



DIETITIANS BOARD

Te Mana Mātanga Mātai Kai

Statement & guidelines on telehealth

The Dietitians Board (The Board) considers ‘telehealth’ as ‘the use of information and communication technologies, to deliver health services and transmit health information between two or more locations within New Zealand or between New Zealand and overseas where the practitioner and patient/client are not physically present in the same room.’

Many health practitioners already use some form of information and communications technology when providing care and this is becoming more widespread across health services. The Board has considered this matter, and as a Regulatory Authority, wishes to provide clear guidance to Registered Dietitians to safeguard the New Zealand public and support dietitians’ safe practice.

The statements and guidelines contained in this document apply to Dietitians registered in New Zealand as well as Dietitians who reside overseas and provide health services to patients/clients in New Zealand; and have been written to provide guidance and advice with the aim that telehealth consultations are delivered to the same standard as consultations conducted in person.

Telehealth can help patients/clients in isolated locations receive necessary care, provide more convenient access to care, allow for more comprehensive delivery of services after-hours and allow for the more efficient use of precious health resources.

In using telehealth, practitioners should be aware of its limits and ensure they do not attempt to provide a service which puts public safety at risk.

Should a Dietitian practice telehealth they are subject to the same requirements as Dietitians registered in and practising in New Zealand. These include the Dietitians Board Code of Ethics and Conduct and the complaints resolution processes of the office of the Health and Disability Commissioner.

If a Dietitian provides care to New Zealand patients/clients via telehealth, the Board holds the view that they are practising within New Zealand and should therefore be registered with the Board and hold an Annual Practising Certificate¹.

The Board is able to notify the appropriate regulatory authorities in other countries if concerns have been raised about the practice of an individual.

¹ If you are based in New Zealand and provide telehealth services in New Zealand, you must be registered with the Board and have a valid practising certificate.

Practitioners are also reminded that patients/clients have rights under the Code of Health and Disability Services Consumers' Rights with respect to telehealth, as they do with all other forms of health care.

DIETITIANS BOARD ADVICE ON PROVIDING CARE

1. Any device, software or service used for the purposes of telehealth should be fit for purpose and must preserve the integrity and security of the information or image being transmitted.
2. If you receive a referral which does not contain the information required to complete the tasks required of you, The Board expects that you will request the relevant information or return the referral to the referrer with a request for more specific information.
3. The Board expects that the treatment you provide to a patient/client in another location meets the same standards as care provided in a face-to-face consultation. This includes standards that relate to patient identification, consent, cultural competence, assessment, diagnosis, intervention, updating the patients clinical records and communicating with the patient's relevant primary care provider, and follow-up².
4. The Board expects that if, because of the limits of technology, you are unable to provide a service to the same standard as a face-to-face consultation then you must advise the patient/client of this.
5. If you work with, or receive reports from, telehealth providers you should ensure that the above standards are followed.

DIETITIANS BOARD ADVICE ON CONSULTING WITH SOMEONE LOCATED OUTSIDE NEW ZEALAND

1. If you are registered with The Board then the same standard of care that you provide to patients/clients located in another country falls within the Board's jurisdiction insofar as it reflects on your competence to practise.
2. If you reside in New Zealand and practise telehealth, providing services to patients/clients located in another country at the time of the consultation, you are subject to the jurisdiction where your patient/client is located, and it would be sensible to familiarise yourself with the requirements of that country.
3. When providing care from New Zealand to patients/clients in another country, then you remain subject to New Zealand law and may be subject to other legal obligations, requirements or liabilities in the location where your patient/client is. You are also subject to the jurisdiction of authorities in your patient/client's home country, and may be liable if you assist in the contravention of any of that country's laws or regulations. You should seek legal advice in that country if necessary.

The Board recommend seeking individual legal advice before providing telehealth services in any circumstances.

Related resources

- Dietitians Board Code of Ethics & Conduct for Dietitians
- Social Media and Electronic Communication Guidelines
- The Code of Health and Disability Services Consumers' Rights

Acknowledgements: The document has been adapted from Medical Council of New Zealand *Statement on Telehealth*.

²In February 2001 a charge was laid before the British General Medical Council after a doctor prescribed Xenical and Viagra to a patient over the internet. In its judgment the Professional Conduct Committee noted that it "did not consider that the standard of care given to patients or the prescribing practice of a doctor should be different, whether through the internet or otherwise." The doctor was suspended from practice for three months.