



Policy: *Provision of Publicly Funded Virtual Health Services*

Originating Branch: Clinical, Primary Health Care

Original Approval Date: Dec. 16, 2020

Effective Date: January 1, 2021

Updated Date: November 1, 2023

Approved By:


Deputy Minister Health and Wellness

Version #3

1. POLICY STATEMENT

The Department of Health and Wellness (DHW) supports the delivery of publicly funded virtual health services to complement the delivery of in-person care by the healthcare system in order to:

- 1.1. improve patient and community experience, quality of care, and health outcomes;
- 1.2. support patient access to safe, equitable and timely care provided by a variety of health professionals;
- 1.3. strengthen population health outcomes;
- 1.4. deliver better value in the delivery of care; and,
- 1.5. improve provider experience in the delivery of care.

2. DEFINITIONS

In this Policy:

- 2.1. **accepting provider** – means a medical practitioner who has an agreement or arrangement with a referring provider in accordance with sections 6.3 or 6.4 of this policy and is able to provide in-person care to the patients referred to them through that agreement;
- 2.2. **asynchronous virtual care** – means a virtual health service that does not happen in real-time, such as secure messaging through an Electronic Medical Record;
- 2.3. **health professional** – means a person who practices a regulated health profession as defined in the *Regulated Health Professions Network Act*;
- 2.4. **in-person care** – means an interaction between a patient and a health professional, or between two or more health professionals, for the purposes of delivering or receiving health care, in which the patient and the health professional or professionals are the same physical location;
- 2.5. **medical practitioner** – means an individual who holds a license to practice medicine issued by a medical services regulator in one or more Canadian jurisdictions;

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- 2.6. **Medical Services Insurance (MSI)** – means the administrator of Nova Scotia’s public insurance plan for insured medical services;
- 2.7. **Nova Scotian medical practitioner** – means a medical practitioner who holds a license issued under the Nova Scotia *Medical Act* entitling that individual to practice medicine in Nova Scotia, is a member of the Nova Scotia Health Authority or IWK Health Centre medical staff pursuant to the *Nova Scotia Health Authority Medical Staff By-laws* or the *IWK Health Centre Medical, Dental and Affiliated Staff Bylaws*, and normally practices medicine in Nova Scotia;
- 2.8. **referring provider** – means a medical practitioner who provides virtual health services while unable to provide in-person care and, in accordance with section 6.3 or 6.4 of this policy, has an agreement or arrangement with an accepting provider that ensures patients have access to in-person care when required;
- 2.9. **service provider** – means an organization that provides operational, administrative, or other services to support the delivery of health services by a health professional;
- 2.10. **synchronous virtual care** – means a virtual health service in real-time, such as a telephone consult between a physician and patient, or an appointment held using Telehealth or Zoom for Healthcare;
- 2.11. **virtual health service** – means an interaction between a patient and a health professional, or between two or more health professionals, for the purposes of delivering or receiving health care, in which the patient and the health professional or professionals are not in the same physical location, and includes synchronous virtual care and asynchronous virtual care.

3. POLICY OBJECTIVES

- 3.1. To ensure that virtual health services are provided to Nova Scotians in a manner that is safe, equitable, and sustainable while improving accessibility, timeliness, efficiency, patient and provider satisfaction, and appropriateness of care.

4. APPLICATION

- 4.1. This policy applies to all:
 - 4.1.1. health professionals who are providing publicly funded health services to Nova Scotia residents;
 - 4.1.2. employees and health professionals within DHW, the Nova Scotia Health Authority (NSHA), the IWK Health Centre (IWK), and any other health service providers involved in the care and treatment of Nova Scotians receiving virtual health services;
 - 4.1.3. DHW, NSHA, and the IWK as they exercise their interdependent mandates under the *Public Service Act*, the *Health Services Insurance Act*, the *Health Authorities Act*, and related legislation;
 - 4.1.4. all organizations, including community-based organizations, that receive public funding to support the provision of virtual health services to Nova Scotians;
 - 4.1.5. all publicly funded services provided by a regulated health professional, including an employee or contractor of DHW, NSHA, or the IWK, a registered social worker, psychologist, counseling therapist, physician (specialist or family physician), nurse practitioner, and registered nurse.

5. ROLES AND RESPONSIBILITIES

- 5.1. The Minister of Health and Wellness is accountable for developing the overall provincial strategic policy direction, including provincial policies, standards, applicable fee structures and billing guidelines, for the provision of publicly funded virtual health

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services for Nova Scotians.

- 5.2. NSHA and the IWK are responsible for the provision of health services for Nova Scotians under the *Health Authorities Act*. They must ensure the quality, safety, equity, and sustainability of health services when implementing this Policy, and that publicly funded virtual health services are offered in a cost-effective manner.

6. POLICY DIRECTIVES

- 6.1. Health professionals may offer publicly funded virtual health services to Nova Scotians only in accordance with applicable fee structures, tariff agreements, billing rules, and other agreements with the Province, the Nova Scotia Health Authority, the IWK Health Centre, or a third party providing funding for health services on behalf of any of them.
- 6.2. When offering virtual health services, it is the responsibility and obligation of a health professional to be aware of and compliant with any and all laws and all ethical and professional rules, standards, guidelines and directions provided by the health professional's regulatory body.
- 6.3. A Nova Scotian medical practitioner may offer publicly funded virtual health services to a Nova Scotia resident only if:
 - 6.3.1. the Nova Scotian medical practitioner provides virtual health services in accordance with article 6.4.2;
 - 6.3.2. the Nova Scotian medical practitioner is able to provide follow-up in-person care as required within a reasonable amount of time, considering the patient's condition; or
 - 6.3.3. all of the following conditions are met:
 - 6.3.3.1. The Nova Scotian medical practitioner has a written agreement with an accepting provider, under which the accepting provider:
 - i. agrees to accept all referrals regarding patients requiring in-person care from the referring provider; and,
 - ii. agrees to see all referred patients in-person, and without delay considering the patient's condition; and,
 - iii. agrees to manage their clinical schedule so that all referred patients have reasonable access to in-person care;
 - 6.3.3.2. The agreement referred to in article 6.3.3.1 is in the format set out in Appendix A, and is delivered to MSI prior to the date that virtual health services are provided;
 - 6.3.3.3. The referring provider refers all patients requiring in-person care to the accepting provider, as per the terms of the agreement, and refers patients to specialists or to emergency care if the patient's condition requires it.
- 6.4. A medical practitioner may offer publicly funded virtual health services to a Nova Scotia resident only if:
 - 6.4.1. the medical practitioner is a Nova Scotian medical practitioner providing virtual health services in accordance with article 6.3.2 or 6.3.3; or
 - 6.4.2. all of the following conditions are met:
 - 6.4.2.1. the medical practitioner holds a current license to practice medicine issued by a Canadian health regulatory body;
 - 6.4.2.2. the medical practitioner has, or is employed or contracted by a service that has a contractual relationship with the Nova Scotia Health Authority pursuant to the *Nova Scotia Health Authority Medical Staff By-laws*, which addresses the provision of publicly funded virtual health care services;
 - 6.4.2.3. the medical practitioner has, or is employed or contracted by a

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service provider that has an established arrangement with an accepting provider under which the accepting provider:

- i. agrees to accept all referrals regarding patients requiring in-person care from the referring provider;
- ii. agrees to see all referred patients in-person, and without delay considering the patient's condition; and,
- iii. agrees to manage their clinical schedule so that all referred patients have reasonable access to in-person care;

6.4.2.4. the referring provider refers all patients requiring in-person care to the accepting provider, as per the terms of the arrangement, and refers patients to specialists or to emergency care if the patient's condition requires it.

6.5. All stakeholders involved in the provision of publicly funded virtual health services (including DHW, NSHA, IWK, health professionals, and third-party technology companies) must adhere to DHW's provincial standards that establish requirements for use for security and privacy.

6.6. Unless otherwise provided for, health professionals are responsible for costs related to set-up and maintenance, technology, and devices for the provision of virtual care. NSHA and the IWK will be involved where relevant to guide set-up and provide practice supports.

7. ACCOUNTABILITY AND MONITORING

7.1. For the purpose of the administration of this policy, accountability is delegated to the Deputy Minister of Health and Wellness.

7.2. The Deputy Minister and/or designate, has responsibility for on-going monitoring and enforcement of this policy.

7.3. DHW, working with NSHA, the IWK, health profession regulatory bodies, health professional associations, health professionals, patients, and other stakeholders will establish a coordinated approach to oversee the development, implementation, monitoring, and evaluation of the provision of publicly funded virtual care considering existing governance structures within the health system.

8. VERSION CONTROL

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| Version 3: | Effective November 1, 2023 |
| Version 2: | April 1, 2022 |
| Version 1: | January 1, 2021 |

9. INQUIRIES

Tanya Penney, Senior Executive Director
Clinical Branch
Nova Scotia Department of Health & Wellness
Tel: (902) 424-5027

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Appendix A – Form of Agreement

AGREEMENT

Made pursuant to article 6.3 of the
Nova Scotia Provision of Publicly Funded
Virtual Health Services Policy

BETWEEN:

DR. [NAME OF REFERRING PROVIDER] (the “referring provider”)

- and –

DR. [NAME OF ACCEPTING PROVIDER] (the “accepting provider”)

1. In any circumstance in which the referring provider provides publicly funded virtual health services, as defined in the Nova Scotia Provision of Publicly Funded Virtual Health Services Policy, to a Nova Scotia resident, the referring provider shall:
 - (a) deliver care in accordance with the College of Physicians and Surgeons of Nova Scotia’s Professional Standards Regarding Virtual Care;
 - (b) refer all required in-person care to the accepting provider, except where the patient’s condition requires specialist or emergency care;
 - (c) use a virtual care platform and electronic medical record system which have been approved by the Province of Nova Scotia Department of Health and Wellness;
 - (d) comply with all laws applicable to medical practice in Nova Scotia, including without limitation laws concerning the protection of personal health information; and
 - (e) if providing care from outside of Nova Scotia, advise each patient, prior to providing care to that patient:
 - i. where the provider is located at the time the service is provided;
 - ii. in which jurisdiction(s) the provider is licensed to practice medicine;
 - iii. how the privacy of the patient’s personal health information will be protected.
2. The accepting provider shall:
 - (a) accept all referrals to the accepting provider from the referring provider;
 - (b) see patients referred from the referring provider in-person, and without delay considering the patient’s condition;

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- (c) manage the accepting provider's clinical schedule so that the referring provider's patients referred to the accepting provider have reasonable access to in-person care by the accepting provider; and
- (d) use a virtual care platform and electronic medical record system which meet standards required by the Province of Nova Scotia Department of Health and Wellness.

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| _____ <i>(signature of witness)</i> | Dr. [_____] |
| Name: _____ | _____ <i>(signature)</i> |
| Date: _____ | Date: _____ |

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|--|-----------------------------|
| _____ <i>(signature of witness)</i> | Dr. [_____] |
| Name: _____ | _____ <i>(signature)</i> |
| Date: _____ | Date: _____ |