
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 a telehealth
17 consultation between health care providers unless a health care
18 provider-patient relationship exists between the patient and one
19 of the health care providers involved in the consultation.

20 (d) In the event that a health care provider-patient
21 relationship does not exist between the patient and the health
22 care provider to be involved in a telehealth interaction between



1 the health care provider and the patient, a telehealth mechanism
2 may be used to establish a health care provider-patient
3 relationship.

4 (e) For the purposes of this section, "telehealth" means
5 the use of telecommunications services, as defined in section
6 269-1, including but not limited to real time video
7 conferencing-based communication, secure interactive and
8 non-interactive web-based communication, and secure asynchronous
9 information exchange, to transmit patient medical information,
10 including diagnostic-quality digital images and laboratory
11 results for medical interpretation and diagnosis, for the
12 purpose of delivering enhanced health care services and
13 information to parties separated by distance. Standard
14 telephone, facsimile transmissions, or email, in the absence of
15 other integrated information and data, does not constitute a
16 telehealth service."

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

19 "[+]§432:1-601.5 Coverage for telehealth.[+] (a) It is
20 the intent of the legislature to recognize the application of
21 telehealth as a reimbursable service by which an individual



1 shall receive medical services from a health care provider
2 without face-to-face contact with the provider.

3 ~~[(b) For the purposes of this section, "telehealth" means~~
4 ~~the use of telecommunications services, as defined in section~~
5 ~~269-1, and enhanced services to deliver health and health care~~
6 ~~services and information to parties separated by distance.~~
7 ~~Standard telephone, facsimile transmissions, or both in the~~
8 ~~absence of other integrated information and data, do not~~
9 ~~constitute telehealth services.~~

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

21 (c) There shall be no reimbursement for a telehealth
22 consultation between health care providers unless a health care



1 provider-patient relationship exists between the patient and one
2 of the health care providers involved in the consultation.

3 (d) In the event that a health care provider-patient
4 relationship does not exist between the patient and the health
5 care provider to be involved in a telehealth interaction between
6 the health care provider and the patient, a telehealth mechanism
7 may be used to establish a health care provider-patient
8 relationship.

9 (e) For the purposes of this section, "telehealth" means
10 the use of telecommunications services, as defined in section
11 269-1, including but not limited to real time video
12 conferencing-based communication, secure interactive and
13 non-interactive web-based communication, and secure asynchronous
14 information exchange, to transmit patient medical information,
15 including diagnostic-quality digital images and laboratory
16 results for medical interpretation and diagnosis, for the
17 purpose of delivering enhanced health care services and
18 information to parties separated by distance. Standard
19 telephone, facsimile transmissions, or email in the absence of
20 other integrated information and data, does not constitute a
21 telehealth service."



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

3 "~~[+]§432D-23.5 Coverage for telehealth.[+]~~ (a) It is the
4 intent of the legislature to recognize the application of
5 telehealth as a reimbursable service by which an individual
6 shall receive medical services from a health care provider
7 without face-to-face contact with the provider.

8 ~~[(b) For the purposes of this section, "telehealth" means~~
9 ~~the use of telecommunications services, as defined in section~~
10 ~~269-1, and enhanced services to deliver health and health care~~
11 ~~services and information to parties separated by distance.~~
12 ~~Standard telephone, facsimile transmissions, or both in the~~
13 ~~absence of other integrated information and data, do not~~
14 ~~constitute telehealth services.~~

15 ~~-(e) From July 1, 1998, no]~~ (b) No accident and health or
16 sickness insurance plan that is issued, amended, or renewed
17 shall require face-to-face contact between a health care
18 provider and a patient as a prerequisite for payment for
19 services appropriately provided through telehealth in accordance
20 with generally accepted health care practices and standards
21 prevailing in the applicable professional community at the time
22 the services were provided. The coverage required in this



1 section may be subject to all terms and conditions of the plan
2 agreed upon among the enrollee or subscriber, the insurer, and
3 the provider.

4 (c) There shall be no reimbursement for a telehealth
5 consultation between health care providers unless an existing
6 health care provider-patient relationship exists between the
7 patient and one of the health care providers involved in the
8 consultation.

9 (d) In the event that a health care provider-patient
10 relationship does not exist between the patient and the health
11 care provider involved in a telehealth interaction between the
12 health care provider and the patient, a telehealth mechanism may
13 be used to establish a health care provider-patient
14 relationship.

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

1 purpose of delivering enhanced health care services and
2 information to parties separated by distance. Standard
3 telephone, facsimile transmissions, or email, by itself or on
4 combination, does not constitute a telehealth service for
5 purposes of this chapter."

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

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

SB2227, SD1

Report Title:

Health Insurance; Telehealth; Reimbursable Services

Description:

Establishes telehealth as a reimbursable service. (SD1)

