

Honolulu, Hawaii

APR 23 2010

, 2010

RE: S.B. No. 2491
S.D. 2
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2491, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELEMEDICINE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to clarify that telemedicine is included within the practice of medicine, and to require insurers offering medical malpractice insurance coverage to also cover telemedicine services.

Your Committee on Conference finds that telemedicine services have the potential to radically expand access to physicians and medical services for the people of Hawaii. This new technology has particular relevance for the neighbor islands, which are plagued by a chronic physician shortage.



Additionally, your Committee finds that a study of the impact of coverage of telehealth services on medical malpractice policies will help the Legislature form comprehensive legislation on telemedicine malpractice coverage.

Your Committee on Conference has amended this measure by replacing its contents and:

- (1) Requiring the Insurance Commissioner to study and report to the Legislature before the Regular Session of 2011 the impact of coverage of telehealth services under medical malpractice policies and its impact on malpractice premium rates both in Hawaii and across the country;
- (2) Adding a new section to chapter 346, Hawaii Revised Statutes, that is limited to mobile medical van programs operating in a county with a population of less than 250,000 and provides that the Department of Human Services shall not require its approval for:
 - (A) A health plan under Medicaid or QUEST to deliver services using a telehealth service; or
 - (B) In-person visits to qualify any telehealth service for coverage under Medicaid or QUEST; and
- (3) Making this measure effective upon approval.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2491, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2491, S.D. 2, H.D. 1, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

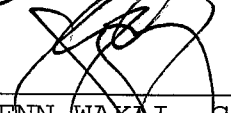
ON THE PART OF THE SENATE



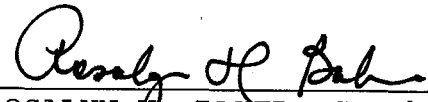
RYAN I. YAMANE, Co-Chair



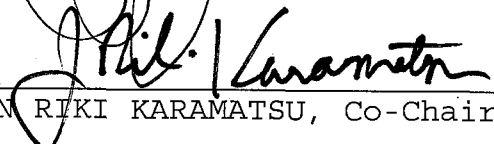
DAVID Y. IGE, Chair



GLENN WAKAI, Co-Chair



ROSALYN M. BAKER, Co-Chair



JON RIKI KARAMATSU, Co-Chair



Hawaii State Legislature

Record of Votes of a
Conference Committee

132-10

| | |
|---|---|
| Bill / Concurrent Resolution No.: SB 2491, SD 2, HD 1 | Date/Time: <i>4/23 / 2010 1:55pm</i> |
|---|---|

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

| | |
|---|---|
| <input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure | <input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure. |
|---|---|

| Senate Managers | A | WR | N | E | House Managers | A | WR | N | E |
|----------------------------|----------|----|---|----------|------------------------------|----------|----|---|---|
| IGE, David Y., Chr. | ✓ | | | | YAMANE, Ryan I., Co-Chr. | ✓ | | | |
| BAKER, Rosalyn H., Co-Chr. | ✓ | | | | WAKAI, Glenn, Co-Chr. | ✓ | | | |
| ESPERO, Will | | | | ✓ | KARAMATSU, Jon Riki, Co-Chr. | ✓ | | | |
| HEMMINGS, Fred | ✓ | | | | NISHIMOTO, Scott Y. | ✓ | | | |
| | | | | | FINNEGAN, Lynn | ✓ | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| TOTAL | 3 | | | 1 | TOTAL | 5 | | | |

A = Aye WR = Aye with Reservations N = Nay E = Excused

| | |
|---|--|
| Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted |
|---|--|

| | |
|---|--|
| Senate Lead Chair's or Designee's Signature: <i>David Y. Ige</i> | House Lead Chair's or Designee's Signature: <i>Ryan I. Yamane</i> |
|---|--|

Distribution:

| | | | |
|--|---------------------------------------|--------------------------------------|-------------------------------------|
| Original <i>File with Conference Committee Report</i> | Yellow <i>House Clerk's Office</i> | Pink <i>Senate Clerk's Office</i> | Goldenrod <i>Drafting Agency</i> |
|--|---------------------------------------|--------------------------------------|-------------------------------------|