

## Mobile Apps Surpassing Doctors? A Legal Standpoint in Light of E-Health

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The gravity of decision making in medicine is beyond ken of the average public which emerged from professionalism. The alliance between a doctor and a patient is considered mutual whereas at the inception, traditional medical paternalism imparted the honour of decision making and treatment of patients to the doctor. The medical malpractice liability is imposed on a doctor upon the proof of violation of duty of care. 'Modern patient is a follower of the concept of democratization of healthcare reflecting.' Do It Yourself (DIY) medicine, An 'App' in his mobile has now become his physician and the smartphone supports in monitoring his health. The author in this research studies and analyses the developments of patient-doctor relationship, legal duty of care of medical professionals and examines the development of mobile health applications with legal implications. The predominant objective of this research work is to study the growth of e-health and the impact on the liability of doctors. The methodology of the paper is qualitative with a literature survey involved with secondary sources of law. The doctrinal methodology has been adapted in the research to analyse the primary sources of law namely codes and bills. The author in this work recommends to decrease the technological gaps while increasing the equal distribution of resources and concludes with the contention that the mobile health technology is a risk which has the potential to mislead a patient with erroneous medical information making doctor's liability on malpractice more uncertain.

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