

Current Legal Regulation on Telemedicine Services in Mongolia

Introduction

Although a policy for telemedicine regulation was established in Mongolia in 2008, no actions and implementation was not recorded until COVID-19. As an indirect impact of the pandemic, telemedicine applications are currently being rapidly developed, yet still Health Law and Health Service Law do not include the legally permissible activities in telemedicine. Thus, it is necessary to establish gaps in the current legal regulation, and to prevent from illegal services through penalization for responsible bodies.

Method

We conducted a critical review of legal documents and comparative analysis to countries with the most advanced technological development and telemedicine services, including the Republic of Korea, the People's Republic of China, Japan, Malaysia, Australia, and the Russian Federation.

Result

In international experiences, telemedicine is strictly regulated by legal policies. If private entities or legal entity provide telemedicine services without formal permissions or violates the law in any forms, providers are subject to punishments under the Law of Infringement or Criminal Law.

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Proposed solution

- 1.To amend the definition of the term “3.1.26 Telemedicine” in Health Law of Mongolia, “13.1.3 Telemedicine service” in Health Service Law of Mongolia;
- 2.To legitimize penalties for violating the law, harming human health, and make offenders take their responsibilities under the Criminal Law of Mongolia; and
- 3.To add articles for the conflict and violation penalties in Mongolian Law of Infringement.

Conclusion

Although technology and telemedicine knowledge, sufficiency is scarce in our countries' citizens and healthcare services, it will soon be an essential part of healthcare services in the future. Therefore, it is appropriate to regulate it by a specific law.

Keywords

Telemedicine, Health Law, Legal Regulation, Mongolia

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