

Telemedicine Informed Consent Checklist

This checklist helps healthcare providers follow legal, regulatory, and ethical best practices when obtaining patient consent for telemedicine services. Proper consent ensures patient awareness, safety, and compliance with state and federal laws.

Step 1: Verify State-Specific Consent Requirements

Before initiating telemedicine services, determine the consent requirements for the state in which the patient is receiving care.

- Review State Laws – Some states require verbal and/or written consent before care begins. Check
- Additional Consent Needs – Some states mandate separate consent for:
 - Recording sessions (audio/video documentation)
 - Remote patient monitoring
 - E-prescriptions & controlled substances
- Best Practice: Regularly update internal policies to reflect changes in state regulations.
- Resource: Check [FSMB's State Telemedicine Policies](#) for up-to-date consent laws.



Step 2: Inform the Patient Before Proceeding

Before delivering telemedicine services, clearly explain the following:

Nature of Telemedicine

- "Telemedicine allows remote medical consultations using technology."
- "It has certain limitations compared to in-person care."

Technology Risks & Limitations

- "Virtual care depends on internet access and system reliability."
- "Security measures are in place, but no system is completely risk-free."

Alternative Care Options

- "You may choose an in-person consultation instead of telemedicine."
- "If urgent care is needed, seek emergency services immediately."

Confidentiality & Data Protection

- "Your medical data is protected under HIPAA regulations."
- "We use secure platforms to store and share medical records."

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Step 3: Obtain & Document Patient Consent

Proper documentation of consent prevents legal risks and ensures transparency.

✓ Verbal Consent:

- *"Do you understand and agree to receive telemedicine services?"*
- *Must be documented in the patient's medical record.*

✓ Written Consent (if required):

- *Use a standardized Telemedicine Consent Form.*
- *Ensure the patient signs and dates the form before treatment.*

✓ Emergency Situations:

- *If consent cannot be obtained, document the reason (e.g., unconscious patient).*
- *Include any proxy or legal guardian authorization when applicable.*

Additional Best Practices for Informed Consent Compliance

- **Use Plain Language** – Avoid medical jargon to ensure patient understanding.
- **Confirm Patient Identity** – Verify the patient's full name and date of birth before consultation.
- **Offer Opportunity for Questions** – Allow patients to ask about risks, limitations, and options.
- **Store Consent Records Securely** – Maintain copies in EHR systems or paper files as per HIPAA regulations.

Sample Telemedicine Informed Consent Statement

"I, [Patient Name], understand that telemedicine involves the use of electronic communication to provide remote medical care. I acknowledge the potential benefits, limitations, and risks of telemedicine services, including security risks and technological failures. I consent to receive medical care via telemedicine and understand that I may choose an in-person visit at any time. My consent is voluntary, and I may withdraw it at any time."

Patient Signature: _____

Date: _____

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