

ACT 158

S.B. NO. 2624

A Bill for an Act Relating to Health.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that many Hawaii residents are unable to obtain timely and appropriate health care and behavioral health care due to shortages of primary, specialty, and behavioral health care providers. Vulnerable residents, including the elderly, and rural residents experience even greater barriers to health care provider access. These barriers include issues relating to fixed or limited financial resources, lack of physical mobility or other disabilities, cognitive impairment, transportation, and a lack of readily accessible physicians and other health care providers.

Telehealth is a viable solution to maximize existing local resources and increase patient convenience and compliance. However, the best available data indicates that the use of telehealth is limited in the State. No more than fifteen per cent of practicing providers in the State report a telehealth experience, even though the State has some of the most progressive telehealth laws in the nation.

Preliminary findings from the 2017 State Telehealth Summit confirm that provider comfort and patient expectations are the most significant barriers to greater telehealth adoption. Department of health research, including direct observation of strong telehealth programs in other jurisdictions, reveals that staff support is needed to ensure that both the patient and technology are situated correctly for a telehealth encounter. Ideally, staff support should be situated at both the health care provider's and the patient's locations. However, support staff for the patient is critical when the patient is in a non-traditional health care setting, including a home, community center, or school.

The legislature further finds that establishing a telehealth pilot project will help provide the State's health care providers and patients the benefits of telehealth, increase provider adoption of telehealth, support health care workforce development related to telehealth, and evaluate the clinical and administrative efficacy of various telehealth delivery models. The legislature notes that establishing a rural health care pilot project to pay an availability fee to eligible health care providers servicing rural areas will help encourage providers to prioritize these rural areas. In turn, an increase in provider prioritization of these rural areas will increase rural residents' access to previously less-than-accessible medical specialties.

Accordingly, the purpose of this Act is to establish and fund telehealth and rural health care pilot projects.

SECTION 2. (a) The department of health shall implement a telehealth pilot project.

(b) The telehealth pilot project shall:

- (1) Assist residents at two distinct project sites, both of which shall have a medically underserved area designation by the Health Resources and Services Administration of the United States Department of Health and Human Services; provided that one site shall be located in a county with a population of less than five hundred thousand and the other site shall be located in a county with a population of more than five hundred thousand;
- (2) Utilize telehealth as the primary means to deliver health care; and
- (3) Include at least one federally-qualified health center or rural health clinic in each project site.

(c) Within six months of the exhaustion of all telehealth pilot project funds, the department of health shall make available to the public an evaluation report on the telehealth pilot project's outcomes, including the quality of care, patient satisfaction, training and workforce development issues, and the financial sustainability of telehealth activities.

SECTION 3. (a) The department of health shall implement and administer a rural health care pilot project.

(b) The rural health care pilot project shall:

- (1) Assist residents in three distinct rural areas, one each on the islands of Maui, Molokai, and Lanai; provided that the area selected on the island of Maui shall be in the Hana district;
- (2) Pay a \$250 availability fee to each contracted licensed physician or nurse practitioner providing health care services in one or more of the areas selected pursuant to paragraph (1); provided that each physician or nurse practitioner shall practice in a specialty that is difficult for rural residents to access, including but not limited to cardiology, gastroenterology, endocrinology, dermatology, nephrology, and psychiatry; provided further that the availability fee shall be separate from, and in addition to, any charges billed by the physician or nurse practitioner; and
- (3) Reimburse each contracted physician or nurse practitioner for any costs, including airfare, lodging costs, and a per diem, that the physician or nurse practitioner deems necessary to provide in-person health care services to patients in the areas selected pursuant to paragraph (1).

(c) Within six months of the exhaustion of all rural health care pilot project funds, the department of health shall submit to the legislature an evaluation report on the rural health care pilot project's outcomes, including the quality of care, patient satisfaction, training and workforce development issues, the financial sustainability of the pilot project, and any proposed legislation.

(d) The department of health shall contract with eligible physicians and hospitals, including but not limited to those within the networks of Hawaii Pacific Health, The Queen's Health Systems, and Kaiser Permanente, to carry out the rural health care pilot project.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2022-2023 for the telehealth pilot project established pursuant to section 2 of this Act.

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The sum appropriated shall be expended by the department of health for the purposes of section 2 of this Act.

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2022-2023 for the rural health care pilot project established pursuant to section 3 of this Act.

The sum appropriated shall be expended by the department of health for the purposes of section 3 of this Act.

SECTION 6. This Act shall take effect on July 1, 2022.

(Approved June 27, 2022.)