



SNS COLLEGE OF TECHNOLOGY

(AN AUTONOMOUS INSTITUTION)

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Department of Biomedical Engineering

Vision Tit 2

Vision Title 3

Course Name: 19BM0401 & TELEHEALTH TECHNOLOGY

IV Year : VII Semester

Unit 4 -ETHICAL AND LEGAL ASPECTS OF MEDICINE

Topic :Jurisdictional Issues

19BM0401/ Jurisdictional Issues /Unit 4/Mr.S.Prince Samuel/AP/BME



JURISDICTION



➤ **Jurisdiction problems**

- forum for resolution of disputes
- licensure
- insurance
- reimbursement

Vision Tit 2

Vision Title 3



New Clinical Risks



- the teleconsultant acting beyond his ability
- quality of reproduction of pathology slides and radiographs
- improper or negligent delegation
- poor training of teleconsultants

Vision Tit 2

Vision Title 3



ACCESSING POLICIES

- unclear delineation of responsibility
- lack of telemedical equipment
- adverse incidents involving telemedicine equipment
- communication problems
- “telecomplacency”

Vision Tit 2

Vision Title 3



THE LAW

- Common law duty of confidentiality
- Data Protection Act 1998 (EU Directive);
- Computer Misuse Act 1990;
- Access to Health Records Act 1990;
- Access to Medical Records Act 1988.

- *Laws relating to....*
- *Copyright;*
- *Public Records; and*
- *Electronic documents & digital signatures.*

Vision Title 3



THE LAW



➤ **The Data Protection Act (implementing the EU Directive) requires that data:**

- must be processed fairly and lawfully;
- must be collected for explicit and legitimate purposes;
- must be adequate, relevant and not excessive in relation to the purpose for which it is collected and/or processed
- must be accurate and, where necessary, kept up to date; and
- must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the data were collected or for which they are further processed



THE LAW



- Personal data may only be processed if the data subject (i.e., the caller) has unambiguously given their informed consent. Moreover:
 - Article 12: the data subject must be informed of their rights of access to the data and their rights to have any inaccuracies in them rectified.
 - Article 25(1): it is illegal to transmit information to another country that doesn't have adequate data protection laws.