STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 1 2 2021

RE: S.B. No. 970

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 970 entitled:

"A BILL FOR AN ACT RELATING TO TELEHEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the establishment of a physician-patient relationship via a telehealth interaction if the physician is licensed to practice medicine in the State.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Medical Board, Hawaii Health Systems Corporation, Hawai'i Pacific Health, The Queen's Health Systems, Kaiser Permanente Hawaii, AARP Hawaiii, Healthcare Association of Hawaii, Hawaii Substance Abuse Coalition, American Telemedicine Association, and one individual.

Your Committee finds that currently, the law is ambiguous as to when a physician-patient relationship is established via telehealth. As written, the physician-patient relationship with a telehealth provider can only be established if the patient was first referred to the telehealth provider by another health care provider who has conducted an in-person consultation with the patient. Your Committee further finds that the coronavirus disease 2019 pandemic has resulted in an increase in the use of telehealth services and the establishment of telehealth as a

community standard of care is a strategic priority for the Department of Health. This measure will make clear that a physician-patient relationship may be established via telehealth by a physician licensed to practice medicine in the State.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 970, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 970, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Health,

ETT KEOHOKALOLE, Chair

## The Senate Thirty-First Legislature State of Hawaiʻi

## Record of Votes Committee on Health HTH

The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:  The Recommendation is:  Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313  Members Aye Aye (WR) Nay Excused KEOHOKALOLE, Jarrett (C)  BAKER, Rosalyn (VC)  MORIWAKI, Sharon Y.  SAN BUENAVENTURA, Joy A.  FEVELLA, Kurt
If so, then the previous decision was to:  The Recommendation is:  Pass, unamended Pass, with amendments Hold Recommit 2312 Pass, with amendments Aye (WR) Nay Excused KEOHOKALOLE, Jarrett (C)  BAKER, Rosalyn (VC)  MORIWAKI, Sharon Y.  SAN BUENAVENTURA, Joy A.
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MORIWAKI, Sharon Y.  SAN BUENAVENTURA, Joy A.
SAN BUENAVENTURA, Joy A.
FEVELLA, Kurt
TOTAL 5
Recommendation:
Adopted Not Adopted
Chair's or Designee's Signature:  Rosuly H. Buke
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\*Only one measure per Record of Votes