



Top 10 Questions for Ideation of Digital Health Solutions

At the beginning of ideation the legal team should only listen and ask questions. It should avoid pointing out risks and solving problems too early, as this can narrow the scope of the exploration and creativity. Instead lawyers should focus on questions that *enable* the ideation process and gather the information needed for further analysis. Lawyers can add this value if they are in the room and adopt the culture of innovation, but they may not be invited if they have the wrong approach. Below are 10 key questions that we suggest the legal team ask to support ideation for digital health solutions:

1. What will the solution do? (relevant for regulation of intended use, determining whether all the right cross-functional specialists are in the room, and how to measure success)
2. Who will provide the various components of the offering?
3. Data Sources – who will supply the data?
4. What data will be needed to substantiate the offering? Will engagement and education of regulators be needed?
5. Who will pay for the offering?
6. What are the limits on how the data can be used and disclosed?
7. Are healthcare providers involved? If yes, what is their role?
8. What is novel in the digital health solution? What is more valuable – the data or the intellectual property rights?
9. Who will own the intellectual property rights to the digital health solution?
10. What is the problem/need that is being solved and what are the priorities for the solution?



Covington and Digital Health

Our clients increasingly apply agile product and business development methodologies when they are developing digital health solutions. “Ideation” is the part of that process and involves the rapid identification and creation of ideas for digital health solutions, which are then prototyped and tested. Covington has created this list of 10 questions that can help lawyers contribute to the digital health ideation process.

Our [digital health blog](#) includes a series of video posts which provide further explanation of each of our 10 questions.

Please visit [Covington Digital Health Site](#) and [Covington Digital Health Blog](#) for more information about Covington's digital health practice and insights and trends in digital health.



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