

The Big Problem with The Explosive Growth of Telemedicine

By Yash Dattani

The COVID-19 pandemic led to explosive growth in the field of telemedicine and telehealth. The terms telehealth and telemedicine represent a wide range of care delivery models that utilize modern communications technologies to extend clinical care and healthcare availability outside of the traditional healthcare environment. At its core, for telemedicine to function as designed, healthcare data is transmitted back and forth through data networks between healthcare providers and patients. While there are several benefits to the widespread use of telemedicine from reduced costs and increased availability of healthcare services, certain caveats must be addressed.

In March of 2020, during the pandemic, the Office for Civil Rights (OCR) at the US Department for Health and Human Services (HHS) issued a notice titled *Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency*. The notice relaxed enforcement of HIPAA violations to encourage virtual patient care and telehealth visits. While this has been very helpful in light of the pandemic making in-person visits difficult and dangerous, networks that transmit this data are in many cases improperly secured. As a result, these networks are susceptible to ransomware, hacking, and tech malfunctions that can lead to multi-million-dollar fines for HIPAA violations and potential medical malpractice suits in the circumstances where incorrect patient data is transmitted. This will become a growing concern once the relaxed enforcement of HIPAA violations is lifted. Additionally, several new companies and third-party contractors arose out of the increased investment in this area of technology during the pandemic that were never orientated to standard HIPAA protocols. As a result, several of those entities built their procedures and practices during an era of relaxed enforcement due to the pandemic, which is highly problematic.

Scholars and leaders in the industry have proposed several potential solutions to this increasingly prevalent problem. Rebecca Herold, CEO and founder of the Privacy Professor and member of the IEEE emphasizes that timing is critical. Adapting to the previously stringent standards will take time, and it is essential that current telehealth platforms and companies work towards those standards. Herold also suggests that telehealth companies and healthcare providers take data security and privacy training to mitigate risks. At the end of the day, the most significant step is pushing for additional regulations, especially in HIPAA and FDA protocols, to accommodate telemedicine. To address this, health scholar Joseph L Hall suggests that congress authorize a single federal agency to create and authorize a single federal agency to enforce more stringent telehealth privacy and security regulations.

There is no doubt that telemedicine technology has great promise, but reports of inadequate data security have already led to skepticism for both patients and healthcare providers. To ensure a healthier and safer future, healthcare providers, current telehealth/telemedicine companies, and lawmakers must unite to address the pressing privacy issues in this field.

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Sources:

- <https://healthitsecurity.com/news/the-telehealth-security-impact-now-and-beyond-the-covid-19-pandemic>
 - o This article does a great job of framing the rise of telehealth in light of the COVID-19 pandemic. It speaks explicitly about the explosive growth of the industry and its pros and cons in the modern healthcare environment.
- <https://www.nytimes.com/2020/08/03/health/covid-telemedicine-congress.html>
 - o This article addresses telehealth's growth and slight decline over recent years, focusing on whether this industry will continue to grow after the pandemic subsides.
- <https://www.nytimes.com/2020/03/09/technology/medical-app-patients-data-privacy.html>
 - o This article highlights the privacy concerns with telehealth and telemedicine, especially regarding potential HIPPA violations. It also explains the federal data sharing standards in layman terms for telemedicine.
- <https://www.cnn.com/2020/03/18/health/coronavirus-telehealth-explainer/index.html>
 - o This article gives an excellent overview of telehealth as a whole. It does a great job of briefly explaining this industry and its application.