

Telehealth Guidelines Update 2023

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As a GP and a patient, I know how crucial, convenient, and commonplace telehealth has become over the last three years. However, in recent years, concerns have also been raised about the use of telehealth where there is no real-time interaction with patients. Therefore, I want you to know that the Medical Board of Australia has just released updated "Guidelines for telehealth consultations with patients". They clarify the Board's general requirements for when and how medical practitioners should use telehealth, particularly in light of new and emerging technologies and modes of delivery

Telehealth checklist

For most doctors, these Guidelines are straightforward and will not require major changes to your practice. They include simple checklists of important factors to consider before, during and after using telehealth, such as:

1. introducing yourself and your role to the patient;
2. checking the patient's identity;
3. ensuring that the consultation space is private and that the technology is reliable;
4. documenting that telehealth was used and the type of technology used;
5. checking that patients understand how to use the technology (including responding to technology failure); and
6. checking that patients understand the limitations of telehealth, including alternatives and the possible need for in-person follow-up.

Changes to be aware of

While the Board states the importance of telehealth, particularly in rural and remote settings, it also states that telehealth should not routinely replace in-person care. Importantly, the Board now says that it **does not support** prescribing or providing healthcare if you have never had a real-time conversation (either in-person, via video or telephone) with the patient. The Board specifically states that it does not support "asynchronous requests for medication communicated by text, email, live-chat or online that do not take place in the context of a real-time continuous consultation and are based on the patient completing a health questionnaire when the practitioner has never spoken with the patient".

Does this affect my indemnity cover?

From 1 July 2023, MIPS has extended cover to include the use of asynchronous telehealth as outlined in Clause 6.3 of your MIPS

Indemnity Insurance Policy. However, this is restricted to situations where there is a pre-existing clinical relationship (either with you directly or with your practice), where there is the capacity to interact with, or follow up the patient in real time, or where we have otherwise agreed in writing to cover it. There is also a general requirement in your Policy that telehealth must be conducted in accordance with any telehealth-related Ahpra guidelines.

The Guidelines require you to be Ahpra-registered if you are outside Australia and consulting via telehealth with patients in Australia. Similarly, if you are outside Australia and consulting with patients inside Australia via telehealth, the Board requires you to be Ahpra-registered and to comply with any overseas requirements for registration and professional indemnity insurance.

You also need to be aware of additional restrictions on civil liability cover that exist under your MIPS Indemnity Insurance Policy. You are only covered for civil liability if, at the time telehealth occurs:

1. You and the Patient were in Australia; or
2. You were outside of Australia, but only if You had been outside Australia for less than 120 days in the aggregate during the Period of Insurance and the Patient was in Australia at the time the Healthcare was provided; or
3. the Patient had been outside Australia for less than 90 days and You were in Australia at the time the Healthcare was provided; and
4. neither You nor the Patient were in the USA or anywhere USA law applies.

Please read the [2023-24 Member Handbook](#) for full policy details.

I encourage you to familiarise yourself with these updated guidelines to ensure that your telehealth consultations align with the Board's expectations. You can find the full guidelines and additional information at <https://www.medicalboard.gov.au/Codes-Guidelines-Policies/Telehealth-consultations-with-patients.aspx>

Should you have any questions or require further clarification, please do not hesitate to contact MIPS. We appreciate your commitment to providing ongoing excellence in healthcare for our community.

Useful Resources:

- [Product change: Telehealth Consultations](#)
 - [Telehealth FAQs](#)
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