



Submission to the Oireachtas Joint Committee on Health on the General Scheme of the Health Information and Patient Safety Bill

St Patrick's Mental Health Services (SPMHS) is Ireland's largest, independent, not-for-profit mental health service provider. It is committed to the provision of the highest quality mental health care, the promotion of mental health, advocacy and the protection of the rights and integrity of those experiencing mental health difficulties. Through multi-disciplinary teams of highly-qualified mental health professionals, St Patrick's Mental Health Service provides in-patient and day care services to over 3,000 people each year and over 12,000 out-patient appointment based interventions. St Patrick's Mental Health Services has an active research department undertaking projects both independently and in conjunction with other research centres and universities. The prevalence of mental health problems in Ireland is well documented, with one in seven adults experiencing a mental health difficulty in the past year.

As a mental health service provider SPMHS welcomes the opportunity to provide a submission to the Oireachtas Committee on Healthcare in relation to the Health Information and Patient Safety Bill, Revised General Scheme. In this submission, SPMHS is limiting its views and comments to those relating to its work as a mental health service provider, and its commitment to upholding the rights, dignity and privacy of service users who experience mental health difficulties.

SPMHS has structured its comments below to correspond with Parts of the Health Information and Patient Safety Bill, Revised General Scheme that it believes are relevant to its mission, values and service provision.

Part 2: Personal Data, Personal Health Data and Personal Health Information

SPMHS welcomes provisions under Part 2 of Health Information and Patient Safety Bill which we believe strengthens the provisions made under the Health Act 2007 and the Data Protection Acts 1998 and 2003 in relation to the processing of personal data and specifically personal health data. Part 2, provides additional protections for individuals health information and this is broadly welcomed. The strengthening of the obligations on health providers to provide for transfer of health information between providers is positive and will benefit the quality and continuity of care. This is very much welcomed.

In addition, S.7: Notice of cessation of provision of health services is also welcomed but it is not explicit who is responsible for informing patients regarding the transfer of their health information on the retirement of clinicians.

SPMHS also welcomes the clarifications provided in relation to Health Information Standards, and clarification that HL7 compliance or subsequent agreed standards should be explicitly stated within the legislation to ensure that both statutory, voluntary and independent service providers meet the same standards and have a shared understanding of the required data sets and guidelines.

Part 3: Research Ethics Approval

SPMHS as a university teaching hospital and Research centre welcomes the proposed provision within this draft legislation for Research Ethics Committees to apply for Approved Status. However, we would suggest that the word voluntary be removed to ensure national standards regarding the quality and validity of Research Ethics activities as well as protecting the rights of individual research participants.

Subhead (1) explanatory notes indicates that when applying to become an approved Research Ethics committee the applicant must be willing to review any ethics application in any area of research. SPMHS believes that this will preclude many existing RECs from applying to become ARECs. Individual RECs generally have a significant workload without the possibility of additional external work. In addition, some areas of research require particular skills and expertise, particularly in specialist healthcare areas and a generic AREC may not be able to provide the necessary expertise. This raises concern, particularly with regard to complex research proposals in which the individual members of the AREC may not have specific expertise. The legislation provides for sub-committees which can assist in this regard but this prolongs the ethical approval process. There is currently an agreed voluntary framework for RECs, which SPMHS has agreed to and provision should be made to allow a seamless transfer to an AREC system in this instance.

The guidelines for monitoring, reporting and managing of complaints in relation to health research are welcomed by SPMHS as it believes it will result in better research governance, higher quality research and the strengthening of the rights and protections for individual participants in research.

Part 4: Data Matching Programmes & Part 5: Health Information Resources

SPMHS welcomes the provisions for strengthening standard setting in relation to health information management and recognises that data sharing is a critical requirement for ensuring integrated healthcare, improving service user safety and maintaining population health.

SPMHS further welcomes the proposed joint collaborative approach between HIQA and the Mental Health Commission as a streamlined approach to the regulation of health information management for all service providers.

As an independent service provider SPMHS is keen to work in a collaborative, partnership approach with all relevant agencies, both statutory and voluntary to ensure the highest quality mental health services and the upholding of individual's rights to privacy, dignity and confidentiality. We would welcome the opportunity to engage further with the Committee with regard to any of the issues raised in this submission.

Submission Ends