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Ownership: Health Regulation Sector - Health Licensing Department.

Applicability: All DHA Licensed Health Professionals and Health Facilities providing Telehealth Services

1. Purpose:

- 1.1. To set out the regulatory requirements for licensure of Telehealth services.
- 1.2. To support Healthcare Innovation and Health Technology development in the field of medicine.

2. Scope:

- 2.1. Telehealth services provided within the jurisdiction of DHA.

3. Definitions/Abbreviations:

Health Facility: A DHA licensed entity that is authorised to provide medical services whether its owner or manager is an individual or an organization.

License: Authorisation granted by DHA to the health facility to provide healthcare services within the Emirate of Dubai under the jurisdiction of DHA.

Telehealth: Involves the use of telecommunications and virtual technology to deliver healthcare services remotely, outside of the traditional healthcare facility setting, and without a physical presence and examination of the patient. It is used to exchange patient's medical information from one site to another via the available electronic communications platforms such as two-way video, email, smart phones, wireless tools

and other forms of telecommunication technology to assess and evaluate the patient's health status for treatment purposes. Telehealth facilitates the delivery of health and health-related services including patient assessment, diagnosis, treatment, therapy, referral, provider and patient education and self-care, exchange of health information services via telecommunications and digital communication technologies. Telehealth services is divided into six key areas:

- Teleconsultation;
- Telediagnosis;
- Telemonitoring (remote patient monitoring);
- mHealth (Mobile Health);
- Telerobotics and robot-assisted services; and
- Telepharmacy.

DHA : Dubai Health Authority

ICT : Information Communication and Technology

MoHaP : Ministry of Health and Prevention

NESA : National Electronic Security Authority

TDRA : Telecommunications and Digital Government Regulatory Authority

VOIP : Voice Over Internet Protocol

Policy Statement:

3.1. All DHA licensed Health Professionals and health facilities providing delivering expertise and care at distance/tele-health services shall:

3.1.1. Comply with the Cabinet Resolution No. (40) of 2019 on the Executive Regulation of Federal Decree-Law No. (4) of 2016 on Medical Liability Regulations and Conditions for Providing Telehealth Services.

a. The service provider must comply with the controls regarding the exchange of information and reporting. Service providers must:

- i. Obtain the patient's consent before transferring their information to another entity for the provision of telehealth services.
- ii. Transfer information shall be within the limits of need required by the patient health condition.
- iii. Adopt accurate procedures on how to transfer, save, store, protect, and maintain the confidentiality of patient's data.

3.1.2. Ensure all telehealth services and telehealth platforms are licensed by DHA.

a. Telehealth Services shall be licensed under one for the following areas:

- i. Call Centre.
- ii. Telebooth.
- iii. Add-on services.

3.1.3. Comply with DHA Standards for Telehealth Services.

3.1.4. Comply with DHA Performance Reporting Requirements for Telehealth Services.

3.1.5. Comply with Dubai Health Insurance Corporation requirements for telehealth approval processes, e-claims, reimbursement and documentation.

- 3.1.6. Ensure telehealth is made available for business continuity.
- 3.1.7. Comply with all Articles detailed within the Federal Law No. (2) of 2019 concerning the Use of the Information and Communication Technology in the Area of Health (“ICT Health Law”) and the Ministerial Decision no. (51) of 2021 concerning the health data and information which may be stored or transferred outside the country .
- a. It is not permitted to store, develop, or transfer data and health information outside the country that is related to health services provided within the country, except in cases mentioned in Article no. (2) of the Ministerial Decision no. (51) of 2021.
- 3.1.8. Comply with National Electronic Security Authority Standards and Guidelines for Cyber Security, which include:
- a. Management Control Family.
- b. Technical Control Family.
- 3.1.9. Comply with Telecommunications and Digital Government Regulatory Authority for Voice Over Internet Protocol (VOIP) channel requirements related to Telehealth.
- 3.1.10. Comply with the requirements for Dubai Electronic Security Center.
- 3.1.11. Comply with the requirements of the Ministry of Health and Prevention for the use of pharmaceuticals, medical devices and medical advertisement.
- 3.1.12. Comply with Health Informatics and Smart Health Department and Health Regulations Sector policies for Information Governance.

4. References:

- 4.1. Cabinet resolution No. (40) of 2019, Concerning the Executive Regulation of Federal Decree-Law No. (4) of 2016 on Medical Liability and Addendum Regulations and Conditions for Providing Telehealth Services.
- 4.2. Cabinet Resolution No. (51) of 2021 (Addendum to ICT Law).
- 4.3. Dubai Health Authority (2018). DHA Law No. 6 of 2018.
- 4.4. Dubai Health Authority (2021). Data Quality Policy
- 4.5. Federal Law No. (7) Of 1975, Concerning Practice of Human Medicine Profession.
- 4.6. Federal Law No. (3) Of 1987, The Penal Code.
- 4.7. Federal Law No. (1) Of 2006 and its corresponding Dubai Law No. (2) Of 2002 relating to Electronic Transactions and Commerce.
- 4.8. Federal Decree-Law No. (5) Of 2012, Regarding Combating Cybercrimes.
- 4.9. Federal Law No. (6) Of 2018, Concerning the Establishment of Dubai Health Authority.
- 4.10. Federal Law No. (2) Of 2019, Concerning the use of ICT in health fields.
- 4.11. Ministerial Decision no. (51) of 2021 concerning the health data and information which may be stored or transferred outside the country.
- 4.12. National Electronic Security Authority (2014). Security standards and guidance.
- 4.13. Pagliari et al (2005). What is eHealth (4): a scoping exercise to map the field. *J Med Internet Res*; 2005;7:e9.
- 4.14. Telecommunications and Digital Government Regulatory Authority (2017). Consumer Protection Regulations.
- 4.15. UAE Constitution (1971) and its amendments to 2004.