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10 March 2023

AS Van Wey

By email: fyi-request-22047-1ef8da6c@requests.fyi.org.nz
Ref: H2023021536

Tēnā koe,

Transfer of your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 9 March 2023. You requested:

"I request all of the separate documents which are a combination of checklists and guides which have been provide to the health sector entities.

I would also like clarification that it is a requirement for the NZ health sector to be compliant with the references provided in section 6, including HIPAA. Section 6 states:

*Health Insurance Portability and Accountability Act (HIPAA) (US):
US based federal law that required the creation of national standards (HIPAA Security Rule) to protect sensitive patient health information from being disclosed without the patient's consent or knowledge.*

Please provide me the number times the Ministry of Health has authorized government information systems employees to assist a government employee (other than as authorized under the Search and Surveillance Act) to:

- (1) intercept personal communications sent by a member of the public, with out the consent of the sender; and*
- (2) intercept personal communications sent by a member of the public, without the consent of either the sender or the the intended recipient (i.e, specified individual like a physician, or specified department, like the Clinical Records department)."*

The requested information is more closely connected to the functions of Te Whatu Ora – Health New Zealand. For this reason, I have decided to transfer your request to Te Whatu Ora under section 14(b)(ii) of the Act. You can expect a response from their agency in due course.

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Nāku noa, na



Jan Torres

Acting Manager, OIA Services

Government and Executive Services | Te Pou Whakatere Kāwanatanga

COPY OF OIA REQUEST

From: AS Van Wey <fyi-request-22047-1ef8da6c@requests.fyi.org.nz>

Sent: Thursday, 9 March 2023 10:49

To: OIA Requests <oiagr@health.govt.nz>

Subject: Official Information request - HISO Health Information Security Framework 10029:2022

Dear Ministry of Health,

You have released a final version of the HISO Health Information Security Framework 10029:2022.

Section 5.7 states:

Tools and Templates

A separate set of documents which are a combination of checklists and guides will be provided to the sector entities where there is limited or no documentation available to assist with the implementation activities of HISF. These documents could be tailored to be fit for purpose based on the needs and requirements.

I request all of the separate documents which are a combination of checklists and guides which have been provide to the health sector entities.

I would also like clarification that it is a requirement for the NZ health sector to be compliant with the references provided in section 6, including HIPAA. Section 6 states:

Health Insurance Portability and Accountability Act (HIPAA) (US):

US based federal law that required the creation of national standards (HIPAA Security Rule) to protect sensitive patient health information from being disclosed without the patient's consent or knowledge.

Please provide me the number times the Ministry of Health has authorized government information systems employees to assist a government employee (other than as authorized under the Search and Surveillance Act) to:

(1) intercept personal communications sent by a member of the public, with out the consent of the sender; and

(2) intercept personal communications sent by a member of the public, without the consent of either the sender or the the intended recipient (i.e, specified individual like a physician, or specified department, like the Clinical Records department).

Yours faithfully,

AS Van Wey