

How to get a copy of your medical records

You have the right to access your medical records, which are the notes your doctor, hospital, or clinic has written about your care. There are different rules depending on where your records are held:

Private Health Services

These follow the Privacy Act 1988:

- Your GP (family doctor)
- Private dentist, physiotherapist, or specialist
- Private hospital

Public Health Services

These follow the Freedom of Information Act 1982:

- Public hospitals
- Community mental health services
- Child development and adolescent health service

Remember, the Australian Charter of Health Rights says you have the right to:

- **Access:** see your health information and record.
- **Be informed:** know what care you're getting and what's in your medical file.
- **Comment:** ask questions or speak up if something doesn't feel right

About us

We're the Health Consumers' Council WA and we want everyone to get fair healthcare. If you need help, we're here for you.

You can find information and resources to help you understand your health rights and advocate for yourself.

P: 9221 3422

E: help@hconc.org.au
www.hccwa.org.au

Who owns the records?

The doctor, specialist or health service who provided your care, own your medical records. You can request to view them or to have copies.

How do I ask for my records?

- Contact the hospital or clinic: Ask for the Privacy Officer (private system); or the FOI Officer (public system).
- Tell them what you need: Give them the dates you were there, and the type of records (e.g. test results, notes).
- Show ID: You might need to show your driver's license, passport, or Medicare card.
- Use a letter or form: We have a template letter to help you write a letter. You'll find it on our website.

What about mental health records

If you have had mental health treatment (voluntary &/or involuntary), you can ask to see your mental health file. However, you cannot see the records if a psychiatrist believes:

- It could cause harm to you or someone else
- It includes someone else's private information

To ask for your mental health records

- Tell your psychiatrist or fill in a special request form
- Bring ID (like a passport or license)

Does it cost anything?

Private clinics may charge a small fee, but it must be fair. You can ask to get your records by email instead of paper to make it cheaper. Public hospitals usually give your information for free.

Mental health services also give access for free under the Mental Health Act 2014.

What if they say no?

Health services must explain in writing why they said no. You can talk to the health service manager about their reasons if you don't feel they are reasonable.

If the health service refuses to let you see your records, you can make a complaint to the Office of the Australian Information Commissioner (OAIC).

Make a privacy complaint [here](#).

Make an FOI complaint [here](#).

Other services who may be able to help

- For **voluntary** mental health support visit [Consumers of Mental Health WA](#) (CoMHWA)
- For **involuntary** mental health support visit [Mental Health Advocacy Service](#) (MHAS)