

5 July 2017

Mr Steve Irons MP  
Chair  
Parliamentary Joint Committee on Corporations and Financial Services  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Mr Irons

### **Inquiry into the Life Insurance Industry (the Inquiry)**

The Royal Australian College of General Practitioners (RACGP) was invited to make a submission to the Inquiry to respond to issues raised at the 26 May 2017 hearing regarding life insurer processes for accessing health information about applicants. The RACGP has consulted with members on these issues and provides the following submission for the Committee's consideration.

The submission addresses:

- patient consent for release of information
- effect of insurer practices on the GP-patient relationship
- assessment of risk
- RACGP involvement in discussions regarding issues with access to patient medical records.

#### *Patient consent for release of information*

There is widespread concern within the general practice sector that inadequate information is provided to consumers when their consent is sought for access to medical records. Many GPs have advised the RACGP of the effort required to ensure that their patients are fully aware of what they have consented to. This often involves contacting a patient and explaining the possible repercussions of release of their full health record. In many instances, this results in a patient withdrawing consent for release of their health record.

Other GPs reported refusing applications for full medical records and instead, with patient consent, providing a more targeted report to the insurer to assist the application process.

The RACGP sees the need for greater patient education on consent and the release of health information to insurers. We also believe that there should be a tightening of the requirements around requests for full medical records and that insurers should not request a full patient record as part of the usual application process.

#### *Effect of insurer practices on the GP-patient relationship*

The RACGP cautions that the therapeutic relationship between a GP and a patient could be affected by the GP providing a life insurer with a medical record if the patient does not understand that they consented to the release.

Our consultation notes are a comprehensive written record of symptoms, examinations, investigations, treatments and planned reviews. They function as an aide memoir and are not made for the assessment of risk for insurance purposes. Our members are concerned about the risks to both them and their patients of misinterpretation by insurers when reviewing a patient's consultation notes.

Understanding that medical records can be requested by an insurer may lead GPs to under-document or under-identify patients at risk in efforts to ensure the patient's access to insurance is not affected. GPs have advised the RACGP that they feel they are placed in a difficult situation where they need to ensure adequate documentation of their consultation with patients while also considering the broader impact this may have on their patient. This in turn may have medico legal ramifications for GPs.

Similarly, patient knowledge of the issues they may face after disclosing symptoms or seeking treatment, particularly for mental health issues, is likely to discourage disclosure and help-seeking, which adversely affects patient wellbeing.

#### *Assessment of risk*

There are distinctions between mental health issues, their management and prognosis that our members have suggested are not appropriately reflected in insurer's assessments. Therefore, the RACGP supports the recommendation from Beyondblue that individualised approaches to risk assessment are needed.

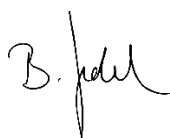
More broadly, our members reported that they were unsure of whether insurers differentiate between patients whose conditions are well managed and those where risk factors are poorly controlled. Greater information on how assessments take this information into account would assist GPs to provide advice to their patients and would reward patients who seek to address and manage risk factors.

#### *RACGP involvement in discussions regarding issues with access to patient medical records*

The RACGP has recently had discussions with the Financial Services Council about the roundtable they are establishing with mental health groups. We will support efforts to provide clarity to patients, GPs and other health service providers about the issues raised in this Inquiry regarding access to and use of patient health information.

I trust this information is of assistance to the Inquiry. Please contact me or Madeleine Senior, Program Manager, Advocacy and Funding on [madeleine.senior@racgp.org.au](mailto:madeleine.senior@racgp.org.au) or on (03) 8699 0524 if you require additional information.

Yours sincerely



Dr Bastian Seidel  
President