

## GP reprimanded and conditions imposed over inappropriate online prescribing



### Key messages from the case

Doctors offering telehealth services, including prescribing online, are expected to follow safe prescribing practices and adhere to standards of care as set out in the Medical Board's Code of Conduct and Guidelines: Telehealth consultations with patients. Inappropriate prescribing practices will be taken seriously and can lead to disciplinary action – as this case illustrates.

### Details of the decision

#### Prescribing

Dr B provided an online prescribing service. He was the subject of multiple complaints, largely related to electronic prescribing of a range of medications including antibiotics, antihypertensives, NSAIDs, and drugs for erectile dysfunction and premature ejaculation.

Criticisms included that he had:

- failed to take an adequate history, conduct an adequate examination, or order appropriate investigations before prescribing
- prescribed without an appropriate therapeutic purpose
- prescribed quantities in excess of recognised therapeutic standards or safe prescribing intervals
- prescribed medications concurrently in a manner inconsistent with therapeutic guidelines
- failed to communicate with the patients' regular treating practitioners
- failed to follow up with the patients while prescribing or to monitor for adverse reactions
- failed to refer patients to a doctor who could properly investigate recurring symptoms
- failed to communicate adequately with the patients to instruct them on how to take the medications
- failed to consider and comply with public health guidelines in relation to sexually transmitted infections
- self-prescribed in contravention of the Code of Conduct and Medical Council guidelines
- failed to keep adequate records of his prescribing.

## Medical records

Dr B was also criticised over his medical record-keeping. Patients were asked to submit a questionnaire that covered name, date, presenting complaint, allergies. However, there was no record of patients' symptoms, history of problems or treatments, or investigation of the presenting problem. There was no evidence of attempts to communicate with other prescribers or treating practitioners, and no record of any follow-up.

## Outcome

Dr B admitted the breaches – all of which had occurred between 2013 – 2016.

The tribunal eventually considered the conduct in 2020, and decided the behaviours cumulatively constituted professional misconduct.

Dr B had been subject to interim conditions on his practice prior to the tribunal hearing, with which he had been largely compliant.

Since no significant concerns had been raised between the time when conditions were imposed and the hearing in 2020, the tribunal did not consider a suspension was then warranted to protect the public.

Dr B was reprimanded, and was ordered to undertake education, mentoring, and a random practice audit.

## The Medical Board of Australia

The Medical Board of Australia's guidelines stipulate that:

*Prescribing or providing healthcare for a patient without a real-time direct consultation, whether in-person, via video or telephone, is not good practice and is not supported by the Board.*

*Any practitioner who prescribes for patients in these circumstances must be able to explain how the prescribing and the management of the patient was appropriate and necessary in the circumstances.*

## Key lessons

When prescribing for patients using telehealth, ensure that you follow safe prescribing practices as set out in the Medical Board's Code of Conduct and telehealth guidelines. In particular, take care to identify the patient and obtain an adequate clinical history including current or recent use of medications, including non-prescription medications, and ensure the proposed treatment is clinically justified and that there are no contraindications.

If you are not the patient's usual treating doctor, make appropriate arrangements to follow the progress of the patient and inform the patient's general practitioner or other relevant practitioners of the treatment provided and keep an appropriate record of the consultation.

Many medical defence organisations exclude cover for telehealth where patients are never spoken with. Ensure you hold appropriate insurance for all aspects of healthcare that you provide.

## References and further reading

Medical Board of Australia – [Guidelines: Telehealth consultations with patients](#)

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