

14 October 2021

Mr Darrell Channing  
Director  
Competition Exemptions  
Australian Competition and Consumer Commission  
23 Marcus Clarke Street  
Canberra ACT 2601  
Via email: [exemptions@accc.gov.au](mailto:exemptions@accc.gov.au)

Dear Mr Channing,

The Royal Australian College of General Practitioners (RACGP) writes to you regarding the recent application by the WA Primary Health Alliance (WAPHA) to request an exemption under the *Competition and Consumer Act 2010 (Cth)* with the intention of partnering with Primary Sense software to extract patient data from general practice. We make the following broad points for Australian Competition and Consumer Commission's (ACCC) consideration.

Australian's access general practice more than any other area of the health system, with over 87.8% of the population visiting their GP at least once each year. The amount of data collected within general practice electronic medical records is therefore enormous, valuable, and sensitive.

Every general practice is responsible for the protection and privacy of their patients' health information. There are approximately 6300 accredited general practices in Australia. The majority utilise a data extraction tool for the purpose of participating in the commonwealth government's Practice Incentive Program, to support Primary Health Network's (PHNs) in their population health planning and management and, for their own internal quality improvement purposes. Data from extraction tools is also heavily utilised by health researchers.

Currently, PHN's generally provide practices free access to data extraction and analysis tools like Pen CS (the dominant player), Outcome Health/Polar and Primary Sense. Because of the wide use of these tools and the sensitive nature of the information being collected, it is critical there is consultation with general practice to understand the likely impact and unpack the implications of this proposal.

The WAPHA proposal has implications for how these data are collected, stored and made available for research or other purposes. General practices must be reassured that their patient data will be managed and used in ways that aligns with relevant privacy laws and regulations and with the principles outlined in the RACGP's *Secondary use of general practice data*.

We look forward to being part of ACCC's consultation process and if you would like to discuss please contact Stephan Groombridge, National Manager eHealth & Quality Care at [REDACTED]

Kind regards,

[REDACTED]  
Dr Karen Price  
RACGP President