

Do the new share by default requirements apply to me, or to my organisation?

Select the button to find out.

FIND OUT



Overview

Reforms to the [My Health Records Act 2012](#) and the [Health Insurance Act 1973](#) were made in February 2025 to establish a legislative framework for key health information to be shared to My Health Record by default. This includes requirements to register with and upload health information to My Health Record.

The requirement to upload information to My Health Record by default applies to healthcare services and record types that are prescribed in the [Health Insurance \(Share by Default\) Rules 2025](#) and the [My Health Record \(Share by Default\) Rules 2025](#)—collectively referred to as the Share by Default rules.

Initially, the requirement to share health information to My Health Record by default will apply to pathology and imaging reports prepared by (or on behalf of) a pathologist or radiologist. The requirement does not include images.

This guidance is to assist healthcare provider organisations to understand their regulatory obligations under the Share by Default requirements.

Any outcome generated from this tool is **indicative only** and **is not a determination or representation** by the Australian Digital Health Agency, or the Department of Health, Disability and Aged Care, that a healthcare provider organisation is, or is not, in scope of the share by default requirements.

You are encouraged to **stay informed of your upload obligations under the Share by Default legislation**.

This information is provided for guidance only and should not be relied on to address every aspect of the relevant legislation. If unsure, **you should seek your own independent legal advice** to ensure that upon commencement of the Share by Default measures in July 2026 all the legislative requirements will be met by your organisation and/or your role as a specialist pathologist or radiologist in carrying out professional services within your scope of practice.

[GO BACK](#)

[CONTINUE](#)



Do you or does your organisation
**perform any pathology or diagnostic
imaging services** (including those listed
as Category 5 and 6 MBS items)?



- Answer **'yes'** if pathology or diagnostic imaging **services** are undertaken by you or your organisation.
- Answer **'yes'** if pathology or diagnostic **reports** are prepared or authorised by you or your organisation.
- Answer **'yes'** if you or your organisation **engages** an external radiologist or pathologist to prepare the report **on your behalf** (for example via a contract for services – such as teleradiology or secondary pathology analysis).
- Answer **'no'** if you only **request tests** and those tests are undertaken by a separate organisation (for example, you order tests by giving consumers a pathology or diagnostic imaging request form which they take to another service provider).
- If you are unsure, answer **'yes'** to proceed to the next question.

YES

NO

GO BACK



Do you or does your organisation **prepare written reports** for these in-scope services or use a third party to prepare reports **on behalf of** your organisation?



- Answer **'yes'** if reports are prepared **on behalf of your organisation** – including by an external radiologist or pathologist that you have engaged to prepare the report (for example via a contract for services – such as teleradiology or secondary pathology analysis)
- Answer **'no'** if you only **request tests** and those tests are undertaken by a separate organisation (for example, you order tests by giving consumers a pathology or diagnostic imaging request form which they take to another service provider).

YES

NO

GO BACK



Are any of these services rendered by or on behalf of a **radiologist** or **pathologist**?



Note:

This includes reports that are authorised by a pathologist or radiologist (even if they don't write the report themselves).

YES

NO

GO BACK



Are **Medicare benefits payable** in relation to these services?



- Answer '**yes**' if Medicare rebates are payable for **any** pathology or diagnostic imaging services (even if this is only occasionally).
- Answer '**no**' if Medicare rebates are **not** payable for **any** pathology or diagnostic imaging services undertaken.

YES

NO

GO BACK



My Organisation Pty Ltd

Is your organisation a
constitutional corporation?



Generally, constitutional corporations have 'Pty Ltd' or 'Ltd' within their business name.

Answer **'yes'** if your organisation is:

- a foreign corporation that is incorporated outside of Australia and registered to operate in Australia.
- an Australian corporation (that is incorporated in Australia), including a company, body corporate or other incorporated body.

Answer **'no'** if your organisation is a:

- partnership
- trust
- sole trader
- unincorporated entity or association
- state or territory department or authority.

YES

NO

GO BACK

Diagnostic Imaging

- R-type services described in an MBS item of the table in Part 2 of Schedule 1 to the Health Insurance (Diagnostic Imaging Services Table) Regulations (No. 2) 2020
- R-type services described in an MBS item in category 2 of the Medicare Benefits Schedule.
- Any other kind of healthcare rendered by or on behalf of a radiologist for which a report is created
- If your organisation **only** performs services related to the following categories, uploading is **optional** (but not required):
 - Workplace drug or alcohol testing
 - Court-ordered testing
 - Testing conducted for law enforcement purposes.

Pathology

- A pathology service referred to in an MBS item in Category 6 of the Medicare Benefits Schedule.
- Any other kind of healthcare rendered by or on behalf of a pathologist for which a report is created
- If your organisation only performs services related to the following categories, uploading is optional (but not required):
 - Workplace drug or alcohol testing
 - Court-ordered testing
 - Testing conducted for law enforcement purposes.
 - Pathology tests solely for research and clinical trials – however if the report is otherwise provided to the healthcare recipient or their healthcare providers (including under ethics requirements), it must be uploaded.

CONTINUE

Diagnostic Imaging

- R-type services described in an MBS item of the table in Part 2 of Schedule 1 to the Health Insurance (Diagnostic Imaging Services Table) Regulations (No. 2) 2020
- R-type services described in an MBS item in category 2 of the Medicare Benefits Schedule.
- Any other kind of healthcare rendered by or on behalf of a radiologist for which a report is created
- If your organisation **only** performs services related to the following categories, uploading is **optional** (but not required):
 - Workplace drug or alcohol testing
 - Court-ordered testing
 - Testing conducted for law enforcement purposes.

Pathology

- A pathology service referred to in an MBS item in Category 6 of the Medicare Benefits Schedule.
- Any other kind of healthcare rendered by or on behalf of a pathologist for which a report is created
- If your organisation only performs services related to the following categories, uploading is optional (but not required):
 - Workplace drug or alcohol testing
 - Court-ordered testing
 - Testing conducted for law enforcement purposes.
 - Pathology tests solely for research and clinical trials – however if the report is otherwise provided to the healthcare recipient or their healthcare providers (including under ethics requirements), it must be uploaded.

CONTINUE

The reports **must be shared** with My Health Record.

Note:

It is important to note that a report **doesn't need to be uploaded by multiple organisations**. Organisations that outsource reporting to external radiologists or pathologists (e.g. via teleradiology or secondary pathology analysis) must determine which party will upload the report to satisfy the legislative requirement to share with My Health Record.

Find out more at digitalhealth.gov.au, including

- Additional guidance and resources to help you understand My Health Record and the Share by Default requirements
- How to register and connect to My Health Record
- How to apply for an extension of time to comply, if you have a valid reason why you won't be able to commence uploading to My Health Record by 1 July 2026.

[GO BACK](#)

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You are encouraged to stay informed of your upload obligations under the Share by Default legislation.

If unsure, you should seek your own independent legal advice to ensure that application of your entity's status and key features and/or your professional status and scope of practice are accurately applied to the legislative scoping provisions.

The reports **must be shared** with My Health Record (even if Medicare benefits are not payable).

Note:

It is important to note that a report **only needs to be uploaded once**. Organisations that outsource reporting to external radiologists or pathologists (e.g. via teleradiology or secondary pathology analysis) must determine which party will upload the report to satisfy the legislative requirement to share with My Health Record.

Find out more at digitalhealth.gov.au, including

- How to register and connect to My Health Record
- How to apply for an extension of time to comply, if you have a valid reason why you won't be able to commence uploading to My Health Record by 1 July 2026.
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GO BACK

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Out of scope

Rationale: currently the upload requirements only apply to pathology and diagnostic imaging reports. This may change in the future.

Find out more at:

digitalhealth.gov.au

[GO BACK](#)

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Out of scope

Rationale: as you have indicated that written reports are not produced, the upload requirement does not apply.

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[GO BACK](#)

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Out of scope

Rationale: currently the requirements only apply to reports prepared by or on behalf of a pathologist or radiologist.

Please note:

Uploading information to My Health Record supports continuity of care by providing timely access to important health information. Organisations are encouraged to upload health information whenever it can benefit the patient, even when this isn't mandatory. This helps enable safer, more coordinated care for Australians wherever they seek treatment.

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[GO BACK](#)

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Out of scope

Rationale: if Medicare benefits are not payable, organisations are only required to upload if they are a constitutional corporation - uploading is optional for other business types.

Please note:

Uploading information to My Health Record supports continuity of care by providing timely access to important health information. Organisations are encouraged to upload health information whenever it can benefit the patient, even when this isn't mandatory. This helps enable safer, more coordinated care for Australians wherever they seek treatment.

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[GO BACK](#)

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