

December 5, 2017

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

**Re: Rural Health Care Support Mechanism -- WC Docket No. 02-60
Promoting Telehealth in Rural America – WC Docket No. 17-310**

Dear Ms. Dortch,

Tanana Chiefs Conference (“TCC”), by its attorneys, hereby requests that this letter be included in the above-captioned dockets for consideration as it moves forward in its efforts to address issues in the Rural Health Care (“RHC”) Program. Specifically, TCC requests that the Commission add a provision to fully fund the RHC Program for FY2016 in its final Notice of Proposed Rulemaking and Order (“NPRM & Order”), a draft of which was released to the public on November 22, 2017.¹

In the draft NPRM & Order, the Commission proposes to “carry forward for use in FY 2017 any available RHC Program funds from prior funding years and, on a one-time-basis, commit those funds to rural healthcare providers participating in the RHC Program for FY 2017.”²

TCC applauds the Commission’s efforts to ensure sufficient RHC Program funding for FY 2017. The draft NPRM & Order does not, however, address the existing RHC Program funding shortfall for FY2016. TCC previously requested that the Commission fully fund the RHC for FY2016 to alleviate the funding deficiencies for rural healthcare providers (“HCPs”) that filed their Forms 466 during the second filing window and were subject to *pro rata* funding in that year.³

¹ *In the Matter of Promoting Telehealth in Rural America, Notice of Proposed Rulemaking and Order*, FCC Circ1712-02, WC Docket No. 17-310 (2017). This document is tentatively scheduled for consideration in the Commission’s December 14, 2017 Open Meeting. As the Sunshine Notice has not yet been released regarding the December Open Meeting, this letter may be considered as part of the record in WC Docket No. 17-310, as well as WC Docket No. 02-60.

² *Id.* at ¶ 103.

³ See *In the Matter of Request for Review and Waiver by Tanana Chiefs Conference of Decision by the Universal Service Administrative Company*, WC Docket No. 02-60 (Apr. 28, 2017) at 14-22 (“Waiver Request”), incorporated herein by reference.

As TCC explained in its Waiver Request, the FY2016 funding shortfall has caused a great deal of hardship on its HCPs, and the people who depend on them for health care.⁴ Many other rural health care entities have likewise filed requests for full funding of the RHC Program for FY2016, citing their own difficulties in providing health care with the *pro rata* funds, which resulted in a great deal of suffering for their patients.⁵

Accordingly, TCC requests that the Commission provide for full funding of the RHC Program for FY2016 in the final NPRM and Order and ensure that all HCPs get all the funds to which they were entitled before the *pro rata* funding was implemented. As TCC and others have explained, the funds exist to alleviate the FY2016 shortfall.⁶ Hence, the Commission could, if it chooses to, resolve all the outstanding requests for full FY2016 in the final NPRM and Order, and alleviate the suffering of the affected HCPs that have insufficient *pro rata* funding and their patients.

Respectfully submitted,



Allison D. Rule
Ronald E. Quirk, Jr.
Counsel to Tanana Chiefs Conference

⁴ *Id.* at 6-7, 17-22.

⁵ See e.g., Letter from Bethel Family Clinic, WC Docket 02-60 (May 1, 2017), Letter from Peninsula Community Health Services of Alaska, WC Docket No. 02-60 (May 4, 2017), Letter from Bartlett Regional Hospital, WC Docket No. 02-60 (May 3, 2017), Letter from Eastern Aleutian Tribes, WC Docket No. 02-60 (May 4, 2017), Letter from Alaska State Hospital and Nursing Home Association, WC Docket No. 02-60 (May 11, 2017), Letter from Alaska Native Health Board, WC Docket No. 02-60 (May 17, 2017), and Bristol Bay Health Corporation, WC Docket No. 02-60 (May 19, 2017).

⁶ See e.g., Waiver Request at 14-17.