

Congress of the United States
Washington, DC 20515

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July 23, 2020

The Honorable Ajit V. Pai, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai,

Telehealth has become an absolutely essential component of our country's health care system during the coronavirus pandemic, and health care providers without high-quality broadband connections are unable to provide sufficient care to their patients. It is critical that the federal government do everything possible to support health care providers, including by subsidizing high-quality broadband. For these reasons, we write to follow up on recent inquiries about the application process and demand for the COVID-19 Telehealth Program of the Federal Communications Commission (FCC).

Specifically, we are concerned about the lack of transparency regarding this program. During the May 19, 2020 briefing at the House Subcommittee on Communications and Technology, you stated that the FCC had sent out one check at the time, though it had already committed much more in funding.¹ When asked to submit periodic progress reports about the COVID-19 Telehealth Program, you said monthly reports would be appropriate, but as of this writing, we have not seen any such reports.

This lack of transparency was also apparent during the June 24, 2020, FCC Oversight hearing before the Senate Commerce Committee. At that hearing you failed to explain how the metrics noticed in the Report and Order establishing the program, other than infection rate information, would be used to determine which applications should receive support through the FCC COVID-19 Telehealth Program.² This suggests that the FCC preferred speed over transparency and fairness with regard to reviewing applications. As a result, applicants from several states did not receive funding, despite being seriously impacted by the crisis and eligible according to the program's rules.

On July 8, 2020, the FCC announced the full \$200 million in funding allocated for the COVID-19 Telehealth Program in the CARES Act had been committed.³ Earlier this year, we introduced the *Healthcare Broadband Expansion During COVID-19 Act* (H.R. 6474 and S. 3838), a bicameral and bipartisan bill that calls for \$2 billion, an order of magnitude greater than the COVID-19 Telehealth Program, in broadband funding for health care providers.

To help inform how Congress appropriates future support for telehealth, we ask you provide answers to the following questions not later than July 30, 2020 about the FCC's COVID-19 Telehealth Program:

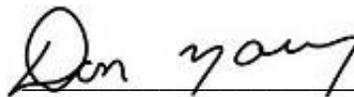
1. How many applications did the FCC receive for COVID-19 Telehealth Program?

2. How many applications did the FCC receive that were not awarded support? Please provide the scoring metrics for all applicants, including those that did not receive support. If no scoring metrics are available, please explain the mechanism by which the FCC evaluated applications to ensure consistency and fairness.
3. Of those applications that did not receive support, how many were determined to be ineligible? Please provide the criteria against which applications were deemed ineligible.
4. In total, how much COVID-19 Telehealth Program support did applicants request?
5. How much support, in total, has the COVID-19 Telehealth Program disbursed to applicants thus far?
6. After a health care provider's application has been granted, how long, on average, does it take for the FCC to disburse funds to the applicant? When does the FCC expect to disburse all \$200 million from the COVID-19 Telehealth Program?
7. What steps did the FCC take to ensure health care providers were aware of the COVID-19 Telehealth program?
8. How did the FCC inform providers that serve rural and Native American communities about the COVID-19 Telehealth Program?
9. What federal, state, or local agencies did the FCC proactively engage to spread awareness of the program among health care providers?
10. How has the FCC increased its capacity to oversee the COVID-19 Telehealth Program to ensure against waste, fraud and abuse?
11. How does the FCC intend to track, oversee, and evaluate the impact of the disbursed funds?

Most gratefully,



Anna G. Eshoo
Member of Congress



Don Young
Member of Congress



Brian Schatz
U.S. Senator



Lisa Murkowski
U.S. Senator

¹ “Teleconference Forum with FCC Chairman Ajit Pai” (2020),
<https://energycommerce.house.gov/newsroom/press-releases/communications-and-technology-subcommittee-announces-teleconference-forum>.

² “Oversight of the Federal Communications Commission” (2020),
<https://www.commerce.senate.gov/2020/6/oversight-of-the-federal-communications-commission>.

³ “FCC Approves Final Set of COVID-19 Telehealth Program Applications,” July 8, 2020,
<https://www.fcc.gov/document/fcc-approves-final-set-covid-19-telehealth-program-applications>.