
A BILL FOR AN ACT

RELATING TO IMPROVING ACCESS TO PSYCHIATRIC CARE FOR MEDICAID
PATIENTS.

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

1 SECTION 1. The legislature finds that the psychiatric
2 collaborative care model of integrated care is ideal for states
3 with community populations that are remote from urban centers,
4 because the model does not require the physical presence of a
5 psychiatrist when psychiatric services can be delivered
6 remotely. The psychiatric collaborative care model supports
7 mental and behavioral health through a team-based, coordinated
8 approach involving a psychiatric consultant, a behavioral health
9 care manager, and the primary care clinician extending beyond
10 the scope of an office visit. The legislature further finds the
11 Centers for Medicare and Medicaid Services recently released a
12 medicare fee schedule that includes a Current Procedural
13 Terminology code and fee for psychiatric collaborative care
14 management services, which will be used to reimburse primary
15 care physicians for services that psychiatrists provide in the
16 collaborative care model.



1 The purpose of this Act is to specify that coverage for
2 telehealth under the State's medicaid managed care and fee-for-
3 service programs includes psychiatric services provided through
4 a coordinated care manager who is present in a primary health
5 care provider's office through telehealth.

6 SECTION 2. Section 346-59.1, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "~~[f]~~§346-59.1~~[f]~~ Coverage for telehealth. (a) The
9 State's medicaid managed care and fee-for-service programs shall
10 not deny coverage for any service provided through telehealth
11 that would be covered if the service were provided through in-
12 person consultation between a patient and a health care
13 provider.

14 (b) Required coverage for services under subsection (a)
15 includes psychiatric services provided through a coordinated
16 care manager who is present in a primary health care provider's
17 office through telehealth.

18 ~~[(b)]~~ (c) Reimbursement for services provided through
19 telehealth shall be equivalent to reimbursement for the same
20 services provided via face-to-face contact between a health care
21 provider and a patient. Nothing in this section shall require a



1 health care provider to be physically present with the patient
2 at an originating site unless a health care provider at the
3 distant site deems it necessary.

4 ~~[(e)]~~ (d) There shall be no geographic restrictions or
5 requirements for telehealth coverage or reimbursement under this
6 section.

7 ~~[(d)]~~ (e) There shall be no restrictions on originating
8 site requirements for telehealth coverage or reimbursement under
9 this section.

10 ~~[(e)]~~ (f) Services provided by telehealth pursuant to this
11 section shall be consistent with all federal and state privacy,
12 security, and confidentiality laws.

13 ~~[(f)]~~ (g) Notwithstanding any other law to the contrary,
14 the provisions of this section shall comply with the applicable
15 federal requirements related to utilization, coverage, and
16 reimbursement for telehealth services.

17 ~~[(g)]~~ (h) For the purposes of this section:

18 "Distant site" means the location of the health care
19 provider delivering services through telehealth at the time the
20 services are provided.



1 "Health care provider" means a provider of services, as
2 defined in title 42 United States Code section 1395x(u), a
3 provider of medical and other health services, as defined in
4 title 42 United States Code section 1395x(s), other
5 practitioners licensed by the State and working within their
6 scope of practice, and any other person or organization who
7 furnishes, bills, or is paid for health care in the normal
8 course of business, including but not limited to primary care
9 providers, mental health providers, oral health providers,
10 physicians and osteopathic physicians licensed under chapter
11 453, advanced practice registered nurses licensed under chapter
12 457, psychologists licensed under chapter 465, and dentists
13 licensed under chapter 448.

14 "Originating site" means the location where the patient is
15 located, whether accompanied or not by a health care provider,
16 at the time services are provided by a health care provider
17 through telehealth, including but not limited to a health care
18 provider's office, hospital, critical access hospital, rural
19 health clinic, federally qualified health center, a patient's
20 home, and other non-medical environments such as school-based



1 health centers, university-based health centers, or the work
2 location of a patient.

3 "Telehealth" means the use of telecommunications services,
4 as defined in section 269-1, to encompass four modalities:
5 store and forward technologies, remote monitoring, live
6 consultation, and mobile health; and which shall include but not
7 be limited to real-time video conferencing-based communication,
8 secure interactive and non-interactive web-based communication,
9 and secure asynchronous information exchange, to transmit
10 patient medical information, including diagnostic-quality
11 digital images and laboratory results for medical interpretation
12 and diagnosis, for the purpose of delivering enhanced health
13 care services and information while a patient is at an
14 originating site and the health care provider is at a distant
15 site. Standard telephone contacts, facsimile transmissions, or
16 e-mail text, in combination or by itself, does not constitute a
17 telehealth service for the purposes of this section."

18 SECTION 3. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: Cindy Evans

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H.B. NO. 1272

Report Title:

Medicaid; Telehealth; Psychiatric Services

Description:

Specifies that coverage for telehealth under the State's medicaid managed care and fee-for-service programs includes psychiatric services provided through a coordinated care manager who is present in a primary health care provider's office through telehealth.

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