



# Regulating Telehealth

# A road map...

- The role of the Medical Council of New Zealand
- Key points from our existing *Statement on telehealth*
- Proposed changes to our revised *Statement on telehealth*
- Discussion points



# About the Medical Council of New Zealand

## Our main purpose:

- To promote and protect public health and safety in New Zealand.
- This is a statutory function under the Health Practitioners Competence Assurance Act 2003.

# About the Medical Council of New Zealand



## We are responsible for:

- registering doctors;
- reviewing practising doctors where there are concerns about their performance, professional conduct or health;
- recertifying and promoting lifelong learning for doctors;
- setting standards and guidelines.

# Setting standards and guidelines

- Our standards and guidelines outline what we expect of doctors.
- We cover various aspects of medical practice:
  - Maintaining clinical records
  - Prescribing
  - Cultural competence
  - Cosmetic procedures
  - Telehealth

# MCNZ's *Statement on Telehealth*

- Issued in June 2013.
- The statement covers:
  - Registration requirements;
  - Providing care using telehealth;
  - Prescribing;
  - Providing care to a patient located outside of New Zealand.

# Registration requirements

- **Doctors based in NZ and providing care to patients in NZ**
  - must be registered with MCNZ.
- **Doctors based overseas and providing care to patients in NZ**
  - are effectively practising medicine in NZ;
  - should be registered with MCNZ;
  - but MCNZ cannot require such doctors to submit to its competence and conduct procedures.

# Registration requirements

- **Doctors based in NZ and providing care only to overseas-based patients**
  - Not required to be registered with MCNZ;
  - May be required to be registered in the country where the patient is based (varies from country to country);
  - Expected to meet all requirements of a doctor in the country where the patient is based.



# Providing care through telehealth

## MCNZ's expectations:

- Any device, software or service used should be fit for purpose and must preserve the quality of the information or image being transmitted.
- That in so far as is possible, treatment in another location meets the same standards as care provided in a face-to-face consultation.

# Providing care through telehealth

## MCNZ's expectations:

- That the doctor is responsible for evaluating the information used to form a diagnosis irrespective of its source.
- That the doctor considers whether a physical examination would add critical information before providing treatment to the patient.

# Prescribing

- Governed by legislation. For example:
  - Doctors cannot prescribe medication unless that patient is under the doctor's care (Regulation 39 of Medicines Regulations 1984).
  - Prescriptions must be printed and personally signed by the prescriber (Regulations 40 & 41 of Medicines Regulations 1984).

# Prescribing

## MCNZ's expectations:

- Doctors may only issue a prescription (including repeat prescriptions) where the doctor has adequate knowledge of the patient's health.
- Have a face-to-face consultation before issuing a prescription.
- In the absence of a face-to-face consultation, discuss the patient's treatment with another NZ registered health practitioner who can verify the patient's identity and information.

# Review of MCNZ's *Statement on telehealth*

- Existing statement (in June 2013) is undergoing review.
- Instead of taking an overly prescriptive approach, revised statement will contain general principles applicable to a variety of practice settings.
- Does not require a significant overhaul but there is scope for our statement to be clearer and to include new materials.

# Revised *Statement on telehealth*

Will be clearer on:

## **(1) Who the statement applies to:**

- Doctors registered in NZ and practising telehealth in NZ and/or overseas
- Doctors who reside overseas and provide health services to patients in NZ.

## **(2) Registration requirements for doctors practising telehealth who are based in NZ and overseas.**

# Revised *Statement on telehealth*

Will be clearer on:

## (3) The definition of *telehealth*

“The use of information and communication technologies to deliver health services and transmit health information **between two locations within New Zealand or between New Zealand and overseas.**”

# Revised *Statement on telehealth*

Will be clearer on:

## **(4) Expectations when prescribing:**

- That the doctor must update the patient's clinical records.
- That it is never appropriate to prescribe drugs of dependence or psychotropic medication for a patient whom the doctor has not assessed face-to-face.



# Revised *Statement on telehealth*

Will include:

## (1) Definition of *face-to-face*

“Where the doctor and patient are physically present in the same consultation room.”

# Revised *Statement on telehealth*

Will include:

## (2) Definition of *video consultation*

“Where the doctor and patient communicate with each other using telecommunication technologies that allow real time visual and audio transmissions but the doctor and patient are not physically in the same consultation room.”

# Revised *Statement on telehealth*

Will include:

## (3) A new clause about **electronic prescribing**

- That it must comply with relevant standards pertaining to electronic prescribing in the location where the prescription will be filled.
- If prescribing electronically from New Zealand for patients in another country, the prescription must also comply with any relevant New Zealand standards pertaining to electronic prescribing.

# Discussion points

1. Our revised statement says “*That it is never appropriate to prescribe drugs of dependence or psychotropic medication for a patient whom the doctor has not assessed in a face-to-face consultation*”.
  - Should this be extended to include **video consultation**?
2. Your views on our proposed definition of **face-to-face** “Where the doctor and patient are physically present in the same consultation room.”

# Discussion points

3. Your views on our proposed definition of **video consultation**

“Where the doctor and patient communicate with each other using telecommunication technologies that allow real time visual and audio transmissions but the doctor and patient are not physically in the same consultation room.”

4. If in the course of a telehealth consultation it becomes clear that a physical examination is necessary, **who** should arrange that physical examination:

- The doctor conducting the telehealth consultation; or
- The patient’s GP?

# Next steps...

- Consultation with stakeholders
- Review of submissions received
- Presentation to Council members on the submissions received and the changes to be incorporated in our revised statement.



Thank You