

10 July 2020

Amy S Van Wey Lovatt

[fyi-request-12922-4e5afdf5@requests.fyi.org.nz](mailto:fyi-request-12922-4e5afdf5@requests.fyi.org.nz)

Dear Amy

**Official information request W20-470**

I refer to your official information request dated 29 May 2020, partially transferred to WrDHB on the 12 June 2020.

**Request:**

Request 4:

Impersonation of a physician is fraud, and thus a crime. Further, the impersonation of a physician in a medical setting would be consistent with an incident which has the potential to cause harm to a patient. I request, for each DHB, the total number of incidents involving an allegation that a member of the public had impersonated a physician, between 1 May 2019 and 31 August 2019, and in the event there were such incidents reported, the date of the alleged incident, the names of the agencies the incidents were reported to, and a description of the evidence provided to support the allegation of the incident.

Request 5:

Unauthorised access, by a patient, to secure and restricted areas which require employee key-card access, such as surgical theatres and pathology laboratories, where diagnostic and biohazardous material are kept, would be an incident which has the potential to cause harm to a patient or DHB employee. Such an incident has the potential to be a crime, if it involved breaking and entering or theft of an employee key-card. I request, for each DHB, the total number of incidents involving an allegation that a member of the public had gained unauthorised access to a surgical theatre or pathology laboratory, between 1 May 2019 and 13 August 2019, and in the event there were such incidents reported, the date of the alleged incident, the names of the agencies the incidents were reported to, and a description of the evidence provided to support the allegation of the incident.

Request 6:

According to the MoH standards and legal precedent, patients' medical records are confidential and access is restricted to the purpose in which they were obtained (for the care and treatment of the patient) and may only be accessed with the patients consent. Please refer to HISO 10064 and the Health Information Privacy Code 1994]. MoH standards (HISO 10029:2015 Health Information Security Framework) requires DHB's to take steps to protect against re-routing or interception of private (email) communications, as the interception of private communications is a crime under section 216B of the Crimes Act. I request, for each

DHB, the total number of incidents involving an allegation that a DHB employee had engaged in the interception of private email communications between a patient and a DHB employee, between 1 January 2019 and 29 May 2020, and in the event there were such incidents reported, the dates of the incidents, the names of the agencies the incidents were reported to, a description of the evidence provided to support the allegation of the incident, and the outcome of the investigation into the incidents (e.g., District or High Court Case Number, Privacy Commissioner ruling, Ombudsman decision, Human Rights Tribunal ruling, etc.).

**Response:**

The information you have requested is below.

Request 4:

To the best of our knowledge there have been no incidents involving an allegation that a member of the public had impersonated a physician, between 1 May 2019 and 31 August 2019.

Request 5:

There have been no incidents involving an allegation that a member of the public had gained unauthorised access to a surgical theatre or pathology laboratory, between 1 May 2019 and 13 August 2019.

Request 6:

To the best of our knowledge there have been no incidents involving an allegation that a DHB employee had engaged in the interception of private email communications between a patient and a DHB employee, between 1 January 2019 and 29 May 2020.

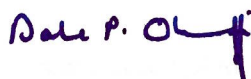
Please note that this response, or an edited version of this response, may be published on the Wairarapa District Health Board website no less than one week after the response has been provided to you. Any personal or identifying information will be redacted from any response published online. The DHB will endeavour to resolve any concerns you should raise but, subject to any legal grounds for withholding, ultimately reserves the right to publish any information.

If you wish to discuss this response with us, please feel free to contact:

Caroline van Deventer, Communications Administrator

Email: [caroline.vanDeventer@wairarapa.dhb.org.nz](mailto:caroline.vanDeventer@wairarapa.dhb.org.nz), Ph: 06 946 9800, ext 5840

Yours sincerely



Dale Oliff

**Chief Executive**