Honolulu, Hawaii **FEB 18**, 2021 RE: H.B. No. 473 H.D. 2

STAND. COM. REP. NO.

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 473, 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 authorize the establishment of a physician-patient relationship via a telehealth appointment if the physician is licensed in the State.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaii Medical Board, Healthcare Association of Hawaii, Kaiser Permanente Hawai'i, Hawaii Substance Abuse Coalition, Hawai'i Pacific Health, Hawaii Medical Association, AARP Hawai'i, Queen's Health Systems, American Telemedicine Association, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the coronavirus disease 2019 pandemic drastically changed how health care providers care for their patients. As a result of the pandemic, the State has seen an increase in the use of telehealth services, which provides a safe and easy way for patients to continue seeing their health care providers. Despite the convenience of telehealth, existing law remains ambiguous regarding whether a patient can use



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telehealth to establish a physician-patient relationship. Your Committee believes that having the flexibility to establish a physician-patient relationship through telehealth will increase access to care for residents in the State.

Your Committee recognizes the testimony from the Department of Public Safety noting a potential conflict with existing laws that do not allow the use of telehealth, specifically to ensure that controlled substances in Hawaii are administered, prescribed, and dispensed for legitimate medical purposes.

Accordingly, your Committee has amended this measure by specifying that a patient or licensed physician may use telehealth for any allowable purpose in accordance with the law, rather than for any purpose.

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 H.B. No. 473, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 473, H.D. 2.

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

OHANSON, Chair



State of Hawaii House of Representatives The Thirty-first Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 473 HD	Committee Referral: PDP/HHH, CPC, FIN			Date: 2/12/2021		
The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 						
CPC Members		Ayes	Ayes (WR)	Nays	Excused	
1. JOHANSON, Aaron Ling (C)		\checkmark				
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2. KITAGAWA, Lisa (VC)		\sim				
3. AQUINO, Henry J.C.			in a suite se suite s In the suite set suite se suite In the suite set suite set suite set suite set suite set suite set suite se suite se suite set suite set suite s			
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4. HAR, Sharon E.		\sim	<u></u>		antininet de la ciencia de conserva en acteur a minima acteur	
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5. HASHEM, Mark J.		\sim				
6. KONG, Sam Satoru						
7. MIZUNO, John M.						
8. MORIKAWA, Dee		anna dalah charit <u>i yang b</u> ar <u>a sa</u> ta kan	an a	Strain Property Constitution		
9. ONISHI, Richard H.K.				\checkmark		
		and a second s	1 1			
10. TARNAS, David A.						
11. MATSUMOTO, Lauren				an an ann an		
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The recommendation is:	Adopted If joint referral,	Not Adopted 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						