

ROBERT E. LATTA
5TH DISTRICT, OHIO

ASSISTANT MAJORITY WHIP

CO-CHAIRMAN
CONGRESSIONAL SPORTSMEN'S CAUCUS

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEE ON
COMMUNICATIONS AND TECHNOLOGY
VICE CHAIRMAN

SUBCOMMITTEE ON
ENERGY AND POWER

SUBCOMMITTEE ON
ENVIRONMENT AND THE ECONOMY

Congress of the United States
House of Representatives
Washington, DC 20515-3505

August 1, 2014

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862
Received & Inspected

AUG 11 2014

FCC Mail Room

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler:

We are writing to urge the Commission to clarify the meaning of "not-for-profit hospital" utilized by the Universal Service Administrative Company (USAC) in making determinations for eligibility in the Healthcare Connect Fund (Program). We are concerned that the USAC's current interpretation of "not-for-profit hospital" fails to recognize the increased usage of integrated delivery models in the health care sector, and undermines the goals of the Program by limiting the Commission's desired development of a consortium approach to creating broadband health care networks.

We understand that the USAC has interpreted "not-for-profit hospital" to mean a building with beds that is licensed to provide acute care services under state law. However, this interpretation ignores the fact that the integrated delivery models now utilized in the health care sector have significantly expanded the role of ambulatory care centers and hospital employed medical staff offices as a means to care for the patient population.

The USAC's interpretation of "not-for-profit hospital" excludes many health care providers in our states who are considered part of non-profit facilities in other legal contexts. The exclusion of these providers undermines the Program's desired objective of encouraging the creation of state and regional broadband health care networks comprised of providers that span the continuum of care from rural health clinics to urban specialist practices.

As a result, we believe the Commission should clarify as soon as possible that the term "not-for-profit hospital" within the Program would include all health care delivery locations of an entity licensed under state law that directly or indirectly operates one or more hospital facilities. This clarification would provide the certainty necessary to allow health systems in our

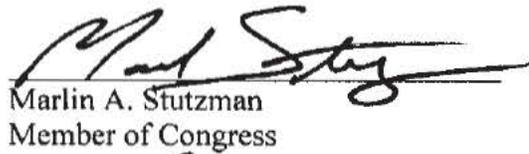
states and across the country to move forward with the planning and design of their respective broadband networks.

Thank you for your full and fair consideration of this important matter.

Sincerely,



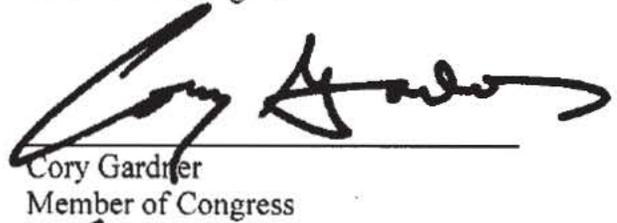
Robert E. Latta
Member of Congress



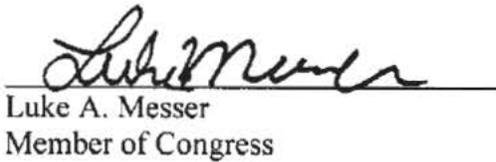
Marlin A. Stutzman
Member of Congress



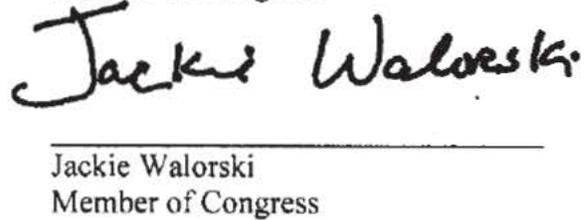
Mike Coffman
Member of Congress



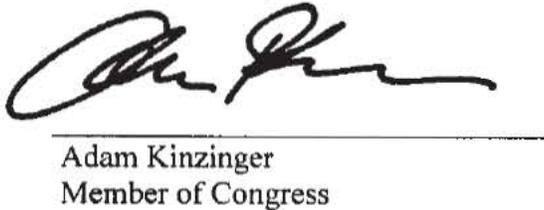
Cory Gardner
Member of Congress



Luke A. Messer
Member of Congress



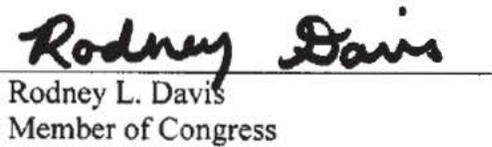
Jackie Walorski
Member of Congress



Adam Kinzinger
Member of Congress



Todd Rokita
Member of Congress



Rodney L. Davis
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 19, 2014

The Honorable Robert E. Latta
U.S. House of Representatives
2448 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Latta:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

As part of its oversight of the implementation of the Healthcare Connect Fund (HCF) program, the Commission has received questions regarding the definition of the term "not-for-profit-hospital" and its application to some health care providers. As you may know, "not-for-profit-hospital" is a statutory term that appears in Section 254(h)(7)(B) of the Communications Act of 1934, as amended. Commission staff are actively reviewing questions about the term's definition and seek to reach a determination in as expeditious a manner as possible. In general, it is important that the types of health care consortia envisioned by the HCF program have the flexibility to include as members those entities which will provide as broad an array of telehealth and telemedicine applications as possible, while also ensuring the program maintains sufficient funding to aid the beneficiaries for which it is primarily intended: rural health care providers.

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, appearing to read "Tom Wheeler", with a horizontal line above the first few letters.

Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

September 19, 2014

The Honorable Mike Coffman
U.S. House of Representatives
2443 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Coffman:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

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Tom Wheeler



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WASHINGTON

OFFICE OF
THE CHAIRMAN

September 19, 2014

The Honorable Rodney Davis
U.S. House of Representatives
1740 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Davis:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

As part of its oversight of the implementation of the Healthcare Connect Fund (HCF) program, the Commission has received questions regarding the definition of the term "not-for-profit-hospital" and its application to some health care providers. As you may know, "not-for-profit-hospital" is a statutory term that appears in Section 254(h)(7)(B) of the Communications Act of 1934, as amended. Commission staff are actively reviewing questions about the term's definition and seek to reach a determination in as expeditious a manner as possible. In general, it is important that the types of health care consortia envisioned by the HCF program have the flexibility to include as members those entities which will provide as broad an array of telehealth and telemedicine applications as possible, while also ensuring the program maintains sufficient funding to aid the beneficiaries for which it is primarily intended: rural health care providers.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 19, 2014

The Honorable Cory Gardner
U.S. House of Representatives
213 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Gardner:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

As part of its oversight of the implementation of the Healthcare Connect Fund (HCF) program, the Commission has received questions regarding the definition of the term "not-for-profit-hospital" and its application to some health care providers. As you may know, "not-for-profit-hospital" is a statutory term that appears in Section 254(h)(7)(B) of the Communications Act of 1934, as amended. Commission staff are actively reviewing questions about the term's definition and seek to reach a determination in as expeditious a manner as possible. In general, it is important that the types of health care consortia envisioned by the HCF program have the flexibility to include as members those entities which will provide as broad an array of telehealth and telemedicine applications as possible, while also ensuring the program maintains sufficient funding to aid the beneficiaries for which it is primarily intended: rural health care providers.

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OFFICE OF
THE CHAIRMAN

September 19, 2014

The Honorable Adam Kinzinger
U.S. House of Representatives
1221 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Kinzinger:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

As part of its oversight of the implementation of the Healthcare Connect Fund (HCF) program, the Commission has received questions regarding the definition of the term "not-for-profit-hospital" and its application to some health care providers. As you may know, "not-for-profit-hospital" is a statutory term that appears in Section 254(h)(7)(B) of the Communications Act of 1934, as amended. Commission staff are actively reviewing questions about the term's definition and seek to reach a determination in as expeditious a manner as possible. In general, it is important that the types of health care consortia envisioned by the HCF program have the flexibility to include as members those entities which will provide as broad an array of telehealth and telemedicine applications as possible, while also ensuring the program maintains sufficient funding to aid the beneficiaries for which it is primarily intended: rural health care providers.

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OFFICE OF
THE CHAIRMAN

September 19, 2014

The Honorable Luke Messer
U.S. House of Representatives
508 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Messer:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

As part of its oversight of the implementation of the Healthcare Connect Fund (HCF) program, the Commission has received questions regarding the definition of the term "not-for-profit-hospital" and its application to some health care providers. As you may know, "not-for-profit-hospital" is a statutory term that appears in Section 254(h)(7)(B) of the Communications Act of 1934, as amended. Commission staff are actively reviewing questions about the term's definition and seek to reach a determination in as expeditious a manner as possible. In general, it is important that the types of health care consortia envisioned by the HCF program have the flexibility to include as members those entities which will provide as broad an array of telehealth and telemedicine applications as possible, while also ensuring the program maintains sufficient funding to aid the beneficiaries for which it is primarily intended: rural health care providers.

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September 19, 2014

The Honorable Todd Rokita
U.S. House of Representatives
236 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Rokita:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

As part of its oversight of the implementation of the Healthcare Connect Fund (HCF) program, the Commission has received questions regarding the definition of the term "not-for-profit-hospital" and its application to some health care providers. As you may know, "not-for-profit-hospital" is a statutory term that appears in Section 254(h)(7)(B) of the Communications Act of 1934, as amended. Commission staff are actively reviewing questions about the term's definition and seek to reach a determination in as expeditious a manner as possible. In general, it is important that the types of health care consortia envisioned by the HCF program have the flexibility to include as members those entities which will provide as broad an array of telehealth and telemedicine applications as possible, while also ensuring the program maintains sufficient funding to aid the beneficiaries for which it is primarily intended: rural health care providers.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 19, 2014

The Honorable Marlin Stutzman
U.S. House of Representatives
1728 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Stutzman:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

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WASHINGTON

OFFICE OF
THE CHAIRMAN

September 19, 2014

The Honorable Jackie Walorski
U.S. House of Representatives
419 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Walorski:

Thank you for your letter urging the Commission to clarify the meaning of the term "not-for-profit hospital." Your views are important to me and will be considered as part of the Commission's review of this matter.

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