

LEGAL, REGULATORY, AND ETHICAL ISSUES

AACAP Guidelines

Legal Considerations

Review:

- State laws, medical board guidelines, and DEA regulations
- State regulations and the Ryan Haight Online Pharmacy Consumer Protection Act of 2008, prior to prescribing a controlled substance
- Professional liability and malpractice policies

Regulatory Guidelines

Consult:

- Appropriate confidentiality, records management, and ethical standards
 - Adhere to HIPPA or FERPA regulations depending on site
- Federal and state regulations for telehealth and telemedicine
 - Joint Commission on the Accreditation of Healthcare Organizations guidelines, CMS guidelines, ATA guidelines, Regional Telehealth Resource Centers, and the Center for Telehealth and e-Health Law

Ethical Standards

- Comply with AACAP Code of Ethics guidelines for child and adolescent psychiatry
- Inform patients and families about telepsychiatry and its associated risks and benefits
- Emphasize informed consent and determine if separate consent is needed for televideo services