

**Public Consultation on the Proposed Advisory
Guidelines on Application of the PDPA
in the Healthcare Sector**

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1. Introduction

This is a response on the proposed Advisory Guidelines for the Education on the application of the Personal Data Protection Act (“PDPA”) for the Healthcare Sector.

2. Responses to Scenarios

The envisaged scenarios published in the proposed advisory guidelines [1] are generally valid.

The Scenarios within 2.3 are valid and reasonable.

The Scenarios within 2.4 are valid.

For Scenario 2.5, suppose that Aunt Kim is a patient of the doctor and through John, the doctor learnt that Aunt Kim has had stomach cancer. Suppose the doctor did not have prior knowledge or record in his database on Aunt Kim stomach cancer. Under the PDPA, the doctor would still require consent from Aunt Kim prior to the marketing or promotion of stomach cancer related medication to her.

For Scenario 2.6, suppose that

- Case A. the purpose is for the design and development of a prognosis database (for internal use),
- Case B. the purpose is for the design and development of a prognosis database (for subsequent public diagnosis use),

would Health Organisation ABC requires consent from John for Case A and Case B?

For Scenario 2.6, suppose that John's personal data is anonymized, for

- Case C. the purpose involving the design and development of a prognosis database (for internal use),
- Case D. the purpose involving the design and development of a prognosis database (for subsequent public diagnosis use),

is the seeking of consent from John for Case C and Case D necessary?

Scenario 2.7 is valid.

The Scenarios within 2.8 are valid.

Scenarios 2.9, 2.10 and 2.11 are valid. For 2.11, it is a good practice for Doctor Hussein to inform the patients regarding the change of Doctor.

For Scenario 3.12, what if Clinic ABC claimed that the requested information is lost.

Scenario 3.13 is valid.

Scenario 5.4 is reasonable.

Scenarios 6.4, 6.6 and 6.10 are reasonable.

3. Conclusion

We thank the PDPC for conducting this public consultation and hope that our inputs are constructive.

Reference

[1] PDPC. (2014). Proposed Advisory Guidelines for the Healthcare Sector.