

To: All Media

From: The Bermuda Health Council (BHeC)

The Bermuda Health Council's response to GPs' patient confidentiality concerns

The CEO of the Bermuda Health Council, Dr. Jennifer Attride-Stirling, clarified today that BHeC has never requested patient-identifiable information from any organization. The Bermuda Health Council (BHeC) seeks to correct allegations in today's *Royal Gazette* front page story *GPs' concern over patient privacy*.

The power for the health insurers' licensor to request any relevant information from insurers has long been in place in the Health Insurance Act 1970, and patient confidentiality has never been compromised.

BHeC collects data for monitoring purposes and without it reports such as the National Health Accounts, Health in Review or the Adult Health Survey could not be produced. These reports have generated seminal information for the public and health system stakeholders, and are available on BHeC's web site (www.bhec.bm).

The types of analyses BHeC conducts do not require patient information and there are no plans to request any such data. Any data requested from insurers is anonymised and used for monitoring health system trends in health status, utilization and expenditure.

In addition, the public and stakeholders should be aware that the power to request such information is already in legislation, and the amendment builds on existing powers. Section 28(5) of the Health Insurance Act 1970 currently states that:

“The Minister of Finance shall have the power at any time to require a licensed insurer to produce any documents and answer any questions which the Minister of Finance may consider relevant.”

Therefore the authority to request any relevant information from licensed health insurers is already in legislation, and it is not newly introduced by the current amendment. The amendment simply adds it to the licensing regulations.

Although this authority has long been in place, patient information has never been requested and it is not needed to conduct the health system performance monitoring with which the BHeC is charged in the Bermuda Health Council Act 2004.

It should also be noted also that the transfer of authority to grant health insurance licenses is in line with the Bermuda Health Council Act 2004, which states in Section 4(2) that:

“In pursuance of subsection (1) where there is any inconsistency between this Act and any Act dealing with health professionals or health service providers, this Act shall to the extent of the inconsistency prevail over that Act.”

Most health insurers are aware of these aspects of the legislation and will vouch that patient identifiable information has never been requested by BHeC, and that doctor-patient confidentiality has never been breached.

We are working closely with insurers to create the new data request in a manner that protects patient confidentiality, and the majority of insurers support the change. In fact, the new data format was proposed by an insurance representative.

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