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## Telehealth

### Key points about telehealth

Telehealth consultations can increase patient access to, and choice of, health care services and therefore contribute to supporting more equitable health outcomes.

The care you provide to a patient by telehealth consultation should be equivalent to the care provided in an in-person consultation, within the limitations imposed by the telehealth platform.

When providing health care services through telehealth consultations, you should:

- ensure you are able to confirm a patient's identity
- recognise the limitations of patient assessment
- take particular care when providing treatment if you are unfamiliar with the patient
- address data and information security, privacy and the technical aspects of the equipment used
- take appropriate measures to facilitate continuity of care.

### About our statement on telehealth

Telehealth has become an essential part of health care. It can increase patient access to, and choice of, health care services and therefore contribute to supporting more equitable health outcomes. It also has potential challenges.

This statement sets standards for doctors registered in New Zealand who provide telehealth services to patients in New Zealand and/or overseas. It is also for doctors who are overseas who provide telehealth services to patients in New Zealand. Te Kaunihera Rata o Aotearoa | Medical Council of New Zealand expects these doctors who are overseas to comply with this statement.

This statement may also be helpful for patients who receive aspects of their care through telehealth or who are thinking of consulting a doctor through telehealth.

### Terms we use in this statement

**In-person:** Refers to where you and your patient are physically present in the same location and time zone.

**Telehealth:** Refers to health care delivered using digital technology where participants may be separated by distance and/or time. It includes a wide variety of remote healthcare services that extend beyond those used in a doctor-patient relationship. Telehealth may include the use of email, text messaging, still images, videoconferencing, remote patient monitoring, patient portals and telephone conferencing.

**Telehealth consultation:** Refers to where the doctor and patient communicate with each other and exchange information without being physically present in the same location or at the same time, using digital technology such as text/messaging, telephone and video consultations, and patient portals.

**Type of consultation:** Refers to the means of clinical consultation, which can be in-person or through telehealth.

## What to consider when you provide telehealth services

### You must be registered with us

1. If you provide telehealth services to New Zealand-based patients, you are practising medicine in New Zealand, and you should be registered with us and hold a current practising certificate.

### The device that you use must be secure and fit for purpose

2. Any device, software or service you use when you provide telehealth services must be secure, fit for purpose, and must preserve the quality of the information (including static image, video or audio data) being transmitted. You should consider the patient's safety, security and privacy when they engage with you in a telehealth consultation. You should also check that the patient (or their family/whānau or caregiver) knows how to operate the device they are using for the telehealth consultation and that they can hear you.

### All our existing standards apply to a telehealth consultation

3. The treatment you provide to a patient via telehealth consultation should be equivalent to the care provided in an in-person consultation, within the limitations imposed by the telehealth platform. This includes verifying the patient's identity, assessing whether a telehealth consultation is suitable for them, and obtaining their informed consent to provide the consultation via telehealth. You should also obtain the patient's consent for any family/whānau, caregiver or other health care staff that might be with them (or able to overhear their conversation with you) during a telehealth consultation. You must meet our cultural safety standards for doctors, focusing on the patient experience to define the quality of care.<sup>1</sup> You must also meet our standards relating to maintaining the patient's privacy and confidentiality, providing follow-up care, and updating the patient's medical records.

### You are responsible for obtaining sufficient information about your patient

4. If you treat a patient via telehealth, you are responsible for gathering and assessing the information used to form your diagnosis, regardless of its source. You should ensure you have sufficient information to form a diagnosis. If you receive a referral that does not contain the information you need to assess the patient, you should ask for the relevant information, or return the referral to the referrer with a request for more specific information. If you obtain an

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<sup>1</sup> Culturally safe care for the patient covers multiple cultural dimensions including indigenous status, age or generation, gender, sexual orientation, socioeconomic status, ethnicity, religious or spiritual belief and disability.

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opinion from a doctor based overseas regarding a patient under your care in New Zealand, you remain responsible for the clinical decisions you make.<sup>2</sup>

### **Continuity and quality of care**

5. If you provide telehealth consultations but are not the patient's regular doctor, you have a responsibility to facilitate continuity of care for the patient. You should ask whether they have a regular doctor and ensure that information about any care you provide, including prescriptions you issue, is shared in a timely manner with their regular doctor if the patient has one and consents to that arrangement. If the patient does not have a regular doctor or does not consent to sharing information about their care, you should advise them about appropriate arrangements for follow-up care.
6. If you work with or receive reports from telehealth providers, our standards will apply to the care you provide. Your ethical duty to raise any concerns if you believe there is a risk of harm to patients applies to telehealth, in the same way that it applies to all health care services.
7. Some medical colleges have set clinical guidelines for specialists who provide telehealth services. Those guidelines may place additional requirements on your practice.
8. If the limitations of technology mean you are unable to provide a service that is equivalent to an in-person consultation, you must explain this to the patient so that they can decide what to do. It is your responsibility to assess how urgently the patient should be seen in-person, and to explain the process for arranging this.

### **When a physical examination is necessary**

9. A physical examination could provide information that affects the patient's diagnosis or management, including treatment or whether to refer the patient for further investigations. If history alone suggests a life-threatening condition, you must take appropriate steps to support urgent in-person assessment and treatment. This may include calling for an ambulance if the patient agrees or if it is clinically indicated and you know their exact location.
10. If a physical examination is likely to influence your clinical decision, this needs to be arranged within an appropriate timeframe. In some circumstances, it may be reasonable to ask another practitioner in the patient's locality to conduct a physical examination on your behalf. In these instances, you must obtain the patient's consent, communicate your request clearly to the other practitioner, and answer any questions that the other practitioner might have. Digital tools such as video or audio-enabled scopes may assist in some circumstances. You remain responsible for the clinical decisions you make based on the information you receive. If you practise telehealth on a regular basis, you should have a plan for arranging physical examinations for patients who require them. Where possible, your plan should seek to minimise the burden on after-hours, urgent care clinics and emergency departments.
11. You must document relevant clinical findings from the physical examination in the patient's medical records.

### **When you prescribe medication via telehealth consultation**

12. If you prescribe medication electronically as part of your telehealth service, the prescription you issue must comply with the legal standards and requirements that apply in the jurisdiction where the prescription will be filled.<sup>3</sup>

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<sup>2</sup> Where input from the overseas-based doctor is likely to be ongoing, there should be a robust contractual relationship with the New Zealand registered doctor or organisation that engaged the overseas-based doctor.

<sup>3</sup> See the Te Whatu Ora website for guidance on signature-exempt prescriptions and remote prescribing. Also note that a prescription written in New Zealand has no validity overseas.

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13. Along with legal requirements, our standards on good prescribing practice<sup>4</sup> apply when you issue a prescription (or a repeat prescription) via telehealth. You should only prescribe medication or treatment, including repeat prescriptions, when you have adequately assessed the patient's condition, are satisfied that the medication or treatment are in the patient's best interests, and there are appropriate arrangements for follow up.
14. You should be particularly aware of the challenges of adequately assessing a patient via a telehealth consultation. If this is the first time you are prescribing this medicine to the patient, consider whether a physical examination is necessary.
15. Good prescribing practice requires you to give careful consideration before prescribing any medication with a risk of addiction or misuse or any psychotropic medication, and ensure that there are robust systems in place to manage the care of these patients. Telehealth can make it even more difficult to identify whether a patient is seeking medicines for non-therapeutic use. If this is the first time you are prescribing a class A or class B controlled drug to a patient, you must ensure they have been appropriately assessed and there are adequate arrangements for follow up.

**If you provide care to a patient outside of New Zealand**

16. If you are in New Zealand and provide telehealth services only to patients outside of New Zealand, we do not require you to be registered with us. However, you may be subject to the laws where your patient is located, and it would be sensible to familiarise yourself with the requirements of that locality/country.
17. In situations where you are registered with Te Kaunihera Rata o Aotearoa | Medical Council of New Zealand, our standards will apply even if you only provide telehealth services to patients overseas.

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<sup>4</sup> See our statement on *Good prescribing practice*.

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