



Virtual / telehealth consultation checklist

Disclaimer

Virtual consultations offered by health care professionals within the scope of their practices in the form of telehealth and telemedicine are an emerging form of primary, secondary, and rehabilitative healthcare within South Africa, across Africa and globally.

As with in-person consultations, the National Health Act, Health Professions Act including professional scope of practice guidelines, and the HPCSA ethical guidelines for health care professionals describe the professional obligations of registered health care practitioners in terms of professional conduct, informed consent, confidentiality, disclosure, and record keeping.

Requirements around the nature of telehealth and telemedicine [virtual] consultations are contained in the HPCSA Ethical guidelines for good practice in the health care professions. These include the fact that it is within the duties, obligations, and responsibilities of the practitioner to be suitably trained and skilled in performing virtual consultations prior to this approach being used.

While there are, of course, some unique challenges in adhering to the ethical requirements of virtual consultations, many of the fundamental requirements are shared with in-person consultations. The intention of the below checklist is to supplement (and not to substitute for) the existing guidelines and rules and to aid compliance with these requirements.

Clinical conduct

All the ethical, legal, and professional requirements of registered healthcare practitioners remain unchanged when providing telehealth consultations, in that practitioners must conduct themselves in the manner appropriate for their registration and limit their therapeutic interventions to their registered scope of practice.



Practitioners need to be aware that all forms of digitally enabled healthcare may require the patient to present themselves at a physical site to receive ongoing healthcare services, support, medication, and other procedures or health care interventions.

Telehealth consultations should be utilised to supplement physical consultations, but not as a substitute. The use of approved remote monitoring devices which provide objective clinical feedback can add significant value to the virtual consultation. It is desirable that practitioners should have an established professional relationship with their patients before telehealth services can be considered, although, this is not a compulsory requirement, depending on existing conditions.

No practitioner may exclusively render professional services through telehealth and should recognise that not all disciplines are suitable for all forms of telehealth practice. The 'reasonable practitioner test' will be applied to assess whether practitioners have acted in a manner consistent with their training, skills, and circumstances.

Professional conduct

With due regard to the health professional and patient's virtual circumstances, the consultation and subsequent therapeutic engagement must be conducted to the requisite level of professionalism.

Informed Consent

In addition to the current treatments, risks, alternatives, and costs which must be shared with the patient as for an in-person consultation, any new risks contemplated as a result of either remote diagnosis or remote therapeutic care need to also be discussed.

Record keeping, personal information and privacy

As is the case with in-person consultations, the collection, processing and storage of patient personal information, its transmission to other practitioners and its preservation are important considerations for practitioners.



Technology platform

An appropriate “clinical grade” technology platform for the virtual consultation with adequate audio and video capability, which supports the above is required. The usage of social media platforms is not advised.

Technology E-literacy

Practitioners need to be mindful of the level of the patient’s e-literacy, making certain that the patient, their family members (if relevant), the healthcare practitioners and their staff are adequately conversant in the use of the technology platform.

Billing and Coding

As with every consultation in your practice, the way coding and billing is performed needs to remain consistent with the commitments made between practitioners and patients and funders, where relevant.

Medical Professional Indemnity for telehealth

Currently all the larger medical professional indemnity providers have policy extensions to include the use of telehealth and telemedicine in clinical practice.

Practitioners should approach the provider of their medical indemnity to clarify what level of support they will receive in claims from patients where telehealth and virtual consultations are involved.

No legal challenges arising from the use of virtual consultations have been heard in South Africa relating to medical misconduct or negligent practices as at the beginning of 2023.

It remains to be seen how the litigation will occur in circumstances where patients suffer actual harm or perceive that their expectations and rights have not been met through a telehealth encounter.