



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

Mr. Robert Morton  
Chief Ambulance Officer  
HSE  
Oak House  
Millennium Business Park,  
Naas, Co. Kildare

Tullamore, Co. Offaly

27<sup>th</sup> April 2011

Dear Robert

#### **Patient Condition Checks**

I am writing to advise you that from Monday 9<sup>th</sup> May 2011 the HSE will no longer provide media outlets with limited patient information i.e. condition checks. The HSE is conscious of its duty of care to patients; and clinicians are also concerned that limited information relating to patients (who can be identified) is being disseminated to media outlets as a matter of course.

It is my contention that such practice is incompatible with our health service obligations to un-enumerated privacy rights that such patients have through the Constitution, and indeed our obligations to Article 8 of European Charter for Human Rights.

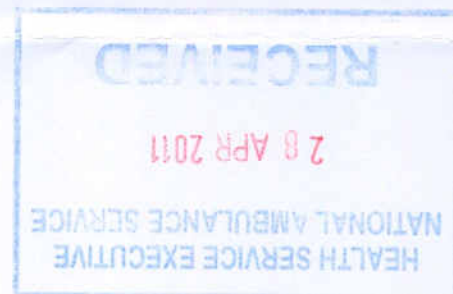
Additionally, the HSE has considered the requirements of the Data Protection Commissioner and the ethical duty to our patients and clients. I would draw your attention to the content below from the Data Commissioner's Office which refers to individual patient information. The Commissioner is supporting the position taken by the HSE.

*The confidentiality of patient records forms part of the ancient Hippocratic Oath, and is central to the ethical tradition of medicine and health care. This tradition of confidentiality is in line with the requirements of the Data Protection Acts 1988 & 2003, under which personal data must be obtained for a specified purpose, and must not be disclosed to any third party except in a manner compatible with that purpose.*

(An) Stiurthoir Naisiunta  
Cumarsaide  
Seomra 128  
Dr. Steevens Hospital  
Baile Átha Cliath 8.

National Director  
Communications,  
Room 128  
Dr. Steevens Hospital  
Dublin 8.

Tel: Tel: (01) 635 2417



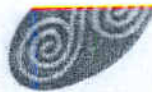
Patients in the care of the HSE are entitled to expect that information relating to their medical status or treatment remains private and not divulged to external organisations or individuals. Information relating to fatalities will continue to be announced by an Garda Síochána who are charged with the responsibility for notifying next of kin. I would be grateful if you could advise members of the HSE Ambulance Service of this new practice and I appreciate your support in this matter.

Yours sincerely



---

**Paul Connors**  
**National Communications Director**



19 April 2011

Mr. Paul Connors  
National Communications Director  
HSE  
Room 128  
Dr Steevens Hospital  
Dublin 8

Dear Mr. Connors,

Thank you for your letter of 11 April to the Data Protection Commissioner in relation to the intended position of the HSE that it should no longer provide the media with the condition or status of any patient or client in its care.

This Office agrees with the position of the HSE on this matter and would affirm that under the Data Protection Acts 1988 & 2003 such condition checks should only be provided with the consent of the patient.

Thank you for seeking the views of this Office on this matter.

Yours sincerely

Gary Davis  
Deputy Commissioner



Cuirfear fáilte roimh chomhfhreagras i nGaeilge