

SOUTH DAKOTA STATE MEDICAL ASSOCIATION
POLICY

Subject: Internet Treatment and Prescribing
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POLICY STATEMENT

The South Dakota State Medical Association (SDSMA) supports the establishment of a physician-patient relationship before providing treatment and prescribing medications online.

The SDSMA provides the following guidance for physicians on the appropriate use of the Internet in providing treatment to patients and prescribing medications:

- 1) Criteria for an acceptable (clinical) encounter and follow-up: Physicians who treat patients and prescribe medications via the Internet shall establish, or have established, a valid physician-patient relationship, including, but not limited to, the following components. The physician shall:
 - a) obtain a reliable medical history and or perform a physical examination of the patient, adequate to establish the diagnosis for which treatment or the drug is being prescribed and to identify underlying conditions and/or contraindications to the treatment recommended/provided;
 - b) have sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment(s);
 - c) as appropriate, follow up with the patient to assess the therapeutic outcome;
 - d) maintain a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to his or her other health care professionals; and
 - e) include the electronic prescription information as part of the patient medical record. Exceptions to the above criteria exist in the following specific instances: treatment provided in consultation with another physician who has an ongoing professional relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications, and on-call or cross-coverage situations;
- 2) Licensure: Physicians wishing to treat patients and prescribe medications via the Internet to patients who reside in South Dakota must obtain a full medical license;
- 3) Guidelines for internet prescribing of medications: South Dakota statute prohibits a physician from "prescribing in a manner or in amounts calculated in the opinion of the board to endanger the well-being of an individual patient or the public in general";
- 4) Security of patient information: Physicians who treat patients and prescribe medications via the Internet should transmit prescriptions over a secure network to protect patient privacy; and
- 5) Disclosure of identifying information on websites: Physicians who practice medicine via the Internet, including prescribing, should clearly disclose physician-identifying information on the website, including but not limited to, name, practice location, and all states in which licensure is held. Posting of actual physicians' license numbers is unnecessary.

AUTHORITY

South Dakota State Medical Association Council, 9/14/2012; Reaffirmed by South Dakota State Medical Association Board of Directors 11/5/2020.