



February 12, 2021

The Honorable Aaron Ling Johanson
Chair, Hawaii House Committee on Consumer Protection and Commerce
Hawaii State Capitol
415 S. Beretania St., Room 436
Honolulu, HI 96813

The Honorable Lisa Kitagawa
Vice Chair, Hawaii House Committee on Consumer Protection and Commerce
Hawaii State Capitol
415 S. Beretania St., Room 315
Honolulu, HI 96813

RE: ATA COMMENTS ON HOUSE BILL 473 HD 1

Dear Chair Johanson and Vice Chair Kitagawa:

On behalf of the American Telemedicine Association (ATA) and the over 400 organizations we represent, I am writing to express our support for House Bill 473, which clarifies that a patient-practitioner relationship may be established during a telehealth appointment.

The ATA is the only national organization completely focused on advancing telehealth. We are committed to ensuring that everyone has access to safe, affordable, and high-quality care whenever and wherever they need it. This empowers the health care system to provide services to millions more patients every year in an efficacious manner. The ATA represents a broad and inclusive coalition of technology solution providers and payers, as well as partner organizations and alliances, working to advance industry adoption of telehealth, promote responsible policy, advocate for government and market normalization, and provide education and resources to help integrate virtual care into emerging, value-based modalities.

House Bill 473 serves as an important and rational expansion of Hawaii's state telehealth policy. The proposed legislation revises Hawaii's code covering the practice of telehealth, making clear that patients and practitioners are permitted to establish relationships via telehealth encounters. This policy is consistent with the 2014 Federation of State Medical Board's "Model Policy for the Use of Telemedicine Technology in the Practice of Medicine."

Across the United States, patients and consumers are seeking more cost-effective and efficient ways to access the health care they need. More recently, innovative telehealth technologies have enabled practitioners and patients to interact with each other at any place and any time from the comfort and safety of their private residences throughout the COVID-19 pandemic. Using appropriate technologies to eliminate barriers to access to health care is an effective means to expand access to health care, especially for the unserved and underserved.



The ATA applauds the legislature's efforts to expand Hawaiians' access to affordable, quality health care. House Bill 473 takes the important step of permitting practitioners to establish a valid professional relationship with patients through the use of the appropriate telehealth technologies. So long as the patient has consented to the use of telehealth as an acceptable mode of delivering health care services and the patient and practitioner have identified themselves and disclosed the appropriate credentials, a practitioner and patient should not be prevented from establishing a professional relationship through appropriate technologies.

While the ATA supports the substantive changes to Hawaii's telehealth statute posited in the bill, we are concerned by the legislature's decision to delay the effective date of the proposed legislation to July 1, 2050 in HB 473 HD 1. This would prevent Hawaiians from enjoying the full benefits of innovative telehealth technologies for the duration of the COVID-19 pandemic and decades more. The ATA recommends that the legislature adopts the language proposed in the original version of the bill, by which the act would take effect upon approval.

Again, we thank you for your support of telehealth in Hawaii. In the context of the ongoing health crisis, it is essential that Hawaii residents have safe and efficacious access to the health care they need and deserve. We urge you and your colleagues to pass House Bill 473 in the interest of expanding Hawaiians' easy and efficient access to affordable, quality health care. Please do not hesitate to let us know how we can be helpful in your efforts to advance common-sense telehealth policy in Hawaii. If you have any questions or would like to discuss further the telehealth industry's perspective, please contact me at kzebley@americantelemed.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley".

Kyle Zebley
Public Policy Director
American Telemedicine Association