

DISCLAIMER

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- Use the "Audio" section of your control panel to select an audio source and connect to sound
 - Turn on your computer's speakers, or
 - Use the call-in instructions in your confirmation email
- All participants are on mute
- Submit questions at any time using the "Questions" box



Meet Our Team



Simone Andrews

Senior Communications Specialist | RHC Outreach



Blythe Albert

Advisor of Program Management | RHC Outreach

Agenda

- Overview
- Competitive Bidding
 - Evaluation Criteria
 - Competitive Bidding Exemptions
 - Requests for Proposal
- Search Posted Services
- Submitting the FCC Form 465
- Best Practices and Resources

By the end of this webinar you will be able to...

- Complete and submit an FCC Form 465 in My Portal
 - Create bid evaluation criteria
 - Understand competitive bidding requirements
 - Identify applicable competitive bidding exemptions
- Locate current requests for services and other important resources on the USAC website

RHC Program Glossary

Acronym	Meaning		
FCC	Federal Communications Commission		
HCP	Health Care Provider (your site)		
HCP Number	Number associated with your site		
PAH	Primary Account Holder		
ACSD	Allowable Contract Selection Date		

Overview

Submitting the FCC Form 465

RHC Program Application Process

Determine Eligibility

Must meet three eligibility criteria:

- Not-for-profit/public
- In a rural area
- One of the eligibility facility types

HCF Program: FCC Form 460 Telecom Program: FCC Form 465

Develop **Evaluation** Criteria and Request Services

Describe the services

scoring criteria to

evaluate bids. Your

posted to the USAC

of 28 days.

you need and develop

request for services is

website for a minimum

HCF Program: FCC Form 461

Telecom Program: FCC Form 465

Evaluate Bids and Select Service Provider

Once competitive bidding has ended, choose the most "cost-effective" service provider.

Provide information about the services selected: cost, service provider information, and terms of service agreement(s).

HCF Program: FCC Form 462 Telecom Program: FCC Form 466 Confirm service start and end dates.

HCF Program: FCC Form 463 Telecom Program: FCC Form 467 Submit invoice before deadline:

- HCF Program: Initiate invoicing process by submitting FCC Form 463 to service provider for review and submission to USAC.
- Telecom Program: Service provider completes invoicing process.

HCF Program: FCC Form 463 Telecom Program: Invoice

Funding Request

Submit

Certify **Invoice** Connection

What is a Request for Services?

- The HCP submits the **FCC Form 465** to let service providers know what types of services are being requested.
- Service providers use the information on the FCC Form 465 to create a bid to provide those services.
- Telecommunications (Telecom) program FCC Form 465 is the "Description of Services Requested and Certification Form".
- The FCC Form 465 acts as both the eligibility determination and request for services.

What is a Request for Services? (continued)

- The HCP and service provider may not enter into an agreement to purchase services until 28 days after the Request for Services is posted.
 - The 28-day competitive bidding process begins the next full business day after the FCC Form 465 is publicly posted.
 - After the 28 day period is complete, the HCP and service provider are welcome to sign a contract.
 - This day is called the Allowable Contract Selection Date (ACSD).

Rural Health Care Program: Funding Year 2023



Questions?

Competitive Bidding

Submitting the FCC Form 465

Competitive Bidding

- The purpose of competitive bidding is to allow all service providers an equal opportunity to understand the HCP's service requirements and offer the most cost-effective solution to address those needs.
- RHC program rules and FCC Orders require a fair and open competitive bidding process.

Competitive Bidding

- Service providers, who plan to bid, cannot assist with the preparation of the FCC Form 465, choose a winning bidder, or participate in the vendor selection process in any way.
- All potential bidders shall have access to the same information about the service needs and shall be treated in the same manner.
- All applicants and service providers shall comply with all applicable state, Tribal, or local procurement laws.

Bid Evaluation Criteria

- The bid evaluation criteria is a list of weighted standards, included in the Request for Services, that the HCP will use to determine the most cost-effective bid.
- Applicants must disclose minimum requirements for each criterion.
- Each criterion is given a specific weight. The sum of the weights must equal 100.
- The bid evaluation criteria should address the HCP's needs as indicated on the FCC Form 465 and be based on the FCC's definition of cost-effective. (47 CFR 54.622(c)).

Example of Evaluation Criteria

Criteria	Description (if 'Other')	Minimum Requirement	Weight (%)
Cost			45%
Prior experience including past performance		Must have at least one current or have had at least one former circuit with carrier and 3 references from a healthcare facility in the same state for like services	45%
Leverage Existing Resources		Utilize existing facilities to minimize disturbance	10%

What is a Competitive Bidding Exemption?

- In some cases, the service needs or contract conditions allow the HCP to be exempt from competitive bidding.
- With a competitive bidding exemption, HCPs will not have to undergo competitive bidding, and do not need to create evaluation criteria or collect bids from service providers.
- A competitive bidding exemption allows the HCP to skip the FCC Form 465 (for the purposes of competitive bidding) entirely and proceed directly to submitting a funding request.

Competitive Bidding Exemptions

- HCPs must meet one of the following criteria to be exempt from submitting the FCC Form 465 and participating in the competitive bidding process:
 - Purchasing services or equipment from a master service agreement (MSA) negotiated by a federal, state, Tribal, or local governmental entity on behalf of the HCP and others, and which was awarded pursuant to applicable competitive bidding requirements;
 - Requesting support using contracts previously approved by USAC (MSA under the RHC Pilot program or the HCF program);
 - Using an active multi-year contract designated as <u>evergreen</u> for the RHC program (exemption applies for the life of the contract); or
 - Using a contract approved under the Schools and Libraries (E-rate) program.
- If the HCP does not meet any of the competitive bidding exemptions, the FCC Form 465 must be submitted and the HCP must go through competitive bidding.

Evergreen Contracts

- HCPs are not required to file an FCC Form 465 or competitively bid for the life of a multi-year contract if they are designated as <u>evergreen</u> under the HCF or Telecom program.
- A contract may be designated as evergreen if the contract meets all of the following requirements:
 - Both parties are identified;
 - The contract specifies the service type, bandwidth, and quantity;
 - The contract is signed and dated by the HCP or consortium leader after the Allowable Contract Selection Date (ACSD);
 - The contract specifies the term and cost of service(s); and
 - The contract includes the physical addresses of the HCP(s) purchasing from the contract.
- USAC must have designated the contract evergreen prior to submission of the funding request.

Service Substitutions (47 CFR 54.624)

- Substitutions allow the flexibility, for an HCP with an approved funding commitment, to spend all of the committed funds, even though USAC-supported services may change over the course of the commitment.
- Service substitutions allow HCPs to reallocate un-invoiced, committed funds to substitute or modify the services.
- A service substitution may be requested if:
 - The substitution is provided for in the contract, within the change clause, or constitutes a minor modification;
 - The service is an eligible service under the Telecom program;
 - The substitution does not violate any contract provision or state, Tribal, or local procurement laws; and
 - The requested change is within the scope of the controlling Request for Services, including any applicable RFP used in the competitive bidding process.
- HCPs with month-to-month approved funding commitments may not utilize service substitutions since a contract was not submitted with the original funding request.
- Service substitutions must be submitted by the service delivery deadline.
- Please use the information on the <u>Site and Service Substitutions</u> webpage as a resource.

Requests for Proposal

- A <u>request for proposal</u> (RFP) is a comprehensive bidding solicitation that describes the business priorities and functional requirements in sufficient detail to ensure an effective, fair, and open competitive bidding process.
 - An RFP must be submitted if it is required under applicable state, Tribal, or local procurement rules or regulations.
- If the HCP chooses to include an RFP, it must be submitted with the FCC Form 465, and include, at a minimum:
 - A description of the service needs and a defined scope for the project;
 - The number of days during which bids will be accepted (28 day minimum);
 - Clearly delineated deliverables; and
 - The bid evaluation criteria, including the weight assigned to each criterion.
- The RFP should align with everything entered into the FCC Form 465 and provide more details about the requested services.

Service Providers and Competitive Bidding

- Service providers are prohibited from preparing, signing, or submitting an applicant's FCC Form 465 or any other competitive bidding documents.
- Service providers are prohibited from being involved in developing the bid evaluation criteria, or participating in the vendor selection process in any way.
- If it is determined that a service provider helped an HCP with its request for services and
 was subsequently chosen to provide services, the HCP will have committed a
 competitive bidding violation, and the funding request will be denied and any funding
 payments will be subject to rescission.

Telecom Program - FCC Order DA 22-580

- On May 25, 2022, the FCC released Order <u>DA 22-580</u> extending the waiver of the requirement to use the Telecom Program Rates Database for determining urban and rural rates for health care providers for FY2023. In addition, the Order provides the following clarification:
 - For all FY2022 and FY2023 funding requests, the most recently approved urban and rural rates for a facility/service combination are the most recently approved such rates on the date the HCP submits its FCC Form 465.
 - If the service provider receives approval of a new rate in the time between the submission of the FCC Form 465 and the submission of the FCC Form 466, the most recently approved rate at the time of the FCC Form 465 would be applicable.
 - If no such approved or comparable rural rate is available, the rate must be established using one of the pre-existing methods.

Telecom Program - Calculating Rural Rates

- Instead of using the Rates Database, HCPs, and their service providers, may continue to use rates approved under Method 1, 2, or 3 to calculate rural rates.
- Alternatively, HCPs and service providers may use the most recently-approved rural rate for FY2018, FY2019, FY2020, FY2021, or FY2022 for the same service to the same facility or, if there is no approved rate, an approved rural rate for the same or similar services to a facility with the same or similar geographic characteristics.
 - **Note:** For all previously approved urban and rural rates, HCPs **must** provide USAC with the previous FRN associated with that approved rate and submit **all** documentation associated with that rate.
- Applicants will enter this rural rate on Line 33 of the FCC Form 466 (rural rate per month per service agreement) of the FCC Form 466 and upload supporting documentation, for example, a Funding Commitment Letter or rates approval letter for FY2018, FY2019, FY2020, FY2021, or FY2022.
- Documentation provided must show that the rural rate provided is in compliance with the rural rate rule (47 CFR 54.607 (2018)).

Telecom Program - Calculating Urban Rates

- Instead of using the Rates Database, applicants may either use an urban rate that has been previously approved for the same service at the same HCP location for FY2018, 2019, 2020, 2021, and 2022 or use the preexisting rule to calculate the urban rate.
- Applicants should upload to their FCC Form 466 documentation substantiating the urban rate on Line 33
 of the FCC Form 466, whether it be documentation supporting a previously approved urban rate such as a
 Funding Commitment Letter (FCL) or documentation substantiating the urban rate under the preexisting
 rule.
- If there is no approved rate for a specific service delivered to the specific HCP location, an urban rate approved for the same or similar services to a facility in a same or similar geographic location may be used.
- If an applicant doesn't upload supporting documentation with the submission of the FCC Form 466, an Information Request will be sent to obtain it.

Supply Chain Order

• As a reminder, when service providers log in to My Portal they will see two supply chain certifications included in the FCC Form 463 and Telecom program invoice.

The first certification affirms compliance with the <u>Section 54.9 prohibition</u> on USF support to purchase, obtain, maintain, improve, modify, operate, manage, or otherwise support equipment or services produced or provided by the covered companies deemed to pose a national security threat to the integrity of the communications network or communications supply chain. The second certification affirms compliance with <u>Section 54.10</u>, which prohibits the use of any Federal subsidies on any communications equipment and services on the <u>Covered List</u>, which includes those offered by Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, AO Kaspersky Lab, China Mobile International USA Inc., China Telecom (Americas) Corp. and their affiliates and subsidiaries.

- **FY2022 Applicants**: If you requested services or equipment provided or that contain components of products produced by any of the listed covered companies or any of their parents, affiliates and subsidiaries in FY2022, you cannot invoice for these funds. Instead, you should immediately request a <u>service substitution</u> prior to invoicing in order to ensure complete program compliance.
- **FY2023 Applicants:** As you proceed with competitive bidding beginning in July, please ensure you are not requesting funding for services or equipment from listed covered companies or any of their parents, affiliates and subsidiaries.

Supply Chain Web Page

Supply Chain webpage



Questions?

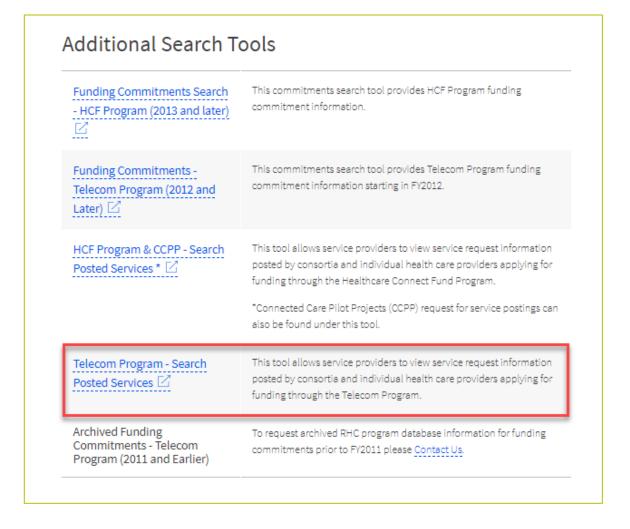
Search Posted Services

Submitting the FCC Form 465

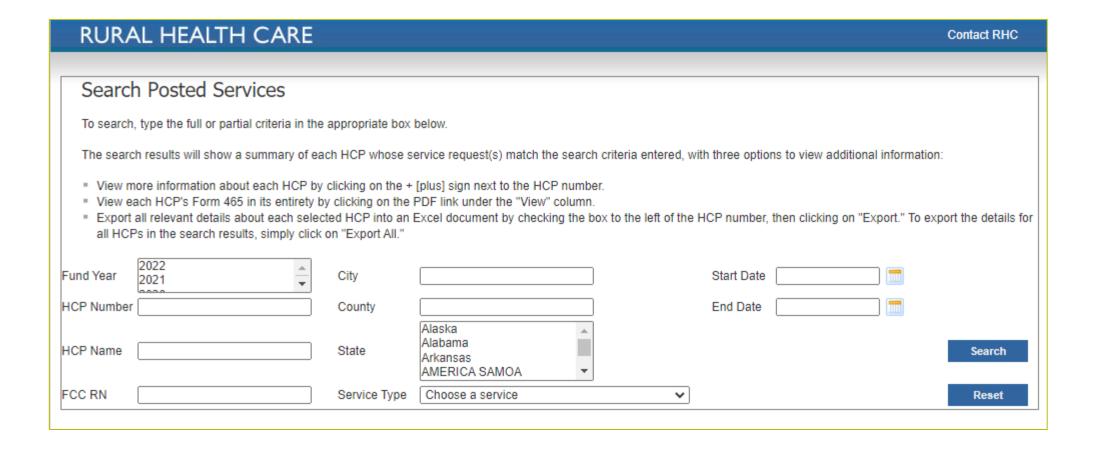
Search Posted Services

About	E-rate	Rural Health Care	Lifeline	High Cost	Service Provider	
Getting Starte	ed	Telecommunications Program	Addition Guidano	nal Program ce	Learn	
Commitment	t Info	Determine Eligibility of Your	FCC Repo	ort and Order 19-78	Webinars Videos	
Service Provi	ders	Site Prepare For Competitive	Funding Year Overview		Sample	
Healthcare Co Fund Program		Bidding & Request Services Evaluate Bids & Select	Authoriza Evergreei	ations n Contracts	Documents Newsletter	
Determine Eligi Site	ibility of Your	Service Provider		nt Retention	FAQs	
Develop Evalua Select Services		Review Funding Commitment Letter (FCL)			Contact Us	
Evaluate Bids & Service Provide		Invoice USAC	My Portal			
Submit Funding	Funding Requests		Forms	Forms		
Review Your Fu Commitment L	-		Tools Upcomin	g Dates		
Invoice USAC			Announc	ements		
What is a Consortia?			Appeals 8	& Audits		

Search Posted Services (continued)



Search Posted Services (continued)



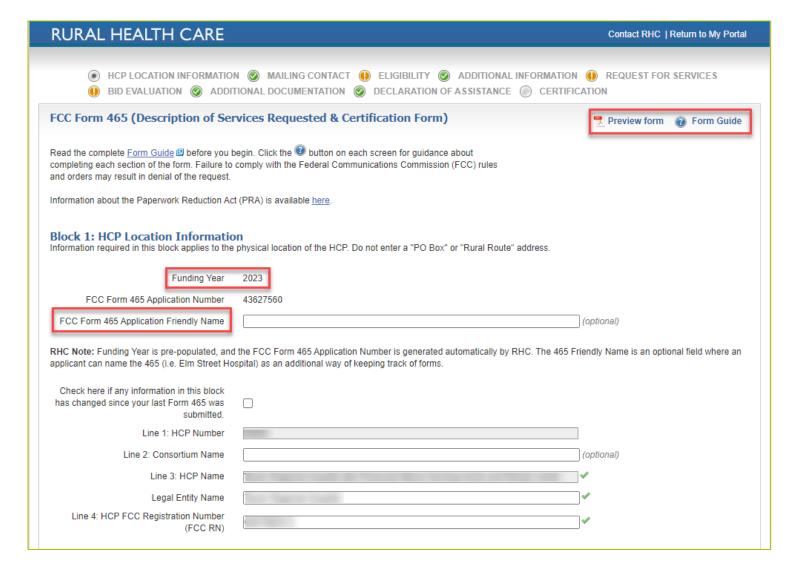
Submitting the FCC Form 465 in My Portal

Submitting the FCC Form 465

Eligibility Information

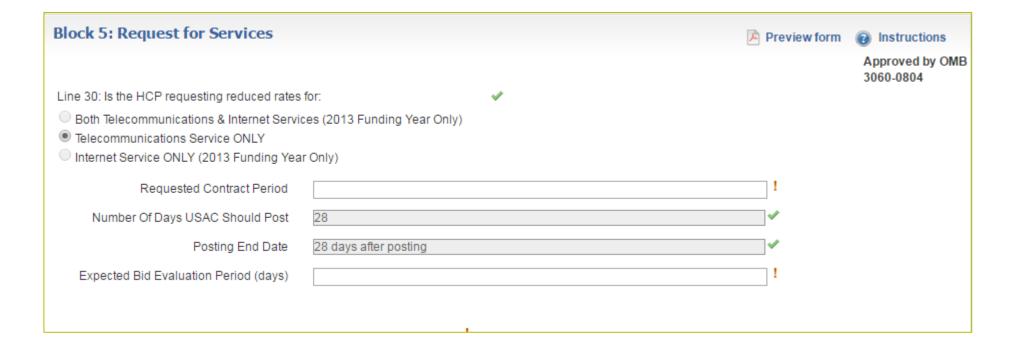
- HCP Location Information
 - Address
 - FCC RN
- Mailing Contact
 - Primary Account Holder information
- Eligibility
 - Select HCP Type
- Additional Information
 - EIN, NPI, Taxonomy Code
- Watch the <u>Telecom Program Eligibility</u> learning module

FCC Form 465 - Block 1: HCP Location

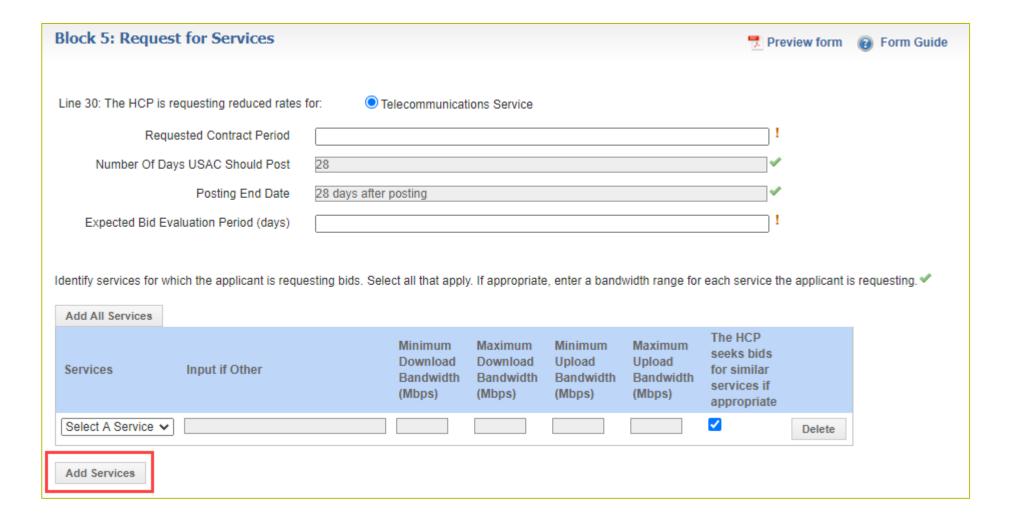


Block 5: Request for Services

Enter the posting information for this service request.



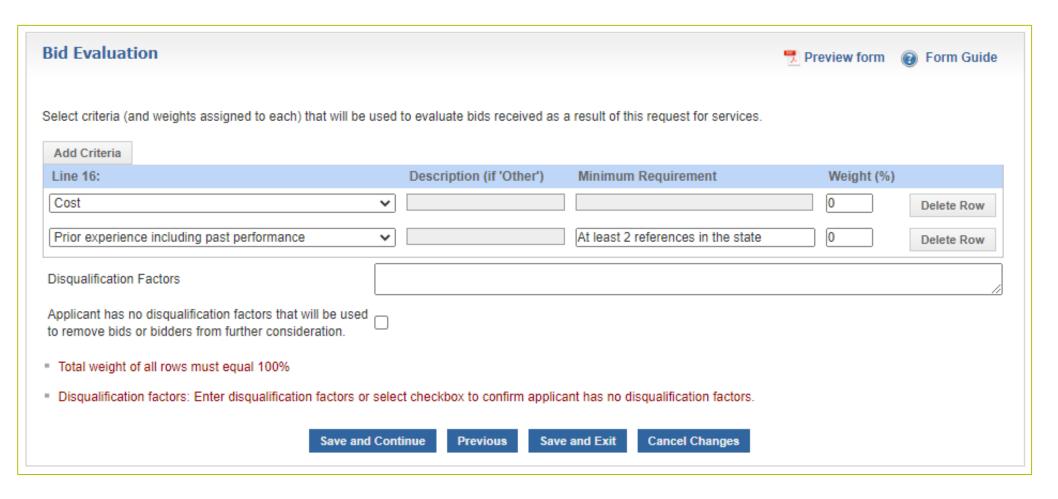
Add Services



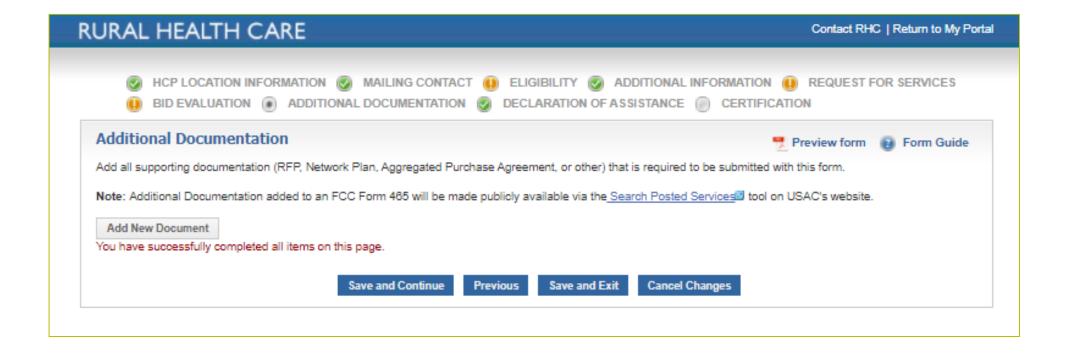
Request Services

Does the applicant require a Service Level Agreement (SLA) No 🔻		
Identify Anticipated Application(s) and Use(s) of the Supported Connection Category: Interactive		
☐ Distance learning/training		
 Real-time remote examination, consultation, and/or monitoring 		
∇oice service ✓		
Other (describe)		
Category: Transactional		
☐ Distance learning/training		
 Electronic patient billing 		
 Exchange of electronic health records 		
 Transmission of large files (e.g., X-ray images, MRI, etc) 		
Other (describe)		
Category: Bulk		
 Electronic patient billing 		
 Exchange of electronic health records 		
 Transmission of large files (e.g., X-ray images, MRI, etc.) 		
 Transmission of store and forward consultations 		
Other (describe)		
Category: Miscellaneous		
☐ Backup/redundant connectivity		
Other (describe)		

Minimum Requirements for Bid Evaluation Criteria and Disqualification Factors

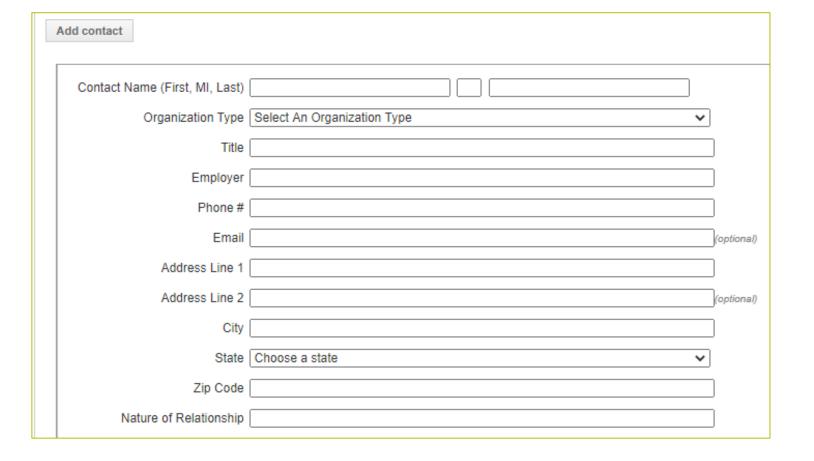


Additional Documentation



Declaration of Assistance

 Add the contact information of those who assisted in the preparation of the form (if applicable).



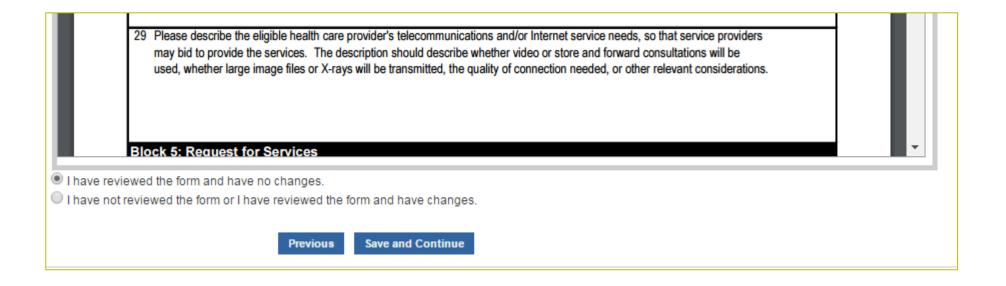
Certification

• All certifications must be checked and you must preview the form.

RHC Note: Read the information in each certification carefully before certifying, signing, and submitting this form. If you are unsure about any of the information you should contact the RHC team prior to submitting.		
Line 31: I certify under penalty of perjury that I am authorized to submit this request on behalf of the applicant or consortium.		
Line 32: I certify under penalty of perjury that the applicant has complied with all applicable state, Tribal, or local procurement rules.		
Line 33: I certify under penalty of perjury that all requested RHC Program support will be used solely for purposes reasonably related to the provision of health care service or instruction that the applicant is legally authorized to provide under the law of the state in which the services are provided.		
Line 34: I certify under penalty of perjury that the applicant seeking supported services is a public or non-profit entity that falls within one of the seven categories set for in the definition of health care provider listed in 47 CFR § 54.600 of the Commission's rules.		
Line 35: I certify under penalty of perjury that the applicant seeking support services is physically located in a rural area as defined in section 47 CFR § 54.600 of the Commission's rules.		
Line 36: I certify under penalty of perjury that the applicant has reviewed and will comply with all applicable RHC Program requirements.		
☐ I certify under penalty of perjury that I have examined this request and all attachments, and to the best of my knowledge, information, and belief, all statements contained herein and in any attachments are true.		
☐ I certify under penalty of perjury that the supported services will not be sold, resold, or transferred in consideration for money or any other thing of value.		
I certify under penalty of perjury that the applicant satisfies all of the requirements under section 254 of the Communications Act and applicable Commission rules.		
☐ I understand that all documentation associated with this request must be retained for a period of at least five years pursuant to 47 CFR § 54.631, or as otherwise prescribed by the Commission's rules.		
Consultants (fee for service): Upload an LOA with the HCP to verify you are authorized to access the HCP's account information.		
Attach Supporting Documentation Upload		
You must select all certifications before advancing.		

Preview FCC Form 465

Must select "I have reviewed the form and have no changes." to proceed.



Required Certification

Block 6: Certification

Approved by OMB 3060-0804

RHC Note: By completing this section, you are electronically signing this form. Your electronic signature is the same as your hand-written signature would be on this form. By typing your password in the signature field below, and clicking on the "Certify & Submit" button, you will have electronically signed the form. The complete Terms and Conditions that govern the user of this system can be found by clicking on the Terms and Conditions link below.

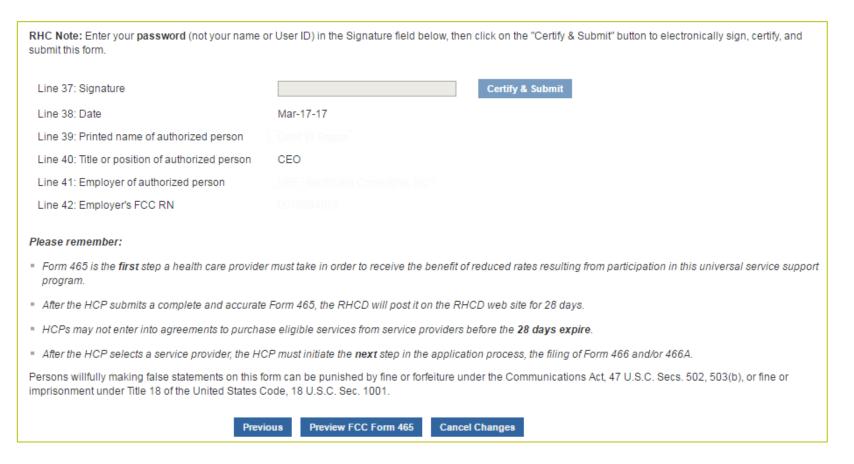
You must select "Accept" to move to the signature block. Selecting "Reject" will return you to My Portal, where this form will be saved in draft status under the My Forms tab.

Accept

Reject

Required Certification - Signature

Signature is your My Portal password.



After Submitting

- An email will be sent confirming the form was submitted along with a copy of the PDF form. If a confirmation email is not received, reach out to the RHC Customer Service Center at RHC-Assist@usac.org.
- Respond to Information Requests within 14 calendar days or by the deadline listed in the email.
 - Failure to respond to the Information Request will result in a denial.
 - Information Requests will come from My Portal or from a reviewer using an @usac.org domain address:
 - If you are contacted by email, please click "Respond all" and provide your response in that email.
 - Do not send your response to the RHC Customer Service Center.

Questions?

Best Practices and Resources

Submitting the FCC Form 465

Best Practices: Communicating with Your Service Provider

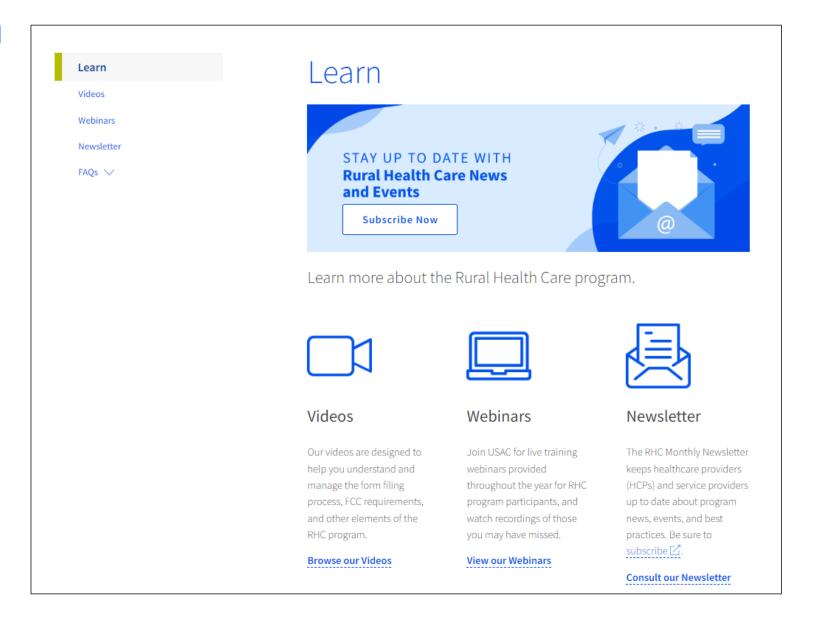
- Once your ACSD has passed and you've chosen a service provider, include them when you reply to Information Requests via email.
- Ensure your service provider is aware of all the necessary documentation needed for future steps in the application process.
- Include language in your bid documentation that confirms your service provider will act in compliance with all RHC program rules and FCC Orders.
- All bid correspondence should be handled via email for audit purposes.
- HCPs and service providers are required to retain documentation for a minimum of five years.

Milestones to Receive Funding for FY2023: Telecom Program

Telecom Program Form	Last Day to Submit
FCC Form 465 (Eligibility & Request for Services)	February 12, 2023 Recommended Date
FCC Form 466 (Funding Request)	April 3, 2023 Deadline to Submit*

^{*} Please note that the Form 465 submission date is not a mandatory deadline, but rather a recommended milestone to ensure that the FCC Form 465 is reviewed and posted to USAC's website early enough for a 28-day competitive bidding period before the deadline to submit an FCC Form 466.

RHC Learn



Resources

- Competitive Bidding FAQs
- RHC Program Request for Services Dataset
- Search Posted Services
 - <u>Telecom Program</u>
- Subscribe to the RHC Monthly Newsletter
- Blank FCC Form 465 and Instructions

RHC Program Customer Service Center



Email: RHC-Assist@usac.org

- Include in your email:
 - HCP Number
 - FRN Number



- Phone: **(800) 453-1546**
 - Hours are 8 a.m. 8 p.m. ET
 - Monday- Friday

RHC Customer Service Center

The RHC Customer Service Center CAN	The RHC Customer Service Center CANNOT
Answer general questions regarding both programs	Determine eligibility of a specific site or service before an official form submission
Provide account holder information for an HCP	Review a form or document for accuracy before an official submission
Provide clarity regarding FCC Report and Order 19-78	Contact a service provider or other account holder on someone else's behalf
Provide helpful resources and best practices for forms	Provide documents that are not already accessible in My Portal
Assist with My Portal	Transfer a call to a specific form reviewer

Questions?

Thank You!