



Australian Government

Department of the Prime Minister and Cabinet Office of Best Practice Regulation

Reference: 16442
Telephone: 6271 6270
Email: helpdesk@obpr.gov.au

Mr Paul Madden
Deputy Secretary
Department of Health

Dear Mr Madden

Final Assessment of Regulation Impact Statement – Changes to the Personally-Controlled Electronic Health Record (PCEHR) system

Thank you for forwarding the Regulation Impact Statement (RIS) on the above matter for final assessment on 30 March 2015. I note that you have formally certified the RIS as required by the best practice regulation requirements.

The OBPR notes that while the recommended option – establishing an opt-in arrangement for the PCEHR system on a trial basis – would see a short-term increase in the regulatory burden on individuals and healthcare provider organisations in trial regions, it would provide information to inform future consideration of this matter.

The Office of Best Practice Regulation's (OBPR) final assessment is that the Department of Health is compliant with the Government's RIS requirements and is consistent with best practice. This assessment is based on:

- the RIS addresses the seven questions, as per the Australian Government Guide to Regulation;
- the RIS does not contain obvious errors;
- the regulatory costs and offsets having been agreed with the OBPR;
- the Department of Health having submitted the certified RIS for the OBPR's assessment prior to a decision being taken; and
- your letter of 30 March 2015 certifying that revised RIS meets best practice requirements.

The OBPR also notes that the status of the RIS at each major decision making point in the policy process is explained.

The OBPR maintains a RIS website and aims to post RISs as soon as practicable after the regulatory decision has been publicly announced. To assist with this, we would appreciate you advising us when a decision on this proposal is announced and forwarding a final copy

of the RIS in *Microsoft Word .doc* format in a form meeting the Australian Government's *Web Content Accessibility Guidelines*.

We suggest liaising with your web services team to ensure these guidelines are met. The OBPR should be consulted if the RIS is amended. It is the agency preparing the RIS, not the OBPR, which is responsible for the content of the published RIS. The OBPR website provides a public comment facility. The OBPR moderates this facility for offensive content but does not moderate debate.

Please retain this letter as a record of the OBPR's advice. Our reference number for this issue is 16442. If you have any further queries, please do not hesitate to contact me on 02 6271 6286.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T. Simovski', with a horizontal line extending to the right.

Tony Simovski
A/g Deputy Executive Director

1 April 2015