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April 12, 2019

## VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Bridging the Digital Divide for Low Income-Consumers, WC Docket No. 17-287;  
Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42;  
Telecommunications Carriers Eligible for Universal Service Support, WC Docket No.  
09-197

### Notice of In Person Ex Parte Communication

Dear Ms. Dortch:

On April 10, 2019, representatives from TracFone Wireless, Inc., met in person with members of the Commission's Wireline Bureau, including:

- Ryan Palmer - Division Chief, Telecommunications Access Policy Division, Wireline Competition Bureau
- Jodie Griffin - Deputy Division Chief, Telecommunications Access Policy Division, Wireline Competition Bureau
- Allison Jones - Attorney Advisor, Telecommunications Access Policy Division, Wireline Competition Bureau.

On behalf of TracFone, the following representatives attended the meeting:

- Mark Rubin - Senior Executive for Government Affairs
- Elizabeth Simonhoff Perez - Senior Manager, Healthcare

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Augusta, ME • Portland, ME • Boston, MA • Providence, RI • Westport, CT • Washington, D.C.

- Geoff Why - Verrill Dana, LLP, counsel for TracFone

The discussions centered on the rollout of the National Verifier and TracFone's proposal to assist Universal Service Administrative Co. ("USAC") by providing Medicaid eligibility data to confirm applicants' Lifeline eligibility. Pursuant to TracFone's Emergency Petition for an Order Directing USAC to Alter the Implementation of the National Verifier to Optimize the Automated and Manual Eligibility Verification Processes, filed on August 9, 2018,<sup>1</sup> TracFone reiterated its request that the Commission should direct USAC to accept documentation produced through third parties' automated access to state databases. Under TracFone's proposal, USAC's manual eligibility verification process would accept proof of Medicaid eligibility provided on Managed Care Organization ("MCO") letterhead. This proposal could be an interim solution and used until the National Verifier has access to the Centers for Medicare & Medicaid Services database.

TracFone explained that it has partnerships with 25 MCOs in 37 states. Those partnerships allow TracFone to access MCOs' databases in order to verify applicants' Medicaid eligibility and thereby verify their Lifeline eligibility. The MCOs' databases originate from state Medicaid departments, which guarantee that only eligible recipients receive Medicaid reimbursement for health care services. In the past, the Commission has encouraged TracFone to use these databases to confirm the eligibility of potential Lifeline recipients. TracFone expressed its interest in relying upon these same databases to facilitate the National Verifier process. TracFone also provided the Commission staff with a list of the MCO providers.

Of those 37 states where TracFone has partner MCOs, USAC has hard launched the National Verifier in 10 of those states (UT, WY, HI, NH, NM, MS, MO, NC, PA, and TN).<sup>2</sup> Among those 10 states, 8 do not have access to state Medicaid databases. 11 more states and territories are anticipating hard launches of the National Verifier next month, and 8 of those states will not have access to Medicaid databases (AK, AS, D.C., DE, ME, MP, RI, and VI). TracFone has partner MCOs in two of those 8 jurisdictions (D.C. and DE).

Specifically, pending the Commission's approval of TracFone's petition, the proposed process would allow individuals to request Lifeline eligibility documentation through TracFone's Safelink program, with reduced burden. Upon a Lifeline applicant's request, the MCO database will populate a certificate with member information available for the applicant. TracFone provided Staff a blank sample certificate, which is attached as **Attachment 1**. The applicant must then upload the certificate to the National Verifier system, which will accept the certificate as a qualifying form of eligibility documentation for the manual eligibility verification process.

Lastly, TracFone and Staff discussed the recent National Verifier hard launch in Missouri, North Carolina, Pennsylvania, and Tennessee and how USAC does not have sufficient connections to critical eligibility databases in these states. TracFone reiterated its support for Sprint's March 18, 2019 request that the Commission not hard launch the National Verifier in

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<sup>1</sup> See <https://ecfsapi.fcc.gov/file/10809137090602/TracFone%20Emergency%20Petition.pdf>.

<sup>2</sup> USAC has hard launched the National Verifier in fifteen states (CO, HI, ID, MO, MS, MT, NC, ND, NH, NM, PA, SD, TN, UT, and WY). See [http://www.icontact-archive.com/TfWiFvrku1\\_Lm6RfjSIRPkB1ByJIdULT?w=4](http://www.icontact-archive.com/TfWiFvrku1_Lm6RfjSIRPkB1ByJIdULT?w=4).

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states that do not have automated access to Supplemental Nutrition Assistance Program and Medicaid databases.<sup>3</sup>

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is filed in ECFS. Please do not hesitate to contact me with any questions.

Sincerely,

/s/ Geoffrey G. Why  
Geoffrey G. Why

CC:

- Allison Jones – Attorney Advisor, Telecommunications Access Policy Division, Wireline Competition Bureau
- Ryan Palmer - Division Chief, Telecommunications Access Policy Division, Wireline Competition Bureau
- Jodie Griffin - Deputy Division Chief, Telecommunications Access Policy Division, Wireline Competition Bureau.

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<sup>3</sup> See Letter of Sprint to Marlene Dortch dated March 18, 2019 at 1-4, WC Docket Nos. 17-287, 11-42 and 09-197 at 3 (explaining that the “mass de-enrollment of potentially millions of otherwise-eligible Lifeline subscribers because of a difficult and ineffective reverification process clearly is not in the public interest”).