

Submission from the PSI on the proposed Health Information Bill

Introduction

The Pharmaceutical Society of Ireland (PSI) is the statutory regulator of pharmacists and pharmacies in the Republic of Ireland. The PSI carries out this function in the interests of public health and patient safety. As a statutory regulatory body, the PSI welcomes the opportunity to present its formal views on the proposed Health Information Bill.

The PSI agrees with the main purposes of the Bill:

- To establish a legislative framework to enable information-in whatever form to be used to best effect to enhance medical care and patient safety.
- To facilitate the greater use of information technologies for better delivery of patient services, and
- To underpin an effective information governance structure for the health system generally.

The Role of the pharmacist and the need for access to patients' medical information

Pharmacists are frontline healthcare professionals and pharmacists and pharmacies are generally more accessible than general practice surgeries and many other healthcare professional services and facilities. On page seven of the proposed Bill it refers to "high street pharmacies", in relation to healthcare, pharmacies both hospital and community provide an important vital service to patients and this should be reflected in the Bill. An integral part of the role of the pharmacist is in the provision of information and counselling to patients regarding their medicinal therapy. It is essential that the pharmacist has access to the patient's full medicinal therapy history, including prescription and non-prescription therapies in order that they can counsel patients appropriately on the use of their medicines. Currently pharmacists only have access to the medication records which are held in the patient medication record held in their own pharmacy for an individual and they do not have access to any other information unless the patient is able to provide it.

It is the pharmacist's professional responsibility to confirm the authenticity of prescriptions, verify the content of the prescription and that the prescribed medicines are appropriate for the patient, having regard to the patient's health, history, condition treated and other medication taken by the patient. In the performance of this function it is essential pharmacists have access to the necessary information regarding the patient's history.

The PSI is currently undertaking a review of pharmacy services in Ireland entitled Pharmacy Ireland 2020. An interim report was presented to the Minister for Health and Children in April and the final report will be completed by the end of December 2008. A copy of the interim report is available to download at

http://www.pharmaceuticalsociety.ie/News/Latest_News/PSI_Publishes_Report_on_Developing_Pharmacy_Services.html

As part of this review process a number of focus groups have been held with patient representative organisations, regulators and stakeholders from the healthcare profession. During the course of the focus groups an integrated patient medication record system has been highlighted as being of urgent need for many of the reasons outlined in the proposed Health Information Bill including facilitating better planning, management and delivery of services and research as well as in the interest of patient safety. The focus groups also highlighted that there is a need for effective communication to be developed across healthcare professionals and a structure supporting the sharing of information to maximise best outcomes and minimise risks to patients.

Electronic Health Record System

The Bill specifically refers to Electronic Health Record Systems, however, it doesn't clarify whether this will incorporate medication records. In order to increase patient safety and public protection there is a need for the establishment of an integrated patient record system including patient medication records (PMRs). The Eighth Report from the Joint Committee on Health and Children entitled "The Adverse Side Effects of Pharmaceuticals" also recommended the creation of a system which would enable prescribers access to information on patients from different sources such as hospitals, community medicine or pharmacies and this would help in avoiding prescribing errors or adverse drug reactions due to drug interactions. It also recommended that electronic links be established between hospitals, practitioners and pharmacists ensuring that all sides have full information about common patients. The Report also outlined the need for exploitation of the data base of the PCRS for macro trends in the consumption for different types of drugs. The PSI supports the recommendations of the Report on the Adverse Side Effects of Pharmaceuticals.

When preparing the proposed Bill it is necessary to be cognisant of a number of other issues including the draft EU Directive on the application of patients' rights in cross-border healthcare. The Directive, if it becomes law aims to provide a 'clear framework' for the provision of cross-border healthcare in a number of ways, firstly by clarifying patients' right of access to cross-border medical treatment in the EU and the process of reimbursement for treatment. The Commission states that the Directive will also ensure the delivery of safe, high quality and effective treatment by assigning responsibility for this provision to the member state where treatment is provided, and by assessing the use of e-Health and other 'health technology' in healthcare systems.

In a recent submission made by the PSI in relation to the directive a number of issues were highlighted which are of relevance to the proposed Health Information Bill including:

E- Health

Information and communication technologies have enormous potential to improve the quality, safety and efficiency of healthcare. However, in order for it to be successful there is a need for shared formats and standards that can be used between different systems and different countries which are currently across the European Union. The directive will allow for such formats and standards to be put in place, enabling informal co-operation and individual projects to be continued and generalised on a more solid and sustainable basis. However, the EU need to be cognisant of standards regarding e-Health across Member States and a system should be put in place to ensure the same standard of high quality care is delivered across all Member States.

Access to medical records and the maintenance of patients' medical files

A further patient safety issue which must be addressed is the issue of ensuring that the cross-border patient's file is maintained and that health professionals requiring access to those records in the interest of the patient can gain access to the relevant information. The system of cross-border

patient mobility could be detrimental to the patient's health if health professionals in both countries are not able to quickly and openly access the patient's medical records.

This is an issue of particular importance to pharmacists in the performance of their role, who will play a role in the care of the patient on their return home. It is essential that if matters arise regarding the medicines and pharmaceutical care of the patient, that the patient's pharmacist will be able to access the relevant health professionals to clarify issues in the patient's interest.

Privacy, confidentiality, security and integrity of personal health information

The Bill indicates the need to ensure privacy of patient information, confidentiality, the obligation on the person holding the information not to disclose it without consent, security, the physical and other protections in place to prevent unauthorised access and integrity measures applied to ensure the quality of the data.

The document refers to the use and development of Smart Cards across Europe and the use of the new European Health InsuranceCard55. As outlined above in line with the EU directive, the standardisation of a system that is functional across Europe is crucial to patient safety due to the increase in numbers of people seeking healthcare outside their Member State. The use of a Smart Card seems to overcome a number of these issues and is something that should be considered by the review group as part of their discussions. A health Smart Card is a credit card sized with a computer chip embedded into it. The Smart Card will carry programmed medical data, drug data etc of the card holder. The card will contain a photo of the holder and will also contain the patients' medical record number. By inserting the card into a card reader which connects to a computer via a serial port, the data is displayed on the computer screen in any participating, ambulance, emergency department, doctor's surgery, pharmacy, outpatient surgical facility, nursing home etc. Both the patient and the healthcare professional would have to verify every action by the presence of both cards and the patient provides consent for the healthcare professional to view the data contained on the card by entering their PIN number. Any new legislation such as the proposed Health Information Bill should facilitate and support the early introduction of Smart Cards to our health system subject to high level security being applied.

Each Smart Card is specific to the individual in that it can be configured to reveal different data to a psychiatrist as opposed to a GP. They can also be healthcare professional specific in that they may restrict certain transactions and functions to certain classes of user. Smart Cards are capable of carrying a substantial quantity of data and they can carry it securely. Smart Cards are also capable of carrying out their own on-card functions for example encryption and digital signatures. Smart cards are set to play a crucial role in the future development of computing in general and particularly in health care. Therefore it is important to address the issues in the preparation of the Health Information Bill in order to control and direct their incorporation into systems and services that serve the need of the profession and their patients.

Unique Healthcare Identifiers

The PSI recommends the use of a unique patient identifier and recognises the need for one in Ireland to effectively connect patient records held separately by GPs, hospitals, pharmacists etc. Both the patient and the healthcare professional will have a unique number attributed to them which is essential to ensure the accurate identification of individuals across the healthcare setting. This will also facilitate the availability, at the point of care, of accurate, up-to-date and verifiable information critical to outcomes and safety.

Using Health Information for Research

Research is crucial to advance healthcare which benefits the population as a whole, or those parts of the population with particular illnesses or conditions. The need for more information regarding use of medicines and information regarding potential abuse or misuse of medicines was recommended by focus groups held by the PSI.

Conclusion

Pharmacy provides a very high level of care and treatment. Pharmacists work in the most comprehensive and easily accessible network of care, treatment and service. Pharmacists play very significant and important roles as both sources of information/advice and provision of care and treatment in the community, in hospitals and in specialist institutions.

- The proposed Health Information Bill should take into account the need for healthcare professionals to have access to the patients' medical history and medication record in order to make informed decisions in relation to a patients' treatment and to ensure patient safety.
- The use of an Electronic Health Record System incorporating medication records is welcomed, however, in line with the proposed EU Directive on the application of patients' rights in cross-border healthcare it is necessary to examine what other Member States use as in the future there may be a need for a shared system across Member States.
- The need for privacy, confidentiality, security and integrity is key to the sharing of patient information and a number of other countries have overcome these issues and developed systems capable of incorporating all of these. Smart Cards may prove most valuable in that regard.
- There is a definite need for unique healthcare identifiers for both patients and healthcare professionals to effectively connect patient records and ensure patients receive the most effective and safe care and treatment.
- There is also an urgent need for more research in relation to healthcare and statistics relating to drug use, abuse and misuse. The use of a unique healthcare identifier should hopefully overcome a number of issues associated with access to data.

References

Houses of the Oireachtas, Joint Committee on Health and Children, Eighth Report, The Adverse Side Effects of Pharmaceuticals, April 2007.

BMJ 1997; 314:573 Smart Cards-the key to trustworthy health information systems

Card Technology Today 2007; 19:14-16 A smarter way to stay healthy