

Legality and Privacy Protection Standards in Telepsychiatry and Online Mental Health Services

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ABSTRACT

The rapid growth of digitalization in the healthcare sector provides great opportunities for telepsychiatry and online mental health services in Indonesia. This law research analyzes the validity, privacy protection, and professional standards of telepsychiatry and digital mental health based on applicable regulations. A normative law method was used by examining laws related to health, personal data protection, medical practice, and technical regulations on telemedicine. The findings show that telepsychiatry services have gained lawfulness subject to compliance with professional standards, health worker credentials, the validity of electronic medical records, and electronic consent. Personal data protection and patient privacy are strictly regulated, with requirements for technical control of data access and regular audits. One of the biggest challenges is ensuring data security and the validity of medical records in online interactions, as well as ensuring that risk mitigation and clinical referral mechanisms are effective. Enforcement of clinical accountability through internal audits and professional supervision is the main guarantee of service quality and the protection of patient rights. This research highlights the need to strengthen governance, develop online mental health information systems, and foster multi-stakeholder collaboration to respond to the demands of technology-based healthcare system changes.

INTRODUCTION

The development of digital technology and the internet over the past two decades have significantly changed the paradigm of healthcare services. Telepsychiatry and online mental health services are increasingly in demand as the public's need for quick and flexible access to psychological and psychiatric support grows. These services offer a modern alternative that bridges geographical and time barriers in accessing mental health professionals. A literature review shows that the implementation of telemedicine can increase the acceptance and affordability of mental health care in various countries (Hilty et al., 2013). In fact, the pandemic situation has strengthened the transformation of health services to be fully online and encouraged regulatory adaptation to maintain professional validity, safety, and accountability. This fundamental change in healthcare service delivery is part of a broader wave of transformation driven by technology. As analyzed by Sarif and Issalillah (2022), the adoption of medical technology brings

great opportunities to improve access and quality of services, but it is also accompanied by complex challenges that require careful implementation strategies and regulatory adaptation.

The presence of privacy issues, law validity, and the applicability of professional standards in online interactions are major challenges for tele-psychiatry systems in developing country. Indonesia, as a country with diverse regions and resources, faces issues regarding regulatory readiness, institutional structure, and legal protection for patients and health workers. The integration of online systems into psychiatric practice has not been fully accompanied by technical regulatory readiness and internet-based laws. The inconsistency of policies and the absence of positive norms have been highlighted in many reviews of telemedicine and the legality gap that must be bridged (Muzdalifah & Markam, 2023).

Mental health services provided through online platforms emphasize the urgency of assessing the validity of medical communication, the legality of electronic medical records, and the protection of

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patients' personal data. Healthcare professionals need to understand the legal limitations in obtaining informed consent, maintaining data confidentiality, and preserving the integrity of the therapeutic relationship in situations without face-to-face contact. The public also demands guarantees of information security and clarity regarding complaint mechanisms and legal protection in the event of violations (Kister et al., 2023). This demand for comprehensive legal protection is in line with the fundamental principles advocated in the literature on rights in health services. As emphasized by Hariani et al. (2021), a strong regulatory framework is a prerequisite for ensuring safety and fairness in the provision of healthcare services, especially in vulnerable contexts. Thus, clear regulation of telepsychiatry services is not only a response to technical needs but also a fulfilment of every individual's right to safe and legally protected healthcare services.

The application of professional standards in telepsychiatry services often faces the challenge of adapting professional codes of ethics that do not yet regulate digital practices in detail. An in-depth analysis is needed on how professional regulations and health law instruments adapt to technological dynamics. Differences in interpretation between various professional organizations and the lack of case law make it difficult to enforce law certainty in the actual practice of online services (Chakrabarti & Shah, 2016).

Lawsuits demanding valid, safe, and professional services are becoming increasingly prominent (Ali et al., 2020). Regulations concerning privacy protection, electronic medical records, and professional accountability must be ensured to be effective in order to protect both parties. The national law framework, including oversight by health authorities, needs to be critically examined to determine the extent to which it can address the challenges of telepsychiatry so as not to create new legal risks for the mental health service system.

A fundamental problem in the implementation of online telepsychiatry is the absence of regulatory certainty regarding the validity of communication, electronic data protection, and professional legal restrictions in digital services. Many countries, including Indonesia, have difficulty formulating norms that balance digital security with the fundamental rights of patients (Yellowlees et al., 2010). Concerns regarding the confidentiality of personal data, authorization of electronic medical records, and a number of privacy violations demonstrate the need for binding legislative solutions.

Online mental health practices do not yet have uniform and verified validity standards across all platforms. Differences in technology, security systems, and standard operating procedures lead to potential disparities in the level of security and validity of clinical practices (Tajuddin et al., 2022). Potential inequalities in the quality and access to these services are part of a broader pattern of disparities in the health system. As analyzed by Nalin et al. (2022), social disparities have a significant impact on access to public services and quality of life, requiring inclusive policy solutions. Practitioners, both psychiatrists and psychologists, are often faced with the dilemma between ethical compliance and technological implementation limitations (Shore et al., 2018).

Most online services operate across jurisdictional boundaries, creating new complexities in the realm of law enforcement in the event of violations or medical errors. The absence of clear laws has the potential to weaken supervisory authority and plunge parties into a grey area in the resolution of disputes or service complaints. Issues such as the limits of healthcare professionals' liability, the validity of digital consent, and mechanisms for tracing legal violations have also come to the fore. Legal uncertainty and vulnerability in the digital ecosystem are not new phenomena, but have been identified in various contexts of online interaction. As analyzed in research on digital dynamics, privacy violations in online spaces are a manifestation of weak legal protection and enforcement of rules, which have an impact on the erosion of trust (Negara et al., 2022).

Changes in healthcare interaction patterns due to technological advances and public demands require the development of a legislative framework that protects the rights of patients and mental health professionals. The growing practice of telepsychiatry, if not balanced with clear legal regulations, can create new complexities for both patients and professionals. The scope of this protection is crucial, given that mental health is rooted in and impacts the most basic social unit, namely the family. The risks to families are not merely theoretical but manifest in severe forms of vulnerability, such as domestic violence, which significantly damages the mental health of its victims, as analyzed by Issalillah and Khayru (2021). As critically analyzed by Safira et al. (2021); Aliyah et al. (2022), interactions within the family have a fundamental influence on mental health and emotional balance. The gap between the speed of service innovation and the readiness of the legal

protection system poses a risk to the security, trust and accountability of online mental health services, which in turn can exacerbate existing vulnerabilities at the family level.

The increase in privacy violations and the emergence of complexities in the legitimacy of care and professional accountability necessitate systematic research on the legal aspects of telepsychiatry. An urgent legal analysis is needed so that the national legal system can adapt responsively to digital transformations in mental health services, without compromising the protection of human rights related to privacy and professional legitimacy. This urgent need for responsive legal adaptation is not an isolated phenomenon, but part of broader demands on national legal systems in the field of health. As analyzed by Vitrianingsih and Issalillah (2021), the effectiveness of the legal system in the context of health is largely measured by its ability to respond to various forms of challenges and crises both conventional and new ones such as digital disruption fairly and in a timely manner. Thus, systematic efforts to research and update the legal framework for telepsychiatry are a concrete and contemporary application of the long-heralded principle of legal responsiveness in health.

This research aims to conduct a normative legal analysis of the validity, privacy protection, and professional standards of online psychiatric and mental health services in Indonesia, as well as to highlight regulatory improvements in response to the dynamics of the digitalization of mental health services. The results are expected to contribute theoretically to the strengthening of health legislation and practically to policymakers and online service practitioners.

RESEARCH METHOD

This research uses a normative juridical approach with a qualitative literature study design. All data were taken from valid and verified law documents, scientific journal articles, and academic books, particularly those published in the last 20 years. The literature review method was chosen to identify national regulations and international norms related to telepsychiatry and online mental health services, which were then systematically analyzed to obtain principal and applicable law findings. The main literature focused on scientific reviews and official documents related to professional standards, the validity of online services, and privacy protection in the Indonesian health law system, as recommended in classical and contemporary methodological literature (Darmawan, 2015).

The thematic synthesis was conducted by searching articles, monographs, and official regulations through national and international databases, including Scopus, Google Scholar, and Portal Garuda. The keywords used were: "telepsychiatry," "online mental health services," "legal validity of telemedicine," "digital health privacy," and "telemedicine professional standards." The inclusion criteria included nationally applicable legal documents, peer-reviewed academic publications, and books on health law methodology. Exclusion criteria were articles with unverified secondary data, publications without a regulatory basis, and non-scientific documents. The coding process was conducted openly in several stages to identify the dominant themes in each sub-discussion, in accordance with the principles of grounded theory in normative research (Bowen, 2009).

For the reliability of the results, validation and quality assurance are applied in the form of source triangulation, cross-review between authors, and judicial document audits. The results of the literature synthesis are reviewed by comparing the results of previous reviews, the consistency of regulatory implementation, and the interpretation of jurisprudence, if available. These steps aim to ensure that all data and conclusions are truly academically and lawfully accountable. Citation audits and source verification are conducted to avoid any form of fictitious citations, in accordance with the laws of legal research outlined by Darmawan (2015).

RESULT AND DISCUSSION

Lawful Validity of Online Tele-Psychiatry and Mental Health Services

Advances in information technology have brought significant changes to the delivery of healthcare services, including mental health services. Telepsychiatry and online mental health services have gained legal legitimacy within the national healthcare regulatory landscape. Law No. 17 of 2023 on Health explicitly states that information technology-based healthcare services are part of the legitimate practice of medicine in Indonesia, provided that their implementation meets all service standards. This means that the use of digital systems does not imply a reduction in professional responsibility. The implementation of legitimate telepsychiatry requires the competence of the healthcare personnel involved, patient safety as a top priority, the obligation to record medical records, and the protection of patients' personal data. The provisions in this regulation form the legal basis for expanding the framework of eligibility and

implementation of health services in the digital realm, continuing the recognition of telemedicine as a legitimate part of health services, especially in areas with limited access to conventional services (Khayru & Issalillah, 2022; Naili, 2023). This legal legitimacy becomes even more crucial when faced with the reality that the digital environment itself can be a source of mental health disorders. As analyzed by Khayru and Issalillah (2022), the use of social media has a significant impact on the mental health of adolescents and young adults, including increased anxiety, depression, and sleep disorders.

At the mental health service level, another form of legitimacy is also clearly evident in Law No. 18 of 2014 on Mental Health. This regulation does not limit promotive, preventive, curative, and rehabilitative services to physical facilities. It explicitly recognizes that mental health interventions can also be provided in the form of community-based and remote services. Online counseling services or online psychiatric practices are therefore permitted as long as they are based on professional standards, relevant codes of ethics, and basic principles of patient safety. Online psychiatric practices must pay attention to the validity of each medical action, accountability, and the integration of action records into medical records in accordance with applicable regulations. These normative provisions provide certainty of law as well as protection for patients and professionals who provide remote mental health interventions (Arjadi et al., 2023).

Law No. 29 of 2004 concerning Medical Practice stipulates that every consultation, medical procedure, or psychiatric therapy, whether conventional or digital, must be carried out by health workers who have undergone a legal process such as obtaining a Registration Certificate (STR) and a Practice Permit (SIP). The legality of telepsychiatry services is closely related to the integrity of the informed consent process. The process of obtaining consent for medical procedures must remain legally valid, even when using electronic media. Healthcare professionals must be able to ensure that patients understand the consequences, risks, and benefits of the services provided through online facilities. Every action must be systematically recorded in medical records, both physical and digital, and can be audited when required by regulators or competent health authorities (Listiyandini, 2023). These strict legal provisions and technical protocols are not without reason, but are a necessary response in a digital ecosystem which, on the other hand, can also be a source of mental health vulnerability. As shown by

Aisyah and Issalillah (2021) research on the relationship between social media use and users' mental health with Fear of Missing Out (FoMO), the digital environment has the potential to affect psychological well-being.

Technical regulations play a vital role in ensuring that telepsychiatry operations remain within legal boundaries. Minister of Health Regulation No. 20 of 2019 concerning the Implementation of Telemedicine Services between Health Care Facilities is an important milestone in regulating the procedures for telehealth services between facilities. Under this regulation, telemedicine is conducted between licensed healthcare facilities through the exchange of clinical data and documented patient management follow-ups. While in a public health emergency, the provision of telemedicine services directly to patients gains additional legitimacy through various guidelines and ministerial decisions, which are then given permanent legislative status in the new Health Law. This has systemic consequences, namely that all direct-to-patient models must comply with applicable service quality standards, healthcare credentialing, and clinical risk management systems. It is strongly recommended that clinicians ensure that electronic information is effectively protected from unauthorized disclosure when it is stored, transferred, received, or destroyed in telepsychiatry and telemedicine services, highlighting the importance of comprehensive technical and legislative arrangements for patient information protection (Malhotra et al., 2013).

The availability and validity of electronic medical records are regulated in detail in Minister of Health Regulation No. 24 of 2022. This regulation confirms the legitimacy of using digital medical records, enforces content standards, electronic signature authority, and mechanisms for protecting the integrity and security of patient data access. In line with this, all online consultations, including telepsychiatry services, must be documented electronically as required by professional administrative law. Healthcare facility providers are responsible for providing digital infrastructure that meets security standards and ensuring lawful and timely access to patient information when needed for audits or medical referrals.

The laws around telepsychiatry services are really tied to how well they protect data and keep medical stuff private. The Personal Data Protection Act of 2022 has strict rules about how health data, which is super sensitive, should be handled. Any use of patient data, whether recording, storing, or

transferring between platforms, must be based on the patient's explicit consent. Every online service must comply with data processing restrictions in accordance with its purpose and maintain technical security as regulated by law. Violations of personal data protection have administrative, civil, and criminal law consequences in the event of misuse.

The written law also requires compliance with the principles of confidentiality and restricted access to medical data. Electronic medical records may only be accessed by personnel directly involved in medical services or with the clear consent of the patient. Provisions in the Medical Practice Act and medical record regulations stipulate that patients' rights of access to their own data must be maintained, so that digital service providers remain responsible for maintaining the privilege of the patient-practitioner professional relationship to the minimum extent possible to prevent data misuse.

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The credentials of healthcare professionals cannot be overlooked in the legal validity of online services. In telepsychiatry, all practitioners must prove that they hold valid STR and SIP licenses and are within the scope of their professional expertise and authority when providing services. Psychiatrists must adhere to professional standards, conduct clinical assessments based on the code of ethics, establish diagnoses, and, when necessary, be able to refer patients to offline referral services if the problem cannot be handled online. Psychologists and clinical psychologists are subject to Ministry of Health regulations and professional organization codes of ethics, including restrictions on remote services and professional handling of emergency situations. Mental health professionals must be able to conduct comprehensive clinical assessments and provide evidence-based interventions through telepsychiatry, and adequate education and training are necessary to ensure professional competence in online practice (Mucic et al., 2023). Enforcing these competency and legality prerequisites is not the end goal, but rather a key foundation for building a

system that can mitigate the inherent risks in digital health services. As analyzed by Nurhefi et al. (2023), the legal framework must guarantee patient protection and practitioner accountability through effective oversight mechanisms, particularly in addressing risks such as misdiagnosis, which is prone to occur in virtual consultation settings.

Clinical accountability obligations in telepsychiatry also include detailed reporting and documentation of services, implementation of risk management, and establishment of escalation mechanisms in the event of indications of psychological emergencies. Any violation of service standards can result in strict consequences ranging from professional disciplinary sanctions, revocation of practice licenses, to civil or criminal lawsuits in the event of loss or malpractice. Regulations require the same strict administrative and ethical accountability for both digital and face-to-face services. This demand for accountability and equal legal responsibility is a fundamental principle in the national health law framework. As analyzed in related legal studies, the Health Law establishes a clear legal responsibility framework for any deviation from service standards, regardless of the mode of service (Mening et al., 2023; Setiyadi et al., 2023; Yuliani et al., 2023).

The lawfulness of telepsychiatry services is also closely tied to the governance of healthcare facilities that provide online services. Licensed healthcare facilities are required to establish telemedicine policies, formulate SOPs for online patient identification and verification, and conduct clinical triage prior to consultation. This is to ensure the suitability of patients to receive remote services and to prepare referral procedures in case of emergencies. The entire process must be documented in a compliance audit that can be reviewed by regulators.

Digital facilities and platforms must also meet data security standards, such as the use of encryption, authenticated storage systems, identity management, and storage of patient data in data centers that meet the requirements. The platform must ensure interoperability with electronic medical records for patients who have a history of services at different facilities. Financing schemes, whether through the BPJS Healthcare mechanism or private payments, can only be accessed for telepsychiatry services as long as the services have been documented in accordance with legal provisions, service benefit packages, and compliance with medical record documentation.

Telepsychiatry and online mental health services are legal and valid under Indonesian law. The

requirements are clear: licensed providers, legality of health workers, professional standards, valid electronic informed consent, properly archived digital medical records, and complete data protection in accordance with national regulations. Lawsuits may arise if governance is neglected, but services remain legal as long as they comply with all of the above requirements.

Privacy Protection and Professional Standards in Digital Telepsychiatry

Privacy regulations in the practice of telepsychiatry in Indonesia are based on the fundamental principle of medical confidentiality, which has long been a universal value in mental health practice (Syazwani & Ulya, 2020). In the development of information technology-based service systems, privacy is not only related to clinical confidentiality, but is extended to the protection of patients' personal data in digital form. The Health Law provides the main foundation in the form of recognition that health services that use online platforms must strive for patient safety, ensure service quality, and carry out recording and reporting that meets legally and ethically acceptable standards. This provision requires all parties in the telepsychiatry system, both providers and professionals, to adopt uncompromising data privacy governance to reduce the potential for leakage or misuse of patient data.

The confidentiality of communications between patients and healthcare professionals is a central element of digital psychiatry practice. The Medical Practice Act and professional codes of ethics reinforce the obligation that patients' clinical information can only be accessed by authorized parties directly involved for the purposes of service, referral processes, or the fulfillment of certain legal obligations (Tajuddin et al., 2022). Misuse or disclosure of information to unauthorized parties is considered a serious violation and has legal and ethical consequences. The principle of caution is also applied in digital information systems, where only personnel with special authorization can access electronic medical records or patient clinical data, while ensuring that all activities are maintained in a traceable audit system in case of a violation.

Telepsychiatry requires structural adjustments to personal data protection in a broad scope. The Personal Data Protection Law classifies health data as a highly specific category of data that requires a very clear basis for processing (Arjadi et al., 2023). Any use of clinical data, from collection and recording to storage and deletion, must be based on the explicit consent of the patient, limited processing purposes,

and minimization of the volume of data used as needed. Technical implementation at the platform level requires psychiatric teleconsultation service providers to implement data encryption, granular access control based on roles and functions, digital records of every activity, and the establishment of data storage policies that comply with medical retention regulations and other legal obligations.

The electronic validity of all consent forms, medical records, and clinical service evidence is a crucial aspect (Martaningga et al., 2023). With the implementation of the Law on Electronic Information and Transactions, telepsychiatry systems are required to maintain the integrity, confidentiality, and reliability of all digital records. Electronic signatures on consent forms, medical procedure consent records, and all patient consent documents must be managed in an authentic, auditable manner and possess legally recognized validity. Recording standards in accordance with the Minister of Health Regulation on Medical Records ensure that all clinical activities are documented systematically, so that the entire process, from initial assessment, treatment procedures, to the determination of follow-up plans, can always be verified for validity by the authorities authorized to conduct audits.

Professional standards require all healthcare personnel involved in telepsychiatry to meet all formal competency and credential requirements. Psychiatrists must have a STR from the Indonesian Medical Council and an active SIP, as well as understand all regulations governing remote services. In practice, psychiatrists must conduct suicide risk assessments, ensure that patients are eligible for digital services, and be prepared to refer patients to physical services if there are medical indications that cannot be controlled virtually. Psychologists and clinical psychologists must also comply with practice licenses in accordance with the provisions of the Ministry of Health and follow the professional code of ethics regarding restrictions on online services, including the prohibition of handling high-risk cases through digital media.

Clinical accountability in telepsychiatry is a manifestation of responsibility not only to patients, but also to the profession and society. Detailed service documentation, risk management reporting, and quality evaluation are carried out regularly to ensure compliance with mental health service standards. Healthcare facilities must have internal telemedicine manuals that regulate the process of patient identification, clinical triage, and referral if problems are found that are difficult to resolve

online. Internal audits and professional supervision are carried out to ensure consistency in medical records, accuracy in therapy, and protection of patients from misuse of pharmacological therapy or risky actions. Such a structured accountability mechanism is a key element in building a trustworthy health system. As emphasized in research on legal responsibility in the health sector, a clear accountability framework is fundamental to ensuring the safety and protection of service recipients (Setiawan et al., 2023).

Strengthening technical regulations on telemedicine has a direct impact on the discipline of telepsychiatry management. All services must be provided by accredited and official facilities, paying attention to multi-layered secure clinical data exchange standards. The direct-to-patient model that has developed post-pandemic requires a level of quality assurance equivalent to conventional services, including transparent electronic consent requirements, patient identity validity, and robust data security system assurance. Electronic medical record protocols are designed to integrate with the main facility's information system, ensuring that diagnoses, actions, and recommendations can be accessed by healthcare professionals involved throughout the patient's care pathway.

Telepsychiatry platforms are responsible not only for technological aspects, but also for data governance and systemic legal risk mitigation. Storing all patient data in data centers that meet national storage requirements, implementing consistent access controls, and applying encryption are essential to prevent potential leaks of critical information. One of the most important challenges is maintaining patient information privacy during transmission and processing (Ansarian & Baharlouei, 2023). Healthcare facilities as users must agree to data processing agreements with platform providers, detailing the roles and authorities over each type of data collected. Data incidents must be reported immediately to the authorities and followed by notifications to patients, as a form of transparency and professional responsibility.

The ethical aspect of informed consent in telepsychiatry must be regulated very specifically as a form of respect for patient autonomy. Electronic consent should include a description of the scope of services, limitations of digital diagnosis, potential risks or unexpected events, patient data protection, and communication channels in emergency situations. Healthcare professionals must assess the patient's decision-making capacity, take into account any ongoing mental health conditions, and provide

support in decision-making if the situation requires it. Openness to the possibility of the need for physical services is an absolute requirement in all forms of telepsychiatry, as a safeguard for patient safety.

The limitations of online services must be clarified through protocols, which include identification of physical assessment limitations, consideration of psychotropic prescriptions, and readiness to make referrals for further therapy or examination. Every decision must be recorded in the medical record along with its clinical justification. Special instructions regarding the readiness of the patient's environment during online consultations must also be included to ensure the safety and effectiveness of the service.

Patient safety is the primary responsibility of health workers in every service scheme, both online and offline. Triage protocols are mandatory to identify high-risk patients and to make explicit follow-up plans if their condition worsens. Every consultation is required to record all assessment dynamics, therapeutic decisions, and follow-ups in a consistent and verified recording system. Compliance with these standards aims to ensure that telepsychiatry is always equivalent to offline services in producing optimal clinical decision quality.

Complaint management and grievance mechanisms are an important part of the online service governance system. Patients must be provided with clear information about the procedures for reporting incidents, complaint channels in the event of privacy violations, or practices that contravene professional standards. The complaint system must be integrated into platform governance and regular audit mechanisms to maintain patient confidence. Telemedicine is about the provision of healthcare services, where distance is an important component, by professional healthcare personnel, using new communication technologies for the exchange of valid information in diagnosis, procedures, and prevention of disease or injury, research and evaluation, and continuing education for healthcare personnel, all in order to improve individual and community health (Aguiree & Vargas, 2023), which shows that problem reporting and patient feedback mechanisms are part of effective service management.

Cross-professional collaboration systems are essential when handling complex cases that require comprehensive intervention. Collaboration between psychiatrists, psychologists, mental health nurses, counsellors, and social workers is facilitated through secure digital platforms with strict access permissions. Data integration and inter-professional

communication are carried out with reference to health information system interoperability standards, so that care can be provided comprehensively without compromising patient rights and confidentiality. The importance of this structured collaborative approach gains a strong theoretical foundation when linked to an understanding of the relationship between social factors and individual well-being. As analyzed by Warin (2021), a person's mental and physical well-being is greatly influenced by the social dynamics and support around them. Therefore, this secure digital collaboration system is not merely a technical solution, but a concrete effort to build and utilize positive social dynamics in this case, professional networks as key determinants of individual recovery and health. Efforts to provide integrated and quality health services are in line with the principles of justice and equity in the health system. As emphasized in the relevant legal review, the national health legal framework aims to guarantee the fulfilment of the right to quality health services for the entire community (Noor et al., 2023).

Privacy regulations and professional standards for telepsychiatry and digital mental health services in Indonesia have a solid and operational legal framework. The main basis for this is Law No. 17 of 2023 on Health, which explicitly recognizes and regulates information technology-based health services. All facilities, platforms, and health workers are required to comply with all specific data protection rules as stipulated in Law No. 27 of 2022 concerning Personal Data Protection electronic medical record keeping, professional credential verification (STR and SIP), and routine service audit mechanisms. This legal framework is not merely declarative but establishes concrete obligations and clear sanctions, thereby creating a digital ecosystem with legal certainty and accountability.

Within this established framework, the validity and quality of a digital service cannot be achieved by fulfilling only one aspect. The validity and quality of digital services can only be achieved if the aspects of confidentiality and patient data protection are fulfilled in parallel with clinical professionalism and strict compliance with technical regulations and professional ethics. This means that a technologically secure platform must be staffed by competent professionals, and every clinical intervention must be supported by accurate documentation and procedures that protect patient autonomy. Thus, the

tripartite integration of privacy protection, clinical competence, and regulatory compliance is no longer merely a legal requirement, but a fundamental prerequisite that distinguishes legitimate, high-quality, and ethical digital health services from ordinary online interactions. It is the comprehensive fulfilment of these three pillars that ultimately builds public trust and the sustainability of telepsychiatry practices in Indonesia.

CONCLUSION

This paper affirms that telepsychiatry and online mental health services in Indonesia have gained legal validity through a series of national regulations governing information technology-based health practices, personal data protection, and professional standardization in online services. Telepsychiatry is only legally valid if it is implemented by licensed personnel and facilities, uses a reliable electronic system, obtains valid electronic informed consent, and documents the entire service process in accordance with administrative requirements. Compliance with all regulatory elements is the main foundation for the legitimacy and legal protection of both patients and health workers.

This research highlights the importance of regulatory harmonization, strengthening health information system governance, and enforcing professional standards in online telepsychiatry practices. A monitoring and guidance system is needed at the national and local levels to ensure that all digital services are implemented with privacy protection, safety guarantees, and clinical quality equivalent to conventional services. The theoretical implication is the enrichment of the digital health law literature, while the practical contribution is a reference for policymakers, service stakeholders, and mental health professionals in developing new service standards and regulations.

Continuous monitoring and evaluation of the implementation of online mental health services is necessary to ensure that all aspects of law, privacy, and professionalism are effectively fulfilled in practice. Regulatory adjustments must be responsive to technological developments, new risk patterns, and the dynamics of patient needs. Strengthening legal education for healthcare workers and improving digital literacy for patients also need to be expanded as preventive measures against technical problems and privacy violations in the future.

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