

TELEMEDICINE

Telemedicine is the use of communications and information technology to deliver medical services and information over distances. Though it has many aspects, common to all of them is that it involves a physician treating, advising, interviewing or examining a patient not present at the same location as the physician. The College of Physicians and Surgeons of Manitoba expects a physician who provides telemedicine services to have the same standards of practice as a physician who sees patients directly.

An ethical physician will observe the following precautions when practicing telemedicine:

1. **Informed Consent**

The physician must be satisfied that the patient understands any extra risk inherent in a telemedicine situation.

2. **Adequate Equipment**

Any physician delivering treatment or gathering information through electronic means should take reasonable steps:

- to ensure the hardware and software being relied upon is functioning properly, including ensuring that:
 - any support staff involved in operating the equipment are adequately trained and competent to use the equipment, and
 - equipment is up to date and reliable.
- in the case of computer equipment, to ensure that the possibility of computer viruses and malfunctions is kept to a minimum.
- in the case of an urgent medical or surgical procedure being conducted by a telemedicine process, to ensure a backup system is in place to protect the patient in the event of an equipment malfunction.
- where the patient controls some component of the equipment used in the telemedicine intervention, such as a computer or monitoring device, to ensure that:
 - the patient understands the importance of that equipment to the process, and
 - the patient is competent to handle it properly and to advise the appropriate person or facility in the event of a malfunction or an inability to operate it.

Where a physician participates in a telemedicine process as part of a team or for a specific health care facility, it is the physician's responsibility to determine who will be responsible for the technical aspects of the telemedicine intervention.

3. **Licensure Concerns**

If telemedicine is being delivered to an out of province jurisdiction, the physician must verify whether the licencing authorities in that jurisdiction require licensure, and if so, comply with those requirements.

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4. Proper Patient Screening

In every potential telemedicine situation, the physician must carefully evaluate whether the patient can or should be treated via telemedicine. This must involve a careful consideration of the limitations of the available technology and the patient's circumstances.

5. Awareness of the Telemedicine Treatment Option

Physicians treating remote or mobility-limited patients must be aware of the telemedicine treatment option and its potential application to their patients.

6. Record Keeping

Physicians must maintain the same type of records regarding their telemedicine activities as are required of a physician conducting an in-person history and physical examination.

7. Patient Identification

Physicians who advise or treat patients through telemedicine must confirm the identity of the patient.

8. Follow-up Systems

Any information that calls for action on the part of the patient, such as a laboratory result that indicates a potential or actual medical problem, should not be delivered through electronic mail unless the physician incorporates a direction that the patient contact him or her by a certain deadline to acknowledge receipt of the information and follows up promptly should the patient fail to do so.

9. Conflict of Interest

Physicians must not allow incentives offered by the providers of telemedicine technology to influence their decisions as to whether the telemedicine option is appropriate for a particular patient and if so what technology is to be used.

10. Confidentiality

Physicians must take reasonable steps to ensure that the medical information will not be intercepted by a third party. Physicians are reminded that *The Personal Health Information Act* applies to electronically transmitted personal health information.

11. Insurance

Pursuant to Regulation 9/94, physicians practising in Manitoba are required to carry professional liability insurance or have CMPA membership. Not all telemedicine activities are covered by CMPA. Physicians must confirm with CMPA or their insurer before engaging in telemedicine.

12. Web Site Address

A physician's web site from which medical services are provided is a practice location and any change in that location, including opening or closing of such web site, must conform with CPSM requirements regarding notification of address change.

13. Disclosure

Physicians who offer medical services via a web site on the internet must clearly disclose on the web site the physician identifying information, including name, practice location, all jurisdictions in which licensure is held, and financial interest in any products recommended.

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**A statement is a formal position of the College with
which members shall comply.**