

FCC Makes \$100 Million Available for Telehealth Experiments

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At its July 10 meeting, the FCC adopted a [Notice of Proposed Rulemaking](#), which proposes the creation of a three-year "Connected Care Pilot program." The FCC proposes that the pilot program will make available up to \$100 million of universal service funds to healthcare providers to offer connected care technologies, such as remote patient monitoring devices, to connect low-income patients and veterans to telehealth services.

The notice seeks public comment on how the FCC should fund discounted broadband internet access services to allow nonprofit and public healthcare providers to administer connected care services to low-income patients and veterans. For example, eligible healthcare providers may include medical schools, community health centers and not-for-profit hospitals. The FCC proposes to cover services that treat health conditions that require extended treatment. The funds could be used "to purchase broadband Internet access service that would be provided to the patient through a connected care offering" or broadband service needed to provide healthcare services remotely. The FCC anticipates that healthcare providers will purchase broadband service from a diverse group of service providers, not just companies already qualified to receive federal universal service funding. The pilot program also would offer funding for providers to purchase network equipment used to provide connected care. While the FCC traditionally has not allocated universal service funds for end-user devices, medical devices or mobile applications essential to providing connected care services, it seeks comment on whether healthcare providers already have access to funding that can be used to obtain devices and applications, and whether healthcare providers would participate if the pilot does not fund such devices or applications.

The notice seeks comment on who should participate in the pilot program, how it should be structured, how it should be administered and the criteria for deciding how the funds should be applied. The FCC proposes an application process in which healthcare providers would provide information on their proposals, such as the connected care services involved in the proposed project and technologies needed, including the anticipated transmission speeds. The notice also proposes to award extra points to "projects that would serve geographic areas or populations where there are well-documented health care disparities (Tribal lands, rural areas, or veteran populations) or that treat certain health crises or chronic conditions that significantly impact many Americans and are documented to benefit from connected care, such as opioid dependency, diabetes, heart disease, mental health conditions, and high-risk pregnancy."

Comments and reply comments on the proposal will be due 30 and 60 days, respectively, following Federal Register publication. Cooley can provide additional information and assist interested parties with participation in the FCC proceeding. For example, device and application providers should consider submitting comments that, among other things, demonstrate how the public interest would be served by permitting pilot program funding to be used to obtain their products and services.

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