Reviewer's report

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

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Reviewer: Bernard F. Fuemmeler

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This is a brief commentary on whether smartphone apps require governance. The commentary is timely as the emergence of mobile technology in healthcare is on the rise as is concern over there integration into health care management. The points raised in the commentary are interesting. I have a few suggestions that, if addressed, may broaden the impact and depth of the presentation. These would best fall within the scope of "discretionary revisions."

1) The thrust of the argument is that governance may be needed for some types of apps, but not others. In general, I felt that more could be said about this. This was brought up in the last section of the first paragraph in the section “will increased government stifle innovation?” It may be that the authors need provide a bit more description distinguishing apps that supplement expertise and those that have diagnostic intervention. This is an important point of the commentary, but did not receive much discussion.

2) The paragraph on data security (2nd paragraph on pp 4) was fairly complete; however, there was little discussion of the security of data that is entered from the patient. Could there be more said there? Also, it may help to also discuss what potential consequences there are to the patient when there is a breach of data security. This is important since it is presumably what is driving some of the issues on governance.

3) The last sentence of the 2nd paragraph on page 3 was not very clear. The authors conclude that paragraph with the statement “the question begs whether it is necessary or wise to develop a myriad of apps for clinicians to refer to.” As opposed to what? This needs to be further explained/expanded.

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 that I have no competing interests