



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU AND OFFICE OF THE MANAGING DIRECTOR SET JULY 31, 2023 INVOICING DEADLINE FOR COVID-19 TELEHEALTH PROGRAM ROUND 2 AND PROVIDE POST-PROGRAM GUIDANCE

WC Docket No. 20-89

By this Public Notice, the Wireline Competition Bureau (WCB) and the Office of the Managing Director (OMD) establish a **July 31, 2023** invoicing deadline for Round 2 of the COVID-19 Telehealth Program. We also provide COVID-19 Telehealth Program funding awardees (Awardees) with additional information on the post-program report, which Awardees should file with the Commission no later than January 31, 2024. Additionally, we remind Awardees of the program's recordkeeping and auditing requirements.

In order to build off of the success of Round 1 of the COVID-19 Telehealth Program, Congress, as part of the 2021 Consolidated Appropriations Act, appropriated \$249.95 million to the Federal Communications Commission (Commission) for Round 2 of the Program.¹ The Commission issued funding awards for 447 applications between August 26, 2021 and January 26, 2022, awarding over \$256 million in funding.² WCB set a deadline of July 31, 2022 for Awardees to purchase eligible connected devices and implement eligible services.³

Invoicing Deadline. To facilitate the administration of the COVID-19 Telehealth Program, we now set an invoicing filing deadline of July 31, 2023.⁴ Per the requirements of Round 2 of the COVID-19 Telehealth Program, Awardees have until July 31, 2022 to purchase eligible connected devices and implement eligible services,⁵ and can receive up to 12 months of support for eligible services with

¹ Consolidated Appropriations Act, 2021, Pub. L. No: 116-260, Division N-Additional Coronavirus Response and Relief, Title IX-Broadband Internet Access Service, § 903 "FCC COVID-19 Telehealth Program" (2020), available at <https://www.congress.gov/bill/116th-congress/house-bill/133/text> (Consolidated Appropriations Act).

² See *Wireline Competition Bureau Approves Sixth and Final Group of Funding Awards in Round 2 of COVID-19 Telehealth Program*, WC Docket No. 20-89, Public Notice, DA 22-88 (WCB Jan. 26, 2022).

³ See *FCC Sets July 31, 2022 Purchase Deadline for C-19 Telehealth Program*, WC Docket No. 20-89, Public Notice, DA 22-260 (WCB Mar. 11, 2022) (*Round 2 Purchase Deadline PN*). We also take this opportunity to clarify that Program awardees must only have entered into a purchase agreement by July 31, 2022, for the relevant devices or services to be eligible for Program support. Awardees do not need to have actually received the device by that date. Additionally, if the eligible service is a recurring monthly cost, then only the first month's payment must have been made by July 31, 2022, and payments for that service may continue past July 31, 2022.

⁴ The Administrative Procedure Act requires agencies to provide stakeholders with notice of, and an opportunity to comment on, proposed rules. See 5 U.S.C. §§ 553(b)-(c). However, rules of agency procedure, organization, or practice are excepted from this requirement. See 5 U.S.C. § 553(b)(A). We find that setting an invoice filing deadline is a rule of agency procedure, and thus excepted from the notice and comment requirement.

⁵ See *Round 2 Purchase Deadline PN*.

monthly recurring charges.⁶ An invoicing deadline is necessary for efficient administration of Round 2 of the COVID-19 Telehealth Program and provides certainty to Awardees.⁷ Thus, we find a deadline of twelve months after the purchase/implementation deadline of July 31, 2022, appropriate because it provides a reasonable timeframe for Awardees to receive their eligible services and connected devices and timely file their requests for reimbursement along with supporting documentation to the Commission. Accordingly, Awardees must file their requests for reimbursement for the cost of eligible connected devices and/or telecommunications or information services on or before July 31, 2023, in order to receive reimbursement for eligible expenses under Round 2 of the COVID-19 Telehealth Program.

Post-Program Report. As part of the *Report and Order*, the Commission stated that Awardees should provide a report to the Commission on the effectiveness of the COVID-19 Telehealth Program funding no later than six months after the conclusion of the COVID-19 Telehealth Program.⁸ Awardees, therefore, should submit their post-program reports by January 31, 2024—six months after the invoicing deadline.⁹ These reports will provide the Commission with important feedback on whether and how the COVID-19 Telehealth Program funding impacted health outcomes, patient treatment, health care facility administration, and any other relevant aspects of Awardees' response to COVID-19. Appended to this Public Notice is a post-program report template, which contains a list of questions that Awardees should respond to when developing their post-program report. We also encourage Awardees to provide any additional feedback as part of the post-program report. An Excel version of the post-program report template can be found at https://www.fcc.gov/sites/default/files/covid-19_telehealth_post-program_feedback_template.xlsx. Once completed, Awardees should file their completed report(s) in WC Docket No. 20-89 in the Commission's electronic comment filing system, available at <https://www.fcc.gov/ecfs/>.¹⁰

Program Rules and Reminders. As a reminder, Awardees must maintain records related to their participation in the COVID-19 Telehealth Program for at least six years from the last date of service under this program to demonstrate their compliance with program requirements.¹¹ Awardees must present any records related to their participation in the COVID-19 Telehealth Program to the Commission or its delegates upon request.¹² Awardees may also be subject to compliance audits to ensure compliance with rules and requirements for the COVID-19 Telehealth Program.¹³ If audited, Awardees must provide documentation related to their participation in the COVID-19 Telehealth Program.¹⁴

⁶ *COVID-19 Telehealth Program; Promoting Telehealth for Low-Income Consumers*, WC Docket Nos. 20-89 and 18-213, Report and Order and Order on Reconsideration, 36 FCC Rcd 7141, 7171, para. 60 (2021) (*Second COVID-19 Report and Order*).

⁷ See *Wireline Competition Bureau and Office of the Managing Director Set July 31, 2021 Invoicing Deadline for COVID-19 Telehealth Program and Provide Post-Program Guidance*, WC Docket No. 20-89, Public Notice, 35 FCC Rcd 14628 (2020) (*Round One Invoicing Deadline PN*).

⁸ *Second COVID-19 Report and Order*, 36 FCC Record at 7176, paras. 77-78.

⁹ For Awardees that received reimbursements on behalf of multiple health care providers, the lead health care provider may file a single report on behalf of all its participating health care providers.

¹⁰ If Awardees have concerns about the confidentiality of any information provided in their post-program report, they may request that their report be withheld from public inspection pursuant to 47 CFR § 0.459 of the Commission's rules.

¹¹ *Second COVID-19 Report and Order*, 36 FCC Record at 7177, para. 80

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

Additional Information. For further information regarding this Public Notice, please contact Nathan Eagan, Attorney Advisor, Telecommunications Access Policy Division, Wireline Competition Bureau, Nathan.Eagan@fcc.gov or 202-418-0991. For more information about the COVID-19 Telehealth Program, please refer to the Commission's website at www.fcc.gov/covid19telehealth.

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APPENDIX***COVID-19 Telehealth Program Post-Program Report Template*****BASIC INFORMATION**

Funding Awardee Name: _____

Participating Health Care Provider Name(s): _____

Health Care Provider Number(s): _____

Funding Commitment Number: _____

Funding Commitment Amount: _____

Funding Disbursement Amount: _____

FUNDING USE

1. What connected devices and/or service(s) did you purchase and/or implement using COVID-19 Telehealth Program funding?
2. Roughly what percentage of the COVID-19 Telehealth Program funding you received was spent on connected devices? Roughly what percentage was spent on telecommunications and information services?

OUTCOMES

If relevant, please include anonymized staff, patient, and/or community accounts in response to the below questions. You may also provide any aggregated, anonymized metrics (e.g., the number of telehealth visits provided) that you tracked concerning the provision of telehealth services using COVID-19 Telehealth Program funded services or connected devices.

3. Did your staff, patients, and/or the larger community benefit from using the connected devices and/or services purchased with COVID-19 Telehealth Program funding? If so, how?
 - a. Did the connected devices and/or services purchased/implemented using COVID-19 Telehealth Program funding affect health outcomes for patients? If so, how?
 - b. Did the connected devices and/or services purchased/implemented using COVID-19 Telehealth Program funding help you expand your provision of telehealth services? If so, how?
 - c. Did the connected devices and/or services purchased/implemented using COVID-19 Telehealth Program funding affect patient treatment protocols? If so, how?
 - d. Did the connected devices and/or services purchased/implemented using COVID-19 Telehealth Program funding affect health care facility administration? If so, how?
4. What connected devices and/or service(s) purchased using COVID-19 Telehealth Program funding did you find the most useful in preventing, preparing for, or responding to COVID-19?
5. Was the COVID-19 Telehealth Program funding you received used to promote telehealth innovation? If so, how?
6. Did you use COVID-19 Telehealth Program funding to obtain services and connected devices for expanded locations beyond your traditional facilities, i.e., temporary or mobile locations set up in response to the COVID-19 pandemic? If so, please explain how these nontraditional locations assisted in preventing, preparing for, or responding to the COVID-19 pandemic.
7. Did you encounter any issues when obtaining eligible connected devices or implementing eligible services? If so, what were the issues and how did you resolve those issues?

8. Did you use all the funding awarded under the COVID-19 Telehealth Program? If not, please explain why you did not use the full award amount.

GENERAL PROGRAM FEEDBACK

9. Do you have any additional feedback about the COVID-19 Telehealth Program, the application process, and/or the invoicing process?
