

November 3, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street Southwest
Washington, D.C. 20554-0004

Dear Chairman Pai:

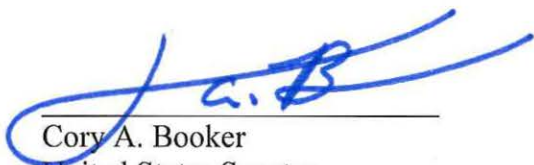
We write to express our support for a petition filed with the Federal Communications Commission (FCC) in July 2016 by a group of healthcare industry companies. These companies seek a clarification of the FCC's 2015 interpretation of the Telephone Consumer Protection Act ("TCPA") related to the treatment of health care-related outreach to consumers.

These companies asked the FCC to harmonize its interpretation of TCPA with the consumer protection provisions of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") to ensure that both laws are interpreted to treat consumer telephone numbers the same way. As part of their services to consumers these companies provide important medical and treatment information to patients using text messaging and customized automated telephone calls, and we understand that these types of communications have been shown to improve patient outcomes. Without the ability to make these calls, there is a risk that patients', members', and beneficiaries' health outcomes and overall well-being could be adversely impacted.

We share the goal of reducing unwarranted and harassing phone calls. But we believe that the TCPA was not intended to limit the health care-improving communications that these companies provide, especially in light of the fact that HIPAA expressly encourages and permits such calls to be made.

Time is of the essence to ensure that consumer's access to health care information is not jeopardized. We encourage the FCC to resolve these issues as soon as possible (preferably within the next 90 days) and to protect communications allowed under HIPAA in light of their unique value to consumers and their positive impact on American's health and well-being.

Sincerely,



Cory A. Booker
United States Senator



Bill Nelson
United States Senator



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

January 10, 2018

The Honorable Bill Nelson
United States Senate
716 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Nelson:

Thank you for your letter regarding a Joint Petition filed by WellCare Health Plan (WellCare) and other healthcare companies, concerning the treatment of non-telemarketing healthcare calls subject to the Health Insurance Portability and Accountability Act. In your letter, you encourage the Commission to expedite a resolution of WellCare's petition. Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review.

The Commission's Consumer & Governmental Affairs Bureau (CGB) released a Public Notice seeking comment on the petition, and the comment cycles on the matter have been completed. Commission staff is carefully reviewing the record in the proceeding. In addition, CGB staff has met with representatives of WellCare and the other petitioners on several occasions to discuss their request. I can assure you that we will fully consider the issues and concerns presented by all stakeholders as the Commission makes every effort to conclude its review as quickly and equitably as possible.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, which appears to read "Ajit V. Pai", is written over the printed name.

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

January 10, 2018

The Honorable Cory Booker
United States Senate
359 Dirksen Senate Office Building
Washington, D.C. 20510

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