

MY HEALTH RECORD FOR CHILDREN IN OUT-OF-HOME CARE

What is My Health Record (MHR)?

My Health Record is a personally controlled, secure, online summary of a person's health information.

What is out-of-home care (OOHC)?

Children and young people are usually placed with out-of-home care when they cannot live with their families. Children in OOHC have their health information governed by both state health privacy laws and the national My Health Record legislative framework, depending on how and where the information is stored.

Benefits of MHR for children in out-of-home care

A My Health Record is particularly useful in caring for children who may have complex medical care needs, are using multiple or do not have regular healthcare providers, and who frequently transition between out-of-home care providers, as it allows health information to move with them.

Accessing MHR for children in OOHC

Person/entity	Can they access a child's MHR?	Reason
Child aged 0–13	No, cannot self-access	Children under 14 cannot manage their own MHR . Their MHR is managed by their authorised representative (usually a parent, but in OOHC this may differ).
Child aged 14–17	Yes	Young people aged 14 years or older can take control of their own MHR. They can: <ul style="list-style-type: none"> • Log in via myGov • Decide who can access their record • Set access controls • Remove or hide documents
Doctors and healthcare providers treating the child	Yes	Permitted under the MHR Act for clinical care. A healthcare provider organisation registered with the MHR system can access or upload information only when providing clinical care. [digitalhealth.gov.au]
OOHC carer	Generally, no	OOHC carers do not receive automatic access to a child's MHR. To legally access a child's MHR, a person must be either: <p>A. An authorised healthcare provider</p> <p>B. An authorised representative under the MHR Act. This is typically:</p> <ul style="list-style-type: none"> • A parent with parental responsibility • A guardian • Or another person legally empowered to act on the child's behalf

		<p>Carers in most cases are NOT authorised representatives, unless:</p> <ul style="list-style-type: none"> • The Children’s Court or the department delegates parental responsibility specifically for medical decision making (which is uncommon) • The department appoints them as an “authorised representative” for MHR purposes.
Department of Families, Fairness and Housing (DFFH)/Child Protection	Yes, only if DFFH is the authorised representative	<p>MHR access governed by authorised representative rules; department involvement must be lawful. The department may access a child’s MHR if it is the child’s authorised representative, which depends on the legal status of parental responsibility under the Children, Youth and Families Act.</p> <p><i>Like Victoria, all access to MHR in NSW OOHc follows the national My Health Records Act 2012.</i></p>
Doctors and healthcare providers treating the child	Yes	<p>Permitted under the MHR Act for clinical care.</p> <p><i>For more on My Health Record legislation and governance, visit: https://www.digitalhealth.gov.au/about-us/policies-privacy-and-reporting/my-health-record-legislation-and-governance</i></p>

Resources and further assistance

The Australian Digital Health Agency provides a 24-hour helpline (1800 723 471), which can respond to general enquiries and support requests related to My Health Record.

See department fact sheets for further information.

- [Information for young people 14 years and older](#)
- [Information for parents](#)
- [Information for carers](#)

Information contained in the fact sheets above is provided as a general guide only. For the most current and detailed information, refer to:

- [My Health Record and out-of-home care](#)
- [My Health Record legislation and governance](#)
- [My Health Record Australian Digital Health Agency](#)
- [NSW Out-of-Home Care Health Pathway program](#).

Contact

Murray PHN’s digital health team has resources to assist healthcare providers connect to the My Health Record system and can help with education and training to use the system effectively.

Visit our [My Health Record webpage](#) or email digitalhealth@murrayphn.org.au for support.