



## Tuen Mun Hospital

### Request for Medical Record Copy / Data Access Request (DAR)

**Personal Data (Privacy) Ordinance**

A Copy Data Request will not be processed unless accompanied by the Processing Fee.

Please read the "Data Access Request – Note of Application" first.

(  Please tick as appropriate )

Except with the consent of the individual concerned, the personal data collected in this Form will be used for the purpose of processing this data access request and other directly related purposes only

A data user is required by the Personal Data (Privacy) Ordinance to comply with a DAR within 40 days after receiving the same. If a data user is unable to comply with the DAR within the 40-day period, it must inform the requestor by notice in writing that it is so unable and the reasons, and comply with the DAR to the extent it is able to within the same 40-day period and thereafter comply or fully comply with it as soon as practicable. When medically necessary, a patient may authorize his/her private medical practitioner to contact the Hospital Authority's responsible doctor to obtain his/her medical information.

1. Name of hospital authority institution from which personal data is requested: Tuen Mun Hospital

2. Details of the Data Subject who must be a living individual:

Name: \_\_\_\_\_ ( \_\_\_\_\_ )  
Surname Given Name Chinese (If any)

Gender:  Male  Female Age:  Under 18 years of age  18 years of age or over

HKID Card No.: \_\_\_\_\_ / Passport No.: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No. : \_\_\_\_\_ Other Contact No. : \_\_\_\_\_

# If the HKID Card No. is provided, no copy or physical production of the HKID Card is required in case the number provided is accurate and corresponds to the number recorded on HA's database. If not, a true copy of the HKID Card will be required for verification. Alternatively, the HKID Card may be physically produced for verification at our hospital.

# If the Passport No. is provided, please produce in person the original or provide a true copy of the Passport of the Data Subject when submitting this Data Access Request to our hospital.

3. Nature of request: (Tick as appropriate)

**Data Enquiry Request** – The Hospital will inform the Data Subject (or where appropriate, the Relevant Person) whether it holds or does not hold the Requested Data.

**Copy Data Request** – The Hospital will inform the Data Subject (or where appropriate, the Relevant Person) whether it holds or does not hold the Requested Data. The Hospital will provide a copy of the Requested Data to the Data Subject (or where appropriate, the Relevant Person). If only (b) [Copy Data Request] is ticked, the request will be deemed to be both (a) [Data Enquiry Request] and (b) [Copy Data Request]. The fee applicable for a Copy Data Request is listed in the Data Access Request Scale of Fees ("Scale of Fees").

4. Purpose of application: (Please tick and complete where appropriate)

Patient Care  Insurance Claim  Personal Record

Legal Proceeding (Please state detail) : \_\_\_\_\_

Others: \_\_\_\_\_



**Relationship between the Relevant Person and the Data Subject, which can be:** *(Tick as appropriate)*

- Either  (a) The Relevant Person has parental responsibility for the Data Subject who is under age 18;
- OR  (b) The Relevant Person has been duly authorised by the Data Subject to submit this Data Access Request and to collect all the Requested Data on behalf of the Data Subject;
- OR  (c) The Data Subject is incapable of managing his own affairs and the Relevant Person has been appointed by the Court to manage the affairs of the Data Subject;
- OR  (d) The Data Subject is mentally incapacitated within the meaning of the Mental Health Ordinance and the Relevant Person is:
- appointed as a guardian of the Data Subject by a court, magistrate or the Guardianship Board under section 44A, 59O or 59Q of the Mental Health Ordinance;
  - the Director of Social Welfare who, pursuant to section 44B (2A) or 59T (1) of the Mental Health Ordinance, is vested the guardianship of the Data Subject;
  - the Director of Social Welfare or a person approved by the Guardianship Board who, pursuant to section 44B (2B) or 59T (2) of the Mental Health Ordinance is authorised to perform the functions of a guardian for the Data Subject

If the box in 6 (d) is ticked, state the date when the Relevant Person was appointed a guardian / was vested the guardianship / was authorised to perform the functions of a guardian: \_\_\_\_\_

Is the appointment / vesting / authority to perform under 6 (d) still subsisting?  Yes  No

# Please also provide a true copy of the documentary evidence to support the relationship between the Relevant Person and the Data Subject. Please refer to point 6 of "Data Access Request - Note of Application" for examples.

**7. Declaration and signature** *(Only be filled by a person over 18 years of age)*

WHERE applicable, the Data Subject has irrevocably authorised the Relevant Person to deal with this DAR and to collect the Requested Data on behalf of the Data Subject. The Data Subject and (where appropriate) the Relevant Person understand and agree that all applicable fees listed in the Scale of Fees have to be paid prior to collection of the Requested Data.

The Data Subject and (where appropriate) the Relevant Person declare that the information given in this DAR Form is accurate.

Signature of Data Subject: \_\_\_\_\_ Date: \_\_\_\_\_

If application by Relevant Person:

Signature of Relevant Person: \_\_\_\_\_ Date: \_\_\_\_\_

**8. Method of collection**  By registered post  Collect in person *(Tick as appropriate)*

To : Mr / Ms _____
Address: _____
_____
_____
_____
_____

<b>Official use only</b>	Application received by: _____
Patient ID/passport:	<input type="checkbox"/> Match with PMI <input type="checkbox"/> Original / true copy verified
Applicant ID/passport:	<input type="checkbox"/> Original / true copy verified
Birth certificate:	<input type="checkbox"/> Original / true copy verified
Marriage certificate:	<input type="checkbox"/> Original / true copy verified
Other doc: _____	<input type="checkbox"/> Original / true copy verified
Remarks: _____	



**Tuen Mun Hospital**  
**Data Access Request – Note of Application**

- 1 This application is processed under the Personal Data (Privacy) Ordinance. An individual or a relevant person on behalf of an individual is entitled to make a Data Access Request to ascertain whether the hospital holds the personal data of the Data Subject and to be supplied with a copy of such data.
- 2 The Data Subject pertaining to the Data Access Request must be a living individual.
- 3 Application forms and supporting documents may be submitted in person or by post:

Office Address:	Release of Information Section, Health Information & Records Office, 3/F, Rehabilitation Block, Tuen Mun Hospital, Tsing San Path, Tuen Mun, New Territories
Office Hour:	Monday - Friday: 9am – 5pm (Lunch time: 1pm – 2pm) Saturday: 9am – 1pm Sunday & Public Holiday: Closed
Tel. no.:	2468 5557
Fax. no.:	2463 7314

For applications submitted by post, please send payment in a crossed cheque payable to the Hospital Authority.  
**(Please do not send cash by mail)**

- 4 The hospital will reply to the applicant **within 40 days** upon receipt of the request. If the total charge payable exceeds the processing fee of HK \$76, our hospital will notify the applicant to settle the charge/estimated charge, and the data copy will be released after the residual cost is settled.
- 5 DAR Scale of Fees (Applicable from 18 June 2017):

Processing Fee <sup>1</sup> :	HK\$76 per request (includes reproduction charge of the first 10 pages and postage)
Reproduction charge for the 11 <sup>th</sup> page and onward:	HK\$1 per page
Reproduction charge for ECG, EEG, X-ray Film/disc or photo etc.:	HK\$230 modality per disc HK\$230 per film

<sup>1</sup> The Processing Fee is non-refundable unless the hospital is unable to provide the Requested Data.

- 6 If needed, the Relevant Person/the Data Subject is required to submit a true copy of the following document for verification:
  - Hong Kong ID Card / Passport;
  - Marriage Certificate;
  - Birth certificate / legal custody paper if the Relevant Person claims parental responsibility over the Data Subject;
  - An original authorization form signed by the Data Subject where the Relevant Person claims to have been duly authorised by the Data Subject;
  - Court document(s) issued by a court appointing the Relevant Person to manage the affairs of the Data Subject who is incapable of managing his own affairs;
  - Guardianship order(s) issued by the Guardianship Board/court/magistrate which can show that the Relevant Person is currently appointed as the guardian of the mentally incapacitated Data Subject;
  - Documentary evidence to show that the Relevant Person has been vested the guardianship or that he is authorised to perform the functions of a guardian under the relevant section of the Mental Health Ordinance.
- 7 If the applicant does not collect the requested data within 3 months after being notified it is ready for collection, the requested data shall be destroyed.