

NST | Norwegian Centre for Telemedicine  
UNIVERSITY HOSPITAL OF NORTH NORWAY  
WHO Collaborating Centre for Telemedicine



# Legal implications of cross-border eHealth collaboration

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# This presentation

- On the work on legal issues in Baltic eHealth
- Checklists on legal issues
- The checklists in practice
- The draft contract
- Challenges in the project – and beyond
- Lessons learned



# Purposes of the work on legal issues in BeH

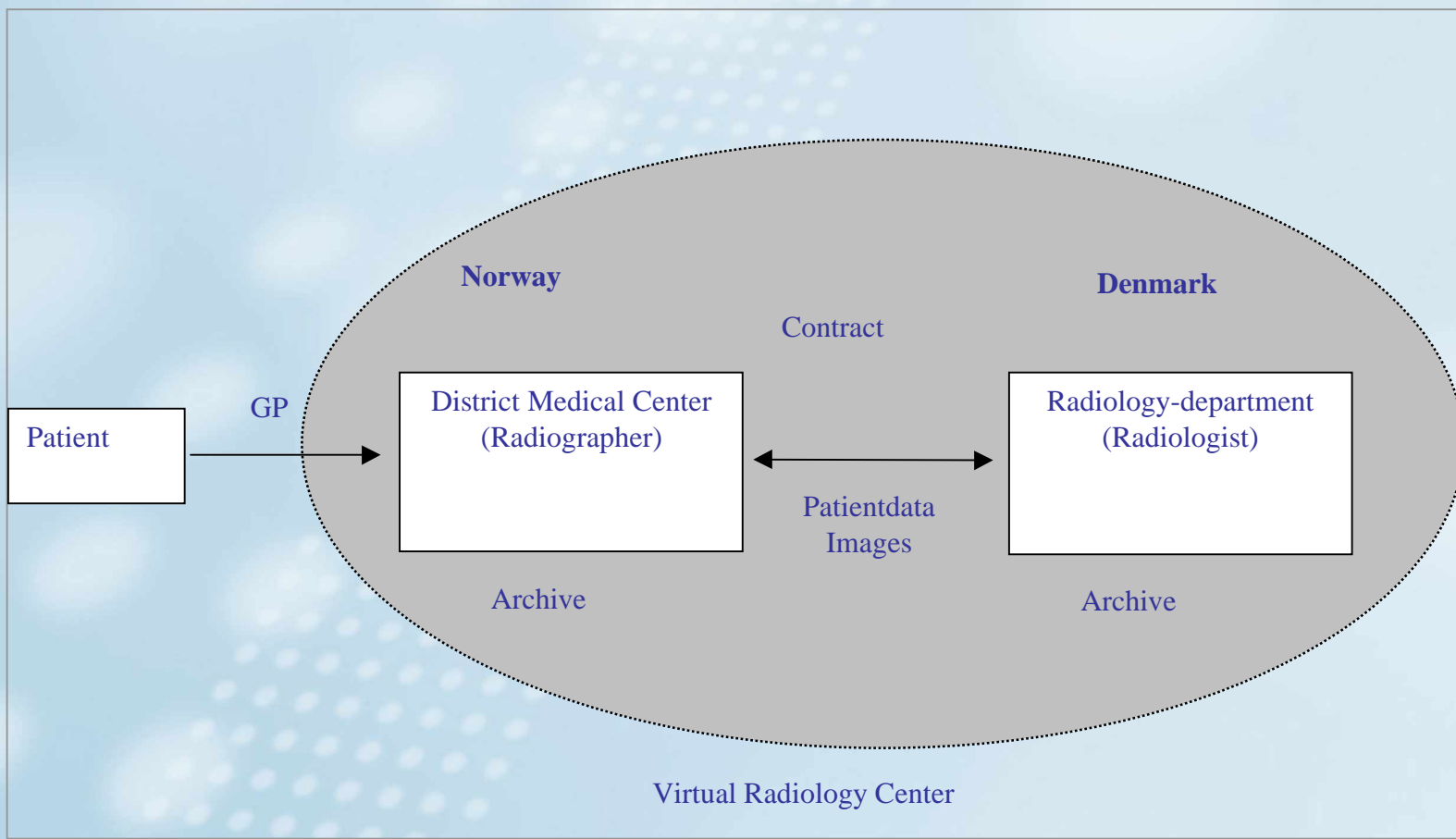
- Quality assurance
- Reduce insecurity
- "Soothe" authorities
- Break new grounds
- Create a book of reference
- Usability
- Reusability



# The process

- Establishing a "team" of legal experts
- Participation in SMC's, workshops and other meetings
- Preparation and publishing of report on identified legal issues
- Preparation of guidelines/checklists
- Publishing of checklists





# Checklists on legal issues

- Privacy, confidentiality and information security
- Responsibility
- Licensing
- Patients' Rights
- Reimbursement/payment
- Contract Issues
- Draft- /example contract



# The checklists in practice

- Important – and difficult - to "anchor" guidelines and checklists
- Difficult to assess their relevance and usability
- Should be continuously assessed and adjusted



# Selected issues

- Information security
  - Closely related to technical guidelines
  - Create awareness about EU directive
  - Information security regimes
    - Confidentiality, Integrity, Accessibility and Quality
- Responsibility
- Reimbursement/Payment





**Draft**

**Contract**

**Teleradiological co-operation**

**between**

**County Hospital of Funen, East-Tallinn Central Hospital and Vilnius  
University Hospital**

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# On Contracts

- Can regulate many cross-border issues and challenges
  - Participating parties
  - Purpose
  - "How to"
  - Obligations
  - Payment
  - Sanctions
  - Etc.



# Contracts – challenges

- Contracts vs. Health legislation
- Contractual powers
- Special issues concerning cross border contracts
  - E.g. legal venue
- Limited value for ad-hoc/emergency cases
- Payment



# Legal implications

- Need to clarify national health regulations – the legal framework
- Need to clarify relevant international legislation
- Clarify bi- and multilateral agreements
- Unified understanding of challenges



# Lessons learned

- Much interest in legal issues
- General acceptance of the importance of working with these issues.
- A challenge to move from general legal advice to specific guidelines
- A challenge to make specific guidelines for general use
- Important and valuable to be allowed to work “in the field”





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**TTeC 07**

TROMSØ TELEMEDICINE AND eHEALTH CONFERENCE

**Elderly - Who Cares?**

**Tromsø Norway 11-13 June 2007**

## **Main topics:**

Driving forces and terms for technological and organizational changes

Active aging and ICT

eHealth applications in elder care

Deadline for submissions: 15 January 2007

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