STAND. COM. REP. NO. 1299 -16

Honolulu, Hawaii March 24, 2016 RE: S.B. No. 2395 S.D. 1 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2395, S.D. 1, 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 enhance access to care via telehealth by:

- Requiring the State's medicaid managed care and fee-forservice programs to cover services provided through telehealth;
- (2) Specifying that any telehealth services provided shall be consistent with all federal and state privacy, security, and confidentiality laws;
- (3) Specifying medical professional liability insurance policy requirements with regard to telehealth coverage;
- (4) Clarifying that reimbursement for services provided through telehealth shall be equivalent to reimbursement for the same services provided via face-to-face contact between a health care provider and a patient;
- (5) Requiring written disclosure of coverages and benefits associated with telehealth services;



STAND. COM. REP. NO. 1299 -16 Page 2

- (6) Ensuring that telehealth encompasses store and forward technologies, remote monitoring, live consultation, and mobile health;
- (7) Ensuring that telehealth is covered when originating in a patient's home and other non-medical environments;
- (8) Clarifying requirements for physicians and out-of-state physicians to establish a physician-patient relationship via telehealth;
- (9) Ensuring that reimbursement requirements for telehealth services apply to all health benefits plans under chapter 87A, Hawaii Revised Statutes; and
- (10) Making other conforming amendments related to telehealth for clarity.

The Department of Human Services, Healthcare Association of Hawaii, The Queen's Health Systems, Planned Parenthood Votes Northwest and Hawaii, Hawaii Medical Service Association, Hawaii Pacific Health, Kaiser Permanente, Hawaii Association of Health Plans, and an individual testified in support of this measure.

Your Committee has amended this measure by:

- Including in the definition of "health care provider," other practitioners licensed by the State and working within their scope of practice;
- (2) Deleting language that would have allowed certain outof-state physicians to establish a provider-patient relationship with a Hawaii-based patient through telehealth;
- (3) Inserting a savings clause; and
- (4) Making technical, nonsubstantive amendments for 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 S.B. No. 2395, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2395, S.D. 1, H.D. 2.

SB2395 HD2 HSCR CPC HMS 2016-2972

STAND. COM. REP. NO. 1299 -16 Page 3

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

US L.K. McKELVEY, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature HSCR 1299-16

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:	Date:	0 00	2 1/
SB 2395 501 HD1	HIT HUS, CPC,	FIN	3-23	5-16.
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:				
Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)				
2. WOODSON, Justin H. (VC)				
3. BELATTI, Della Au				
4. BROWER, Tom				
5. CREAGAN, Richard P.	/			
6. HAR, Sharon E.	/			
7. HASHEM, Mark J.	/			
8. KAWAKAMI, Derek S.K.				
9. LEE, Chris				
10. NAKASHIMA, Mark M.	/			
11. OSHIRO, Marcus R.				
12. SAN BUENAVENTURA, Joy A.	/			
13. TAKAYAMA, Gregg	/			
14. YAMANE, Ryan I.				
15. FUKUMOTO CHANG, Beth				
16. McDERMOTT, Bob				
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TOTAL (16)	14	\cap	\bigcirc	$\overline{\boldsymbol{\lambda}}$
The recommendation is: Adop	oted 🖸 Not Ado	nted	<u> </u>	
If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				