

(2) *Call center reports.* VRS providers shall file a written report with the Commission and the TRS Fund administrator, on April 1 and October 1 of each year for each call center that handles VRS calls that the provider owns or controls, including centers located outside of the United States, that includes: (a) the complete street address of the center; (b) the number of individual CAs and CA managers; and (c) the name and contact information (phone number and email address) of the manager(s) at the center. VRS providers shall also file written notification with the Commission and the TRS Fund administrator of any change in a center's location, including the opening, closing, or relocation of any center, at least 30 days prior to any such change.

Healinc Compliance: Healinc affirmatively acknowledges its responsibility to, and will make semi-annual call center reports to the Commission and Fund Administrator on or before April 1 and October 1 of each year.

(3) *Compensation of CAs.* VRS providers may not compensate, give a preferential work schedule or otherwise benefit a CA in any manner that is based upon the number of VRS minutes or calls that the CA relays, either individually or as part of a group.

Healinc Compliance: Healinc has never in the past, nor does it now, compensate, give a preferential work schedule or otherwise benefit a CA in any manner that is based upon the number of VRS minutes or calls that the CA relays, either individually or as part of a group, as can be verified by the Commission.

(4) *Remote training session calls.* VRS calls to a remote training session or a comparable activity will not be compensable from the TRS Fund when the provider submitting minutes for such a call has been involved, in any manner, with such a training session. Such prohibited involvement includes training programs or comparable activities in which the provider or any affiliate or related party thereto, including but not limited to its subcontractors, partners, employees or sponsoring organizations or entities, has any role in arranging, scheduling, sponsoring, hosting, conducting or promoting such programs or activities.

Healinc Compliance: Healinc affirmatively acknowledges that VRS calls to a remote training session or a comparable activity will not be compensable from the TRS Fund. Healinc states further that it has at no time sought Fund compensation for such calls.

IV. COMPLIANCE WITH THE WAIVED MANDATORY MINIMUM STANDARDS FOR THE PROVISION OF FEDERALLY-FUNDED VRS (47 C.F.R. §64.606(a)(2)(ii))⁶⁰

Healinc continues to comply with those MMS that have been waived for VRS subscribers, as follows.⁶¹

1. *One-line VCO, VCO-to-TTY, and VCO-to-VCO.*

Healinc Compliance: Healinc has complied with the *One-line VCO, VCO-to-TTY, and VCO-to-VCO* requirement since its inception. HEALINC has the capability of providing VRS for all call types.

2. *One-line HCO, HCO-to-TTY, and HCO-to-HCO.*

Healinc Compliance: Healinc has complied with the *One-line HCO, HCO-to-TTY, and HCO-to-HCO* requirement since its inception.

3. *Call Release.* Call release allows a CA to set up a TTY-to-TTY call that, once established, does not require the CA to relay the conversation.

Healinc Compliance: Healinc has complied with the *Call Release* requirement since its inception. Although Healinc maintains this capability through call bridging, it has never had to process a TTY-to-TTY call.

4. *Pay-Per-Call (900) calls.* Pay-per-call (900) calls are calls that the person making the call pays for at a charge greater than the basic cost of the call.

Healinc Compliance: Healinc has processed no such calls, but has the capability to do so in the event such calls are placed.

⁶⁰ See 2011 VRS Waiver Extension Order.

⁶¹ See also, *Healinc Telecom, Inc. 2011 Annual Mandatory Minimum Standards Waiver Report*, CH Docket No. 03-123 (April 14, 2011).

5. *Types of Calls (Operated Assisted Calls and Long Distance Calls).* Commission rules require TRS providers to handle any type of call normally handled by common carriers.

Healinc Compliance: Healinc maintains procedures that enable use of operator assisted calling through the caller's preferred carrier or Healinc's default presubscribed carrier's operator services, and the ability to pass along caller credit card information for purposes of billing pay-per-call calls. Since its inception, Healinc has not billed callers for long distance services, consistent with Equal Access obligations.

6. *Equal Access to Interexchange Carriers.* The TRS rules require that providers offer TRS users their interexchange carrier of choice to the same extent that such access is provided to voice users. Providers should specifically address the effect of the numbering and registered location requirements on the continuing need for this waiver.

Healinc Compliance: Healinc has complied with the *Equal Access to Interexchange Carriers* requirement since its inception, by not charging callers to place long distance calls. Healinc maintains that the new numbering and registered location requirements adopted in 2009 moot the very need to maintain this exemption. Subscribers are effectively presubscribed to each VRS provider. It is virtually inconceivable that a subscriber would request to be routed to an interexchange carrier. The Deaf Community has come to expect that interexchange calls placed via VRS will not be subject to separate charges. Those subscribers who may also maintain separate interexchange services are otherwise not impacted. Healinc has not experienced an instance where a caller has requested to be routed over a specific interexchange carrier before or after implementation of the numbering and registered location requirements. Nevertheless, Healinc urges the Commission to solicit public comment before removal of the waiver to build a record supporting a decision to terminate the waiver.

7. *Speech-to-Speech.* In the 2000 TRS Report & Order, the Commission recognized STS as a form of TRS and required that it be offered as a mandatory service. The Commission waived this requirement indefinitely for VRS, noting that STS is a speech-based service, whereas VRS is a visual service using interpreters to interpret in sign language over a video connection.

Healinc Compliance: As is the case with TTY-to-TTY calls, Healinc maintains the technical capability to process such calls, though its experience with such calls is virtually non-existent.

V. ADDITIONAL COMPLIANCE REQUIREMENTS.

On September 29, 2011, the Commission Enforcement Bureau issued citations against several Fund ineligible VRS providers for violations of 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(i), (ii), and (iii).⁶² According to the citations,

Under section 64.604(c)(5)(iii)(N)(1)(iii) of the Commission's rules, Eligible Providers were prohibited from having contracts authorizing a third party to provide core functions associated with providing VRS. However, the Commission stayed the effective date of section 64.604(c)(5)(iii)(N)(1)(iii) until October 1, 2011.⁶³ This stay allows Eligible Providers to have certain revenue sharing arrangements, including subcontracting with third parties to provide interpretation services and call center functions on the Eligible Provider's behalf.⁶⁴ In such cases, the third-party may not hold itself out as offering or providing the service; the Eligible Provider must always be identified as the entity offering and providing the VRS regardless of whether the service is offered directly by the Eligible Provider or through a contract with a third-party.^{65 66}

⁶² 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(i), (ii), and (iii).

⁶³ *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Order Suspending Effective Date, 26 FCC Rcd 8327 (2011). The stay did not affect the requirements under section 64.604(c)(5)(iii)(N)(1)(i) and (ii).

⁶⁴ Call Center functions include call distribution, call routing, call setup, mapping, call features, billing, and registration. 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(iii).

⁶⁵ § 64.604(c)(5)(iii)(N)(1)(ii). Brand names such as XYZ Co. powered by Eligible Provider or XYZ Co., a subcontractor of Eligible Provider, do not comply with the requirement that service be offered in the name of the Eligible Provider. Neither of these brand names clearly identifies the Eligible Provider as the entity actually providing the service. See *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 6862 (2011).

To ensure that for its part Healinc strictly complies with Sections 64.604(c)(5)(iii)(N)(1)(i) and (ii) until the section 64.604(c)(5)(iii)(N)(1)(iii) effective date,⁶⁷

Healinc implemented the following steps:

- Sub-contracted VRS providers were considered part of Healinc;
- Sub-contracted VRS providers' identity was been made entirely transparent to the Public:
 - All calls were routed exclusively to Healinc's single Uniform Resource Locator ("URL"), llvrs.tv and after September 27, 2011, healinctelecom.tv, or Healinc's own toll free number;
 - Sub-contracted VRS providers were immediately precluded from identifying the name of the sub-contracted entity in any way; if a CA identifies the VRS provider, such identification is to be that of "Healinc Telecom, LLC;"
 - Sub-contracted VRS providers were directed to immediately deactivate any VRS-related web site pending their Fund eligibility certification, should they elect to pursue it.
- Healinc placed VRS provider sub-contractors on notice that failure to comply with any of these requirements will result in immediate termination.

These actions removed any possibility for Public confusion regarding Healinc's identity as the Fund eligible provider. Though Healinc does not anticipate again engaging in contractual relationships with other Fund eligible providers for the provision of VRS, should it elect to do so in the future, the Company will impose the foregoing requirements on sub-contracted entities following due notice to the Commission.

In addition to the foregoing, Applicant affirmatively acknowledges, has and will comply with, all applicable regulations associated with the provision of VRS including but not limited to, Section 64.611, Internet-based TRS registration, and 64.613, Numbering directory for Internet-

⁶⁶ See, e.g. Official Citation, Federal Communications Commission, to CODA VRS Corporation, EB-11-TC-097, DA 11-1615, (September 29, 2011) [collectively "Citations"] Footnotes from original retained.

⁶⁷ Extended through November 14, 2011. See, *In the Matter of Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, *Order Extending Suspension of Effective Date*, FCC 11-145 (rel. September 30, 2011).

based TRS users, as amended, and applicable Commission orders and policies, as may be amended from time to time.⁶⁸

VI. PUBLIC INTEREST SHOWING.

Healinc maintains that the grant of the instant Application is in the public interest. Healinc's recertification will continue to provide the Public generally, and Deaf Community specifically with a real choice of responsible compliant provider. Healinc is an experienced provider with a legacy of responsible provision of service to the Deaf Community. Healinc CAs and employees have deep ties to the Deaf Community and have made a meaningful contribution to making simplified, functionally equivalent VRS available to the Deaf and hard of hearing. Healinc has offered and is prepared to continue offering technologically-advanced relay services and expand the availability of relay services in the U.S.

VII. CONCLUSION

Over the course of the past five and a half years of its Fund eligibility certification, Healinc has made vast improvements in its service, technology, operations, and organization while maintaining compliance with non-waived and waived MMS, and Commission and Fund Administrator orders and policies. Healinc continues to provide the very type of innovative, advanced-technology VRS envisioned by the Commission, consistent with the Commission's

⁶⁸ The recent amendments to Sections 64.611 and 64.613 do not impact Healinc. Regarding newly promulgated Section 64.611(f) (redesignated from Section 64.611(e)), Healinc has not assigned a toll free number to any subscriber. Pursuant to Section 64.613, Healinc has assigned geographically appropriate North American Numbering Plan numbers to subscribers since the ten-digit numbering requirements were implemented. *See, e.g. In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, E911 Requirements for IP-Enabled Service Providers, Internet-Based Telecommunications Relay Service Numbering et al.*, CG Docket No. 03-123, WC Docket Nos. 05-196 and 10-191, *Report and Order*, FCC 11-123 (August 4, 2011).

long-standing pro-competitive policy, while constantly striving to fully integrate itself with the Deaf Community and Public and improve on the quality of its services.

By the instant Application, Exhibits, and statements made by the Company's Chief Executive Officer subject to penalty of perjury, Healinc demonstrates that it meets or exceeds the Commission's MMS, has met the Commission's certification requirements, as amended, and is otherwise in compliance with Commission orders and policies governing the provision of video relay services and IP Relay service as a federal Telecommunications Relay Service Fund eligible certificated provider. Healinc respectfully requests that the Commission now grant Healinc certification as a Telecommunications Relay Service Fund eligible provider for the provision of VRS and IP Relay, accordingly. Healinc further requests that it be granted certification as a Telecommunications Relay Service Fund eligible provider on or before January 4, 2012, to ensure the seamless provision of VRS to its subscribers and Public.

A Verification attesting to the truth, accuracy, and completeness of this Application under penalty of perjury signed by me as Chief Executive Officer of Healinc and notarized, is attached.

Respectfully submitted this 15th day of November, 2011,

Healinc Telecom, LLC

By: 

Stanley F. Schoenbach, M.D.
Chief Executive Officer/Managing Member
3333 Henry Hudson Parkway, Suite 1A,
Riverdale, NY 10643

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)
)
Structure and Practices of the) CG Docket No. 10-51
Video Relay Service Program)
)

Internet-based TRS Certification Application

Of Healinc Telecom, LLC

LISTING OF EXHIBITS

Exhibit	Content
A	CONFIDENTIAL A copy of each lease for each call center operated by Healinc Telecom, LLC Listing of all call centers and their addresses
B	CONFIDENTIAL A description of the technology and equipment used to support call center functions
C	CONFIDENTIAL Proofs of purchase, leases or license agreements for all technology and equipment used to support their call center functions, including a complete copy of any lease or license agreement for automatic call distribution is attached as confidential
D	Statement that Healinc will file annual compliance reports demonstrating continued compliance with Commission rules.
E	Quality Assurance Plan; VRS Training Presentation
F	Whistleblower Policy
G	CONFIDENTIAL Senior Management Overview CONFIDENTIAL Employee Manual

CONFIDENTIAL Exhibit A

**A copy of each lease for each call center operated by Healinc Telecom, LLC
Listing of all call centers and their addresses**

(Attached)

Supporting documentation:

[REDACTED]

CONFIDENTIAL Exhibit B

A description of the technology and equipment used to support call center functions

(Attached)

Supporting documentation:

[REDACTED]

CONFIDENTIAL Exhibit C

Proofs of purchase, leases or license agreements for all technology and equipment used to support their call center functions, including a complete copy of any lease or license agreement for automatic call distribution is attached as confidential

(Attached)

Supporting documentation:

[REDACTED]

Exhibit D

Statement that Healinc will file annual compliance reports demonstrating continued compliance with Commission rules.

(Attached)

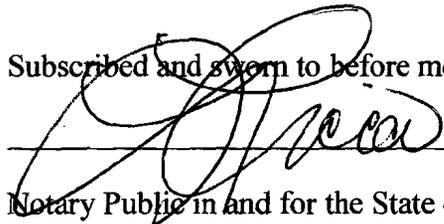
swear under penalty of perjury that upon a grant of certification, Healinc Telecom, LLC will file annual compliance reports in accordance with the entirety of Section 64.606(g) of the Commission's rules. Such annual reports will be examined by me first hand, and the accuracy and completeness thereof will be further verified by me under oath as Chief Executive Officer of Healinc Telecom, LLC subject to penalty of perjury in accordance with the specific officer certification language set forth in Section 64.606(g)(2)(interim) of the Commission's rules.

Healinc Telecom, LLC

By: 

Stanley F. Schoenbach, M.D.
Chief Executive Officer/Managing Member
3333 Henry Hudson Parkway, Suite 1A,
Riverdale, NY 10643

Subscribed and sworn to before me this 14 day of November, 2011



Notary Public in and for the State of New York

LISA M. RIVERA
Notary Public, State of New York
Qualified in Bronx County
No. 01R16221590
My Commission Expires May 3, 2014

Exhibit E

**Quality Assurance Plan
VRS Training Presentation**

(Attached)

Healinc Telecom, LLC

Quality Assurance Program

Introduction. Service quality is one of the most critical components of Healinc Telecom, LLC's ("Healinc") operations and a hallmark of Healinc's reputation. Subscribers have a right to expect and receive exceptional service from Healinc and its partners. Exceptional service quality is an ongoing objective that demands constant attention, practice, and enhancement. It is with this exceptional service objective in mind, that Healinc's Quality Assurance Program has been designed to exceed subscriber expectations, exceed regulatory standards, and build a service platform that is the envy of competitors. The following is an overview of Healinc's Quality Assurance Program.

Communications Assistant Assessment Process.

Initial Evaluation: All Healinc Communications Assistants (CA's) must reside in the United States and be immersed in Deaf Community culture. Additionally they must be as well as the local community culture in which they reside. Healinc CAs must be Nationally Certified Interpreters possessing a State Certification, CI/CT, CSC, NIC, NIC ADVANCED, NIC MASTERS, OTC and SC:L. Because of this our expectations are higher than most and thus our evaluations are more stringent.

CAs must have at least two years proven experience in interpreting prior to being considered as a Healinc interpreter. Additional consideration is given to each candidate's education and previous training.

Healinc's stringent CA credentialing process specifically includes:

- *Overview FCC rules pertaining to VRS Services*
- *Telephone Interview*
- *Interview via webcam or Video Phone*
- *Assessment by company's C.T.O. who is also deaf.*
- *Contractor Information Worksheet completed*
- *Detailed Testing (Verbal & Written)*
- *Qualifying process via VRS/VRI manager, Sr. Vice President or MODL*
- *Internet and Computer Specs/Requirements Evaluated*
- *Verification of work area, secured lock entrance/exit, Pictures of work area submitted*
- *Independent Contractor's Agreement Completed*
- *Role of the Professional Interpreter*
- *Conduct and Procedures*
- *Code of Professional Ethics*
- *Statement of Neutrality and Confidentiality*
- *Invoicing*
- *Orientation 8 hour training course by our Training Manager*
- *Continuous Evaluation*

Healinc Telecom, LLC

Quality Assurance Program

The first three steps provide an opportunity for the CA/VRS Management Team to determine a given interpreter's initial skill set and ability to continue through the evaluation process. Developed over the last 6 years, this method of separating merely bilingual applicants from competent CAs has been found to be extremely effective. Those found to be qualified during the telephone interview receive a Contractor Information Sheet. Candidates found not to meet minimum qualifications through the Contractor Information Sheet review are not tested. Ultimately candidates are weeded through the evaluation process.

Healinc's final CA interpreter exam process was created in coordination with the Director Healinc's Language Services, Director of the International Interpretation Resource Center (IIRC) at the Monterey Institute of International Studies, in consultation with Oregon Health Science University and industry experts, including NCIHC (National Council on Interpreting in Health Care) and the Cross-Cultural Health Care Program and the Registry of Interpreters for the Deaf.

This exam is conducted telephonically and incorporates the following key components:

Medical & Social Service Terminology

- Body parts
- Equipment
- Pharmaceuticals
- Medical tests and procedures
- Basic common health conditions
- Scenarios involving child abuse, family assistance programs
- Abbreviations (e.g. ICU, qid)
- Specialties (e.g. medical, mental health, substance abuse, herbal medicine)

Language Competency

- Fluency in source and target languages
- Standard language and common colloquialisms (slang)
- Basic legal terminology

Interpreter Competency

- Interpreting skills (e.g. memory skills)
- Customer service
- Message accuracy; meaning for meaning interpretation
- Interpreting in the 1st person

Healinc Telecom, LLC

Quality Assurance Program

Professional Ethics

- Customer satisfaction
- Confidentiality
- HIPAA Compliance
- Professional conduct
- Advocacy
- Conflict of interest
- Acting as a “cultural broker”

CA Standards

All Interpreters, white labels are always undergoing multiple checks, monitoring's and other related quality check points to ensure that all business is legitimate and that all Healinc, LLC policies and procedures and strict rules of professional conduct are honored and mandated.

Ongoing Evaluation:

Newly engaged CA calls are monitored for quality assurance for a minimum of 3 to 6 months. After the initial period, Healinc monitors every interpreter for quality on a monthly basis. This ongoing evaluation process monitors CA adherence to Healinc's code of ethics and standards of practice and customer service. This was recently implemented in 3 of 2011 and forms are being drafted and should be ready to implement by June 1, 2011.

Further, Healinc monitors a number of service factors daily, including time to connect to a CA and quality of interpretation. Lead CAs in management capacity, deaf management, and the executive management team randomly monitor calls to check for quality, professionalism, and accuracy of interpretation. It is of paramount importance that the key factors of both quality interpretation and time to connect are adequately monitored to assure the utmost in customer satisfaction. Healinc also monitors the “on-call” log to make certain that we have more than enough interpreters on call at any given time.

Customer Service complaints are immediately logged into a Customer Complaint Resolution file in our company-wide computer network. This applies to all types of complaints. Once a complaint is logged, an e-mail is immediately sent to all appropriate personnel. All discussions pertaining to the complaint and the resolutions are logged. This file can be accessed by the C.T.O./Quality Assurance Manager, VRS Manager, Operations Coordinator and all executive management staff. This allows for cross-departmental input, which helps to ensure that a solution designed by one department does not have negative ramifications on our operating procedures.

Healinc Telecom, LLC

Quality Assurance Program

Complaints or concerns are addressed within 12-24 hours so long as the forms are documented by the Manager on Duty/Lead completes her task timely.

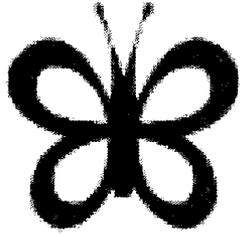
VI/VRS Call Evaluation Review

Date		Issue:
Time		Notes:
Call VRSID		
Phone		
Info		
		Action Taken:

Follow UP Action Needed: _____

Evaluator Comments: _____

Evaluator's Signature: _____ Management: _____



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Video Interpreter Training



Healinc's Mission Statement

"At Healinc, we recognize the diverse communication needs of the deaf, hard of hearing, and late deafened communities and strive to provide a variety of personalized relay services that enable them to connect successfully with the hearing world. Our commitment to technological innovations, ethical practices, and investment in the community provide connections that afford our users full communication access according to individual preferences."

Expectations

Autonomy

Mastery

Purpose

Healing Community Purpose

“Open the VRS Experience
to the Diverse Needs of
ALL Deaf and Hard of
Hearing Individuals”

Healing Interpreter Purpose

“Bring the VRS Experience
as Close to a Real Life
Experience as Possible”