



GOV. MSG. NO. 1286

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 5, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

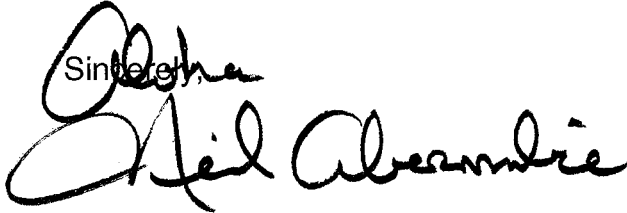
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 5, 2011, the following bill was signed into law:

SB285 SD2 HD2 CD1

RELATING TO HEALTH.
Act 182 (11)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

on JUL 5 2011

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

ACT 182
S.B. NO. 285
S.D. 2
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The purpose of this Act is to improve access to
2 the full range of health care services to medicaid and QUEST
3 members accessing services through a mobile medical van by
4 ensuring that medicaid and QUEST health plans have the
5 flexibility to provide appropriate health services via
6 technological means such as telehealth. This flexibility is
7 especially important because a new mobile medical van will begin
8 providing services to the more remote areas of Hawaii. Allowing
9 QUEST and medicaid members to access services through the mobile
10 medical van will assist in improving the health of those with
11 chronic conditions as well as improving the overall health of
12 area residents.

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

16 "§346- Telehealth services; medicaid and QUEST. (a)
17 The department shall implement a mobile medical van telehealth
18 pilot program. The mobile medical van shall be staffed by a

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1 primary care provider, including but not limited to an advanced
2 practice registered nurse, and shall be equipped with telehealth
3 capabilities to consult with other health care providers, as
4 determined to be medically necessary.

5 (b) This section shall not require the department to cover
6 patient self-referrals to providers outside of the mobile
7 medical van program.

8 (c) This section shall not require the department to cover
9 any new service.

10 (d) This section shall apply only to a mobile medical van
11 program operating in a county with a population of less than two
12 hundred fifty thousand and shall include a program operated by
13 Kona community hospital through a partnership with a non-profit
14 mutual benefit society operating in the State that provides
15 health care coverage to at least six hundred thousand members.

16 (e) For the purposes of this section, "telehealth" means
17 the use of a telecommunications service, as defined in section
18 269-1, including real-time video conferencing-based
19 communication, secure interactive and non-interactive web-based
20 communication, and secure asynchronous information exchange, to
21 transmit patient medical information, including diagnostic-
22 quality digital images and laboratory results for medical



1 interpretation and diagnosis, for the purpose of delivering
2 enhanced health care services and information to parties
3 separated by distance. A standard telephone contact, facsimile
4 transmission, or an electronic message, in combination or by
5 itself, does not constitute a telehealth service for the
6 purposes of this section."

7 SECTION 3. (a) At least six months but no later than
8 twelve months after the mobile medical van telehealth pilot
9 program begins operations, the department of human services
10 shall assess the implementation of the pilot program pursuant to
11 section 2 of this Act.

12 (b) The assessment shall consider the following
13 information regarding telehealth utilization and outcomes:

- 14 (1) Day and time of day of utilization;
15 (2) Provider types consulted;
16 (3) Whether a patient had an established relationship with
17 a provider, including whether the provider was the
18 patient's primary care provider;
19 (4) Summary of provider diagnoses;
20 (5) All services ordered by the provider in response to
21 the encounter (e.g., number of prescriptions and
22 specific medications prescribed);



1 (6) Mode of online care conversation (e.g. Internet,
2 including video conferencing and web chat, or IVR
3 phone);

4 (7) Demographic of the patient who used the online care;
5 and

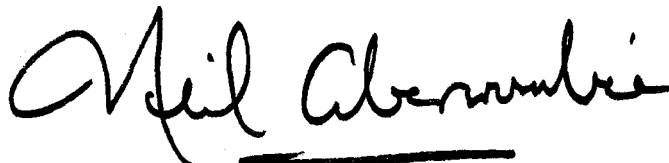
6 (8) Patient and provider satisfaction of the online care
7 system and patient satisfaction rating of the
8 provider.

9 (c) The department shall determine whether to continue,
10 expand, or end the mobile medical van telehealth pilot program
11 based on the results of the department's assessment.

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect upon its approval;
14 provided that this Act shall be repealed on June 30, 2013.

APPROVED this 5 day of JUL, 2011



GOVERNOR OF THE STATE OF HAWAII