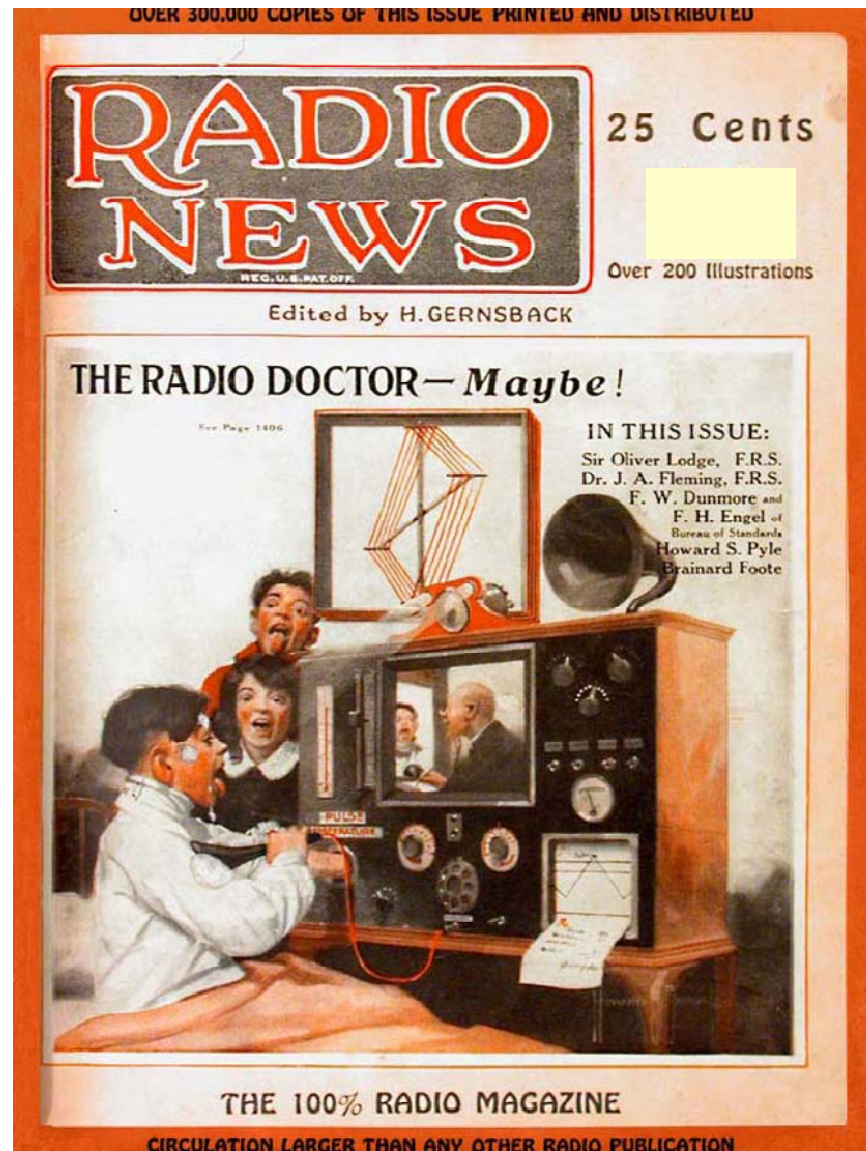

Délégation à la stratégie des systèmes d'information de santé
Secrétariat général des ministères chargés des affaires sociales

→ **Telemedicine: definitions, legislative and regulatory issues and ongoing actions in France**

Dr Laurent Tréluyer
Chargé de mission

→ A long way



→ **The challenge of telemedicine regulation**

Provide a framework of practice
for health professionals

Promote the development of telemedicine



Give confidence to
patients

Respect the European rules

→ **HPST Act (2009)- Section 78; Code of Public Health-
Section. L. 6316-1.**

- « Telemedicine is a form of **remote** medical practice using information technology and communication. It brings together, among themselves or with a patient, one or more health professionals, among which is **necessarily a medical professional** and, where appropriate, other professionals providing their care to the patient.
- It helps to establish a diagnosis, to ensure, for a patient at risk, follow-up for preventive care or follow-up post-therapy, to require expert advice, to prepare a therapeutic decision, to prescribe products, or to prescribe or realize a medical procedure or to monitor of patients' conditions.
- The definition of services of telemedicine and their conditions of implementation and financial management are set by decree, taking into account the deficiencies in the provision of care due to geographical remoteness and insularity. "

→ **Social security funding bill (LFSS) 2010**

- Two additional items of french legislation have been taken to overcome two obstacles to the deployment of telemedicine :
 - The principle of prohibiting fee-splitting: a medical professional can now charge for other medical professional anything wich is not himself authorized to perform;
 - The principle that a consultation corresponds to services realised at the office of practionners: An exception to the requirement of physical presence in the same place of physician and patient is authorized in the telemedecine activity.

.....

→ **The decree of October 19, 2010 defines the conditions of implementation**

- Telemedicine respects 3 principles:
 - Telemedicine is a medical service and the practice of telemedicine is **in the common law of medical practice and patients' rights** (Act No. 1577-2002 of 30 December 2002 on medical liability and Law No. 2004 -810, 13 August 2004 on health insurance).
 - The practice of telemedicine respects **the common law rules of competence and cooperation** between health professionals (Article 51 Law HPST)
 - This exercise is part **of the common law of electronic data interchange health** (Act No. 78-17 of 6 January 1978 relating to data, files and freedoms, as amended).
- Telemedicine implies necessarily a medical professional
 - Physician
 - Dentist
 - Midwife

----> **We define 5 telemedicine procedures**

Name of the procedure	People present at the place of exercise		Moment of the activity	Activity performed
	on site	remote		
Teleconsultation	Patient and possibly health professional	medical professional	live with possibly data store and forward	Medical consultation
Tele-expertise	medical professional	medical professional	live or/and data store and forward	expert advice for therapeutic or diagnostic
Medical telemonitoring	Patient and possibly health professional	medical professional	data store and forward	Interpretation of clinical, radiological or biological data
Medical teleassistance	Patient and health professional	medical professional	live	expert help to accomplish medical procedure
Medical response	Patient	medical professional	live	112: medical emergency call number

→ **Medical professionals participating in telemedicine**

- Medical professionals licensed to practice medicine in France
 - Holder of a diploma, certificate or other document permitting medical practice
 - French nationality, Andorran citizenship or national of a Member State of the European Community or party to the Agreement on the European Economic Area,
 - Enrolled in the Ordre of Physicians, in the Ordre of Dentists or the Ordre of midwifery.
 - Or medical professionals authorized by the Ministry of Health

.....

→ **Medical professionals participating in telemedicine**

- Or medical professionals engaged in the provision of services for a business casual or temporary
 - The doctor, dental practitioner or midwife, a national of a Member of the European Union or party to the Agreement on the European Economic Area, which is established and lawfully pursuing the activities of doctors , practitioner of dentistry or midwifery in a EU State
 - The implementation of such acts is subject to prior declaration addressed to the National Council of the Ordre of the profession.
 - Medical professionals must possess the language skills necessary to achieve the procedure.
- The non-medical health professionals or psychologists can participate in an activity of telemedicine under the provisions relating to the professional acts that concern or under the cooperation provided for in section L. 4011-1 to L. 4011-3 of the Code of Public Health.

→ Terms of implementation

- The collection of patient consent to this form of exercise;
- Professionals participating in a telemedicine can, **unless opposed by a person duly informed**, exchange information relating to that person, especially through information technology and communication
- Training of health professionals concerned with the use of telemedicine device;
- Healthcare professionals check that for a given procedure, the conditions of implementation are met.
- Where appropriate, the patient training in the use of telemedicine device;
- The authentication of health professionals involved;
- The identification of the patient before the start of the act;
- Access to data needed to carry out the act of telemedicine;
- The registration of services of telemedicine and a report in the patient record.

→ **Agreement**

- Organizations and health professionals involved in the activity of telemedicine sign an agreement about their relationship and the conditions under which they implement this activity.

→ **Control: mainly regional approach**

- **Telemedicine activity is listed:**
 - at regional level:
 - multiyear contract objectives and means (CPOM): contract between Regional Health Authorities (ARS) and hospitals
 - Contract for improving the quality and coordination of care institutions, structures and health professionals
 - Specific contract signed between ARS and an telemedicine organization
 - These contracts will make reference to the program on the development of telemedicine to be established by the ARS by the end of 2011.
 - at national level: national programm signed by the health Ministry: public health plan (stroke plan, cancer plan,...) or a new code for reimbursement in current procedural code.

→ **Financing telemedicine activity**

- Under the financing of medical procedure:
 - Financing the telemedicine procedure is under the context of the Current Procedural Codes (CCAM, NABM, NGAP, LPP). The telemedicine procedure will be found listed in this CPT and pricing of these procedure will be determined in discussions between National Union of Health Insurance Funds (UNCAM) and medical trade union organizations.
 - In connection with the financing of the activities of health facilities
The activity of telemedicine could be viewed as a benefit between institutions: the care facility that realize the act of telemedicine, charge the care facility where the patient is, on a basis of a previous agreement.

→ **National actions: principles proposed**

- Incremental and pragmatic approach
- Start with low-risk projects and limited and controllable impact on health insurance expenditure
- Projects of national scope to address the short term, with major improvement on the healthcare system or on public health

→ Nationals actions

- Call for projects
 - Ministry of Industry (DGCIS). Results published November 17, 2010: 3 projects selected: 3 millions €
 - Shared Information System Agency (ASIP)
 - Component 1: project definition
 - Component 2: project support teleconsultation, tele-expertise or medical teleassistance
- Funds for Regional Health Agencies (ARS) with two priorities: the stroke and the prison telemedicine
- A new code in the CPT for telecardiology: teletransmission of data for pacemaker and implantable cardioverter-defibrillator
- French economic stimulus package (investment for the future) about 80-100 M€ for eHealth: for the companies
 - Grant for research and development
 - Loans or equity

→ Governance Framework

- National level:
 - A workgroup to elaborate a telemedicine national strategy
- Five priorities for 2011
 - Teleradiology for continuity of care
 - Telestroke
 - Prison telemedicine
 - Chronic disease
 - Care access in the medico-welfare sector and home care
- Regional level
 - Every Regional Health Authorities must to elaborate a telemedicine regional program

.....
→ **The way continue**

