Reviewer's report

Title: Do smartphone applications in healthcare require a governance and legal framework? It depends on the application!

Version: 1
Date: 1 November 2013

Reviewer: Robyn Whittaker

Reviewer's report:

Major compulsory revisions
1. Whilst this is generally well-written and full of interesting commentary on the field, I found the structure of the manuscript a little muddled. It seems that this is predominantly an opinion piece on the state of the field, current issues and the authors' opinions on what is needed. If so, perhaps this should be more clear upfront. The headings in both the abstract and the manuscript do not make a whole lot of sense to me in light of the text within the sections. Some paragraphs are very long with many different ideas contained within them. The background section appears to start introducing discussion themes and solutions. The same issues come up in multiple sections. I think the article could benefit from a bit of a re-organisation to more clearly identify what the authors think the issues are and how their suggested solutions (really around governance) will address each of these issues. It could benefit from more description of this suggested governance and how that would work.

2. Also, I think the authors’ perspective is really about clinical/medical uses for health professionals – this should be specified upfront (and probably in the title).

Discretionary revisions
3. Take headings out the abstract as they are not helpful.
4. Headings in the manuscript are not completely appropriate for the text in each section
5. I think you are mainly talking about clinical apps for health professional use. I feel you should stick to this focus and be quite specific about your perspective upfront (in the title as well as early on in the article). If not, I think you would need to add quite a bit more about this aspect eg. the poor use of smartphone apps by patients and public – although downloaded many are not used, little information collected about this also
6. I'm not sure that a significant proportion of funding for development of apps comes from the public sector (for example in the U.S.) – do you have some evidence to back this up?
7. The IP issue may need to be explained a bit more and again I'm not sure how big an issue this has been up to now
8. App maintenance and update – could mention the system used for websites around this
9. It could benefit from more description of what this governance could look like, how it would work, the pros and cons, whether the authors suggest we should follow other models that they mention.

**Quality of written English:** Acceptable

**Statistical review:** No, the manuscript does not need to be seen by a statistician.

**Declaration of competing interests:**

I declare I have no competing interests.