

## **TELEMEDICINE**

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“Telemedicine” is a generic term used to describe the delivery of services by healthcare professionals using electronic communication, information technology or other means between a licensee in one location and a patient in another location with or without an intervening health care provider.

The Board recognizes that technological advances have made it possible for licensees to provide care to patients who are separated by some geographical distance. As a result, telemedicine is a potentially useful tool that, if employed appropriately, can provide important benefits to patients, including; increased access to health care, expanded utilization of specialty expertise, rapid availability of patient records, and the potential of reduced healthcare costs, increased efficiency, and improved overall healthcare outcomes. The call for ongoing research and formal training in the care models and technologies associated with telemedicine reflects the evolving nature of telemedicine practice.

The Board cautions, however, that licensees practicing via telemedicine will be held to the same standard of care as licensees employing more traditional in-person chiropractic settings. The Board does not endorse a separate standard of care for telemedicine. Licensees, who fail to conform to the standard of care, may be subject to discipline by this Board.

The Board provides the following considerations to its licensees as guidance in providing chiropractic services via telemedicine:

**Training of Staff** — Staff involved in the telemedicine visit should be trained in the use of the technology being used to deliver care and competent in its operation.

**Evaluations and Examinations** — Licensees using telemedicine technologies to provide care to patients located in North Carolina must provide, or rely upon, an appropriate evaluation prior to diagnosing and/or treating the patient. This evaluation need not be in-person if the licensee employs technology sufficient to accurately diagnose and treat the patient in conformity with the applicable standard of care. A diagnosis should be established using acceptable chiropractic practices, i.e., a patient history, mental status evaluation, physical examination, and appropriate diagnostic and laboratory testing.

Evaluations may also be considered appropriate if a licensed health care professional is able to facilitate aspects of the patient assessment needed to develop a reasonable diagnosis and differential possibilities and an appropriate plan. On the other hand, a simple questionnaire without an appropriate evaluation may be a violation of law and/or subject the licensee to discipline by the Board.

**Licensee-Patient Relationship** — The Board stresses the importance of proper patient identification prior to any telemedicine encounter. Failure to verify the patient’s identity may lead to fraudulent activity or the improper disclosure of confidential patient information. The licensee using telemedicine should verify the identity and location of the patient. Furthermore, the licensee’s name, location, and professional credentials should be provided to the patient. Licensees using telemedicine should also ensure the availability for appropriate follow-up care and maintain a complete patient record that is available to the patient and other treating health care providers.

### Medical Records

The licensee treating a patient via telemedicine must maintain a complete record of the telemedicine patients' care consistent with the prevailing patient record standards. The patient record should clearly document all aspects of care including email, text, photos, phone contact, and other forms of communication. HIPAA and related privacy and security documents should be present and signed where appropriate. Appropriate informed consent documents acknowledging the risks, limitations, alternatives, and benefits of the telemedicine encounter should be included.

The licensee must maintain the patient record's confidentiality and provide a copy of the patient records to the patient in a manner consistent with state and federal law. If the patient has a primary care provider and a telemedicine provider for the same ailment, the primary care provider's patient record and the telemedicine provider's patient record constitute one complete patient record. Licensees practicing via telemedicine will be held to the same standards of professionalism concerning the transfer of patient records and communications with the patient's primary care provider and medical home as those licensees practicing via traditional means.

### Disclaimers

Practitioners of telemedicine should consider providing a statement identifying any unique limitations of the electronic model by which care is being provided. Such patient notification can be distributed prior to providing services and included in all direct advertising to the public.

### Licensure

The Board deems the practice of chiropractic to occur in the state where the patient is located. Therefore, any licensee using telemedicine to regularly provide chiropractic services to patients located in North Carolina should be licensed to practice chiropractic in North Carolina. Licensees need not reside in North Carolina if they have a valid, current North Carolina license.

North Carolina licensees intending to practice via telemedicine technology to treat or diagnose patients outside of North Carolina should check with other state licensing boards. Most states require DCs to be licensed in that state, and some have enacted limitations to telemedicine practice or require or offer a special registration.

Added 10/23/2020

***An x-ray over-read by a licensed chiropractic radiologist who provides a report to a NC licensed doctor of chiropractic (whether or not the chiropractic radiologist is licensed in or located within NC) does not, in and of itself, constitute the practice of chiropractic in NC.***