

Legal and regulatory implications of new technologies can play a key role in the licensure of health professionals, including within the practice of telemedicine. Telemedicine is a rapidly emerging, up-and-coming field in which the medical profession is moving at a faster pace than the surrounding legal and regulatory barriers currently in place, which sets the groundwork for these health professionals. This leads to a gray area for licensed health professionals. Ultimately, this causes a drift in focus of three (3) central issues that affect licensed health professionals: (i) health professional licensure, including nurse practitioners and registered nurses; (ii) scope of practice within the bounds of that health professional's license; and (iii) medical liability insurance for that licensed health professional. Problems typically arise from the licensed health professional's lack of clear understanding of the legal and regulatory implications of telemedicine as well as having the wrong information conveyed to them regarding their role. This presentation will discuss these three (3) central issues that pose the largest liability threat to licensed health professionals by taking an in-depth look at each of those three issues independently. Next, it will discuss how the three most popular telemedicine business models are not exempt from such liability concerns. Then, it will weigh the benefits of telemedicine weighed against the risks posed by the threat of the three major issues discussed. Finally, it will explain that in order to manage the risk to the license of the health professional, a more proactive approach is needed by both policymakers and practitioners to address these issues as they arise.