Vietnam Issues Regulations on Distance Medicine

Thomas J. Treutler | Chuyen Hong Huu Le
thomas.t@tilleke.com | chuyen.l@tilleke.com

With the benefit of advanced technologies, teams of doctors that are far from a patient’s location can receive information and images relating to the patient’s condition, diagnose the patient’s condition remotely, and prescribe appropriate treatment. This arrangement has tremendous possibilities to help those in developing countries like Vietnam, where the most modern technology and most experienced doctors are often located in just a few major cities. For very serious conditions, patients in Vietnam may benefit from the experience of doctors based abroad. Such diagnosis-from-afar arrangements fall under the concept of “distance medicine.”

To keep the regulatory framework in step with these technological advances, on December 28, 2017, Vietnam’s Ministry of Health issued Circular No. 49/2017/TT-BYT Regulating the Management of Distance Medicine (“Circular 49”). Circular 49 contains 14 articles covering issues such as, inter alia, the technical and IT requirements that must be in place for those engaging in distance medicine; applicable licenses and qualifications; requirements for providing distance medical advice, distance diagnostic consultations involving imaging, or distance surgical consultations; and requirements pertaining to distance training. A standard form for distance medical diagnosis, as well as a standard report form, is promulgated under Circular 49.

In terms of its scope of application, Circular 49 applies broadly to distance medicine diagnosis and medical advice in respect of “medical facilities, and agencies, organizations, and individuals related to distance medical activities within the territory of Vietnam, including organizations and individuals abroad connecting in distance medicine activities with Vietnamese medical facilities from abroad” (emphasis added).

The key provisions of Circular 49 include:

- distance medicine activities may only take place at facilities properly licensed under the Law on Health Examination;
- distance medical advice may only be given within the scope of the specialty set forth in the practicing certificate of the provider of the advice; and
- for distance diagnosis consultation involving images, the transmission of images must be on a 4Mbps or faster line, with additional regulations on the storage and compression of images.

Circular 49 enters into effect on February 15, 2018.

This summary is designed to provide general information only and is not offered as specific advice on any particular matter.