



Our Reference: R24299

Ms C Slattery
Family Law Reform Association of NSW
PO Box 807
SUTHERLAND NSW 1499

Dear Ms Slattery,

I refer to your letter to the former Attorney-General, the Hon Philip Ruddock MP in relation to parents, and in particular non-resident parents, accessing information regarding their children's education.

In his response to you Mr Ruddock referred to access to children's Medicare records. Mr Ruddock forwarded your letter to the former Minister for Health and Ageing for comment. As the Medicare program is administered by Medicare Australia, your letter was forwarded to me for a response.

The disclosure of potentially sensitive health information for all Australians, including children, is protected by secrecy provisions contained in Commonwealth health legislation. Those provisions deal with both the prohibition on disclosure, as well as enabling disclosure of information in specific circumstances.

Medicare Australia generally provides children's health information to parents, including non-resident parents, when requests are received from those parents. In cases where children are recorded on a Medicare card other than the requesting parent's card, or where there is evidence of risk of harm to the child, confirmation of parental responsibility is required.

Medicare Australia does not refuse to disclose information to non-resident parents because they are non-resident.

I trust this information is of assistance to you.

Yours sincerely,

Peter Thomson
Manager
Legal, Privacy and Information Services Branch.

14 December 2007



Australian Government
Medicare Australia

7/4/08

If not delivered return to PO Box 1001 Tuggeranong DC ACT 2901

Ms C Slattery
Secretary
Family Law Reform Association NSW Inc
PO Box 807
SUTHERLAND NSW 1499

Dear Ms Slattery

Thank you for your letter of 15 February 2008 to the Minister for Health and Ageing, the Hon Nicola Roxon MP, regarding your suggestion that Medicare cards be issued only in the birth name of a child, on legal and moral grounds. As Medicare is administered by Medicare Australia, and falls under the responsibilities of the Minister of Human Services, your letter was forwarded to Senator the Hon Joe Ludwig MP for response. The Minister has asked me to reply on his behalf.

In line with amendments to the *Family Law Act 1975* in 2007, Medicare Australia changed its policy to record only the legal name for children under fifteen.

Medicare Australia appreciates, however, that there will be instances where parents request their child be known by a name other than their legal name (a preferred name). Where both parents agree on their child being known by a name other than their legal name, Medicare Australia will accommodate this.

Once again, thank you for writing. I trust this information has addressed your concerns.

Yours sincerely


Jenny Benjamin
Manager
Medicare & Veterans' Affairs Processing Branch

31 March 2008