



Standard of Practice: Virtual Care (2021)

A **Standard of Practice** is the minimum standard of professional behavior and ethical conduct expected by the College on a specific issue.

Virtual Care

Preamble

Evolving technology provides opportunities for new approaches to the practice of medicine through virtual care. The College of Physicians and Surgeons of Newfoundland and Labrador recognizes the value of virtual care to improve access to care and increase efficiencies in the delivery of care. This standard of practice sets out the College's expectations of physicians who provide virtual care.

Definitions

Virtual Care: the provision of medical expertise for the purpose of diagnosis and patient care by means of telecommunications and information technology where the patient and the provider are separated by distance.

Standard of Practice

A physician practising virtual care is held to the same standard of legal, ethical, competent, and professional care as a physician providing personal face to face medical services.

Patient quality, safety, and appropriateness of care should always be kept in high regard.

When practising virtual care, a physician **must**:

1. Consider the patient's existing health status, healthcare needs and circumstances, and only provide virtual care if it is in the patient's best interest.
2. Identify what resources (e.g., technology, equipment, support staff, etc.) are required, and only proceed if those resources are available and can be used effectively.
3. Ensure the reliability, quality, and timeliness of the patient information obtained via virtual care are sufficient.
4. Ensure that the physician's identity, location, and licensure status is known to the patient.
5. Explain any limitations related to virtual care to the patient.
6. Take reasonable steps to ensure that all medical information is transmitted in a manner which protects the privacy and confidentiality of the patient.
7. Ensure the physical setting in which the medical care is being delivered is appropriate and safe and that a plan is in place to manage adverse events and/or emergencies.
8. Refrain from prescribing narcotics or other controlled or regulated medications to patients with whom they do not have a longitudinal treating relationship unless they are in direct communication with another licensed health-care practitioner who has reviewed the patient.

If all the above requirements cannot be met, a physician should not proceed with providing virtual care. In circumstances where virtual care is not appropriate, physicians have a professional and ethical obligation to not abandon patients for whom they have accepted professional responsibility.

Licensing Requirement

The College will not be issuing licences specifically for virtual care or "telemedicine".

The College regulates the practice of medicine in Newfoundland and Labrador. At this time, the College considers the practice of medicine to take place in Newfoundland and Labrador when a physician practises medicine while physically located in Newfoundland and Labrador. As a result, a physician who is located in Newfoundland and Labrador must hold a licence to practise medicine to provide virtual care.

All physicians must also hold professional liability coverage which includes the provision of virtual care to the intended patient.

Referring Patients for out-of-province Virtual Care

Before consulting with or referring patients to out of province physicians for virtual care, physicians must take reasonable steps to assure themselves that the consultation or referral is appropriate and the out-of-province physician is licensed by the regulatory body in his/her place of residence.

Physicians must inform their patients that the physician is not physically located within the province and inform them of the regulatory body which has licensed the physician.

Patients who Self-Refer for Virtual Care

Patients should take note that all physicians providing virtual care may not be licensed to practise medicine in Newfoundland and Labrador. Patients should make inquiries to determine whether the physician is licensed to practise medicine in another jurisdiction, the type of medicine which the physician has been licensed to practise, and any restrictions on their practice. Patients should note that the College will only investigate complaints relating to physicians who hold a licence issued by the College, but will share any information brought to its attention with the regulatory authority that has jurisdiction over the physician.

Providing Virtual Care to a Patient outside of Newfoundland and Labrador

Physicians who are licensed to practice medicine in Newfoundland and Labrador and wish to provide care to a patient in another province, territory or country via virtual care should take note they must comply with the licensing requirements of that jurisdiction. The College recommends that physicians intending to provide such care should contact the regulatory College in the jurisdiction where the intended patient is located to obtain information about any applicable licensing requirements.

Complaints relating to Virtual Care

The College will investigate complaints made about physicians who are licensed to practise medicine in Newfoundland and Labrador, regardless of the location of the patient.

The College will not investigate complaints made about a physician who is not licensed in Newfoundland and Labrador but will share any information brought to its attention with the regulatory authority that has jurisdiction over the physician.

Acknowledgements

CPSBC (2020). Telemedicine.

CPSPEI (2020). Telemedicine.

CPSO (2016). Telemedicine.

Document History

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