

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 1281
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1281, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELEHEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Update the State's laws on telehealth services to conform with federal Medicare regulations;
- (2) Require the Insurance Commissioner to report to the Legislature on reimbursements claimed in the previous year for certain telehealth services; and
- (3) Repeal the sunset date of Act 107, Session Laws of Hawaii 2023.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency, Disability and Communications Access Board, Office of Hawaiian Affairs, Hawaii Substance Abuse Coalition, The Queen's Health Systems, Waianae Coast Comprehensive Health Center, American Cancer Society Cancer Action Network, Hawaii Primary Care Association, Hawai'i Pacific Health, AlohaCare, AARP Hawai'i, American Diabetes Association, Alzheimer's Association-Hawaii, Hinā Mauka,



Philippine Medical Association of Hawai'i, Hawai'i Mental Health Coalition, and two individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Attorney General, Department of Human Services, Department of Health, University of Hawai'i System, Hawaii Medical Association, Healthcare Association of Hawaii, and Hawaii Association of Health Plans.

Your Committee finds that the State's rural and underprivileged communities are often cut off from receiving essential health care services through telehealth because they lack the broadband coverage necessary to access this care. The use of standard telephone contact in telehealth, especially during the COVID-19 pandemic, has demonstrated the effectiveness of telehealth as a mode of essential health care delivery, particularly for those living in rural, isolated, or underprivileged communities, and particularly for behavioral health care in areas where video-equipped telehealth is unavailable. By permitting audio-only participation, individuals without access to the latest technology, or those who rely on traditional communication methods, would have greater opportunities to connect with and benefit from these services. Additionally, telehealth has proven to be a critical tool to improve health care access for Native Hawaiians and underserved communities in the State, given Hawaii's unique geography, which spans across multiple islands. Telehealth provides a practical solution to connect individuals with health care providers and has the potential to address disparities in health care access and outcomes. This measure establishes a timely and necessary framework to enhance and expand telehealth services in the State by extending and solidifying telehealth coverage and reimbursement requirements.

Your Committee has amended this measure by:

- (1) Reverting to the definition of "interactive telecommunications system", as provided in the



originally introduced version of this measure, to allow a patient to consent to the use of video technology; and

- (2) 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1281, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1281, S.D. 2.

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



BARRETT KEOHOKALOLE, Chair



