

COALITION FOR
**Healthcare
Communication**

August 25, 2003

Secretary and Commissioners
Federal Communications Commission
445 12th Street., SW
Washington, D.C. 20554

RE: Docket # 02-278

Dear Secretary and Commissioners:

The Coalition for Healthcare Communication hereby petitions the FCC to reconsider and reverse its decisions governing unsolicited fax advertisements included in the Report and Order amending the regulations that implement the Telephone Consumer Protection Act (TCPA).

The Coalition for Healthcare Communication (CHC) is an organization of organizations dedicated to preserving and encouraging the free flow of medical information. The membership consists of the American Medical Publishers Association, the Healthcare Marketing and Communications Council, the Association of National Advertisers, the Public Relations Society of America, the Healthcare Businesswomen's Association, the Association of Medical Publications, the American Advertising Federation, the Medical Marketing Association, the Midwest Healthcare Marketing Association, the American Association of Advertising Agencies and American Business Media

As representatives of professional communication specialists, we assure you that these limits on the distribution of faxes would impact the healthcare industry in significant ways, and would remove from the healthcare community most or all of the value of the fax medium.

Like some other areas of the business community, many healthcare professionals, including doctors and other patient care professionals, continue to rely on fax communications for many basic communication needs. Indeed, for some purposes, including receiving and processing invitations to educational events, many medical professionals absolutely prefer faxes, even when they use and prefer e-mail, postal and other media for other uses.

More generally, given the enormous number of current and potential customers nationwide, each professional communications company knows that it must target its media as well as its messages to the intended recipients. Oftentimes, that requires that industry participants use multiple media for communications, and great flexibility must be exercised in the process. Situations ranging from "life and death" to "the only way to communicate with certain constituencies" are plentiful.

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American Advertising Federation • American Association of Advertising Agencies • American Business Media
American Medical Publishers Association • Association of Medical Publications • Association of National Advertisers
Healthcare Businesswomen's Association • Healthcare Marketing and Communications Council, Inc. • Medical Marketing Association
Midwest Healthcare Marketing Association • Public Relations Society of America

While the Internet has increased the ease of communications in many sectors of the healthcare world, an overwhelming percentage of practitioners still use paper for access to information, patient records, billing, and laboratory communications. In turn, most of the information they receive is paper, very often faxes.

For example, when drugs and devices are recalled or important safety and effectiveness information needs to be disseminated quickly to healthcare providers, faxes are often the best and sometimes the only effective way to communicate. In less immediate but critical medical education meetings, fax is also the most efficient and effective way to communicate.

One of the most widely used sources of lists for these efforts is the American Medical Association. For decades, the AMA has distributed a list of US physicians and has strictly governed its use to limit abuse. Most assuredly, we expect that vigilance to continue, obviating any need of regulation of the process by the Federal Communication Commission.

In sum, we note that it is vital that the healthcare community that the FCC not interfere with the right to utilize fax technology to communicate important medical information to the community individually and at large. We strongly recommend that the FCC reconsider and reverse its decision.

Respectfully submitted,

/s/

Jack Angel
Executive Director
Coalition for Healthcare Communication

cc: Dane Snowden, Chief
Bureau of Consumer and Governmental Affairs