

AUSTRALIA'S INTERIM LICENSE AGREEMENT FOR SNOMED CLINICAL TERMS®

Industry Overview

17 July 2006

The National E-Health Transition Authority (NEHTA) has signed a license for the free distribution of SNOMED Clinical Terms in Australia from 1 July 2006.

NEHTA is responsible for defining a national approach to clinical terminology, to support the efficient and accurate electronic recording and exchange of clinical information across the health sector. Key to this work is access to SNOMED Clinical Terms¹ (SNOMED CT).

SNOMED CT is a comprehensive and precise clinical reference terminology. It provides a comprehensive list of clinical terms and identifiers that allows complex clinical concepts to be described in a way that computers can interpret. SNOMED CT works at all levels of the health encounter from history to examination to provisional diagnosis, to test results to treatment.

SNOMED CT has been used to date in over 40 countries, with the US and UK both holding national license arrangements.

NEHTA's license permits the use of SNOMED CT by any individual or entity in Australia. The College of American Pathologists (CAP) retains ownership of all patent, copyrights, and trademarks of SNOMED.

The terms of NEHTA's license allows SNOMED CT to be used:

- On Australian soil (i.e. in the Commonwealth of Australia and all Australian States and Territories); and
- In any Australian government facility or office, whether permanent or temporary, wherever located.

¹This material includes SNOMED Clinical Terms® (SNOMED CT®), which is used by permission of the College of American Pathologists. © 2002-2006 College of American Pathologists. All rights reserved. SNOMED CT has been created by combining SNOMED RT® and a computer based nomenclature and classification known as Clinical Terms Version 3, formerly known as the Read Codes Version 3, which was created on behalf of the U.K. Department of Health and is a Crown Copyright. SNOMED and SNOMED CT are registered trademarks of the College of American Pathologists.

Organisations that sub-license SNOMED CT through NEHTA will be able to use it for any healthcare, public health, research, educational, or statistical use within Australia. No changes may be made to SNOMED CT Core Content, but users are encouraged to make new content contributions to NEHTA.

NEHTA is currently working to extend SNOMED CT to suit Australian healthcare requirements and to deliver the clinical information specifications which will be underpinned by SNOMED CT. As it is intended that compliance with NEHTA specifications will require a degree of standardisation in the implementation and application of SNOMED CT, users will be provided with, and encouraged to adopt, NEHTA specifications and guidance materials as they are released.

What is provided by NEHTA?

NEHTA has a license to distribute in Australia the current US and UK English language editions of SNOMED CT Core Content, and any updates which may be released from time to time. This includes:

- Concepts table
- Descriptions table
- Relationships table (hierarchical and other semantic)
- History table
- ICD-10 mapping table
- Documentation including:
 - Technical Reference Guide
 - Technical Implementation Guide
 - Developers Toolkit.

NEHTA will host SNOMED CT educational forums in September/October 2006. These will be advertised through NEHTA's website www.nehta.gov.au, and those who have registered interest in receiving SNOMED CT will also be notified.

NEHTA's rights

NEHTA is leading clinical terminology development in Australia. Therefore, in addition to the right to use and distribute SNOMED CT, NEHTA also has the rights to:

- Sublicense SNOMED CT to third parties;
- Exclusively create and assign SNOMED namespaces for use in Australia; and
- Create, link and distribute subset tags, identifiers, and relationships to other works, provided the SNOMED CT Core is not changed and the tags, identifiers and additions are made publicly available.

NEHTA will use these rights to develop local terminologies (such as the Australian Medicines Terminology) and appropriate extensions and reference sets (also known as subsets) as required for adoption within the Australian healthcare system.

What is not provided by NEHTA?

- Non-English translations, and modifications of the SNOMED CT Core;
- The right to use SNOMED CT or to distribute data encoded in SNOMED CT outside Australia without a valid license from the CAP;
- CAP products such as extensions, mappings, templates and subsets not listed above. These products may still be directly licensed from CAP;
- Product support tools, and consulting and education services outside of hosting the education forums outlined above.

What is the term of NEHTA's license?

NEHTA and CAP have negotiated an Interim agreement, based on a monthly license fee, until the formation of the SNOMED Standards Development Organization (SDO) is finalised.

Both CAP and NEHTA are currently participating in international negotiations to establish the SNOMED SDO. This SDO will have responsibility for the long-term management and ownership of SNOMED CT. Future access to SNOMED CT will be assured through Australia's participation as a Charter Member of the SDO.

Therefore, upon the establishment of the SDO NEHTA's current license will be superseded by the terms of its agreement with the SDO. NEHTA may need to renegotiate sub-licenses at this time.

What happens if the agreement is terminated?

Upon termination, perpetual rights to use the last version of SNOMED CT are provided under the license.

What about liability?

Neither CAP nor NEHTA make any claims about the accuracy or suitability of SNOMED CT. In no event will either party be liable for any consequential, special, incidental, or indirect damages, whether or not foreseeable, arising out of use of or inability to use any SNOMED CT product.

How can I find out more?

If you haven't already done so, please register your interest in obtaining a license with NEHTA by emailing terminologies@nehta.gov.au. All enquiries can be emailed to NEHTA's Manager Clinical Terminology, Alice Livingston-Vail, also at this address.

Sub-license agreements will be sent to organisations who have registered their interest with NEHTA, in time for the July 2006 release of SNOMED CT. Once the sub-license has been signed and returned to NEHTA, details will be provided about how to access SNOMED CT and subsequent updates.

Who is NEHTA?

NEHTA is a not-for-profit company established by the Australian, State and Territory governments to develop better ways of electronically collecting and securely exchanging health information.

NEHTA's Board, composed of the heads of all Australian health departments, has endorsed SNOMED CT as the national standard clinical terminology for use in the public health system, with implementation pending the establishment of suitable governance arrangements such as that proposed by the SNOMED SDO arrangements.

NEHTA will also use SNOMED CT in developing national standards for the communication of clinical information such as hospital discharge summaries and referrals.