

Criminal Laws Associated with Cyber-Medicine and Telemedicine in Current Law Systems in the World

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Abstract : Currently, the internet plays an important role in the various scientific, commercial and service practices. Thanks to information and communication technology, the healthcare industry via the internet, generally known as cyber-medicine, can offer professional medical service in a wider geographical area. Having some appealing benefits such as convenience in offering healthcare services, improved accessibility to the services, enhanced information exchange, cost-effectiveness, time-saving, etc. Tele-health has increasingly developed innovative models of healthcare delivery. However, it presents many potential hazards to cyber-patients, inherent in the use of the system. First, there are legal issues associated with the communication and transfer of information on the internet. These include licensure, malpractice, liabilities and jurisdictions as well as privacy, confidentiality and security of personal data as the most important challenge brought about by this system. Additional items of concern are technological and ethical. Although, there are some rules to deal with pitfalls associated with cyber-medicine practices in the USA and some European countries, yet for all developments, it is being practiced in a legal vacuum in many countries. In addition to the domestic legislations to deal with potential problems arisen from the system, it is also imperative that some international or regional agreement should be developed to achieve the harmonization of laws among countries and states. This article discusses some implications posed by the practice of cyber-medicine in the healthcare system according to the experience of some developed countries using a comparative study of laws. It will also review the status of tele-health laws in Iran. Finally, it is intended to pave the way to outline a plan for countries like Iran, with newly-established judicial system for health laws, to develop appropriate regulations through providing some recommendations.

Keywords : tele-health, cyber-medicine, telemedicine, criminal laws, legislations, time-saving

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