

Honolulu, Hawaii

FEB 11 2021

RE: S.B. No. 1258
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 1258
entitled:

"A BILL FOR AN ACT RELATING TO TELEHEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to allow for
standard telephone contacts for telehealth purposes.

Your Committee received testimony in support of this measure
from AARP Hawai'i, Waianae Coast Comprehensive Health Center,
Hawai'i Psychological Association, Hawai'i Primary Care
Association, Hawaii Substance Abuse Coalition, and two
individuals. Your Committee received comments on this measure
from the Department of Human Services and Hawaii Medical Service
Association.

Your Committee finds that the emergency proclamation issued
by the Governor on December 16, 2020, related to the coronavirus
disease 2019 pandemic, suspended the application of certain laws
that excluded the use of standard telephone contacts from the
definition of "telehealth" to enable doctors and patients to
minimize in-person meetings while ensuring access to medical care.
Your Committee further finds that for many underserved and low-
income communities, standard telephone contacts are the only means
of contact, while cellular data plans and broadband services
needed for video calls are not feasible options.



This measure will allow medical professionals to use standard telephone contacts for telehealth. Your Committee notes the testimony of the Department of Human Services that audio-only patient/provider interactions are prohibited by the federal Office of Civil Rights as a telehealth modality; however, the Office of Civil Rights has exercised enforcement discretion during the coronavirus disease 2019 pandemic, electing not to prosecute violations of the rule.

Therefore, your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1258, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1258, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Health,



JARRETT KEOHOKALOLE, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1258	HTH, CPN	2-8-2021

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	—	—	—

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Rosalyn H. Baker

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*Only one measure per Record of Votes