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March 15, 2010

Committee on Health
Representative Ryan Yamane, Chair
Representative Scott Nishimoto, Vice Chair

Hearing:

9:30 A.M. Tuesday, March 16, 2010
Hawaii State Capitol, Room 329

RE: SB2491, SD2, - Relating to Telemedicine

Testimony in Support

Chair Yamane, Vice Chair Nishimoto, and members of the Committee on Health. Thank you for the opportunity to offer testimony in support of SB2491, SD2 which clarifies telehealth as a practice of medicine. It also amends liability insurance provisions to allow for telehealth coverage under medical malpractice insurance.

As the Committee is aware, the American Cancer Society Hawaii Pacific is a community-based, voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer and effectively treating cancer through the use of various treatment modalities including surgery, radiation, and chemotherapy. We also strongly advocate for improved patient care access which minimizes the disruption of treatment for patients, their family, and care givers.

We believe that telemedicine should become another alternative for patients to interact with their treating physician, thus reducing the burden many patients experience in traveling from the neighbor islands to Oahu. In addition, we appreciate the benefits that telemedicine provides, by not only linking patients with their treating physician but other medical consultants at the same time.

We would urge the Committee to pass SB2491, SD2.

Thank you for the opportunity to offer this testimony here today.

Respectfully,

A handwritten signature in black ink, appearing to read "G. Massengale".

George S. Massengale, J.D.
Director of Government Relations

HMSA



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An Independent Licensee of the Blue Cross and Blue Shield Association

March 16, 2010

The Honorable Ryan Yamane, Chair
The Honorable Scott Nishimoto, Vice Chair
House Committee on Health

Re: SB 2491 SD2 – Relating to Telemedicine

Dear Chair Yamane, Vice Chair Nishimoto and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of SB 2491 SD2 which would clarify telemedicine as a practice of medicine and require insurers offering medical malpractice insurance coverage also cover telemedicine services.

As you are aware, Hawaii is on the cutting edge of health care technology through initiatives such as HMSA's Online Care, the Hawaii Health Information Exchange and the initiative on the Big Island to develop a regional health information exchange. As health technology advances, the government, both state and federal, will need to examine outdated barriers that restrict true reform from occurring. SB 2491 SD2 takes small steps towards ensuring that barriers to care do not exist whether a patient is seeing a provider in their office or via telehealth means. Legislation such as SB 2491 SD2 will assist in ensuring that these many projects are successful.

SB 2491 SD2 would require medical malpractice insurance cover a physician regardless of the treating environment in which they are practicing. Accessing care through HMSA's Online Care is just another tool available to physicians to expand access to health care much like email and telephone calls. Current medical malpractice coverage includes these more traditional care settings but some carriers have made the decision to explicitly exclude telehealth services. We believe that this is a disservice to those in the medical community who are interested in exploring new ways of assisting their patients.

Thank you for the opportunity to provide testimony.

Sincerely,

Jennifer Diesman
Vice President
Government Relations



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LINDA LINGLE
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JAMES R. AIONA, JR.
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TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Tuesday, March 16, 2010
9:30 a.m.

TESTIMONY ON SENATE BILL NO. 2491, S.D. 2 – RELATING TO TELEMEDICINE.

TO THE HONORABLE RYAN I. YAMANE, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is J.P. Schmidt, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs (“Department”). The Department limits its testimony to sections 2, 3 and 4 of the bill and offers the following comments.

The purpose of this bill is to clarify telemedicine as the practice of medicine and to require medical malpractice insurers to provide coverage for telemedicine by amending the statutory definitions of: (1) malpractice insurance in paragraph (13) of Hawaii Revised Statutes (“HRS”) § 431:1-209; (2) “medical malpractice insurance” in HRS § 435C-2; (3) “physician or surgeon” in HRS § 435E-1; and (4) “practice of medicine” in HRS § 453-1.

The Department cannot speculate how insurers will respond to or assess the impact of requiring coverage for telemedicine under medical malpractice insurance.

We thank this Committee for the opportunity to present testimony on this matter.