

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 548
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 548 entitled:

"A BILL FOR AN ACT RELATING TO TELEMEDICINE,"

begs leave to report as follows:

The purpose and intent of this measure is to exempt from the licensing requirement to practice medicine in the State any commissioned medical officer or commissioned or civilian behavioral health professional employed by the U.S. Department of Defense, who is credentialed by Tripler Army Medical Center, while providing direct telemedicine support or services to neighbor island beneficiaries within a Hawaii National Guard armory on the islands of Kauai, Hawaii, Molokai, or Maui.

Your Committee received testimony in support of this measure from the Hawaii Medical Board. Your Committee received comments on this measure from the Hawaii Board of Psychology.

Your Committee finds that enhanced medical services for National Guard armories on the islands of Kauai, Hawaii, Molokai, and Maui will have a direct and long term impact for health care accessibility for neighbor island beneficiaries. Your Committee further finds that the exemptions under this measure are limited to physicians and osteopathic physicians. However, existing sections under the Insurance Code permit telehealth services by other health providers. Civilian behavioral health providers who are licensed as marriage and family therapists, mental health counselors, and psychologists and who are employed by the



Department of Defense and credentialed by Tripler Army Medical Center should also be able to provide telemedicine services to neighbor island beneficiaries within a Hawaii National Guard armory. Amendments to this measure are therefore necessary to ensure that neighbor island beneficiaries within a Hawaii National Guard armory have access to the full range of credentialed personnel offering behavioral health services.

Accordingly, your Committee has amended this measure by:

- (1) Exempting from licensing requirements civilian behavioral health professionals who are otherwise licensed as marriage and family therapists under chapter 451J, Hawaii Revised Statutes; mental health counselors under chapter 453D, Hawaii Revised Statutes; or psychologists under chapter 465, Hawaii Revised Statutes, and who are employed by the Department of Defense and credentialed by Tripler Army Medical Center; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 548, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 548, S.D. 1.

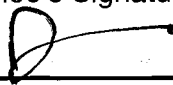
Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

| | | | | |
|--|--|-------------------------|-----|----------|
| Bill / Resolution No.:* SB 548 | Committee Referral: PSM/HTH/TEC, CPN | Date: 2/20/13 | | |
| <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 |
| BAKER, Rosalyn H. (C) | ✓ | | | |
| GALUTERIA, Brickwood (VC) | ✓ | | | |
| NISHIHARA, Clarence K. | | | | ✓ |
| SOLOMON, Malama | ✓ | | | |
| TANIGUCHI, Brian T. | | | | ✓ |
| WAKAI, Glenn | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 5 | | | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes