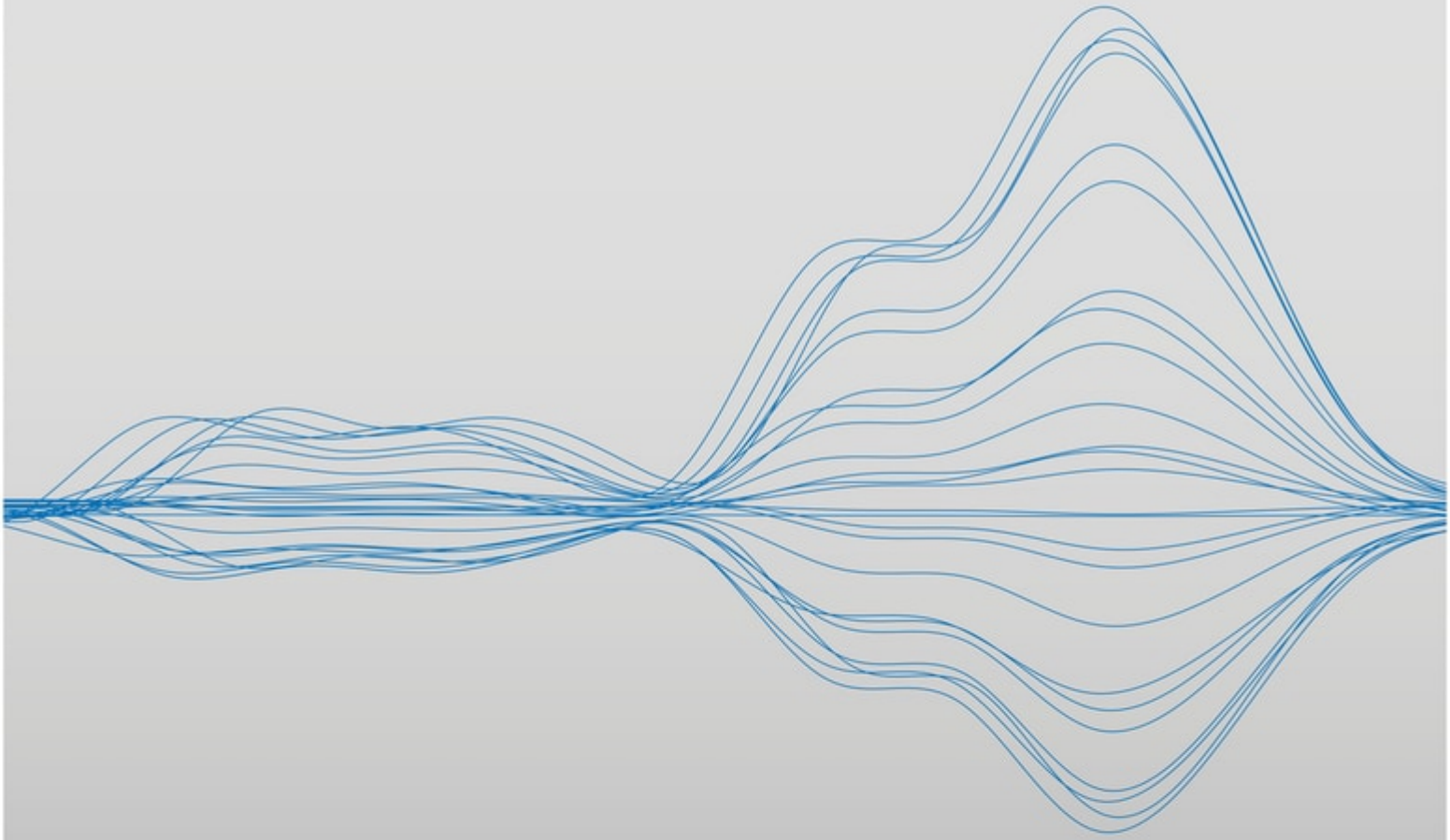
SLOVAK REPUBLIC

Telehealth around the world: a global guide



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DOWNLOADED 17 APRIL 2024

Introduction

The COVID-19 pandemic has caused healthcare systems around the globe to rapidly, and in some cases, radically rethink the delivery of medical care. The global expansion of telehealth services is one way we have seen this transformation occur. This has resulted in significant opportunities in the field, as well as unprecedented regulatory change.

As a quickly evolving area, 'telehealth' can have different meanings in different contexts. In this Global Guide, telehealth refers to the delivery of healthcare services where patients and providers are separated by distance, using information and communications technology for the exchange of information for the diagnosis or treatment of diseases and injuries. We have adapted this definition from the World Health Organisation's definition of telehealth.

Telehealth is not a new concept – healthcare providers, academics and technology developers have been advocating for its use for decades. There are many benefits to the widespread adoption of telehealth, including improved access to healthcare services, risk mitigation, convenience and flexibility, and in many cases, a reduction in overhead costs. However, the use of telehealth is not without its challenges. For example, it is not suited to all forms of healthcare, its implementation and adoption can be time consuming and costly, and additional care must be taken in relation to the transfer of patient health information.

The restrictions of movement in many parts of the world due to COVID-19 has caused governments to recognise the potential of telehealth, and amend laws and regulations seemingly overnight to enable healthcare providers to deploy telehealth solutions. Many governments have adopted telehealth reforms in a matter of weeks, which may otherwise have taken years to be considered and introduced.

Although many of these reforms presently have an expiration date (dependent on the duration of the COVID-19 pandemic), there is likely to be continued growth in telehealth due to the advantages of such a service – even after the pandemic. There are enormous opportunities in the telehealth space for businesses already operating in this field, businesses considering expanding into telehealth, and start-ups.

This Global Guide provides an overview of the current state of telehealth regulations worldwide and assists readers to identify the opportunities, challenges and risks, on a country-by-country basis. As the field of telehealth, and the regulations underpinning it, remain highly dynamic and subject to change, this document is intended as a general guide and does not constitute legal advice.
Should you wish to discuss any aspects of telehealth with a specialist lawyer, please contact us below.

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Slovak Republic

Last modified 17 May 2021

Is the use of telehealth permitted?

Telehealth has been allowed by Slovak legislation only for the duration of the crisis situation regarding COVID-19.

How is telehealth regulated?

In Slovakia, telehealth is regulated by Act No. 576/2004 Coll. on Health Care and on Services related to Health Care, as amended (hereinafter referred to as the "Act on Health Care"). According to Section 49k of the Act on Health Care, during a crisis situation, a general practitioner or a specialised physician is entitled to provide the consultation to the patient via electronic communication without the patient's presence in the clinic after verifying the identity of the patient and the insurance relationship with his / her respective health insurance company. This consultation via electronic communications must be recorded by the physician in the patient's medical records.

Are there specific fields of healthcare in relation to which telehealth services are currently available, and do they involve the use of proprietary technology or platforms?

Telehealth, as permitted during COVID-19 includes all healthcare services, such as general practice, psychology, and dentistry. Though it is currently quite common to provide consultations by telephone or e-mail (or via other electronic communications), such consultations are not explicitly supported by Slovak legislation (e.g. verification of results by telephone, and health consultations) and general video conferencing and teleconferencing apps like Skype and Zoom are not allowed to be used.

Does the public health system include telehealth services, and if so, are such services free of charge, subsidised or reimbursed? Where the public health system does not include telehealth services, are such services covered by private health insurance?

Generally, telephone consultation means the provision of information to a patient or their legal representative in connection with a medical condition in case that the patient is unable to come to the clinic due to the current COVID-19 situation. The provided medical services are accepted by each health insurance company in Slovakia (*Union, Dôvera, Všeobecná zdravotná poisova*) if the relevant medical advice or consultation is capable of being provided as telehealth service.

Do specific privacy and/or data protection laws apply to the provision of telehealth services?

The Act on Health Care stipulates processing of personal data from the medical documentation. At the same time, it also refers to the regulation stipulated in Act No. 18/2018 Coll. on Personal Data Protection, as amended, and GDPR.

How should the cross-border transfer of personal information collected and processed in the course of telehealth services be carried out to ensure compliance

with applicable privacy laws?

In Slovakia, there is no special regulation in connection with the cross-border transfer of telehealth data and therefore the GDPR standard principles of personal data transfer (requirement of the same level of protection, etc.) will apply.

Are there any currently applicable codes of conduct on the use of telehealth systems and/or security of telehealth data in your jurisdiction?

No.

Are any specific laws, regulations, or self-regulatory instruments expected to be adopted in the near future?

According to the Program Statement of the Government of the Slovak Republic for the period 2020-2024, the Government has stated that it is committed to support the introduction of innovative modern technologies, such as telehealth. The government will implement innovative ways of managing and financing general healthcare, although no changes in the area of telehealth are currently being prepared.

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