

STAND. COM. REP. NO.

774

Honolulu, Hawaii

FEB 17 , 2023

RE: H.B. No. 907

H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 907, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELEHEALTH,"

begs leave to report as follows:

The purpose of this measure is to authorize reimbursement services provided through telehealth by way of an interactive telecommunications system.

Your Committee received testimony in support of this measure from AARP Hawai'i; Hawaii Primary Care Association; The Hawaiian Islands Association for Marriage and Family Therapy; National Association of Social Workers -- Hawai'i; Hawai'i Psychological Association; Alzheimer's Association; Hawaii Substance Abuse Coalition; Hawai'i Pacific Health; American Cancer Society Cancer Action Network; Hawaii Medical Association; Epilepsy Foundation of Hawaii; Pacific Behavioral Health; Wai Kahe Counseling; Clinical Psychology Services, LLC; Pacific Psychology Partners, Inc.; and eighteen individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, Department of Commerce and Consumer Affairs, and Hawaii Medical Service Association.

Your Committee finds that the use and expansion of telehealth services and technology in the State have been recognized as a way

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to increase access and reduce delays to health care, particularly in rural areas of the State. 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 via telephonic communication benefits many in these communities.

Your Committee further finds that the federal Centers for Medicare and Medicaid Services adopted guidance relating to telehealth services. This measure aligns state laws regarding reimbursements for telehealth services with the guidance provided by the Centers for Medicare and Medicaid Services.

Your Committee has amended this measure by:

- (1) Clarifying that reimbursements for diagnosis, evaluation, or treatment of a mental health disorder delivered through an interactive telecommunications system shall meet requirements under federal regulations; and
- (2) Clarifying that the exemption for certain communications from the definition of telehealth does not apply if such communication is allowed under the federal regulations regarding interactive telecommunications systems.

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. 907, 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. 907, H.D. 2.



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



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MARK M. NAKASHIMA, Chair



