

FCC Moves Forward with COVID-19 Telehealth Program

The Program will guide disbursement of \$200 million to health care providers for connected care services.

By Lee G. Petro

TAKEAWAYS

- ② Health care providers interested in receiving funds must complete a three-step process that requires advance planning.
- ② Registration with the federal government is mandatory to apply for available funds.
- ② Development of a Telehealth Plan is necessary for proper determination of funding eligibility and deployment of requested services and devices.

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On April 2, 2020, the FCC established the COVID-19 Telehealth Program, which will guide the disbursement of \$200 million to health care providers for connected care services to their patients. We published our summary of the Program on April 3, 2020. As discussed in our summary, the FCC delegated to its staff the development of the procedures to disburse the funds.

On April 8, 2020, the Wireline Competition Bureau of the FCC released its first Public Notice regarding the Program. The Public Notice provides important guidance on the necessary steps for health care providers to become eligible to receive Program funds. While the FCC is still working on the online application portal, the Public Notice also provides a detailed list of the type of information that health care providers will need to include in their applications. The Public Notice reiterated both that the funding will be available on a rolling basis, and that no project will receive more than \$1 million. As such, health care providers interested in receiving funds should take certain steps now to prepare for submitting a Program application and reduce the delay in receiving critical funding.

Registration: As discussed in the Public Notice, all Program applicants will need to comply with a three-part registration process:

1. Register with the FCC to receive an FCC Registration Number (FRN);
 2. Register with the federal System for Award Management (SAM); and
 3. Obtain an eligibility determination from the Universal Service Administrative Company (USAC).
- Of the three obligations, obtaining an FRN from the FCC is the simplest step. The FCC requires FRN applicants to provide the name of health care provider, its Tax Identification Number, and contact information.

Registration with the federal SAM requires additional information, and the processing of registrations can take up to 10 business days to become active and additional time for other government agencies (i.e., the FCC) to be able to confirm that the registration is complete. Health care providers may submit a Program application before the registration is complete, but the FCC warned that no funds can be disbursed until the SAM registration is complete.

Finally, Program applicants must also register with USAC to determine the health care provider's eligibility to receive Program funds. To that end, health care providers that have not already been deemed eligible through participation in the FCC's Rural Health Care programs must submit an FCC Form 460 with USAC. As with the SAM registration, Program applicants may submit their applications prior to receiving the eligibility determination by USAC, but funds can not be disbursed until this step is complete.

Program Application Process: The purpose of the Program is to provide funding for connected care services connected with the COVID-19 pandemic. In particular, the FCC determined that funding will be available for:

- **Telecommunications Services and Broadband Connectivity Services:** Voice services, and internet connectivity services for health care provider or their patients.
- **Information Services:** Remote patient monitoring platforms and services; patient-reported outcome platforms; store and forward services, such as asynchronous transfer of patient images and data for interpretation by a physician; platforms and services to provide synchronous video consultation.
- **Internet Connected Devices/Equipment:** tablets, smart phones, or connected devices to receive connected care services at home (e.g, broadband-enabled blood pressure monitors; pulse-ox) for patient or health care provider use; telemedicine kiosks/carts for health care provider site.

To that end, the FCC is developing an online portal that Program applicants will use to complete the application process. The FCC has not yet completed the portal, but it provided the following guidance for the information that Program applicants must provide prior to receiving Program funds.

Specifically, in addition to the information obtained through the USAC and SAM registration process, Program applicants will be asked to provide information regarding (i) the Medical Services to be provided, (ii) the conditions to be treated, and (iii) a discussion of the provider's plan and the funding that is requested. Below is a summary of the options that are expected to be provided in the online portal:

Medical Services to be Provided: (check all that apply)

- . Patient-Based Internet-Connected Remote Monitoring
- . Other Monitoring
- . Video Consults
- . Voice Consults
- . Imaging Diagnostics
- . Other Diagnostics
- . Remote Treatment

Conditions to be Treated with COVID-19 Telehealth Funding:

- . Whether the applicant will treat COVID-19 patients directly
- . How using COVID-19 Telehealth Program funding to treat patients without COVID-19 symptoms or conditions would free up resources that will be used to treat COVID-19
- . Whether the applicant will treat patients without COVID-19 symptoms or conditions:
 - . Other infectious diseases
 - . Emergency/Urgent Care
 - . Routine, Non-Urgent Care
 - . Mental Health Services (non-emergency)
 - . Other conditions

Additional Information Concerning Requested Services and Devices:

- . Goals and objectives for use of the COVID-19 Telehealth Program Funding
- . Timeline for deployment of the proposed service(s) or devices funded by the COVID-19 Telehealth Program
- . Factors/metrics the applicant will use to help measure the impact of the services and devices funded by the COVID-19 Telehealth Program
- . Any additional information about the geographic area and population served by the applicant. Indicate whether the geographic area you serve has been under any pre-existing strain (e.g., large underserved or low-income patient population; HCP shortages; rural hospital closures; limited broadband access)

and/or Internet adoption). If so, describe such factors.

- Whether the applicant plans to target the funding to high-risk and vulnerable patients. If so, describe how.

Finally, Program applicants will need to supply sufficient documentation to support the grant of Program funds at the requested level. This information can in the form of invoices for services incurred after March 13, 2020, or purchase orders and/or quotes from vendors. The Program applicant should make sure that the information provides sufficient detail so that the FCC staff can expeditiously process the Program application.

The FCC received emergency clearance from the Office of Management and Budget to implement the Program, and the window for filing applicants is still expected to open in the next few weeks. Any steps that Program applicants can take beforehand will likely reduce the delay in receiving Program funds.

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