

Healthengine Under Fire for Profiting from Disclosure of Patient Information

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The Australian Competition and Consumer Commission (ACCC) is taking on Australia's largest online health marketplace, HealthEngine. In return for a fee, HealthEngine provided without adequate disclosure, patient information to nine private health insurance brokers.

The MedTech platform functions as an online booking service for many health care providers Australia-wide. During the booking process, HealthEngine would ask users two additional questions. Firstly, they would ask if the user had private health insurance. Secondly, they would ask if the user would like to be contacted with health insurance comparison information. By clicking 'Yes' to the second question, users had their personal information transferred to health insurance brokers. This information comprised the user's name, contact details, date of birth and private health care status.

The ACCC alleges that users were not made aware that HealthEngine would be relaying their personal information to insurance brokers, nor were they made aware that HealthEngine would be receiving a fee for these referrals. The action of creating professional arrangements with nine different providers would appear to suggest a conscious undertaking to generate revenue from the transfer of patient information.

HealthEngine attributed their actions to "rapid growth over the years [that] has sometimes outpaced our systems and processes", and maintains that information was not shared without express consent. The ACCC asserts that HealthEngine's conduct deprived users of the capacity to control the transfer of their information to insurance brokers, impeding on their ability to make informed decisions over such transfers.

This case will soon go before the Federal Court of Australia. If you, like many of the affected users, do not wish for your personal information to be shared with *any* third party, there is one clear way to prevent it from happening. No one likes reading the fine print, but it is important to read so that you are aware of what you are consenting to – even for something as simple as booking a doctors appointment!

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