



**Conditions of Registration of Healthcare Providers
(Private Hospitals) in Electronic Health Record Sharing System**

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Conditions of Registration of HCPs (Private Hospitals) in eHRSS

1. Purpose

- 1.1. This document sets out the conditions for registering a healthcare provider (HCP) which are imposed by the Commissioner for the Electronic Health Record (eHRC) under section 20(1)(b) of the Electronic Health Record Sharing System Ordinance (Cap 625) (eHRSSO). The eHRC may suspend or cancel a registration of a registered HCP on the ground that the registered HCP contravenes a condition of the registration.

2. Rights after Registration

- 2.1. Registered HCPs can access to Electronic Health Record Sharing System (eHRSS) and obtain the health data of registered healthcare recipients (HCRs) who have given Sharing Consent to them.
- 2.2. Registered HCPs can withdraw their registration from eHRSS anytime.

3. Conditions for Registration of HCPs under section 20(1)(b) of eHRSSO

Registered HCP shall

- 3.1. Comply with, and take all reasonable steps to ensure that its staff comply with eHRSSO (Cap 625), Personal Data (Privacy) Ordinance (Cap 486) (PD(P)O) and Code of Practice (COP) issued by eHRC.
- 3.2. Take all reasonable steps to prevent unauthorised access to eHRSS and ensure proper and safe use of eHRSS by its staff to access only data in the electronic health record (eHR) of an HCR that is relevant for providing healthcare to the HCR.
- 3.3. Obtain Sharing Consent from the concerned HCR before accessing and using their data in eHRSS.
- 3.4. Update eHRC of any change in any information previously provided to eHRC in respect of HCP registration in eHRSS.
- 3.5. Amend and update HCRs' registration and health data and share the amended and updated data to eHRSS if that data has previously been shared to eHRSS.
- 3.6. Inform eHRC immediately of any unauthorised or suspected unauthorised

access to eHRSS or any privacy and security incidents related to eHRSS.

- 3.7. Assign designated persons to communicate and cooperate with eHRC for administration, security audit, complaint, investigations and related matters.
- 3.8. Notify eHRC of any complaint, progress of handling and result, regarding the operation or use of eHRSS.

Registered HCP who share data to eHRSS shall:

- 3.9. Provide data to eHRSS and take all reasonable steps to ensure that any data provided is accurate, up-to-date, and fit for sharing.
- 3.10. Permit eHRC, any other registered HCP and any authorised person to use the data provided in accordance to eHRSSO and undertake that no one's intellectual property rights would be infringed in the use of the data provided by the registered HCP.

Registered HCP with medical record system which is not ready for providing data to eHRSS shall:

- 3.11. Provide all data within sharable scope according to a schedule agreed with eHRC. In general, all data within sharable scope and that is electronically available should be provided to eHRSS within 3 years (or any period as further extended by eHRC) after registration in eHRSS.

4. Withdrawal, Cancellation and Suspension of Registration

- 4.1. Registered HCP may withdraw his/her registration from eHRSS. On the other hand, eHRC may cancel or suspend a HCP's registration according to eHRSSO.
- 4.2. Notwithstanding the withdrawal, cancellation or suspension, the health records previously provided to eHRSS shall be retained in eHRSS for sharing.

5. Glossary

Code of Practice (COP)

Means the COP(s) issued by eHRC under eHRSSO

Commissioner for the Electronic Health Record (eHRC)

Means the public officer appointed under the section 48 of eHRSSO (Cap 625) to operate and maintain eHRSS

Electronic Health Record (eHR)

Means, in respect of any registered HCR, the record of data and information of the registered HCR (or any part of it) kept in eHRSS; and the record of data and information in relation to a HCR who was once registered, but is no longer registered, that was kept in eHRSS

Electronic Health Record Sharing System (eHRSS)

Means the information infrastructure known as the Electronic Health Record Sharing System for keeping of records of registered HCRs and sharing and using of data and information contained in those records

Electronic Health Record Sharing System Ordinance (Cap 625) (eHRSSO)

The Ordinance provided for the establishment of eHRSS, the sharing and using of data and information, and the protection of eHRSS, data and information; and to provide for incidental and related matters

Healthcare Provider (HCP)

Means a person that provides healthcare

Sharing

Means the act of providing or obtaining any sharable data of a registered HCR through the System

Sharing Consent

Means the consent for sharing given by registered HCR to registered under section 12 of eHRSSO

System

Means the Electronic Health Record Sharing System

Use

In relation to any data or information in an electronic health record, includes disclose, or transfer the data or information.