

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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In the Matter of PETITION FOR RULEMAKING BY ) OET Docket No. RM-11523  
STARKEY LABORATORIES, INC. TO AMEND THE )  
MINIMUM BANDWIDTH REQUIREMENTS IN )  
SECTION 15.247(a)(2) FOR THE 902-928 MHz BAND )

**COMMENTS OF THE MEDICAL DEVICE MANUFACTURERS ASSOCIATION**

The Medical Device Manufacturers Association (MDMA) respectfully submits its comments in the above-captioned proceeding. These comments respond to the Office’s requests for comments regarding the Petition for Rulemaking by Starkey Laboratories, Inc. to Amend the Minimum Bandwidth Requirement in Section 15.247(a)(2) For The 902-928 MHz Band, released on March 26, 2009.<sup>1</sup> MDMA opposes the amendment of the minimum bandwidth requirement in Section 15.247(a)(2).

**BACKGROUND AND SUMMARY**

The Medical Device Manufacturers Association (“MDMA”) is a national trade association that represents hundreds of manufacturers of medical device and diagnostic products.<sup>2</sup> Among other objectives, MDMA seeks to ensure that patients have access to the latest advancements in medical technology, many of which are developed by small, research-driven medical device companies. In particular, many of MDMA’s member companies manufacture medical devices that make new and innovative uses of the 900

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<sup>1</sup> *In the Matter of Petition for Rulemaking by Starkey Laboratories, Inc. to Amend the Minimum Bandwidth Requirement in Section 15.247(a)(2) For The 902-928 MHz Band*, OET Docket No. RM-11523(released March 26, 2009).

<sup>2</sup> MDMA was created in 1992 by a group of medical device company executives who believed that the innovative and entrepreneurial sector of the industry needed a strong and independent voice in the nation’s capital. Our mission is to promote public health and improve patient care through the advocacy of innovative, research-driven medical device technology.

MHz spectrum band under Part 15 of the FCC's rules. Such uses include devices such as:

- Implantable cardiac devices enabled with radio frequency telemetry
- Wireless patient monitoring devices
- Wireless electrocardiogram transmitters
- Artificial hearts

Such devices – all of which operate at very low power – have important benefits. Among other things, they allow patients to spend less time in hospitals and doctors' offices, permit physicians to monitor patients remotely, and enhance the overall quality of life of critically ill patients.

Design considerations for such devices can be very strict. For example, implanted cardiac devices reside for years within a patient's body, so low power consumption directly impacts battery longevity, which is particularly important in the design of the telemetry systems for these devices. Some of these devices are designed to operate in the 915 MHz ISM band to take advantage of the higher power limits compared with other options such as Medical Implant Communications System (MICS) in the 400 MHz frequency band. Many of these medical devices operate under Section 15.249.

It is important that the 915 MHz band continue to be broadly available for medical telemetry as an alternative to the lower power MICS band: Patients, physicians, and other clinical users should continue to have effective access to technology that utilizes the 915 MHz band.

The amendment requested by Starkey could increase the likelihood of adverse interference with very low power medical devices that operate in the 902-928 band. Some very low power medical devices operate at a fixed frequency at power levels up to 200 times lower than the Starkey devices. Permitting transmission of concentrated narrow band signals at frequencies that overlap with the transmissions of such low power medical devices could significantly increase the likelihood of adverse interference.

For these reasons, MDMA opposes the present petition to amend the minimum bandwidth requirement in section 15.247(a)(2) for the 902-928 MHz band.

Respectfully submitted,

Medical Device Manufacturers Association

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