

Medical Law

Reviewing System Enablers to Support Healthcare Transformations – Developing the Health Information Bill

Healthier SG is an initiative of the Government aimed at transforming the healthcare system of Singapore. One aspect that the Government is looking into to implement Healthier SG is the transformation of data communication and sharing among healthcare clusters, family doctors and community care providers for a more holistic and coordinated care journey. In this regard, the Ministry of Health ("MOH") intends to introduce the Health Information Bill ("Bill") in the second half of 2023 to facilitate the proper collection, use and sharing of patient information across different healthcare providers and care settings in a safe and secure manner.

By way of background, the National Electronic Health Record ("NEHR") was established in 2011 as a central repository of patient summary health records drawn from and shared amongst various healthcare providers. Key health summaries from NEHR such as medications and COVID-19 test results are being shared with patients and caregivers through HealthHub for their health management. There has been an increase in the number of healthcare institutions and organisations that access NEHR over the past years. As such, the enactment of a law on health information will provide patients, residents and healthcare providers with the following benefits:

- (a) **Improved functionality of the central NEHR repository.** This is achieved through mandatory contribution of summary data to NEHR by licensed healthcare providers, and extending access and/or contribution to prescribed users like retail pharmacists.
- (b) **Enhanced legal framework.** This will facilitate proactive data sharing across MOH entities, Healthcare Services Act (HCSA) licensees and appointed community partners for better monitoring and follow-up.
- (c) **Safeguards for data sharing.** This is to protect patient health information and respect patient autonomy.
- (d) **Cybersecurity, data security and data protection measures.** This will be put in place for purposes of preserving the confidentiality of health information.

Addressing Concerns on Cybersecurity and Data Security

MOH has reached out to key stakeholders to gain a better understanding of their concerns in relation to the Bill. Although most of them were supportive of the Bill and generally agreed with the benefits of data sharing, some expressed concerns in relation to medicolegal liabilities, cybersecurity and data security.

To address these concerns, MOH will provide guidance for healthcare professionals on cybersecurity and data security. For example, MOH will set out cyber and data requirements for healthcare entities. In addition, data intermediaries must ensure that their IT systems and services maintain good cyber hygiene. In terms of training, healthcare staff must be adequately trained in cybersecurity. MOH will also align data security and protection in the healthcare industry with the current policies and standards under the Personal Data Protection Act (PDPA).

Patient Autonomy as Regards Health Information

MOH is cognisant of the fact that health information is personal and patient autonomy relating to his health information must be respected. Given this, MOH is reviewing ways to allow patients greater control over access to their records. This includes situations where patients decide not to access their health records initially but subsequently choose to get hold of the same.

Medical Law

Click on the following link for more information:

- [MOH Press Release titled "Reviewing System Enablers to Support Healthcare Transformations – Health Information Bill"](#) (available on the MOH website at www.moh.gov.sg)

Contacts



Rebecca Chew
Head, Medical Law

T +65 6232 0416

rebecca.chew@rajahtann.com



Lim Wee Hann
Partner, Life Sciences

T +65 6232 0606

wee.han.lim@rajahtann.com

Please feel free to also contact Knowledge Management at eOASIS@rajahtann.com

Our Regional Contacts

R&T SOK & HENG | *Cambodia*

R&T Sok & Heng Law Office

T +855 23 963 112 / 113

F +855 23 963 116

kh.rajahtannasia.com

RAJAH & TANN | *Myanmar*

Rajah & Tann Myanmar Company Limited

T +95 1 9345 343 / +95 1 9345 346

F +95 1 9345 348

mm.rajahtannasia.com

RAJAH & TANN 立杰上海

SHANGHAI REPRESENTATIVE OFFICE | *China*

Rajah & Tann Singapore LLP

Shanghai Representative Office

T +86 21 6120 8818

F +86 21 6120 8820

cn.rajahtannasia.com

GATMAYTAN YAP PATACSIL

GUTIERREZ & PROTACIO (C&G LAW) | *Philippines*

Gatmaytan Yap Patacsil Gutierrez & Protacio (C&G Law)

T +632 8894 0377 to 79 / +632 8894 4931 to 32

F +632 8552 1977 to 78

www.cagatlaw.com

ASSEGAF HAMZAH & PARTNERS | *Indonesia*

Assegaf Hamzah & Partners

Jakarta Office

T +62 21 2555 7800

F +62 21 2555 7899

Surabaya Office

T +62 31 5116 4550

F +62 31 5116 4560

www.ahp.co.id

RAJAH & TANN | *Singapore*

Rajah & Tann Singapore LLP

T +65 6535 3600

sg.rajahtannasia.com

RAJAH & TANN | *Thailand*

R&T Asia (Thailand) Limited

T +66 2 656 1991

F +66 2 656 0833

th.rajahtannasia.com

RAJAH & TANN | *Lao PDR*

Rajah & Tann (Laos) Co., Ltd.

T +856 21 454 239

F +856 21 285 261

la.rajahtannasia.com

RAJAH & TANN LCT LAWYERS | *Vietnam*

Rajah & Tann LCT Lawyers

Ho Chi Minh City Office

T +84 28 3821 2382 / +84 28 3821 2673

F +84 28 3520 8206

CHRISTOPHER & LEE ONG | *Malaysia*

Christopher & Lee Ong

T +60 3 2273 1919

F +60 3 2273 8310

www.christopherleeong.com

Hanoi Office

T +84 24 3267 6127

F +84 24 3267 6128

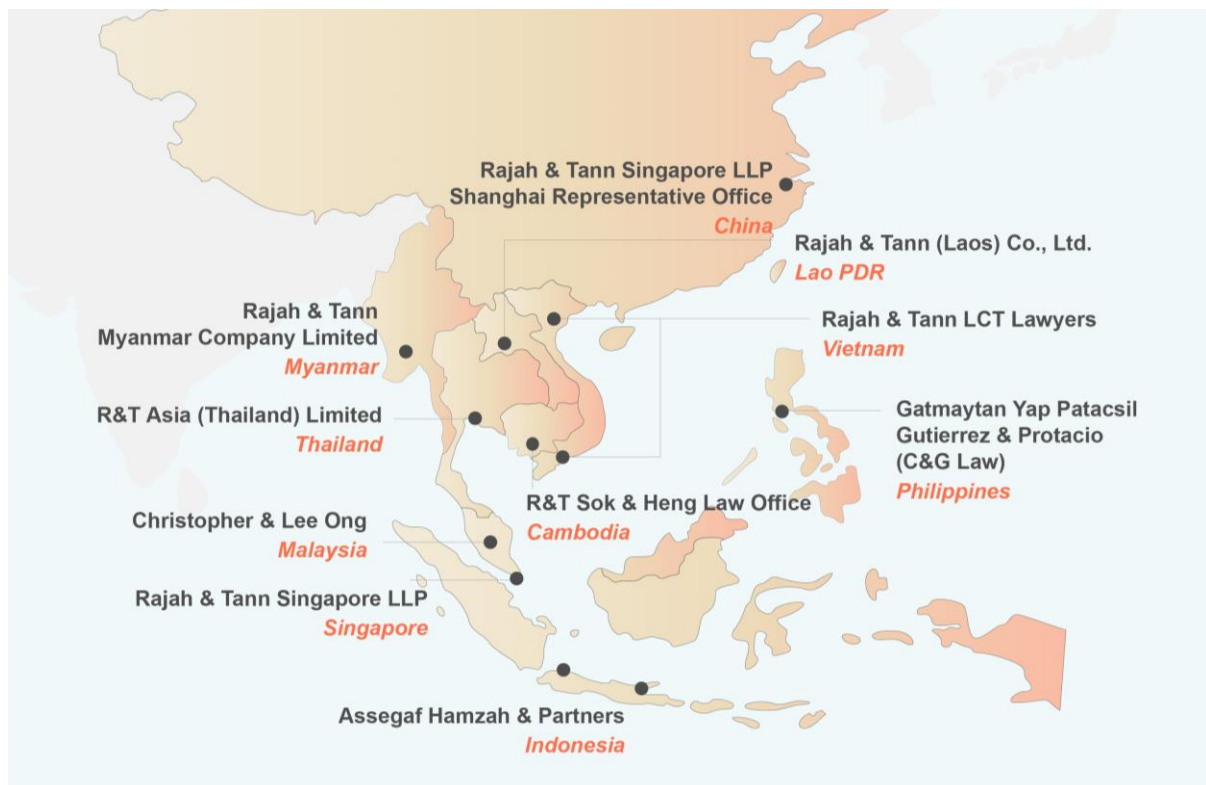
www.rajahtannlct.com

Rajah & Tann Asia is a network of legal practices based in Asia.

Member firms are independently constituted and regulated in accordance with relevant local legal requirements. Services provided by a member firm are governed by the terms of engagement between the member firm and the client.

This update is solely intended to provide general information and does not provide any advice or create any relationship, whether legally binding or otherwise. Rajah & Tann Asia and its member firms do not accept, and fully disclaim, responsibility for any loss or damage which may result from accessing or relying on this update.

Our Regional Presence



Rajah & Tann Singapore LLP is one of the largest full-service law firms in Singapore, providing high quality advice to an impressive list of clients. We place strong emphasis on promptness, accessibility and reliability in dealing with clients. At the same time, the firm strives towards a practical yet creative approach in dealing with business and commercial problems. As the Singapore member firm of the Lex Mundi Network, we are able to offer access to excellent legal expertise in more than 100 countries.

Rajah & Tann Singapore LLP is part of Rajah & Tann Asia, a network of local law firms in Cambodia, China, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. Our Asian network also includes regional desks focused on Brunei, Japan and South Asia.

The contents of this Update are owned by Rajah & Tann Singapore LLP and subject to copyright protection under the laws of Singapore and, through international treaties, other countries. No part of this Update may be reproduced, licensed, sold, published, transmitted, modified, adapted, publicly displayed, broadcast (including storage in any medium by electronic means whether or not transiently for any purpose save as permitted herein) without the prior written permission of Rajah & Tann Singapore LLP.

Please note also that whilst the information in this Update is correct to the best of our knowledge and belief at the time of writing, it is only intended to provide a general guide to the subject matter and should not be treated as a substitute for specific professional advice for any particular course of action as such information may not suit your specific business and operational requirements. It is to your advantage to seek legal advice for your specific situation. In this regard, you may call the lawyer you normally deal with in Rajah & Tann Singapore LLP or email Knowledge Management at eOASIS@rajahtann.com.