



GOV. MSG. NO. 1134

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 7, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 7, 2021, the following bill was signed into law:

SB0970 SD2 HD2

RELATING TO TELEHEALTH.
ACT 034 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

THE SENATE
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

S.B. NO. 970
S.D. 2
H.D. 2

A BILL FOR AN ACT

RELATING TO TELEHEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the novel
2 coronavirus disease 2019 (COVID-19) pandemic has substantially
3 impacted the way patients access health care by increasing the
4 demand for and use of telehealth to diagnose, treat, and monitor
5 illness.

6 In Act 20, Session Laws of Hawaii 2009, the legislature
7 noted that, since 1999, it "has supported the use and expansion
8 of telehealth services and technology in Hawaii" as a way to
9 increase access and reduce delays to health care, particularly
10 in rural areas of the State.

11 The legislature further finds that the COVID-19 pandemic
12 has resulted in an increased use of telehealth services.
13 However, the existing state law relating to the practice of
14 telehealth is ambiguous regarding whether a patient can use
15 telehealth to establish a relationship with a physician. This
16 could result in delayed access to care in many instances where



1 access to care could be prudently and appropriately initiated
2 through telehealth.

3 Accordingly, the purpose of this Act is to expand access to
4 care and reduce delays by clarifying that a physician-patient
5 relationship may be established via a telehealth interaction.

6 SECTION 2. Section 453-1.3, Hawaii Revised Statutes, is
7 amended by amending subsections (e) and (f) to read as follows:

8 "(e) A ~~[physician shall not use telehealth to establish a]~~
9 physician-patient relationship ~~[with a patient in this State~~
10 ~~without]~~ may be established via a telehealth interaction;
11 provided that the physician has a license to practice medicine
12 in [Hawaii-] the State.

13 (f) ~~[A physician-patient relationship may be established~~
14 ~~via telehealth if the patient is referred to the telehealth~~
15 ~~provider by another health care provider who has conducted an~~
16 ~~in-person consultation and has provided all pertinent patient~~
17 ~~information to the telehealth provider.]~~ Once a ~~[provider-~~
18 ~~patient]~~ physician-patient relationship is established, a
19 patient or physician licensed in this State may use telehealth
20 for any authorized purpose, including consultation with a



1 medical provider licensed in another state, authorized by this
2 section or as otherwise provided by law."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2021.

APPROVED this 07 day of JUNE, 2021


A handwritten signature in black ink, appearing to read "David Y. Ige", written in a cursive style.


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAII

Date: April 20, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.


President of the Senate


Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: April 9, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives