

November 16, 2012

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Notice of *Ex Parte* Communication, WC Docket No. 02-60**

Dear Ms. Dortch:

On November 13, 2012, Mat Kendall, Director of the Office of Provider Adoption and Support, and Leila Samy, Rural Health IT Coordinator, both of the Office of the National Coordinator for Health IT in the Department of Health and Human Services (HHS), along with Claudia Williams, Health IT Liaison in the Technology Division of the Office of Science and Technology Policy (collectively, for purposes of this letter, “ONC”), spoke via telephone with Michael Steffen, Office of the Chairman, and Julie Veach, Carol Matthey, Michael Jacobs, Linda Oliver, and Chin Yoo of the Wireline Competition Bureau. The purpose of the call was to discuss performance measurements and goals in the context of upcoming reform to the Commission’s Rural Health Care program, in response to the Commission’s July 15, 2010 Notice of Proposed Rulemaking in the above-captioned docket.

During the call, ONC explained how broadband connectivity supported by a reformed Rural Health Care program could assist health care providers in achieving “meaningful use” of electronic health records, and how satisfaction of meaningful use requirements would qualify such health care providers for Medicare and/or Medicaid incentive payments. ONC further described what steps health care providers have to go through to achieve meaningful use. ONC encouraged the Commission, when establishing performance goals, measures, and reporting requirements, to consider including progress towards meaningful use among the relevant metrics. ONC also discussed other possible health care metrics to consider in connection with performance goals and measures and the value of collecting NPI and CCN codes from participants in a reformed program to facilitate the ability of government agencies to share data regarding health care provider participation in various programs.

ONC urged the FCC to avoid placing specific requirements on speed, bandwidth, technology or types of services (e.g., fixed and mobile) funded under a reformed program, because technologies and capabilities may change over time, and health care providers’ needs for communications services are increasing. Rather, ONC suggested the FCC set requirements focused on desired outcomes—increasing robust health information exchange among rural health care providers and enabling rural Americans to benefit from access to health care powered by the full range of health IT applications, including telehealth, mobile health and electronic health record technology.

ONC also encouraged the Commission to ensure the reformed program is designed to support sufficient deployment of dedicated broadband networks to health care providers. These dedicated networks should ensure a sufficient connectivity for exchanging health information in a secure and reliable way. Additionally, ONC discussed the need to ensure affordable access to a range of services that health care providers may need.

Finally, the parties discussed timing considerations for meaningful use performance goals and measures vis-à-vis implementation of Rural Health Care program reforms.

Respectfully submitted,

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Michael J. Jacobs  
Legal Advisor to the Chief  
Wireline Competition Bureau  
Federal Communications Commission