The personally controlled electronic health (eHealth) record system allows young people (under the age of 18) to have an eHealth record. This fact sheet explains how young people can register for, take control of and manage their eHealth record. It also explains how authorised representatives can register for and manage an eHealth record on a young person’s behalf.

**The eHealth record system**

You can choose to register for an eHealth record. This record is designed to contain an electronic summary of your key health information such as prescribed medications, allergies and treatments you have received. Healthcare providers can upload health information to your eHealth record and view the information in it.

You can control who has access to your eHealth record, what information they can see and what records are uploaded by establishing access controls on your eHealth record. You should also talk to your healthcare provider about the type of information you do and do not want uploaded to your record.

More information about the eHealth record system can be found at [www.ehealth.gov.au](http://www.ehealth.gov.au).

**The role of the OAIC**

The Office of the Australian Information Commissioner (OAIC) is the independent regulator of the privacy aspects of the eHealth record system.

**Information for parents and guardians**

If you have parental responsibility for a person under 18 you can register for an eHealth record on their behalf. As their authorised representative, you can access and control the child’s record on their behalf, until they turn 18 or take control of their record earlier. A child can take control of their eHealth record from the age of 14 if they choose.

When you register a child you can consent to the inclusion of Medicare information in their eHealth record if you wish. This includes Medicare Benefits Schedule (MBS) and Pharmaceutical Benefits Scheme (PBS) data. If you consent to the inclusion of this MBS and/or PBS data, when the child turns 14, this information will no longer be accessible in their eHealth record. MBS and/or PBS data will only be made available again if the child takes control of their record and consents to the inclusion of this information.

For more information on authorised representatives please see the [eHealth registration booklet](http://www.ehealth.gov.au).

For more information on the inclusion of Medicare data in the eHealth record please see Privacy fact sheet 22: Medicare information and your eHealth record.

**How do I register a child for an eHealth record?**

You can register a child for an eHealth record if you have parental responsibility for them. To register a child you will need to apply to be their authorised representative, and will be required to provide evidence of your parental responsibility and prove your identity.

A person with parental responsibility is generally the child’s mother, father or guardian. The eHealth System Operator may also consider you to have parental responsibility in some other circumstances.

Once the System Operator registers the child, you will be their authorised representative and will be responsible for managing the child’s eHealth record. This includes determining which healthcare provider organisations may access it and whether any other persons (including the child) may access it as a...
nominated representative. More than one authorised representative can manage a child’s eHealth record (for example, both parents of the child may be authorised representatives).

For more information on registering a child, including information on what constitutes having parental responsibility, please see the eHealth registration booklet.

Information for young people

Your parent(s) or guardian can register you for an eHealth record on your behalf up until you turn 18. When they register you, they will be your authorised representative, which means they will be responsible for managing your eHealth record. They will determine which healthcare provider organisations can access it and whether you can access it.

The Privacy Act 1988 (Cth) does not set an age at which you are considered to be capable of making decisions about how your personal information is handled. However, the law recognises that competence varies in young people. In some cases, including in relation to the eHealth record system, a young person may be considered capable of making decisions for themselves from the age of 14. Generally, a young person is deemed legally competent at the age of 18.

When you turn 14

When you turn 14 you are presumed to have capacity to make decisions about your eHealth record. From this age you can register for an eHealth record or take control of your existing record. If you choose to manage your own eHealth record, you can decide whether to allow your parent and/or legal guardian access as a nominated representative.

If you choose not to manage your existing eHealth record, your authorised representative will continue to manage it until you turn 18.

Before you turn 14

If you are under 14 and would like to take control of your existing eHealth record or register for a record, you will need to prove to the System Operator that you can make decisions about your healthcare and manage your eHealth record. This will be determined on a case by case basis. Evidence for this could include documentation from your healthcare provider supporting your request.

How do I take control of my eHealth record?

You can take control of your eHealth record online, by contacting the System Operator on 1800 723 471, by visiting your local Medicare office, or by submitting a written application form. If you are under 14 and wish to take control of your existing eHealth record, you will need to supply evidence to the System Operator that you are capable of managing your eHealth record. To register for an eHealth record while under the age of 14 you will need to write to the System Operator or visit a Medicare office.

Automatic cancellation of authorised and nominated representatives

When a young person turns 18 or takes control of their eHealth record, the System Operator will cancel the access of all their authorised and nominated representatives. If the person wishes to retain any representatives, they will need to set this up in their record.

If a young person lacks capacity to make their own decisions, an authorised representative can continue to manage the eHealth record after they turn 18. If an individual wants to apply to be an adult’s authorised representative, they will need to provide evidence to the System Operator that the adult lacks capacity to make their own decisions, and that they are authorised by law or are an appropriate person to act on their behalf.

1 The difference between an authorised representative and a nominated representative is that an authorised representative manages an eHealth record on behalf of someone whereas a nominated representative is a person you (or your authorised representative) choose to give access to your record.
More information

For more information on protecting your privacy on the eHealth system, please see the OAIC’s Ten tips for protecting the personal information in your eHealth record

For further information

telephone: 1300 363 992

email: enquiries@oaic.gov.au

write: GPO Box 5218, Sydney NSW 2001

Or visit our website at www.oaic.gov.au