

STAND. COM. REP. NO.

765

Honolulu, Hawaii

FEB 18 , 2021

RE: H.B. No. 473  
H.D. 2

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,



AARON LING JOHANSON, Chair



