

Te Poari o ngā Kaihaumanu
Hinengaro o Aotearoa

The Psychotherapists Board
of Aotearoa New Zealand

Health records information sheet

Access, protection, retention, disposal

Te Poari o ngā Kaihaumanu Hinengaro o Aotearoa (the Board) acknowledges that psychotherapists often work in different organisations¹ and with different client groups². All psychotherapists are advised to be aware of their organisation's guidelines as well as their statutory obligations.

Access to personal information

The [Health Information Privacy Code 2020](#) states that an individual is entitled to receive from a health agency (this would include practitioners working in private practice³) upon request:

- Confirmation of whether the health agency holds any health information about them and;
- Access to their health information

When an individual is given access to personal information in response to such a request, that person shall be advised that they may request correction of the information.

Please refer to The Health Information Privacy Code 2020 for further information.

Protection of health records

The Health Information Privacy Code 2020 states that a health agency (this would include practitioners working in private practice⁴) that holds health information must ensure that the information is protected, by such security safeguards as are reasonable in the circumstances to take, against:

- loss;
- [access](#), use, modification, or [disclosure](#), except with the authority of the agency that holds the information; and
- other misuse.

Please refer to The Health Information Privacy Code 2020 for further information.

¹ For example: DHBs, PHOs and/or in private practice

² For example: children, adolescents and/or families, adults.

³ Board comment for clarity

⁴ Board comment for clarity

Retention of health records

According to the Health (Retention of Health Information) Regulations 1996:

- All [providers](#) must retain records of health services for a **minimum of 10 years**, starting from the day after the most recent treatment.
- If the records are transferred to another provider or organisation, this obligation transfers with the records.
- If the medium in which the records are held is likely to deteriorate to an extent that it places in doubt that the records will be able to be read or retrieved during the 10 year time period, it is sufficient to keep an accurate summary or interpretation of the original records.

Please refer to the [Health \(Retention of Health Information\) Regulations 1996](#) for further information.

Disposal of health information

Health agencies (this would include practitioners working in private practice) need to be careful to dispose of patient records securely, either by shredding or otherwise destroying records themselves or by hiring a secure destruction contractor.

Please refer to the Health Information Privacy Code 2020 for further information.

Disposal of health information in the event of a therapist's death

In the event of a therapist's death, it is expected that a therapist in private practice will have arrangements in place for a colleague to attend to their clients, and any ongoing treatment needs.

Please refer to the PBANZ Code of Ethics, specifically points 7 & 8.

