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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 telehealth adoption  
2 in Hawaii is increasing. The report of findings from the 2017  
3 Hawaii Physician Workforce Assessment Project estimates that  
4 approximately 15 per cent of providers report a telehealth  
5 experience, which is an increase from 2014 of less than 5 per  
6 cent. This rate increase coincides with enactment Act 159,  
7 Session Laws of Hawaii (SLH) 2014, and Act 226, SLH 2016, both  
8 of which diminished several long-standing barriers to increased  
9 telehealth adoption such as reimbursement parity with face-to-  
10 face visits and malpractice coverage reform.

11           However, despite this favorable policy environment  
12 telehealth utilization remains frustratingly low. A continuum  
13 of issues across multiple sectors must be addressed such, as  
14 incentives for provider adoption, patient comfort with new  
15 technology, health care workforce training, technology and  
16 telecommunications infrastructure, and administrative  
17 simplification between health systems.



H.B. NO. 1020

1           **§321- State telehealth policy, roles and**  
2 **responsibilities.** (a) It shall be the policy of the State,  
3 through its programs, authorities, and resources to promote  
4 telehealth to deliver health care from a distance as an  
5 effective way of overcoming certain barriers to accessing care,  
6 particularly for communities located in rural and remote areas.

7           (b) The department of health is authorized to lead  
8 statewide efforts to assure consumer choice, reduce disparities  
9 in access to care, enhance health care provider availability,  
10 and improve quality of care through telehealth.

11           **§321- Telehealth advisory council.** (a) There is  
12 established within the department of health for administrative  
13 purposes the state strategic telehealth advisory council. The  
14 advisory council shall advise the governor in the development  
15 and implementation of a comprehensive plan to establish  
16 telehealth as high quality, cost-effective, and reliable means  
17 of health care access.

18           (b) The advisory board shall consist of at least nine  
19 members who shall be appointed by the governor without regard to  
20 section 26-35. The governor shall designate a member to be the  
21 chairperson of the advisory board. The director of health or a

H.B. NO. 1020

1 designee shall serve as an ex officio nonvoting member of the  
2 advisory board.

3 (c) In establishing the advisory board, the governor shall  
4 appoint at least:

5 (1) Two members of organizations that represent health  
6 care facilities, one of whom shall be a representative  
7 of a hospital;

8 (2) Two members of organizations that represent health  
9 insurers; one of whom shall primarily serve medicaid  
10 beneficiaries;

11 (3) One member of organizations that represent broadband  
12 infrastructure or telecommunications services;

13 (4) One member from the office of the governor or a  
14 designee;

15 (5) Two members of long-term care services, one of whom  
16 shall be a representative of a nursing home and one of  
17 whom shall be a representative of a home health agency  
18 or community-based health services program;

19 (6) Two health care practitioners, each of whom practices  
20 primarily in a rural county; and

21 (7) One member of organizations that represents mental  
22 health providers;

H.B. NO. 1020

1 provided that there shall be at least one state strategic  
2 telehealth advisory council member from each county in the  
3 State.

4 The members shall serve without compensation but shall be  
5 reimbursed for actual expenses, including travel expenses, that  
6 are necessary for the performance of their duties.

7 (d) The state strategic telehealth advisory council shall  
8 be exempt from chapter 92, Hawaii Revised Statutes.

9 §321- State telehealth coordinator. (a) There is  
10 established the full-time Hawaii state telehealth coordinator to  
11 support the state strategic telehealth advisory council. The  
12 state telehealth coordinator shall facilitate the establishment  
13 of infrastructure and policies across all agencies of the State  
14 and private sector to promote the expansion of telehealth in  
15 Hawaii, including:

- 16 (1) Promoting administrative support to the state  
17 strategic telehealth council;
- 18 (2) Coordinating with the department of commerce and  
19 consumer affairs on issues relating to professional  
20 and vocational licensing, and insurance regulation as  
21 they relate to telehealth;

H.B. NO. 1020

- 1 (3) Coordinating with the department of commerce and  
2 consumer affairs and department of business, economic  
3 development, and tourism on broadband connectivity;
- 4 (4) Coordinating with the department of education, the  
5 department of public safety, department of human  
6 services, the employer union trust fund, and other  
7 state agencies that finance or provide health care  
8 services to promote the use of telehealth;
- 9 (5) Coordinating with the University of Hawaii and other  
10 agencies on telehealth research to assure quality,  
11 cost effectiveness, and efficacy;
- 12 (6) Coordinating with the department of labor and  
13 industrial relations, the University of Hawaii, the  
14 department of education, and other agencies to assure  
15 a telehealth-capable workforce;
- 16 (7) Coordinating with the office of the state chief  
17 information officer on matters related to  
18 cybersecurity; and
- 19 (8) Coordinating with the private sector to assure  
20 alignment and consistency with state goals.
- 21 (b) The coordinator shall be selected by the director of  
22 health."

H.B. NO. 1020

1           SECTION 2. (a) The department of health shall establish  
2 and convene a working group to research and make recommendations  
3 to reduce barriers related to health care system credentialing,  
4 privileging, and related administrative processes that may  
5 contribute to delays and inefficiencies for health care  
6 providers delivering care to patients. The working group shall  
7 be exempt from chapter 92, Hawaii Revised Statutes.

8           The working group shall submit a final report, including  
9 recommendations for further action, to the legislature no later  
10 than twenty days before the convening of the regular session of  
11 2020.

12           SECTION 3. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$110,000 or so much  
14 thereof as may be necessary for fiscal year 2019-2020 and the  
15 same sum or so much thereof as may be necessary for fiscal year  
16 2020-2021 for the establishment of one permanent full-time  
17 equivalent (1.0 FTE) state telehealth coordinator position  
18 within the department of health.

19           The sums appropriated shall be expended by the department  
20 of health for the purposes of this Act.


21

H.B. NO. 1020

1 SECTION 4. This Act shall take effect upon its approval,  
2 and shall be repealed on January 1, 2022.

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4

INTRODUCED BY: 

5

BY REQUEST

JAN 22 2019



**Report Title:**

Telehealth

**Description:**

Establishes goals for the adoption and proliferation of telehealth to increase health care access. Establishes the Strategic Telehealth Advisory Council and permanent full-time State Telehealth Coordinator position.

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

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO TELEHEALTH.

PURPOSE: To establish telehealth as a priority to support access to health care by creating a telehealth advisory council and a full-time permanent state telehealth coordinator.

MEANS: Add a new part to chapter 321, Hawaii Revised Statutes.

JUSTIFICATION: Telehealth has been demonstrated to be a cost-effective and high quality means of delivering health care, but provider adoption has been modest. A persistent resource is required to assure that professional, clinical, financial, infrastructure, legal, workforce, and patient issues are coordinated and resolved.

Impact on the public: Patients may have improved health care access via telehealth.

Impact on the department and other agencies: State agencies will benefit from enhanced coordination and communication on issues relating to telehealth. Some agencies may be required to participate on the advisory council.

GENERAL FUND: \$110,000 for 1.0 FTE salary and fringe benefits.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HTH 907.

OTHER AFFECTED AGENCIES: Employer Union Trust Fund.

EFFECTIVE DATE: Upon approval.