

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**RAJYA SABHA
UNSTARRED QUESTION NO. 4116
TO BE ANSWERED ON 3RD APRIL, 2018**

DISHA DRAFT LEGISLATION

4116. SHRI MANISH GUPTA:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether the draft legislation named DISHA (Digital Information Security in Healthcare Act) has been drawn up to regulate the growing digitisation in healthcare;
- (b) if so, the contours of such regulations which are sought to be proposed; and
- (c) how will data security and privacy be safeguarded?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SMT. ANUPRIYA PATEL)**

- (a): Yes, a Digital Information Security in Healthcare Act (DISHA) has been drafted to provide for establishment of National and State eHealth Authorities and Health Information Exchanges; to standardized and regulate the processes related to collection, storing, transmission and use of digital health data; and to ensure reliability, data privacy, confidentiality and security of digital health data and such other matters related and incidental thereto.
- (b): Salient features of draft Digital Information Security in Healthcare Act (DISHA) include:
 - i. Expressing the ‘ownership’ of ‘digital health data’ (with the person/ patient to whom the digital health data belongs to
 - ii. Establishing a National e-Health Authority and state authorities as a regulatory body for health data standardization in collection, storage, exchange.
 - iii. Providing for establishment of Digital Health Information Exchanges; and
 - iv. Framework to provide for civil and criminal remedies for data breach.
- (c): Necessary measures have been incorporated for patient’s data security and privacy in the draft Act. In case of any breach, provisions of penalty/ imprisonment have been made. The draft act has been placed in public domain for comments.

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