

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1676  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 1676  
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to increase access to health  
care for rural residents of the State by supporting the expanded  
use of technology for telemedicine services.

The measure accomplishes this purpose by clarifying:

- (1) That telemedicine is in a physician's scope of practice  
and is authorized in Hawaii when practiced by a licensed  
physician providing services to patients; and
- (2) Current laws regarding telehealth to ensure compliance  
with changes made to the law regulating the practice of  
medicine.

Your Committee received testimony in support of this measure  
from the Department of Commerce and Consumer Affairs, Hawaii  
Medical Service Association, The Chamber of Commerce of Hawaii,  
and one individual. Comments were received on this measure by the  
Hawaii Medical Board and the Hawaii Medical Association.

Written testimony presented to the Committee may be reviewed  
on the Legislature's website.



Your Committee finds that this measure will enhance the Legislature's efforts to expand broadband capability as well as provide a cost-effective means to improve access to health care services, particularly in rural areas of the State.

Your Committee has amended this measure by clarifying that the applicable standards of medical practice when treatment recommendations are made via telemedicine, including issuing a prescription via electronic means, are the same standards of appropriate practice as those in traditional physician-patient settings that do not include a face to face visit but in which prescribing is appropriate, including on-call telephone encounters and encounters for which a follow-up visit is arranged.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1676, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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DAVID Y. ICE, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <b>SB 1676</b>	Committee Referral: <b>HTH, CPN</b>	Date: <b>2/11/9</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)		✓		
BAKER, Rosalyn H.	✓			
ESPERO, Will	✓			AP
NISHIHARA, Clarence K.				✓
HEMMINGS, Fred	✓			
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes