

SOUTH DAKOTA STATE MEDICAL ASSOCIATION
POLICY

Subject: The Promotion of Quality Telemedicine

Document Number: PS-147-0

Attachment(s):

Effective Date: June 1, 2018

Revision Date(s):

POLICY STATEMENT

The SDSMA adopts the following principles for the promotion of quality telemedicine:

1. Telemedicine or telehealth shall not be utilized by a health care professional with respect to any patient located in South Dakota in the absence of a provider-patient relationship. Any health care professional who utilizes telemedicine or telehealth shall ensure that a proper health care provider-patient relationship is established, and includes:
 - a. verifying and authenticating the location and, to the extent reasonable, identifying the requesting patient;
 - b. disclosing and validating the health care professional's identity and applicable credential(s) as appropriate;
 - c. obtaining appropriate consent for treatment from requesting patients after disclosures regarding the delivery models and treatment methods or limitations;
 - d. establishing a diagnosis through the use of acceptable medical practices, including a patient history, mental status examination, physical examination and appropriate diagnostic and laboratory testing;
 - e. discussing with the patient the diagnosis and the evidentiary basis and the risks and benefits of various treatment options;
 - f. ensuring appropriate follow-up care for the patient; and
 - g. providing a visit summary to the patient or consult note.

Exceptions to the requirements of this section include on-call, cross coverage situations, or consultation with another health care professional who has an ongoing health care provider relationship with the patient who agrees to supervise the patient's care and emergency treatment.

2. Physicians, health professionals and entities who provide health care services via telemedicine shall adhere to the same standards of appropriate practice as those in traditional in-person settings;

3. Physicians, health professionals and entities that deliver telemedicine services shall not prescribe a controlled drug or substance without a proper patient-provider relationship;
4. Physicians, health professionals and entities that deliver telemedicine services must establish protocols for referrals for emergency services; and
5. Physicians, health professionals and entities that deliver telemedicine services shall abide by state and federal laws addressing the privacy and security of patients' medical information.

The SDSMA further adopts the following principles for the collaboration/supervision of non-physician providers and technicians when telemedicine is used:

1. The physician is responsible for, and retains the authority for, the safety and quality of services provided to patients by non-physician providers through telemedicine;
2. Physician supervision (e.g. regarding protocols, conferencing, and medical record review) is required when non-physician providers or technicians deliver services via telemedicine in all settings and circumstances;
3. Physicians should visit the sites where patients receive services from non-physician providers or technicians through telemedicine, and must be knowledgeable regarding the competence and qualifications of the non-physician providers utilized;
4. The collaborating/supervising physician should have the capability to immediately contact non-physician providers or technicians delivering, as well as patients receiving, services via telemedicine in any setting;
5. Non-physician providers who deliver services via telemedicine should do so according to their applicable licensure and training;
6. Mechanisms for the regular reporting, recording, and supervision of patient care delivered through telemedicine must be arranged and maintained between the collaborating/supervising physician, non-physician providers, and technicians;
7. The physician is responsible for providing and updating patient care protocols for all levels of telemedicine involving non-physician providers or technicians; and
8. The physician is responsible to ensure that their legal and ethical requirements with respect to patient confidentiality and data integrity are not compromised by the use of any particular telemedicine modality.

AUTHORITY

South Dakota State Medical Association Policy Council, 6/1/2018; reaffirmed by South Dakota State Medical Association Board of Directors 6/1/2018.