

STAND. COM. REP. NO. 595-22

Honolulu, Hawaii

FEB 18 , 2022

RE: H.B. No. 1980
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1980, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELEPHONIC SERVICES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Permit, but not require, Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover telephonic behavioral health services under certain circumstances; and
- (2) Clarify that telephonic services do not constitute telehealth.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaii State Council on Developmental Disabilities, Hawaii Medical Service Association, Hawaii Medical Association, and Hawai'i Family Caregiver Coalition. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Healthcare Association of Hawaii, Hawai'i Pacific Health, Hawai'i Psychological Association, The Hawaiian Islands Association for Marriage and Family Therapy, National Association of Social Workers - Hawai'i, Hawai'i Primary Care Association, AARP Hawai'i,

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Hawaii Psychiatric Medical Association, The Queen's Health Systems, Kaiser Permanente Hawai'i, and Hawaii Association of Health Plans.

Your Committee finds that during the ongoing coronavirus disease 2019 pandemic, access to in-person health care has been limited. The use of telehealth for many services, and in particular behavioral health services, increased as an acceptable and oftentimes essential alternative. However, rural communities or populations in geographic areas without internet access or infrastructure experienced disparities in digital health options.

In recognition of these disparities, during the pandemic, the Med-QUEST Division increased flexibility to all telephonic services. According to the Department of Human Services, health care professionals and payers have thus far seen relative equivalency in outcomes for in-person, telehealth, and telephonic visits, while acknowledging that safeguards are needed for the continued use of telephonic services. Your Committee further finds that this measure recognizes the ongoing benefits provided by telephonic behavioral health services when telehealth technology is unavailable, while establishing a baseline to provide some measure of protection to the patient and provider.

Your Committee has amended this measure by:

- (1) Removing an inconsistency to clarify that telephonic behavioral health services may be covered by Medicaid, health insurers, mutual benefit societies, and health maintenance organizations; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1980, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1980, H.D. 2.



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



AARON LING JOHANSON, Chair



