and ending on 14 July 2016.