

Ministry of Health

RAT Catcher

Privacy Impact Assessment

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Document Approval

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This document has been prepared by the Privacy Team, Ministry of Health.

Disclaimer

This Assessment has been prepared to assist the Ministry of Health (“the Ministry”) to review the purposes for which information is collected via the RAT Catcher webform, how that information can be used, and the privacy safeguards that are required to manage the collection and use.

Every effort has been made to ensure that the information contained in this report is reliable and up to date. This Privacy Impact Assessment represents the current expectations of the way the RAT Catcher will operate as reported to the author. No inspection of the RAT Catcher tool or its operation has taken place and performance representations are as reported to the author with no independent verification of the same.

This Assessment is intended to be a ‘work in progress’ and may be amended from time to time as circumstances change or new information is proposed to be collected and used.

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Glossary

The following are definitions used in this Assessment:

Terms	Description
Consumer	A person who presents to receive a supervised RAT
ESR Eclair	The national COVID-19 lab collection, management and results repository operated by ESR
API	Application Programming Interface – a software intermediary that allows two applications to ‘talk’ to each other
NHI	National Health Index number – this is the unique identifier that is assigned to every person who uses health and disability support services in New Zealand
MCR	My Covid Record – Online account providing access to their vaccination and COVID-19 test records and My Vaccine Pass, and for uploading Rapid Antigen Test (RAT) results, for authenticated users
NCTS	National Contact Tracing System
Authoriser	An authorised user of the RAT Catcher tool who is responsible for administering the Supervised RAT or inputting the result in RAT Catcher
Privacy Notice Materials	Material to be prepared to inform consumers in compliance with rule 3 of the Health Information Privacy Code 2020.
Rapid Antigen Test (RAT)	Rapid Antigen Test – a test generally taken with a front of nose swab to detect the presence of specific proteins on the outer portion of the virus, such as the spike protein. The advantage of RATs is that they give a result quickly (often in less than 15 minutes), which assists with rapid risk assessment and reduces the amount of time a positive individual is active in the community

Section One – Executive Summary

Scope of Assessment

1. This assessment covers the creation of the RAT Catcher tool which is being built to record Supervised RAT (Rapid Antigen Test) results and will be utilised by Healthcare Professionals across the country (such as pharmacies, hospitals, community testing centres, GPs etc.)
2. This assessment addresses only the administration of Supervised RATs via Healthcare Professionals using the RAT Catcher tool to record RAT results via the National Integration Applications (NIA) API. Other aspects of RAT reporting are addressed in other PIAs, including:
 - The ability of Consumers to upload their own RAT results (or those of others on an ‘on behalf’ basis) via My Covid Record;
 - Supervised RATs via individual pharmacists or general practitioners using the RAT Reporter tool (directly to Éclair);
 - Bulk Reporting Process for Supervised RATs in hospital emergency departments and aged residential care facilities;
 - the NIA API transition of the information from multiple sources into Éclair; and
 - The standardised processes for information flows following a positive RAT test (supplied to NCTS for contact tracing processes, positive text messaging, and supply to the Covid Clinical Care Module (CCCM)).
3. RAT Catcher is intended to utilise existing Ministry IT systems and platforms and the standard processes for information flows to these systems. RAT Catcher will also transfer data to ESR’s Éclair Data Repository (‘Éclair’). Éclair and all existing Ministry IT systems and platforms which will be used, are subject to their own individual Privacy Impact Assessments which assess and mitigate their associated risks. This PIA is made on the basis that these existing systems are all operating in accordance with their individual PIAs.
4. If any of the above assumptions are incorrect, it will be necessary to review the conclusions reached in this Assessment.

Background

5. The COVID-19 pandemic has resulted in the Ministry of Health developing technology tools to support public health approaches to managing and controlling infectious disease. The technology tools are designed to bolster and augment delivery of those services.
6. With the current Omicron and Delta outbreak, the significance of RATs as both a diagnostic and surveillance tool has greatly increased. In Phase Three of the Omicron response RATs became a diagnostic tool for COVID-19 testing.
7. The RAT Catcher tool is intended to replace the existing ESR Éclair RAT Reporter system as the main solution for recording the results of Supervised RATs administered by Healthcare Professionals. Both the ESR Éclair RAT Reporter and RAT Catcher tools will operate in tandem while Users are transitioning to the RAT Catcher tool.
8. The RAT Catcher will address the functional limitations of the ESR Éclair RAT Reporter tool by allowing Users to perform multiple RATs in parallel without confusing results between the different Consumers.

RAT Catcher Process

9. The RAT Catcher tool will be accessed by Authorisers using a unique log in and password. Once successfully logged in, the Authoriser will need to identify the Consumer presenting to the Authoriser for a Supervised RAT.
10. To identify the Consumer, the Authoriser will carry out a patient search using the Patient Search API (API) which serves as the connection between the RAT Catcher and the NHI Database. In the API, the Authoriser will enter the Consumer's NHI number, or will search for their NHI number by using the Consumer's first and last name together with their date of birth. The API is covered by its own PIA.
11. The Authoriser will also record in RAT Catcher tool the Consumer's nominated mobile number, and the Consumer's verbal consent to receive communication of their RAT result via that number via a tick box.
12. The Authoriser will then complete a Supervised RAT with the Consumer. Once the sample is taken, the Consumer will be advised that they are either free to leave the Facility or must remain behind if they have not provided a mobile number. The RAT Catcher tool will inform the Authoriser of how long to wait until the RAT result is ready to be recorded (this will be dependent on the type of RAT being used).
13. The Authoriser will enter the RAT result in RAT Catcher and the Consumer will receive an automated text message with their result (if they provided a mobile number). If they have not provided a mobile number, their result will be communicated verbally.
14. The results can then be used for analytical reporting, and positive results communicated to the GP the person is enrolled with, as well as the other technology tools supporting contact tracing (NCTS) and care in the community, COVID Clinical Care Module (CCCM).

Information Collection

15. Information is collected directly from the individual and input by the Authoriser into the RAT Catcher tool. At the time of collection, the Authoriser should inform the Consumer of what information is being collected and why, who will see it, and how it will be used. The Consumer should also be directed to the RAT Catcher Privacy Statement on the Ministry website if they require further information about the privacy of their information.
16. The following personal information will be collected directly from the individual and verified by the NHI database via the API (where applicable). This information is both identifiable and related to the health of an individual, which is generally considered sensitive:
 - Full Name
 - NHI
 - Date of Birth
 - Contact information (mobile)
 - Supervised RAT result
17. There will also be information collected from the Authoriser, which will be communicated through the RAT Catcher tool Terms of Use to be accepted by the Authoriser prior to using the tool:
 - RAT Authoriser name
 - HPI CPN for the ordering clinician;
 - Unique Application ID; and
 - HPI Facility ID.

18. Each organisation permitted to use the RAT Catcher tool will be onboarded in accordance with current Ministry requirements for onboarding. As part of this process, the organisation will be advised of expectations for use, collection, and disclosure of Consumer RAT results, and applicable security requirements.

Information Purpose and Use

19. Personal identifiable information of the Consumer will be collected by the User to verify the Consumer's identity and ensure that the RAT result is recorded against the correct Consumer within the RAT Catcher tool before pushing the information through to other verified Ministry systems and ESR Éclair. No clinical decisions will be made based on this information.
20. It is the responsibility of the User to ensure they adequately inform the Consumer that their information and RAT result will be sent to the central ESR Éclair repository and other Ministry IT systems, and, if positive may be shared with the IT systems supporting contact tracing, the Covid Clinical Care in the Community system and their own general practitioner if they are enrolled with one.
21. A suggestion for standard wording to be provided by the User to the Consumer at the point of collection could be along the following lines:

The results of your Rapid Antigen Test are being recorded to identify if you have COVID-19. The results will be reported to the Ministry of Health testing systems and retained in our [the test administrator] records and ESR's test result Repository Eclair.

If a positive result is reported, your details will also be recorded in the Ministry of Health systems that support the health system's COVID response. Only those service providers who need to have access to provide you with any care you need, such as your GP or other health professional, will be able to see your information, and all access is tracked and auditable. Any mobile phone number you provide will be used to contact you about your RAT result and, if it is positive, to let you know what happens next to support you through your illness and/or isolation.

Have a look at the RAT Catcher Privacy Statement on the Ministry website if you have any further queries about the privacy of your information.

22. A copy of the RAT Catcher Privacy Statement is attached as Appendix One to this PIA.
23. RAT results provide intelligence on the spread and the size of the COVID-19 outbreak, alert people to the support available to them, and help keep our critical services going by:
 - informing the Consumer as to their COVID-19 status;
 - ensuring accurate national reporting of COVID-19 results and informing decisions regarding New Zealand's COVID-19 response; and
 - informing a Consumer's enrolled general practice team and general practitioner (where applicable).
24. RAT result data may also be used for statistical analysis and research purposes in line with usual Ministry of Health processes and where permitted by the Privacy Act and Health Information Privacy Code. Where identifiable information is not required to be shared for this purpose or any other purpose, it will be either de-identified, anonymised, or aggregated.
25. If the information is to be used for other purposes not outlined in this Assessment, this will need to be reviewed by the Chief Privacy Officer at the Ministry of Health and discussed with

the Office of the Privacy Commissioner to make sure Consumer privacy interests are fully considered.

Information Storage and Retention

26. Data from the RAT Catcher will be transferred to the Éclair repository and other Ministry IT systems using the existing NIA API for that purpose. This is an existing pattern and has been reviewed in the PIA for the NIA. The information uploaded to NIA will be deleted one month after entry. This is to give the organisation time to rectify any error files and re-submit them. All information submitted to NIA and validated will be forwarded to Eclair, and from there to the Consumer's GP of enrolment, NCTS, and CCCM (and retained in accordance with the existing retention periods for those systems).
27. RAT Catcher is a React Typescript application hosted on Amazon Web Services in Sydney Australia. The information collected will be held in compliance with Ministry and industry standards. It will be kept for a minimum of 10 years from the date of the Consumer's last interaction with RAT Catcher, and longer on their patient records if clinically determined to be appropriate.

Information Access and Correction

28. A Consumer's RAT results can be viewed through My COVID Record ('MCR'). Existing controls are in place to verify MCR Customers. To access their MCR they must provide 4 accurate identifiers from: Date of Birth, NHI, Full Name, Current address, previous addresses.
29. If the Consumer is unable to create a My COVID Record account or needs to request someone else's RAT results (such as a 5- to 12-year-old) they can request a record by:
 - Calling 0800 222 478; or
 - Emailing information@health.govt.nz.
30. If the Consumer thinks the details of the test results are incorrect, they are able to email help@mycovidrecord.min.health.nz or call the Contact Centre on 0800 222 478.
31. To correct their other information (such as contact details) they will need to follow the process outlined on MCR or email information@health.govt.nz.

Security

32. The RAT Catcher tool will implement robust security and authorisation controls to prevent unauthorised access to information, and follows leading practices for encrypting data at rest and in transit. Prior to release, the RAT Catcher will be subject to Ministry security review processes.
33. Access to information requires authentication. Only people with a role in administering the RATs and related administration and management can see, add, or change the information held in RAT Catcher. Everyone who accesses RAT Catcher must agree to the Terms of Use and is trained to keep the information safe.
34. The information able to be accessed in the GP systems, NCTS and CCCM will be managed in accordance with existing access rights for those systems. Access to ESR Éclair is also limited and will be restricted to only the data analytics team.
35. If the Consumer has any concerns about their security of their information, they will be directed to the Privacy Statement which contains an email and postal address for them to contact for further information.

Governance

36. There will be a Clinical Testing Governance Group who will be responsible for the oversight of the collection, management, authorised use, and deletion of information gathered through the RAT Catcher tool. This group will also have oversight to manage the risks of ‘function creep’ – only permitting expansion of the RAT Catcher tool beyond the original purposes and Business Case with full review and Consumer notification.

Section Two - Privacy Analysis

The purpose of this Assessment is to review the process of collection, storage, use, and sharing of personal and contact information for the purposes of the RAT Catcher against the 13 Rules in the Health Information Privacy Code (HIPC).

The Ministry has conducted its analysis under the Health Information Privacy Code as the information is about Consumers and their personal health information. Under clause 4(1)(e) it is considered that this is information about an ‘*individual which is collected before or in the course of, and incidental to, the provision of any health service or disability service to that individual*’.

Health Information Privacy Code Rules		Background and Key Controls	Residual risk
Rule 1	<p>Purpose of collection of health information</p> <ul style="list-style-type: none"> - Only collect health information if you really need it 	<p><i>Purpose</i></p> <p>The purpose of RAT Catcher is to provide an efficient system for Healthcare Professionals to record the Supervised RAT results of Consumers.</p> <p>The purpose of this project is lawful and related to a function or activity of the collecting organisation, the Ministry, and the Eclair test repository. The RAT Catcher tool will enable information to be transferred to Eclair and shared with other Ministry IT systems which have established processes for positive RAT results (GP of enrolment, NCTS and CCCM).</p> <p><i>Necessary</i></p> <p>It is necessary to collect personal information to confirm a consumer’s identity before administering their Supervised RAT. The fields to be included are those required by the standard testing systems, and will be sufficient to identify the individuals and assign the NHI, to identify the RAT result and to make contact with the individual as required.</p> <p>The recording of RAT results is carried out under the obligations of section 74 of the Health Act.</p>	Low
Rule 2	<p>Source of information</p> <ul style="list-style-type: none"> - Get it straight from the people concerned 	<p>Consumer information, such as name and NHI, will be collected directly from the individual (or their authorised representative) and will be confirmed with the Consumer and verified through the RAT Catcher Patient Search API at the time of collection (as is usual for a clinical consultation).</p> <p>The Consumer will also directly supply the mobile phone number that the User is to use to communicate the Consumers RAT results.</p> <p>The supervised RAT result will come directly from the delivery of the clinical service by the User. The User will submit the result into the Consumer profile linked to the Consumers NHI. Each RAT is clearly separated in the User’s RAT Catcher dashboard, and the status is displayed – green for ready, yellow for dwelling and red for expired. There is therefore minimal risk of confusing the RAT results between Consumers.</p>	Low

<p>Rule 3</p>	<p>Collection of information from individual</p> <ul style="list-style-type: none"> - Tell them what you're going to do with it 	<p>It is important that prior to the collection of the information, the User informs the Consumer of what is going to happen to the information. The Eclair repository and the applicable Ministry IT systems require this for the risks outlined in their PIA's to be mitigated. Clause 21 of this Assessment proposes possible wording for the User to read out to the Consumer at the time of Collection.</p> <p>The Consumer should also be directed by the User to the publicly available Privacy Statement on the Ministry website for additional information regarding their collected information.</p> <p>The Consumer will need to be made aware that their RAT result will be sent to the central Éclair repository, and if positive, may be shared with the information technology systems supporting the COVID Clinical Care in the Community system and their own general practitioner (if enrolled with one).</p> <p>The Privacy Statement will set out that the RAT Catcher uses data in accordance with all legislative requirements, including those set out in the Health Information Privacy Code 2020 and HISO Health Information Governance Guidelines, and in accordance with the defined purpose.</p>	<p>Low</p>
<p>Rule 4</p>	<p>Manner of collection of information</p> <ul style="list-style-type: none"> - Be considerate when you're getting it 	<p>The collection of Consumer information must be confirmed with the Consumer at the time of collection.</p> <p>Standard clinical collection processes should be applied, and the manner of collection is not expected to be unfair or an unreasonable intrusion. Management of collection from young people is a standard part of existing clinical processes.</p>	<p>Low</p>
<p>Rule 5</p>	<p>Storage and security of information</p> <ul style="list-style-type: none"> - Take care of it once you've got it 	<p>The information will be stored within ESR Éclair data repository, on behalf of the Ministry, which has received its own PIA. This information is used to support the Ministry, DHBs and PHUs in monitoring and managing the prevalence of COVID-19. Access to the ESR Éclair system is limited to their data analytics team.</p> <p>A Security Risk Assessment and penetration testing will be completed on the webform before it is launched. User logins to the webform will be unique to the facility using the account via the 2 Factor Authentication (2FA). Further to this, a RAT authoriser will be required to be entered (via a free text field) which results in a unique person identification per facility.</p> <p>Once submitted to NIA, only the submitting organisation's authorised users will be able to access the data held in that organisation's secure NIA folders. The NIA IT administrative staff will have limited access for operational requirements, but otherwise information should transit NIA to Eclair without access by any other parties.</p> <p>Other components of the APIs and recipient systems (Eclair, NCTS and CCCM) have all previously been independently security reviewed.</p>	<p>Medium</p>

<p>Rule 6</p> <p>Access to personal information</p> <ul style="list-style-type: none"> - People can see their health information if they want to <p>Rule 7</p> <p>Correction of information</p> <ul style="list-style-type: none"> - They can correct it if it's wrong 	<p>Appropriate measures should be implemented and maintained for securing and managing data, including limiting access in order to meet the intended purpose.</p> <p>Consumers can request access to information through their My COVID Record (MCR) account. Existing controls are in place to verify MCR Customers. To access their MCR they must provide 4 accurate identifiers from: Date of Birth, NHI, Full Name, Current address, previous addresses.</p> <p>If the Consumer does not have a MCR account, the RAT Catcher Privacy Statement on the Ministry website will also include information on how to seek access to information about the Consumer and seek correction if it is wrong. Any requests for information (or correction) can be managed by the standard Ministry of Health collection processes if a request is made to the Ministry.</p> <p>Each Healthcare Professional and associated organisation involved in administering the Supervised RAT will also have standard processes for responding to requests for information and would be able to transfer any request to the Ministry if that was appropriate.</p>	<p>Low</p>
<p>Rule 8</p> <p>Accuracy etc. of information to be checked before use</p> <ul style="list-style-type: none"> - Make sure health information is correct before you use it 	<p>Information is collected directly from the Consumer and will be confirmed with the Consumer and verified through the RAT Catcher Patient Search API at the time of collection (as is usual for a clinical consultation). The clinical processes of checking details with the Consumers about their identity and contact details will be as reliable as the information advised by those Consumers.</p> <p>As this information is submitted into the RAT Catcher from a clinical organisation there is a high expectation that the data submitted and the NHI match, will be accurate.</p> <p>There are existing processes within NIA, Eclair, NCTS and CCCM to validate the information and rectify any errors if required (e.g., if a person misrepresented who they were at point of testing)</p>	<p>Low</p>
<p>Rule 9</p> <p>Retention of information</p> <ul style="list-style-type: none"> - Get rid of it when you're done with it 	<p>NIA will not retain the information submitted by the organisation for longer than a month (with an inbox to record the results uploaded to Eclair, and an error folder to identify which line items were not uploaded).</p> <p>Information passed through the NIA API to Eclair (and then to NCTS and CCCM) will be retained in accordance with the existing retention policies for each of those applications and will be securely destroyed as appropriate.</p> <p>Information retained for audit and reporting purposes will be retained until the repeal of the COVID-19 Public Health Response Act 2020, or in accordance with the Ministry and national requirements for retention and disposal of health records.</p>	<p>Low</p>
<p>Rule 10</p> <p>Limits on use of information</p> <ul style="list-style-type: none"> - Use it for the purpose you got it 	<p>The information collected in the RAT Catcher will only be used for the purposes outlined in this document.</p> <p>Effective Information Governance arrangements must be in place to ensure that the RAT Catcher tool and its back-end systems align with the Government and Ministry guidance on health information, including the New Zealand Information Security Manual and the Government Protective Security Requirements.</p>	<p>Low</p>
<p>Rule 11</p> <p>Limits on disclosure of information</p> <ul style="list-style-type: none"> - Only disclose it if you have good reason 	<p>The RAT test results supplied will be retained by the clinical organisation that was responsible for their original administration and will be used as clinically appropriate in that setting.</p> <p>The purposes of disclosure of RAT Catcher data to Eclair (via NIA) (and the Ministry IT systems that will receive that information, such as CCCM) are already established.</p> <p>Disclosure of information beyond these uses will require a further PIA and will need to be discussed with the Ministry Chief Privacy Officer and Office of the</p>	<p>Low</p>

		<p>Privacy Commissioner to ensure Consumer privacy interests are sufficiently protected.</p> <p>A privacy breach reporting process should be put in place with Users of the RAT Catcher tool to ensure that any privacy breaches they encounter are reported swiftly to the Ministry.</p>	
Rule 12	Disclosure of personal information outside New Zealand	There will be no disclosure of information made outside New Zealand under the rules identified in Rule 12.	Low
Rule 13	<p>Unique identifiers</p> <p>- Only assign unique identifiers where permitted</p>	<p>The NHI is the unique identifier for patients who receive healthcare in New Zealand and 'is the cornerstone of clinical and administrative patient-related information'.</p> <p>The use of the NHI in this setting is consistent with the unique identification of individuals and their test results.</p> <p>The CPN of the clinician administering the Supervised RAT will also be assigned to the records submitted in the RAT Catcher tool (as they are responsible for the overall reporting of the information – the CPN of the clinical performing the test will be retained on the Consumer record and will not be uploaded to NIA).</p>	Low