

16 June 2020

Amy S Van Wey Lovatt

Via email: fyi-request-12922-4e5afdf5@requests.fyi.org.nz



100 Heads Road, Private Bag 3003
Whanganui 4540, New Zealand

Dear Amy

Official Information Act Request – Impersonation of a Physician

Under section 14 of the Official Information Act, the Whanganui District Health Board (WDHB) received a partial transfer of your request from the Ministry of Health on 19 February 2020. You requested the following information in relation to the impersonation of a physician, access to unauthorised areas and access of patient information

Request 4: Impersonation of a physician is fraud, and thus a crime. Further, the impersonation of a physician in a medical setting would be consistent with an incident which has the potential to cause harm to a patient. I request, for each DHB, the total number of incidents involving an allegation that a member of the public had impersonated a physician, between 1 May 2019 and 31 August 2019, and in the event there were such incidents reported, the date of the alleged incident, the names of the agencies the incidents were reported to, and a description of the evidence provided to support the allegation of the incident.

Request 5: Unauthorised access, by a patient, to secure and restricted areas which require employee key-card access, such as surgical theatres and pathology laboratories, where diagnostic and biohazardous material are kept, would be an incident which has the potential to cause harm to a patient or DHB employee. Such an incident has the potential to be a crime, if it involved breaking and entering or theft of an employee 133 Molesworth Street PO Box 5013 Wellington 6140 New Zealand T+64 4 496 2000 key-card. I request, for each DHB, the total number of incidents involving an allegation that a member of the public had gained unauthorised access to a surgical theatre or pathology laboratory, between 1 May 2019 and 13 August 2019, and in the event there were such incidents reported, the date of the alleged incident, the names of the agencies the incidents were reported to, and a description of the evidence provided to support the allegation of the incident.

Request 6: According to the MoH standards and legal precedent, patients' medical records are confidential and access is restricted to the purpose in which they were obtained (for the care and treatment of the patient) and may only be accessed with the patient's consent. Please refer to HISO 10064 and the Health Information Privacy Code 1994]. MoH standards (HISO 10029:2015 Health Information Security Framework) requires DHB's to take steps to protect against re-routing or interception of private (email) communications, as the interception of private communications is a crime under section 216B of the Crimes Act. I request, for each DHB, the total number of incidents involving an allegation that a DHB employee had engaged in the interception of private email communications between a patient and a DHB employee, between 1 January 2019 and 29 May 2020, and in the event there were such incidents reported, the dates of the incidents, the names of the agencies the incidents were reported to, a description of the evidence provided to support the allegation of the incident, and the outcome of the investigation into the incidents (e.g., District or High Court Case Number, Privacy Commissioner ruling, Ombudsman decision, Human Rights Tribunal ruling, etc.).

Chief Executive | Phone 06 348 3140 | Fax 06 345 9390

Whanganui District Health Board's Response

Request 4: The total number of incidents involving an allegation that a member of the public had impersonated a physician, between 1 May 2019 and 31 August 2019, and in the event there were such incidents reported, the date of the alleged incident, the names of the agencies the incidents were reported to, and a description of the evidence provided to support the allegation of the incident.

Nil

Request 5: The total number of incidents involving an allegation that a member of the public had gained unauthorised access to a surgical theatre or pathology laboratory, between 1 May 2019 and 13 August 2019, and in the event there were such incidents reported, the date of the alleged incident, the names of the agencies the incidents were reported to, and a description of the evidence provided to support the allegation of the incident.

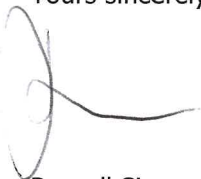
Nil

Request 6: The total number of incidents involving an allegation that a DHB employee had engaged in the interception of private email communications between a patient and a DHB employee, between 1 January 2019 and 29 May 2020, and in the event there were such incidents reported, the dates of the incidents, the names of the agencies the incidents were reported to, a description of the evidence provided to support the allegation of the incident, and the outcome of the investigation into the incidents (e.g., District or High Court Case Number, Privacy Commissioner ruling, Ombudsman decision, Human Rights Tribunal ruling, etc.).

Nil

Should you have any further queries about the above information, please contact our OIA co-ordinator Anne Phoenix at anne.phoenix@wdhb.org.nz

Yours sincerely



Russell Simpson
Chief Executive