

# What next for the healthcare sector?

**Andrea Tithecott** - Partner, Head of Regulatory, Head of Healthcare - Commercial / Regulatory / Legislative Drafting

a.tithecott@tamimi.com - Abu Dhabi

March 2015

---

The annual Arab Health Conference, which takes place each January in Dubai, is undoubtedly the most well attended healthcare sector conference in the GCC.

Following the DHA announcement that 'Smart Clinics' would be at the center of healthcare strategy for 2015, the legal aspects of e-health and telemedicine were again at the center of the discussion. Many practitioners welcomed the progress in this space which enables quality of care to be improved by the use of technology. However, concerns were raised around determining where clinical responsibility for the patient lay, and to what extent malpractice liability would attach to doctors who perform telemedicine services from outside the UAE as well as for visiting doctors inside the UAE working on the new 'visiting doctor' licenses. Also discussed was the need for a better understanding of the telemedicine business model, and how the services would be reimbursed by insurance companies. As ever, the differences in the approaches taken by Dubai Health Authority and by the Health Authority-Abu Dhabi, revealed a large measure of uncertainty as to how a telemedicine provider trying to implement a business strategy UAE-wide would easily be able to do so, particularly bearing in mind the difference in both emirates with regard to arrangements for data security, the transmitting of encrypted patient data.

The progress being made towards a unified licensing scheme for healthcare practitioners was a key topic of conversation, following a Dubai Healthcare City (DHCC) announcement that they would start putting place a process for unified licensing scheme and add 34 countries to the list of pre-approved countries that meet DHCC's licensing qualifications. It remains unclear as to how the unified approach fits into the existing immigration and visa structure, so as to enable practitioners to move freely between emirates and employers. We are pressing the regulator for more clarity on this important issue.

A surprise new development which will be welcomed by many healthcare practitioners, is the progress made towards new regulations which will permit 'Do Not Resuscitate' orders in the UAE. Our sources reveal that the Ministry of Health (MOH) may give approval to withdrawing treatment options for some patients, which is likely to follow the approach taken in the Kingdom of Saudi Arabia, but with some additional restrictions, which we predict will including the requirement to discuss such matters with the patient's family. We will dedicate an article to this topic in a forthcoming edition of Law Update once formal announcements by the MOH have been made.