

## Telehealth Policy

### Introduction

Most podiatrists already use some form of information and communications technology when providing care, and this has become an integral part of podiatry practice in Aotearoa New Zealand.

Telehealth can help people in isolated locations receive necessary care, provide people with more convenient access to care, allow for more comprehensive delivery of services after-hours and allow for the more efficient use of health resources. Telehealth is particularly useful when it is incorporated into an existing system for providing patient care.

In using telehealth, podiatrists should be aware of its limits and ensure that they do not attempt to provide a service which puts a person's safety at risk. In particular, be aware of the inherent risks in providing treatment when a physical examination of the person is not possible. For the purpose of this policy 'treating' and 'treatment' covers all aspects of the practice of podiatry including assessing, diagnosing, reporting, giving advice, signing certificates, and prescribing exercise programmes.

If podiatrists provide care to Aotearoa New Zealand-based persons' from overseas via telehealth, the Podiatrists Board of New Zealand (the Board) holds the view that they are practising podiatry within Aotearoa New Zealand and so should be registered with the Board **(1)**. When utilising telehealth, podiatrists are subject to the same requirements as podiatrists registered and practising in Aotearoa New Zealand.

These include the Board's competence, conduct and health procedures and the complaints resolution processes of the office of the Health and Disability Commissioner (HDC). The Board will also notify the appropriate regulatory authorities in other countries if concerns are raised about a particular podiatrists' practice.

[The Health and Disability Commissioner \(Code of Health and Disability Services Consumers' Rights\) Regulations 1996 \(the Code\)](#) establishes the rights of patients and places corresponding obligations on podiatrists with respect to telehealth, as they do with all other forms of health care. This includes but is not limited to informing people about the provision of telehealth services and seeking the person's informed consent before the telehealth service is provided.

## Application of Telehealth Policy

This policy applies to podiatrists registered in Aotearoa New Zealand and practising telehealth in Aotearoa New Zealand and/or overseas, and podiatrists who are overseas and provide health services through telehealth to people in Aotearoa New Zealand. In both these instances, the podiatrists must be registered and hold a current Annual Practising Certificate (APC).

### A. Providing patient care

Any device, software or service used for telehealth must be secure, only allowing the intended recipients to receive and record, and be fit for purpose. It must preserve the quality of the information or image being transmitted.

The Board expects the treatment provided to a person in another location meets the same required standards as care provided in an in-person consultation.

This includes standards relating to:

- patient selection, identification, cultural competence, assessment, diagnosis, informed consent, maintaining the person's privacy and confidentiality, updating the person's clinical records, and communicating with the person's relevant primary care provider in a timely manner (unless the person expressly states that the details of the telehealth consultation are not to be shared with their primary care provider), and follow-up.
- If, because of the limits of technology, the same standard of service cannot be provided as an in-person consultation then the person must be advised of this limitation.

It is particularly important that consideration is given to whether a physical examination would add critical information before providing treatment to a person or before referring the person to another health practitioner for services such as diagnostic imaging. If a physical examination is likely to add critical information, then it should not proceed until a physical examination can be arranged. In some circumstances, it may be reasonable to ask another health practitioner in the person's locality to conduct the physical examination. In those instances, it is important that the person's informed consent be obtained and communicated clearly for that arrangement, and the referring podiatrist is available to answer any queries.

When working with or receiving reports from telehealth providers, podiatrists should ensure that the standards for patient care outlined above are followed and must notify that telehealth provider, their management and other appropriate reporting channels if there are concerns about the quality of care being provided.

### B. Providing care to a person located outside Aotearoa New Zealand

Podiatrists providing care from Aotearoa New Zealand to a person in another country:

- remain subject to New Zealand law.
- may be subject to other legal obligations, requirements, or liabilities in the location where the patient is located.
- may also be subject to the jurisdiction of authorities in the person's home country.

- may be liable if the person is assisted to contravene that country's laws or regulations, for example, any importation and possession requirements.
- legal advice should be sought in that country, if necessary.

## C. Insurers and third-party payers

Podiatrists must understand and abide by the policies or recommendations of insurers or third-party payers regarding telehealth. If the insurers or third-party payer policy is unclear, they should be contacted before any assessment and treatment are undertaken.

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### Definitions:

The Board has defined the following terms as:

**In-person:** Where the podiatrist and person/patient are physically present in the same consultation room.

**Telehealth:** The use of information and video conferencing technologies, to deliver health services to a person and transmit health information regarding that person between two or more locations at least one of which is within Aotearoa New Zealand.

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### Related resources:

[The Health and Disability Commissioner \(Code of Health and Disability Services Consumers' Rights\) Regulations 1996 \(the Code\)](#)

[NZ Telehealth Resource Centre](#)

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**(1)** An exception to this rule is when a podiatrist located overseas is asked by a responsible Aotearoa New Zealand registered podiatrist to provide an opinion in relation to a person under the care and/or clinical responsibility of that Aotearoa New Zealand registered podiatrist. In such cases, the podiatrist located overseas does not have to be registered in Aotearoa New Zealand. Where input from the overseas-based podiatrist is likely to be ongoing rather than one-off, it is recommended that the overseas-based podiatrist have a robust contractual relationship with the Aotearoa New Zealand body, which creates or enables an effective mechanism for dealing with performance and service provision concerns. If you are located in another country and report by telehealth on treatment to Aotearoa New Zealand-based patients then you should contact the Board to discuss our expectations around registration, recertification, and mechanisms to protect public health and safety.

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