

KAP-X

BUSINESS FOCUS STARTUPS

Telepharmacy: The Future of Digital Healthcare

During the COVID-19 pandemic, when hospitals have increasingly experienced a shortage of beds and medical staff to take care of patients, telepharmacy has emerged as one of the most effective ways to reduce the number of people visiting not only the hospitals themselves but also pharmacies and health clinics. Telepharmacy is the provision of pharmaceutical care to patients remotely by registered pharmacists and pharmacies using telecommunications.

In practice, the primary advantage of telepharmacy is that patients can now be prescribed pharmaceutical products by licensed pharmacists via telecommunications and other advanced technology without having to physically go to pharmacies or hospitals, and have the products delivered direct to their homes.

However, in Thailand, while there have been significant developments in telecommunications technology in recent years, there have yet to be any specific regulations issued by the Ministry of Public Health (the “MOPH”) to regulate the provision of telepharmacy services. The Drug Act B.E. 2510 (1967) (the “Drug Act”) will generally apply, but this legislation is outdated. The sale of modern drugs is limited under the Drug Act, as modern drugs are not permitted to be sold outside the places other than those prescribed in the license unless by wholesale. This issue could be an obstacle to the provision of telepharmacy services, with further development and clarification from the MOPH still required.

Notwithstanding the above, to protect public health and ensure the service receivers of telepharmacy receive optimum benefits, the Pharmacy Council of Thailand has issued Notification of the Pharmacy Council of Thailand No. 56/2563 (2020) Re: Prescription of Standards and Procedures for Providing Telepharmacy (the

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“ Notification”) to regulate standards and procedures for the pharmacists in providing telepharmacy services, whereby services must be provided by persons with appropriate knowledge and in an effective manner. The key requirements are summarized as follows:



1. A service provider must be a licensed pharmacist;



2. There must be a patient registration system and records for keeping patients’ profiles and the services provided to them;



3. There must be real-time audio and video recording during the provision of telepharmacy services, as well as during the follow-up on the results of each patient’s use of medicine;



4. A system for pharmaceutical care, including collection of information necessary for providing pharmaceutical care, analysis of prescription needs and potential side effects from drugs, as well as advice to patients or patients’ relatives concerning medication must be provided; and



5. Appropriate transportation conditions to preserve the medicine’s quality and stability throughout the transportation must be taken into consideration.

In addition, procedures for providing telepharmacy services may vary depending on the type of health facilities i.e. whether a medical facility or a pharmacy store, or with or without a prescription required.

We believe that these technologies will enable pharmacists to contribute efficiently and effectively in improving the availability and provision of pharmaceutical products, and that the number of patients using telepharmacy services will increase due to the social distancing requirements caused by the COVID-19 pandemic, as they are a suitable and effective alternative for service providers to communicate with patients.

About Us

Startup Practice Group

Since our representation of over 40 Startups under the DTAC ACCELERATE program, Kudun and Partners understands the legal obstacles and complexities faced by Startups. They appreciate our efforts in not only conducting critical and deep down business analysis for them but also providing comprehensive legal solutions including opportunities for funding to ensure sustainable business continuation. Our mission focuses on empowering founders and stimulating innovations, help grow startups, and connect investors with great startup companies.

With our shared expertise in the financial, legal, and startup fields, we aim to offer startups an accessible yet professional consultancy service, which will benefit startups and facilitate the growth of the startup ecosystem in Thailand.

For more information about the relevant regulations or any other notifications relating to telemedicine services, please contact the authors or our team at Kudun and Partners.

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