

JAN 25 2006

A BILL FOR AN ACT

RELATING TO HEALTH INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the use of
2 technology to deliver effective and prompt healthcare is
3 extremely important in Hawaii, particularly to individuals
4 residing in rural communities. The legislature further finds
5 that the necessity of telehealth services requires that they be
6 reimbursed.

7 The purpose of this Act is to ensure that telehealth
8 services are reimbursed.

9 SECTION 2. Section 431:10A-116.3, Hawaii Revised Statutes,
10 is amended to read as follows:

11 "**§431:10A-116.3** ~~[+]~~**Coverage for telehealth.**~~[+]~~ (a) It is
12 the intent of the legislature to recognize the application of
13 telehealth as a reimbursable service by which an individual
14 shall receive medical services from a health care provider
15 without face-to-face contact with the provider.

16 ~~[(b) For the purposes of this section, "telehealth" means~~
17 ~~the use of telecommunications services, as defined in section~~
18 ~~269-1, and enhanced services to deliver health and health care~~



1 ~~services and information to parties separated by distance.~~
2 ~~Standard telephone, facsimile transmissions, or both in the~~
3 ~~absence of other integrated information and data, do not~~
4 ~~constitute telehealth services.~~

5 ~~(c) From July 1, 1998, no]~~ (b) No accident and health or
6 sickness insurance plan that is issued, amended, or renewed
7 shall require face-to-face contact between a health care
8 provider and a patient as a prerequisite for payment for
9 services appropriately provided through telehealth in accordance
10 with generally accepted health care practices and standards
11 prevailing in the applicable professional community at the time
12 the services were provided. The coverage required in this
13 section may be subject to all terms and conditions of the plan
14 agreed upon among the enrollee or subscriber, the insurer, and
15 the provider.

16 (c) There shall be no reimbursement for telehealth
17 consultation between physicians unless an existing
18 doctor-patient relationship exists between the patient and one
19 of the physicians involved in the consultation.

20 (d) For the purposes of this section, "telehealth" means
21 the use of telecommunications services, as defined in section
22 269-1, including but not limited to real time video



1 conferencing-based communication, secure interactive and
2 non-interactive web-based communication, and secure asynchronous
3 information exchange, to transmit patient medical information,
4 including diagnostic-quality digital images and laboratory
5 results for medical interpretation and diagnosis, for the
6 purpose of delivering enhanced health care services and
7 information to parties separated by distance. Standard
8 telephone, facsimile transmissions, or email, in the absence of
9 other integrated information and data, does not constitute a
10 telehealth service."

11 SECTION 3. Section 432:1-601.5, Hawaii Revised Statutes,
12 is amended to read as follows:

13 **"[~~§~~432:1-601.5 Coverage for telehealth.~~]~~** (a) It is
14 the intent of the legislature to recognize the application of
15 telehealth as a reimbursable service by which an individual
16 shall receive medical services from a health care provider
17 without face-to-face contact with the provider.

18 ~~[(b) For the purposes of this section, "telehealth" means~~
19 ~~the use of telecommunications services, as defined in section~~
20 ~~269-1, and enhanced services to deliver health and health care~~
21 ~~services and information to parties separated by distance.~~
22 ~~Standard telephone, facsimile transmissions, or both in the~~



1 ~~absence of other integrated information and data, do not~~
2 ~~constitute telehealth services.~~

3 ~~(c) From July 1, 1998, no]~~ (b) No accident and health or
4 sickness insurance plan that is issued, amended, or renewed
5 shall require face-to-face contact between a health care
6 provider and a patient as a prerequisite for payment for
7 services appropriately provided through telehealth in accordance
8 with generally accepted health care practices and standards
9 prevailing in the applicable professional community at the time
10 the services were provided. The coverage required in this
11 section may be subject to all terms and conditions of the plan
12 agreed upon among the enrollee or subscriber, the insurer, and
13 the provider.

14 (c) There shall be no reimbursement for telehealth
15 consultation between physicians unless an existing
16 doctor-patient relationship exists between the patient and one
17 of the physicians involved in the consultation.

18 (d) For the purposes of this section, "telehealth" means
19 the use of telecommunications services, as defined in section
20 269-1, including but not limited to real time video
21 conferencing-based communication, secure interactive and
22 non-interactive web-based communication, and secure asynchronous



1 information exchange, to transmit patient medical information,
2 including diagnostic-quality digital images and laboratory
3 results for medical interpretation and diagnosis, for the
4 purpose of delivering enhanced health care services and
5 information to parties separated by distance. Standard
6 telephone, facsimile transmissions, or email in the absence of
7 other integrated information and data, does not constitute a
8 telehealth service."

9 SECTION 4. Section 432D-23.5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"[~~§~~432D-23.5 Coverage for telehealth.[~~]~~ (a) It is the**
12 **intent of the legislature to recognize the application of**
13 **telehealth as a reimbursable service by which an individual**
14 **shall receive medical services from a health care provider**
15 **without face-to-face contact with the provider.**

16 ~~[(b) For the purposes of this section, "telehealth" means~~
17 ~~the use of telecommunications services, as defined in section~~
18 ~~269-1, and enhanced services to deliver health and health care~~
19 ~~services and information to parties separated by distance.~~
20 ~~Standard telephone, facsimile transmissions, or both in the~~
21 ~~absence of other integrated information and data, do not~~
22 ~~constitute telehealth services.~~



1 ~~(c) From July 1, 1998, no]~~ (b) No accident and health or
2 sickness insurance plan that is issued, amended, or renewed
3 shall require face-to-face contact between a health care
4 provider and a patient as a prerequisite for payment for
5 services appropriately provided through telehealth in accordance
6 with generally accepted health care practices and standards
7 prevailing in the applicable professional community at the time
8 the services were provided. The coverage required in this
9 section may be subject to all terms and conditions of the plan
10 agreed upon among the enrollee or subscriber, the insurer, and
11 the provider.

12 (c) There shall be no reimbursement for telehealth
13 consultation between physicians unless an existing
14 doctor-patient relationship exists between the patient and one
15 of the physicians involved in the consultation.

16 (d) For the purposes of this section, "telehealth" means
17 the use of telecommunications services, as defined in section
18 269-1, including but not limited to real time video
19 conferencing-based communication, secure interactive and
20 non-interactive web-based communication, and secure asynchronous
21 information exchange, to transmit patient medical information,
22 including diagnostic-quality digital images and laboratory



1 results for medical interpretation and diagnosis, for the
 2 purpose of delivering enhanced health care services and
 3 information to parties separated by distance. Standard
 4 telephone, facsimile transmissions, or email in the absence of
 5 other integrated information and data, does not constitute a
 6 telehealth service."

7 SECTION 5. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect upon its approval.

10

INTRODUCED BY:

[Signature]
Rosalyn D Baker
[Signature]
Clarence K. Kishibe
[Signature]
Carole Zuker
[Signature]
Will Syro
[Signature]
Erzanne Chun Oakland

SB2221

Report Title:

Health Insurance; Telehealth; Reimbursable Services

Description:

Establishes telehealth as a reimbursable service.

