



National Health Authority

New draft policy on Data Privacy

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Relevant to Tech M

Background

- The National Health Authority (NHA), the central agency responsible for the implementation of Ayushman Bharat Pradhan Mantri Jan Arogya Yojana, which has been mandated to design and roll out NDHM in the country, has released the draft 'Health Data Management Policy' in the public domain

The function of the Draft Policy

- The draft policy mainly seeks to set out a framework for "secure processing of personal and sensitive personal data of individuals" who are a part of the national digital health ecosystem

The structure

- Data collected across the National Digital Health Ecosystem (NDHE) will be stored in at the central level, the state or Union Territory level and at the health facility level, by adopting the principle of minimality at each point, according to the document
- The federated structure necessitates the development of a framework that can be utilised throughout the NDHE to safeguard the privacy of confidential health data that has been collected from individuals in India

Who is it applicable to?

- The provisions of this policy shall apply to the entities involved in the NDHM and those who are a part of the NDHE, that includes all entities and individuals who have been issued an ID under this policy, healthcare professionals, governing bodies of the health ministry, the NHA, relevant professional bodies and regulators

- The draft states that patients who opt for the health ID will be given “complete control” and decision making power over the manner in which their personal data and any sensitive data associated with them is collected and processed. They will also be allowed to withdraw their consent “at any time”
- It would also apply to any healthcare provider who collects, stores and transmits health data in electronic form, insurers, charitable institutions, pharmaceuticals and all individuals, teams, entities who collect or process personal or sensitive data of any individual as part of the NDHE

References:

1. https://www.business-standard.com/article/economy-policy/centre-frames-draft-policy-on-data-privacy-under-digital-health-mission-120082601302_1.html#:~:text=Centre%20frames%20draft%20policy%20on%20data%20privacy%20under%20Digital%20Health%20Mission,-Press%20Trust%20of&text=Indu%20Bhushan%2C%20the%20Chief%20Executive,protecti on%20of%20individuals'%20data%20privacy.
2. <https://indianexpress.com/article/india/centre-frames-draft-policy-on-data-privacy-under-national-digital-health-mission-6571123/>
3. <https://www.dailypioneer.com/2020/india/centre-frames-draft-policy-on-data-privacy-under-ndhm.html>