

**Before the  
Federal Communications Commission**

In the Matter of	)	
	)	
Amendment of the Commission's	)	ET Docket No 08-59
Rules to Provide Spectrum for the	)	
Operation of Medical Body Area	)	
Networks	)	
	)	
	)	
	)	

**Comments of Welch Allyn**

Welch Allyn (“Welch Allyn” or “Company”), acting pursuant to Section 1.415(b) of the Federal Communications Commission’s (“FCC” or “Commission”) Rules, 47 C.F.R. § 1.415(b), hereby respectfully submits these initial comments in response to the Commission’s Notice of Proposed Rulemaking, FCC 09-57, released June 29, 2009 in this Docket.<sup>1</sup>

Welch Allyn is a privately held company headquartered in Skaneateles Falls, New York. Founded in 1915, Welch Allyn has remained committed to providing frontline caregivers the tools they need to solve their patient care challenges. It is that commitment to quality and innovation that has allowed the Company to become a leading provider of innovative medical diagnostic and therapeutic devices or solutions, including cardiac defibrillators, patient monitoring systems, and miniature precision lamps. In fact, 95 out of 100 doctors in the United States own a Welch Allyn device.

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<sup>1</sup> These initial comments are timely submitted in accordance with the notice published in the Federal Register on August 6, 2009. 74 Fed. Reg. 39249-39259. August 6, 2009.

Welch Allyn has developed hundreds of breakthrough products and technologies that enable frontline practitioners to provide superior patient care. Building on these successful products, the company has enjoyed steady growth by expanding its traditional position into electronic and connected product categories like continuous patient monitoring, automated vital signs capture and diagnostic cardiology. Welch Allyn's continued advancements make accessing patient information faster, more accurate and more efficient.

As a leading global manufacturer of medical diagnostic equipment with a wide range of connected solutions, physicians and hospitals count on Welch Allyn's patient-friendly devices to produce accurate clinical information for use with the company's electronic databases. Welch Allyn continues to develop and pursue technologies that help caregivers do more with less, make better decisions, and streamline workflow. Because the company is committed to bringing the most advanced, intuitive and efficient technology to the front line of care, Welch Allyn is interested in providing a flexible platform for the wireless networking of multiple body sensors used for monitoring a patient's physiological data.

Welch Allyn believes that providing dedicated radio spectrum with technical rules for the purpose of monitoring is an opportunity for companies in this area. However, the definition of the dedicated spectrum has to be wide enough to sustain growth in the future and still not interfere with the Industrial Scientific Medical (ISM) and 2.4 GHz band. As a company aiming for leading edge wireless solutions and moving towards wireless sensors, this is an opportunity for patients and further offers opportunities to improve patient care outcomes and reduce costs.

Welch Allyn suggests that this regulation coincide with an architecture and design that guarantees there is no harm to the patient. The issue of duty cycle is brought up in the

proposed rule with respect to patient safety, but the idea of having a combined duty cycle for all MBAN sensors on a single patient, along with a maximum limit for each, sounds like the least risk to the patient. However what is not clear is if there are two MBAN networks on two patients in close proximity—how is interference avoided and how can we guarantee that there is no harm to the patient because of the combined effect of the two MBANs.

The Commission must be careful to avoid providing inappropriate market advantages in its decision making. An opportunity arises if a market for standards-based wireless radio solutions coalesces around this proposed regulation. Welch Allyn and likely other companies could benefit if commercially available solutions could be adapted to our sensors. Welch Allyn is aware that there are ongoing discussions about the possibility of the FCC licensing this spectrum. If Welch Allyn and other companies are required to take out licenses, on behalf of our customers in order to use a wireless sensor network, the Company's cost of sales will increase and we would have to put people and policies in place to manage it all, further increasing the cost of care and creating a barrier for the adoption of new and beneficial methods of care. As Welch Allyn strives to continue to expand as a global company, we aim to design products that can be sold everywhere with as little change as possible. If this proposed rule is enforced by the FCC, but not accepted by other countries, Welch Allyn and other companies likely would be designing U.S. only products, which would be included from non-U.S. markets.

One final observation—Welch Allyn is pleased to see the Obama Administration's strong support for health information technology (HIT) as a way to transform and improve the delivery of health care, particularly in rural areas, as evidenced by the recently released report by the U.S. Secretary of Health and Human Services (HHS) Kathleen Sebelius. Investments in telehealth are key to improving quality health care, as well as the overall

coordination and continuity of care. Welch Allyn applauds the FCC for taking the next step in addressing the technical rules for the operation of Medical Body Area Network (MBAN) systems.

Respectfully submitted,

**WELCH ALLYN**

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