

Honolulu, Hawaii

March 24, 2016

RE: S.B. No. 2395
S.D. 1
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2395, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELEHEALTH,"

begs leave to report as follows:

The purpose of this measure is to enhance access to care via telehealth by:

- (1) Requiring the State's medicaid managed care and fee-for-service programs to cover services provided through telehealth;
- (2) Specifying that any telehealth services provided shall be consistent with all federal and state privacy, security, and confidentiality laws;
- (3) Specifying medical professional liability insurance policy requirements with regard to telehealth coverage;
- (4) Clarifying that reimbursement for services provided through telehealth shall be equivalent to reimbursement for the same services provided via face-to-face contact between a health care provider and a patient;
- (5) Requiring written disclosure of coverages and benefits associated with telehealth services;



- (6) Ensuring that telehealth encompasses store and forward technologies, remote monitoring, live consultation, and mobile health;
- (7) Ensuring that telehealth is covered when originating in a patient's home and other non-medical environments;
- (8) Clarifying requirements for physicians and out-of-state physicians to establish a physician-patient relationship via telehealth;
- (9) Ensuring that reimbursement requirements for telehealth services apply to all health benefits plans under chapter 87A, Hawaii Revised Statutes; and
- (10) Making other conforming amendments related to telehealth for clarity.

The Department of Human Services, Healthcare Association of Hawaii, The Queen's Health Systems, Planned Parenthood Votes Northwest and Hawaii, Hawaii Medical Service Association, Hawaii Pacific Health, Kaiser Permanente, Hawaii Association of Health Plans, and an individual testified in support of this measure.

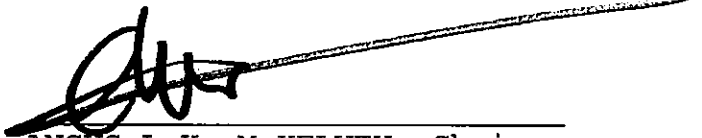
Your Committee has amended this measure by:

- (1) Including in the definition of "health care provider," other practitioners licensed by the State and working within their scope of practice;
- (2) Deleting language that would have allowed certain out-of-state physicians to establish a provider-patient relationship with a Hawaii-based patient through telehealth;
- (3) Inserting a savings clause; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2395, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2395, S.D. 1, H.D. 2.



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



ANGUS L.K. MCKELVEY, Chair



