

July 2010 Letter on the Federal Communications Commission's National Broadband Plan

July 19, 2010

The Honorable Julius Genachowski
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Genachowski,

On behalf of the National Advisory Committee on Rural Health and Human Services, I am writing to respond to the Federal Communications Commission's National Broadband Plan and in particular its implications for rural America. The Committee, which advises the Secretary of the U.S. Department of Health and Human Services, applauds the Commission's attention to rural health care challenges within its larger plan for expanding broadband coverage across the nation. The FCC National Broadband Plan has brought a needed focus to the challenge many rural health care providers face in accessing business-level broadband services. As a former Governor of a predominantly rural State, I am encouraged by the attention to this issue by the FCC.

As the Commission moves forward with formal rulemaking in 2010 the Committee urges the Commission to proceed with as much flexibility as possible in using the Rural Health Care program to address broadband connectivity. In particular, the Committee supports the creation of a Health Care Broadband Infrastructure Fund to subsidize network deployment to areas that currently lack sufficient broadband connectivity. In moving in this direction, however, the Committee would urge the Commission to improve upon the previous Rural Health Pilot program, which created a number of hurdles for rural providers. The Pilot Program's match of 15 percent was insurmountable for some sites. While the Committee understands the Commission's underlying belief that matching requirements help ensure that all partners are appropriately invested it may have the unintended consequence of precluding rural participation from those entities most in need. The question is what represents a realistic matching requirement? The reality is that many rural health care providers and the communities they serve face financial challenges and that will likely be particularly true for the remaining areas where there is not affordable broadband connectivity. We would be glad to work with you on this

issue and provide some real-world feedback about ways the FCC could get the sort of community buy-in that is necessary to make projects work without pricing out the very communities most in need of assistance. For example, the FCC could consider scaling the match depending on the underlying socioeconomic characteristics of the applicant region.

We would also recommend that the FCC do all it can to simplify the administrative burden on rural providers of applying through the Universal Service mechanism. As a final recommendation, we would also urge the FCC to not require participating institutions to also meet the HHS meaningful use criteria as a check against potential fraud and abuse. While we agree that it is important that the FCC build in protections against fraud and abuse we do not think linking to meaningful use criteria makes sense. It is not yet clear how many rural providers will be able to meet the meaningful use standard given their currently low adoption rate. This recommendation by the FCC would run the risk of penalizing rural providers twice for factors that may be beyond their control. We believe that FCC could find other more traditional ways to protect the program against fraud and abuse.

Thank you for the opportunity to comment on the National Broadband Plan. If the Committee and any of its members be of any assistance to the FCC in the course of moving forward on these issues please do not hesitate to contact me.

Sincerely,

David M. Beasley
Chair