

Testimony of the Hawaii Medical Board

**Before the
House Committee on Finance
Wednesday, March 31, 2021
1:30 p.m.
Via Videoconference**

**On the following measure:
S.B. 970, S.D. 2, H.D. 1, RELATING TO TELEHEALTH**

Chair Luke and Members of the Committees:

My name is Ahlani Quiogue, and I am the Executive Officer of the Hawaii Medical (Board). The Board supports this bill.

The purpose of this bill 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.

The Board supports this bill because it recognizes that telehealth is: (1) essential to patient care and access to care, both during and outside of a pandemic, to diagnose, treat, and monitor illness; and (2) is a safe mechanism to provide care.

Lastly, the Board appreciates the efforts of the Healthcare Association of Hawaii to clarify the language in Hawaii Revised Statutes section 453-1.3, to make clear that a physician-patient relationship may be established via telehealth by a physician licensed to practice medicine in Hawaii.

Thank you for the opportunity to testify on this bill.


OFFICE OF HAWAIIAN AFFAIRS
‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai
Legislative Testimony

SB970 SD2 HD1
RELATING TO TELEHEALTH
Ke Kōmike Hale o ka ‘Oihana ‘Imi Kālā
House Committee on Finance

Malaki 31, 2021

1:30 p.m.

Lumi 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB970 SD2 HD1, which aims to expand access to healthcare by clarifying that a physician-patient relationship may be established via a telehealth appointment. **The COVID-19 pandemic has substantially increased the demand for telehealth services to diagnose, treat, and monitor illness, particularly for patients in rural, Native Hawaiian communities; this measure will help to address this increased demand, by clarifying whether and how such services may be delivered.**

OHA has made a longstanding and continued commitment to improving the quality of life of Native Hawaiians, including through its most recent strategic priority of Maui Ola (Health).¹ OHA therefore supports efforts to improve healthcare services for Native Hawaiians, and to address the barriers many may face in seeking access to healthcare.

OHA notes that access to primary health care and mental health services is a key need in our rural communities, many of which have large Native Hawaiian populations.² Innovative strategies are necessary to address this need, such as by facilitating telehealth services that would allow physicians to provide basic health and medical care, nutritional services and education, cardiometabolic disease care, and behavioral and mental health interventions in isolated, rural communities across Hawai‘i.³

Expanding access to quality healthcare by clarifying that a physician-patient relationship may be created via a telehealth appointment will help to increase Native

¹ For more on OHA’s commitment to Health in the Native Hawaiian community, please visit <https://www.oha.org/health>.

² Mele A. Look, et al., “Assessment and Priorities for Health & Well-being in Native Hawaiians and Other Pacific Peoples,” University of Hawai‘i, Department of Native Hawaiian Health, John A. Burns School of Medicine (2013), available at https://www2.jabsom.hawaii.edu/native/docs/community/DNHH_Assessment&Priorities_Report_2013.pdf (last accessed March 18, 2021).

³ *Id.*

Hawaiians' access to services and reduce delays in receiving care, particularly for rural communities in critical need.

Accordingly, OHA urges the Committee to **PASS** SB970 SD2 HD1. Mahalo nui loa for the opportunity to testify.

SB-970-HD-1

Submitted on: 3/29/2021 12:45:46 PM

Testimony for FIN on 3/31/2021 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

Planned Parenthood Votes Northwest and Hawaii supports SB 970, SD2, HD1. Thank you!



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Finance
Wednesday, March 31, 2021 at 1:30 p.m.

By

Jerris R. Hedges, MD, Dean
Lee Ellen Buenconsejo-Lum, MD, FAAFP
Associate Dean for Academic Affairs & DIO
John A. Burns School of Medicine
University of Hawai'i at Mānoa

SB 970 SD2 HD1 – RELATING TO TELEHEALTH

Chair Luke, Vice Chair Cullen, and members of the Committee:

Thank you for this opportunity to testify in **strong support** of SB 970 SD2 HD1, which authorizes the establishment of a physician-patient relationship via a telehealth interaction when the physician is licensed to practice medicine in the state.

This bill amends language in HRS §453-1.3 to clarify that a physician-patient relationship may be established via telehealth, provided that the physician has a license to practice medicine in the State of Hawai'i. During the onset of the Coronavirus Pandemic, it was found that this language needed to be clarified in order to align with other statutory telehealth provisions that already allow for the establishment of a physician-patient relationship via a telehealth interaction; thus, it was addressed in the Governor's emergency proclamation and temporary waivers. This bill is needed to codify the changes permanently in law and align with other existing HRS allowances.

The COVID-19 pandemic has resulted in an increased use of telehealth services. However, the existing state law relating to the practice of telehealth is ambiguous regarding whether a patient can use telehealth to establish a relationship with a physician. The provision for establishing a physician-patient relationship via telehealth is now a common practice in the US and significantly aids in expanding access to health care services especially for patients and families who live in rural areas and/or are otherwise unable to receive the care they need.

Since 1999, the use and expansion of telehealth services and technology in Hawaii has been recognized as a way to increase access and reduce delays to health care, particularly in rural areas of the. Many of the highest-risk patients reside in Medically Underserved Areas, are part of Medically Underserved Populations, or reside in federally-designated health professional shortage areas. Telehealth benefits many in these communities. Elderly, as well as medically- and socially-complex patients often face transportation barriers and difficulty navigating our collective system of health care. These determinants of health, as well as social- or cultural-isolation can often impede

seeking care or follow-up after a doctor's appointment or hospitalization. Being able to provide telehealth services at community health centers or in the home has tremendous potential for improving the health of patients, their families, as well as providing cost-savings to the entire health system by avoiding emergency department or hospitalization costs.

With the increase in the demand for and use of telehealth to diagnose, treat, and monitor illness, this measure greatly improves the understanding of the doctor-patient relationship when telehealth is utilized.

Thank you for this opportunity to testify in strong support of this measure.



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**The State Legislature
The House
Committee on Finance
Wednesday, March 31, 2021
1:30 p.m.**

TO: The Honorable Sylvia Luke, Chair

RE: S.B. 970. SD 2, HD1 Relating to Telehealth

Aloha Chair Luke and Members of the Committees:

My name is Keali'i Lopez and I am the State Director for AARP Hawai'i. AARP is a membership organization of people age fifty and over, with nearly 145,000 members in Hawai'i.

AARP Hawai'i supports S.B. 970, SD 2, HD1 which expands access to care and reduces delays by clarifying that a physician-patient relationship may be established via a telehealth appointment.

The recent pandemic has significantly increase the use of telehealth for patients to connect with their physicians for medical consultation and monitoring. This has improved access especially for the kupuna and many others who are homebound; or reside in rural communities and unable to see their physicians in-person. This bill clarifies Section 453.1.3 in the Hawaii Revised Statutes by amending the subsections (e) and (f) to clearly state that "A physician-patient relationship may be established via a telehealth interaction: provided that the physician has a license to practice medicine in Hawaii."

Thank you very much for the opportunity to support S.B. 970, SD 2, HD1.

Sincerely,

A handwritten signature in black ink, appearing to read "Keali'i Lopez".

Keali'i Lopez, AARP Hawai'i
State Director



March 31, 2021 at 1:30 pm
Via Videoconference

House Committee on Finance

To: Chair Sylvia Luke
Vice Chair Ty J.K. Cullen

From: Paige Heckathorn Choy
Director of Government Affairs
Healthcare Association of Hawaii

Re: **Testimony in Support**
SB 970 SD 2 HD 1, Relating to Telehealth

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the healthcare continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities, and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 20,000 people statewide.

Thank you for the opportunity to provide testimony in strong **support** of this bill. This bill makes a change to HRS §453-1.3 to clarify that telehealth can be used to establish a physician-patient relationship if the physician is licensed to practice in Hawaii by changing the relevant section of law from a negative statement to a positive one to provide needed clarity and align §453-1.3 with other telehealth allowance throughout HRS. Considering the broad consensus on support for this measure we would request adding an effective date on page 3, line 5 to read July 1, 2021.

The pandemic has caused a major shift in how patients receive care by both necessity and preference. Even now, many patients are hesitant to make in-person visits and residents of rural areas may have more limited options on how to access care. Ensuring that a legitimate relationship can be established via telehealth is an important flexibility that has enabled providers to better use telehealth to diagnose, treat, and monitor illnesses that might have otherwise gone unaddressed due to pandemic-related and other barriers. We believe that this simple change to clarify this statute will increase access to care as we continue to fight through this pandemic and beyond.

Thank you for the opportunity to provide supportive testimony for this bill.



March 29, 2021

To: House Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair

Re: **Strong Support** of SB970, SD2, HD1 Relating to Telehealth

Hrg: March 31, 2021 at 1:30PM at Capitol Room 308 and Videoconference

The Hawai'i Public Health Association (HPHA) is a group of over 400 community members, public health professionals, and organizations statewide dedicated to improving public health. Our mission is to promote public health in Hawai'i through leadership, collaboration, education and advocacy. Issues around social justice and equity in areas that extend beyond the traditional context of health (e.g., education, digital equity, cultural sensitivity), can have profound impacts on health equity and well-being.

HPHA **strongly supports** SB970, SD2, HD1 which authorizes the establishment of a physician-patient relationship via a telehealth interaction when the physician is licensed to practice medicine in the state. This bill clarifies HRS §453-1.3 such that a physician-patient relationship may be established via telehealth, provided that the physician is licensed to practice medicine in the State of Hawai'i.

While the COVID-19 pandemic has highlighted both the need for telehealth and its viability, this need and viability predates the current crisis. Hawai'i has a persistent physician shortage in rural areas where many of the state's highest risk residents live. Additionally, patients that suffer from multiple co-morbidities often time have transportation barriers as well. The ability to establish a physician-patient relationship via telehealth will help to address these health care accessibility limits.

Thank you for the opportunity to provide testimony on important issues affecting the health of people in Hawai'i.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Claire Townsend', is written over a light blue horizontal line.

Claire Townsend Ing, DrPH
Legislative Committee Chair
Hawai'i Public Health Association

Testimony of
Jonathan Ching
Government Relations Manager

Before:
House Committee on Finance
The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair

March 31, 2021
1:30 p.m.
Via Videoconference

Re: SB 970 SD2 HD1, Relating to the Telehealth

Chair Luke, Vice Chair Cullen and committee members, thank you for this opportunity to provide testimony on SB 970 SD2 HD1, which authorizes the establishment of a physician-patient relationship via a telehealth interaction, if the physician is licensed to practice medicine in the State.

Kaiser Permanente Hawai‘i STRONGLY SUPPORTS SB 970 SD2 HD1.

Kaiser Permanente Hawai‘i is Hawai‘i’s largest integrated health system that provides care and coverage for approximately 260,000 members. Each day, more than 4,400 dedicated employees and more than 600 Hawai‘i Permanente Medical Group physicians and providers come to work at Kaiser Permanente Hawai‘i to care for our members at our 20 medical facilities, including Moanalua Medical Center, providing high-quality care for our members and delivering on our commitment to improve the health of the 1.4 million people living in the communities we serve.

Kaiser Permanente Hawai‘i supports SB 970 SD2 HD1 because it clarifies that telehealth can be used to establish a physician-patient relationship if the physician is licensed to practice in Hawai‘i.

Since the COVID-19 pandemic began in 2020, the use of telehealth in Hawai‘i has dramatically increased as telehealth has been critical to limit the risk of person-to-person transmission while helping to avoid overwhelming our healthcare facilities. At Kaiser Permanente Hawai‘i, we have seen a dramatic increase in the use of telehealth visits between 2019 and 2020. In 2019, we had approximately 1,000 of our outpatient visits by video. In stark contrast, in 2020, we had approximately 67,00 video visits. We expect this number to continue to increase in 2021.

SB 970 SD2 HD1 will enable us to establish provider-patient relationships between specialists on Oahu and the mainland and neighbor island members – increasing access without incurring

the inconvenience and expense of travel, especially for those specialties with significant provider shortages.

We would request adding an effective date on page 3, line 5 to read July 1, 2021. Mahalo for the opportunity to testify on this important measure.

Wednesday, March 31, 2021 at 1:30 PM
Via Video Conference

House Committee on Finance

To: Representative Sylvia Luke, Chair
Representative Ty Cullen, Vice Chair

From: Michael Robinson
Vice President, Government Relations & Community Affairs

Re: **Testimony in Support of SB 970, SD2, HD1
Relating to Telehealth**

My name is Michael Robinson, and I am the Vice President of Government Relations & Community Affairs at Hawai'i Pacific Health. Hawai'i Pacific Health is a not-for-profit health care system comprised of its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox and over 70 locations statewide with a mission of creating a healthier Hawai'i.

HPH writes in **strong support** of SB 970, SD2, HD1 which authorizes the establishment of a physician-patient relationship via a telehealth interaction when the physician is licensed to practice medicine in the state.

The pandemic has caused a major shift in how patients receive care by both necessity and preference. Even now, many patients are hesitant to make in-person visits and residents of rural areas may have more limited options on how to access care. Ensuring that a legitimate relationship can be established via telehealth is an important flexibility that has enabled providers to better use telehealth to diagnose, treat, and monitor illnesses that might have otherwise gone unaddressed due to pandemic-related and other barriers. We believe that this simple change to clarify this statute will increase access to care as we continue to fight through this pandemic and beyond.

The COVID-19 pandemic has resulted in increased use of telehealth services. However, the existing state law relating to the practice of telehealth is ambiguous regarding whether a patient can use telehealth to establish a relationship with a physician. This could result in delayed access to care in many instances where access to care could be prudently and appropriately initiated through telehealth.

With the increase in the demand for and use of telehealth to diagnose, treat, and monitor illness, this measure greatly improves the understanding of the doctor-patient relationship when telehealth is utilized. Thank you for the opportunity to testify.



THE QUEEN'S HEALTH SYSTEMS

To: The Honorable Sylvia Luke, Chair
The Honorable Ty J. K. Cullen, Vice Chair
Members, House Committee on Finance

From: Jacce S. Mikulanec, Manager, Government Relations, The Queen's Health Systems

Date: March 31, 2021

Re: Support for SB970, SD2, HD1: Relating to Telehealth

The Queen's Health Systems (Queen's) is a nonprofit corporation that provides expanded health care capabilities to the people of Hawai'i and the Pacific Basin. Since the founding of the first Queen's hospital in 1859 by Queen Emma and King Kamehameha IV, it has been our mission to provide quality health care services in perpetuity for Native Hawaiians and all of the people of Hawai'i. Over the years, the organization has grown to four hospitals, and more than 1,500 affiliated physicians and providers statewide. As the preeminent health care system in Hawai'i, Queen's strives to provide superior patient care that is constantly advancing through education and research.

Queen's appreciates the opportunity to provide testimony in support of SB970, SD2, HD1 relating to telehealth. This measure addresses the need to eliminate an existing provision under the law (HRS 453-1.3(e)) which prevents physicians from utilizing telehealth modalities to establish a physician-patient relationship. The ability to expand access of medical care via telehealth during the COVID19 pandemic is an important tool in ensuring more members of our community are able to access healthcare safely, responsibly, and in a timely manner.

Queen's provides a number of telemedicine specialties in areas such as, but not limited to, stroke and neurology, pulmonology, psychiatry, wound care, and critical care. Telehealth programs assist with connecting our four hospitals and allow our health care workers to provide care to patients in their local communities. In particular, Since the start of the COVID-19 pandemic, Queen's has made substantial strides in shifting to telehealth as a modality of quality care for patients. In 2019, Queen's had approximately 1,700 telehealth visits; by comparison in April 2020 we had 13,000 telehealth visits and in September we had 16,000. Furthermore, all of QHS facilities saw increases in the use of telemedicine since the COVID-19 pandemic began with the largest percentage at QHS-Punchbowl.

We also concur with the testimony submitted by the Healthcare Association of Hawai'i. Thank you for allowing us to testify in support of this measure.

The mission of The Queen's Health Systems is to fulfill the intent of Queen Emma and King Kamehameha IV to provide in perpetuity quality health care services to improve the well-being of Native Hawaiians and all of the people of Hawai'i.



HIPHI Board

Kilikina Mahi, MBA
Chair
KM Consulting LLC

Michael Robinson, MBA, MA
Immediate Past Chair
Hawai'i Pacific Health

JoAnn Tsark, MPH
Secretary
John A. Burns School of
Medicine, Native Hawaiian
Research Office

Debbie Erskine
Treasurer
Kamehameha Schools

Keshia Adolpho, LCSW
Molokai Community Health
Center

Keawe'aimoku
Kaholokula, PhD
John A. Burns School of
Medicine, Department of
Native Hawaiian Health

Mark Levin, JD
William S. Richardson School
of Law

Rachel Novotny, PhD, RDN, LD
University of Hawai'i at
Mānoa, College of Tropical
Agriculture and Human
Resources

May Okihira, MD, MS
John A. Burns School of
Medicine, Department of
Pediatrics

Misty Pacheco, DrPH
University of Hawai'i at Hilo,
Department of Kinesiology and
Exercise Sciences

Garret Sugai
Kaiser Permanente

Date: March 30, 2021

To: Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair
Members of the House Finance Committee

Re: Support for SB 970, SD2, HD1, Relating to Telehealth

Hrg: March 31, 2021 at 1:30 PM via Videoconference

The Hawai'i Public Health Instituteⁱ (HIPHI) offers testimony in **Support of SB 970, SD2, HD1**, which authorizes the establishment of a physician-patient relationship via a telehealth interaction, if the physician is licensed to practice medicine in the State.

HIPHI supports increased access to healthcare services through telehealth services. Telehealth is especially beneficial for neighbor islands and rural areas, where access may be more limited. The COVID-19 pandemic has increased the need and use of telehealth services. This bill would provide needed clarity that telehealth can be used to establish a physician-patient relationship as long as the physician is licensed to practice medicine in Hawai'i which will increase access to care beyond the pandemic.

Mahalo for the opportunity to provide testimony in support of SB 970, SD2, HD1.

Mahalo,

Jessica Yamauchi
Executive Director

ⁱ Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

SB-970-HD-1

Submitted on: 3/30/2021 8:58:38 AM

Testimony for FIN on 3/31/2021 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments:

If the pandemic has taught us anything, it is we need telemedicine. Last year I used it twice, in instances where I could not meet in person with my doctor.



SB970 SD2 HD1 Physician Can Use Telehealth

COMMITTEE ON FINANCE:

- Rep. Sylvia Luke, Chair; Rep. Ty Cullen, Vice Chair

Wednesday Mar 31, 2021: 1:30: Videoconference

Hawaii Substance Abuse Coalition Supports SB970 SD2 HD1:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of over 30 substance use disorder and co-occurring mental health disorder treatment and prevention agencies.

HSAC is in full support that a physician can use Telehealth, especially during a pandemic, without first having a face to face interview.

- While we prefer face to face interviews, having the option of Telehealth can help many people who struggle with mobility or are located in underserved areas such as rural areas with not enough qualified providers.

We appreciate the opportunity to provide testimony and are available for questions.

LATE

SB-970-HD-1

Submitted on: 3/30/2021 3:02:37 PM

Testimony for FIN on 3/31/2021 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sam Tanigawa	Individual	Support	No

Comments:

Please support this bill that would allow patients to have initial visits with health care professionals via telehealth. This would make ensure ease of access to health care for rural communities, people with disabilities, and people with limited access to transportation. It's important now more than ever to remove barriers in the way of people accessing quality healthcare.