
A BILL FOR AN ACT

RELATING TO TELEMEDICINE.

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

PART I

1
2 SECTION 1. The insurance commissioner shall study the
3 impact of coverage of telehealth services under medical
4 malpractice policies and its impact on malpractice premium rates
5 in various states across the country and in Hawaii. The study
6 shall include a review of the telehealth services, both
7 traditional and innovative, that are allowed by law in the
8 respective states, including Hawaii, and the impact on access to
9 care. The insurance commissioner shall report findings,
10 recommendations, and any proposed legislation to the legislature
11 not later than twenty days prior to the convening of the regular
12 session of 2011.

PART II

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14 SECTION 2. Chapter 346, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

17 "§346- Telehealth services; medicaid and QUEST. The
18 department shall not require:



1 (1) The department's approval for a health plan under the
2 department's medicaid or QUEST program to deliver
3 services using a telehealth service; or

4 (2) In-person visits to qualify any telehealth service for
5 coverage under the department's medicaid or QUEST
6 program.

7 For the purposes of this section, "telehealth" means the
8 use of telecommunications services, as defined in section 269-1,
9 including real-time video conferencing-based communication,
10 secure interactive and non-interactive web-based communication,
11 and secure asynchronous information exchange, to transmit
12 patient medical information, including diagnostic-quality
13 digital images and laboratory results for medical interpretation
14 and diagnosis, for the purpose of delivering enhanced health
15 care services and information to parties separated by distance.
16 A standard telephone contact, facsimile transmission, or an
17 email text, in combination or by itself, does not constitute a
18 telehealth service for the purposes of this section. This
19 section shall only apply to a mobile medical van program
20 operating in a county with a population of less than 250,000."

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- 1 SECTION 3. New statutory material is underscored.
- 2 SECTION 4. This Act shall take effect upon its approval.
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Report Title:

Telehealth Study; Medicaid QUEST

Description:

Requires a study on the inclusion of telehealth services in medical malpractice coverage. Prohibits the department of human services from requiring its approval for medicaid or QUEST plans to deliver services through telehealth for mobile medical van programs in rural counties. Effective upon approval. (CD1)

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