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Allow patients access to and ownership of their own electronic patient records; to require medical professionals to maintain and share electronic patient records as part of individual care plans; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 The patient data principles

- (1) This section sets out the three patient data principles.
- (2) The Ownership Principle is that patients own their medical data.
- (3) The Control Principle is that patients have the right to access their medical data and to control its use (including the right to share it for research or other purposes). 5
- (4) The Maintenance Principle is that healthcare professionals have a duty to maintain an effective whole-of-life record for each patient across the entire healthcare system.
- (5) In this Act— 10
 - (a) “patient” includes any person who has accessed medical services;
 - (b) “medical services” includes health services of any kind (including mental health services and care services), whether provided by a general practitioner, in a hospital, in a care home, or in some other way;
 - (c) “medical data” means all records and information made or kept by a person who provides medical services to a patient, in respect of that patient and those services; 15
 - (d) “healthcare professionals” includes doctors, nurses, care-workers and any other professional who has responsibility for the provision or administration of medical services or for the compiling or maintenance of medical data. 20

2 Implementation of principles

- (1) The Secretary of State must make regulations (“Patient Data Regulations”) designed to implement the patient data principles.
- (2) In particular, Patient Data Regulations must –
- (a) provide a general right of ownership by patients of their medical data, and specify the practical implications of that right for healthcare professionals; 5
 - (b) provide a general right for patients of access to their medical data;
 - (c) provide for the establishment in respect of each patient a single consolidated record of every health event in respect of which the patient has received medical services. 10
- (3) Patient Data Regulations must ensure that, in particular –
- (a) hospitals and other providers of health services may not make charges for access by patients to their own medical data;
 - (b) medical data is recorded and maintained by reference to a single identifying code that remains with each patient throughout his or her life; 15
 - (c) healthcare professionals are required to have regard to the patient data principles in the performance of their functions.
- (4) Patient Data Regulations – 20
- (a) may confer functions (including discretionary functions) on healthcare professionals;
 - (b) may amend enactments.
- (5) Patient Data Regulations
- (a) shall be made by statutory instrument; 25
 - (b) may not be made unless a draft has been laid before and approved by resolution of each House of Parliament;
 - (c) may include supplementary, incidental, transitional and consequential provision.

3 Technical provision

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- (1) This Act comes into force on Royal Assent.
- (2) This Act extends only to England and Wales, and applies in relation to England only.
- (3) This Act may be cited as the Electronic Patient Records (Continuity of Care) Act 2014. 35

Electronic Patient Records (Continuity of Care) Bill

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*Ordered, by The House of Commons,
to be Printed, 26 November 2013.*

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