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# 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 telehealth.

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, 2050.



**Report Title:**

Telehealth; Physician-patient Relationship; Establishment

**Description:**

Authorizes the establishment of a physician-patient relationship via a telehealth interaction if the physician is licensed to practice medicine in the State. Effective 7/1/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

