

## Psychotherapists Board of Aotearoa New Zealand Information Sheet - Health Records - Access, Protection, Retention, Disposal

The Board acknowledges that psychotherapists often work in different organisations<sup>1</sup> and with different client groups<sup>2</sup>. All psychotherapists are advised to be aware of their organisation's guidelines as well as their statutory obligations.

Click to review [Psychotherapists Standards](#) i.e. Core Clinical Competences, Cultural Competences and Standards of Ethical Conduct.

### Access to personal information

The Health Information Privacy Code 1994 states that where an [agency](#) (this would include practitioners working in private practice<sup>3</sup>) holds [personal information](#) in such a way that it can readily be retrieved, the individual concerned shall be entitled:

- to obtain from the agency confirmation of whether or not the agency holds such personal information; and
- to have access to that 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 1994](#) for further information.

### Protection of health records

The Health Information Privacy Code 1994 states that an [agency](#) (this would include practitioners working in private practice<sup>4</sup>) that holds [personal information](#) shall ensure that the information is protected, by such security safeguards as it is 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 1994](#) for further information.

### 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 1994](#) for further information.

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

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

<sup>3</sup> Board comment for clarity

<sup>4</sup> Board comment for clarity