



CATEGORY: CLINICAL GOVERNANCE ADVICE

This statement has been developed and reviewed by the Women's Health Committee and approved by the RANZCOG Board and Council.

A list of Women's Health Committee Members can be found in [Appendix A](#).

Disclosure statements have been received from all members of this committee.

Disclaimer This information is intended to provide general advice to practitioners. This information should not be relied on as a substitute for proper assessment with respect to the particular circumstances of each case and the needs of any patient. This document reflects emerging clinical and scientific advances as of the date issued and is subject to change. The document has been prepared having regard to general circumstances.

First endorsed by RANZCOG: July 2001

Current: July 2020

Review due: July 2023

Background: This statement was first developed by Women's Health Committee in July 2001 and most recently reviewed in July 2020.

Funding: This statement was developed by RANZCOG and there are no relevant financial declarations.

Disposal of medical records must be done in a manner that preserves the privacy of the patient. The notice of intent to destroy medical records, methods of disposal and development of a register to identify the patient, period of time and date of disposal, vary amongst jurisdictions.

When a clinician decides to discontinue practice, the responsibilities regarding patient continuity of care and the requirements for medical record management, transfer, storage or disposal are significant. In the event that health records are not transferred to an identified practice, jurisdictional legislation is enforceable and must be complied with. Although clinicians are no longer subject to regulatory and professional standards upon relinquishing their medical registration, it is expected that, even upon retirement, the Medical Code of Conduct is still followed.

Any agreement made should be in a form that is legally binding. It should include the provisions for access by the relinquishing practitioner.

References

1. Medical Board of Australia. Good medical practice: a code of conduct for doctors in Australia March 2014 [May 2017]. Available from: <http://www.medicalboard.gov.au/Codes-Guidelines-Policies/Code-of-conduct.aspx>.
2. Medical Council of New Zealand. The maintenance and retention of patient records August 2008. Available from: <https://www.mcnz.org.nz/assets/News-and-Publications/Statements/Maintenance-and-retention-of-records.pdf>.
3. Health Records and Information Privacy Act (NSW). 2002.
4. Health Practitioner Regulation (New South Wales) Regulation 2010.
5. Health Records (Privacy and Access) Act (ACT). 1997.
6. Health Records Act (VIC). 2001.
7. Carter D. Records access and management on closure of a medical practice. MJA. 2015;203(2):109-10.

Appendices

Appendix A Women's Health Committee Membership

Appendix B Overview of the development and review process for this statement

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