



**Australian
Privacy
Foundation**

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October 5 2009

Karen Curtis
Australian Privacy Commissioner
GPO Box 5218
Sydney NSW 2001

Dear Commissioner Curtis

Re: Data linkage between NSW police and Medicare

The Australian Privacy Foundation (APF) understands from a recent report in the Daily Telegraph that police and Medicare have developed a draft memorandum of understanding (MOU) to track oxycodone use (White, C Crackdown on painkiller prescriptions. The Daily Telegraph. September 30, 2009. online:<http://www.dailytelegraph.com.au/news/crackdown-on-painkiller-prescriptions/story-e6freuy9-1225780940792>.)

We recall legislative amendments a few years ago to allow prescription monitoring. Under the privacy principles, Medicare can disclose this information to police where there is evidence of criminal activity. The MoU may be appropriate but the terms of the agreement have not been made public. We understand that authorities might need to withhold operational details that could frustrate the objective. Nonetheless, we enquire whether Medicare has consulted the Privacy Commissioner on this matter and also, about the nature of your response.

Yours sincerely

Juanita Fernando
Chair, Health Privacy Foundation

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