

Remote Examination Conditions Version 7.0

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Summary

As users will be aware, the ban on remote examinations was suspended as part of MedCo's response to Covid-19. In light of the government's lifting of all remaining restrictions, MedCo has now decided that the suspension will be stopped and the ban reinstated. The suspension will no longer apply to examinations which take place after **1 July 2022**.

MedCo is aware that for a small group of claimants remote examinations may still be required as a result of Covid-19. MedCo has decided that in circumstances where the claimant remains vulnerable due to Covid-19 they may, in those limited circumstances, have a remote examination.

Experts are required, if carrying out a remote examination because the claimant is vulnerable due to Covid-19, to record in their report the nature of the claimant's vulnerability and why that has resulted in the examination being carried out remotely.

This revised guidance, which now only applies where the claimant has an ongoing Covid-19 related vulnerability, will be kept under review.

Remote Examination Conditions

If you intend to use remote video medical examinations you should note the following:-

- Examinations by remote means will only be allowed for claimants who remain vulnerable as a result of Covid-19 (Vulnerable Claimants).
- Remote examinations by telephone are not permitted
- Vulnerable Claimants should not feel coerced in any way to hold either a face to face or remote examination and any such instance of perceived coercion should be reported to the appropriate regulators and MedCo.
- The expert and/or MRO should discuss the pros and cons of the proposed method of assessment with the Vulnerable Claimant and ensure that remote examination is available if satisfied that the claimant is a Vulnerable Claimant and they have expressed a preference for remote examination.

- Remote video examination should not be offered as an option unless the expert can ensure they can meet all requirements for client confidentiality. This will include ensuring that the Vulnerable Claimant is in a suitable location when the remote video examination takes place. Client confidentiality must be maintained
- Recordings of remote examinations are optional but a Vulnerable Claimant's prior consent to that should also be obtained and documented before recording. All recordings should be retained until 30 days after the settlement of any claim.
- All medical report providers should particularly note that at all times they must comply with all relevant data protection legislation and the statutory duties they impose as well as their own professional regulators' advice and guidance. Advice should include how, and in what circumstances, personal data can be used.
- Medical experts must include confirmation in their reports that:-
 - The examination was not a physical one and that it was conducted remotely;
 - Why the claimant was considered to be a Vulnerable Claimant such that a remote examination was appropriate;
- Where a medical expert has been indirectly instructed the MRO should ensure that this guidance is complied with in each case prior to confirming a remote examination with the Vulnerable Claimant. The MRO should also take steps to satisfy itself that the claimant does have a Covid-19 related vulnerability.
- MedCo will keep compliance with this guidance under review. If MedCo considers that a medical expert is not complying with this guidance it may take any of the steps available under the User Agreement.