

Health Law and Communications Alert: FCC Issues Public Notice Seeking Comment On Broadband Infrastructure and Health IT

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On November 12, the Federal Communications Commission (FCC) [issued a Public Notice](#) seeking comment on how advanced telecommunications broadband infrastructure and services could help achieve efficient implementation of health information technology (IT) applications such as electronic health records (EHRs), remote patient monitoring and real-time video consultations. The Public Notice observes that health IT has the potential to improve health, expand access to affordable care, increase the efficiency of care provision, reduce unnecessary health care costs, prevent medical errors, increase administrative efficiencies and decrease paperwork. It asks questions about IT infrastructure necessary to support health care delivery; the connectivity requirements necessary to support health IT applications; health IT value capture and use cases; health IT use drivers and barriers; and data security in health IT.

The Public Notice also notes that rural health care providers receive discounts through federal programs on access to telecommunications services for medical and health maintenance purposes. A rural health care pilot program launched in 2006 (the “Pilot Program”) provides support for up to 85% of the costs associated with the construction of state or regional broadband health care networks. The Public Notice also seeks comment on the discount program and the rural health care Pilot Program, particularly as those programs may assist in the adoption of broadband services.

The Public Notice is one of series that the FCC has issued in support of its preparation of a National Broadband Plan that Congress directed it to develop. The FCC asked that interested parties provide it with comments by no later than December 4, 2009. Mintz Levin has one of the country’s preeminent telecommunications law practices. Mintz Levin lawyers have already deeply involved in the several proceedings designed to lead to the development of a national broadband plan. Because of its dual expertise in health care and telecommunications, Mintz Levin is uniquely suited to assist clients who wish to participate in this proceeding.

For assistance in this area, please contact one of the attorneys listed below or any member of your Mintz Levin client service team.

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