

# Funding Year 2023 Updates Webinar – Rural Health Care (RHC) Program

September 20, 2023

#### **DISCLAIMER:**

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#### **Meet the Presenter**



**Blythe Albert** 

Advisor of Program Management | RHC Outreach

#### **Agenda**

- FY2023 Program Updates
- FY2023 Next Steps
- My Portal and RHC Connect Updates
- Important Reminders
- Upcoming Training

## Glossary

Acronym	Definition	
FCC	Federal Communications Commission	
HCF	Healthcare Connect Fund	
FY	Funding Year	
НСР	Health Care Provider (your site)	
HCP Number	Number associated with your site	
PAH	Primary Account Holder	
FRN	Funding Request Number	
FCL	Funding Commitment Letter	
BAN	Billing Account Number	
SPIN/498 ID	Service Provider Identification Number	
FCCRN	FCC Registration Number (Referred to as FRN on FCC website)	

## **FY2023 - Program Updates**

Funding Year 2023 Update Webinar

#### FCC Report and Order 23-189

- On March 8, 2023, the FCC released <u>FCC Order DA 23-189</u> extending the deadline for the FY2023 Application Filing Window to May 1, 2023.
- Applicants were given a 28-day extension from the original filing deadline of April 3, 2023.
- All funding requests (FCC Forms 462 or 466) must have been submitted no later than 11:59 p.m. ET on May 1, 2023, for the initial filing window period.
- Visit USAC's website for more information about filing windows.

#### FCC Order DA 23-723 - Hawaii Wildfires Order

- On August 18, 2023, the FCC released <u>Order DA 23-723</u>, waiving certain RHC rules and deadlines to assist participants and providers located in areas affected by the Hawaii wildfires. This Order applies to healthcare providers and service providers located in the State of Hawaii in areas affected by the wildfires. Affected health care providers and service providers have up to 150 calendar days from the effective date of the Order (until January 15, 2024) to submit the required filings:
  - Grants 60-day extension to the deadline for appeals and requests for waiver with USAC or the FCC
  - Waives the 14-day Information Request deadline for Information Requests related to funding requests, appeals and waivers, invoices, audits, and other documentation and applies to all funding years for all Information Requests that had a deadline on or after August 10, 2023, regardless of the funding year for which those requests relate.
  - Waives the invoice filing deadline for FY2022 funding requests and grants an automatic 120-day extension; and
  - Waives the September 30, 2023, deadline for Healthcare Connect Fund (HCF) program annual reports. HCF program participants will have up to 150 calendar days (January 15, 2024) to submit annual reports.
- Impacted program participants will not be penalized for failure to retain records destroyed by the Hawaii wildfires. For more information, read <u>FCC Order DA 23-723</u>.

#### FCC Order DA 23-805 - Hurricane Idalia Order

- On September 1, 2023, the FCC released Order DA 23-805, waiving certain RHC rules and deadlines to assist participants and providers located in areas affected by the Hurricane Idalia. This Order applies to healthcare providers and service providers located in the areas in Florida and South Carolina that the Federal Emergency Management Agency (FEMA) has designated as eligible for Individual or Public Assistance for the purposes of federal disaster relief as of the release date of this Order. FCC waives the following rules on a temporary basis:
  - Automatically provides affected program participants with an additional 150 days to file appeals and waivers. This waiver will be in effect for all deadlines of appeals and waiver requests from August 27, 2023, through 150 calendar days from the release of this Order (January 29, 2024).
  - Waives the 14-day Information Request deadline for Information Requests related to funding requests, appeals and waivers, invoices, audits, and other documentation and applies to all funding years for all Information Requests that had a deadline on or after August 27, 2023, regardless of the funding year. Affected health care providers and service providers have up to 150 calendar days from the effective date of this Order (January 29, 2024) to respond to Information Requests from USAC.
  - Waives the invoice filing deadline for FY2022 funding requests and grants an automatic 120-day extension; and
  - Waives the September 30, 2023, deadline for Healthcare Connect Fund (HCF) program annual reports. HCF program participants will have up to 150 calendar days from the effective date of this order (January 29, 2024) to submit annual reports.
- Impacted program participants will not be penalized for failure to retain records destroyed by the Hurricane Idalia. For more information, read <u>FCC Order DA 23-805</u>.

# FCC 23-6: Order on Reconsideration, Second Report and Order, Order, and Second Further Notice of Proposed Rulemaking

- On January 26, 2023, the FCC released an Order on Reconsideration, Second Report and Order, Order, and Second Further Notice of Proposed Rulemaking strengthening the procedures for RHC. These actions resolve petitions for reconsideration on issues from <u>FCC Report and Order 19-78</u>, adopt proposals from the February 2022 Further Notice of Proposed Rulemaking, and propose and seek comment on further reforms to RHC program rules. These actions include:
  - Rule Changes
  - Potential Future Rule Changes

#### FCC 23-6: Rule Changes

Rates determination in the Telecom Program:

- Eliminates rules requiring use of the Rates Database to determine urban and rural rates.
- Waivers allowing the use of previously approved rates for all urban and rural rates remained in place for FY2023.
- Beginning in FY2024, rules requiring rural rates to be calculated using Methods 1 through 3 and the pre-Rates Database calculation method for urban rates will be reinstated with the following minor changes:
  - For FY2024 and 2025, service providers will be permitted to use previously approved rates for rural rates that would otherwise be calculated under Method 3.
  - If there are no comparable rural rates within 30 percent of the speed of the requested service, service providers may use the rate for a higher bandwidth service that is otherwise similar to the requested service to justify a rural rate.
  - Similarly, if there are no comparable urban rates within 30 percent of the speed of the requested service, health care providers may use the rate for a higher bandwidth service that is otherwise similar to the requested service to justify an urban rate.
  - Affirms the decisions in FCC Order 19-78 that a non-telecommunications service that is functionally similar to a service requested in the Telecom Program should be considered similar to it when calculating rates and that services with advertised speeds 30 percent above or below the speed of the requested service be considered functionally similar to the requested service.

#### FCC 23-6: Rule Changes (continued)

#### Invoicing in the Telecom Program:

• Eliminates the use of the Health Care Provider Support Schedule (HSS) and moves invoice submission until after services have been provided.

Internal cap on upfront costs and multi-year commitments in the HCF Program:

- Limits the application of the internal cap on upfront costs and multi-year commitments in the HCF Program to when the total support available for the funding year is exceeded.
- When the internal cap applies, funding requests for upfront costs and the first year of multi-year commitments will be prioritized over the second and third year of multiyear commitments.

#### FCC 23-6: Potential Future Rule Changes

#### The Second Further Notice of Proposed Rulemaking proposes:

- Adjustments to the methods used to determine rural rates using the service provider's own rates or competitor's rates, a new process for determining cost-based rural rates, and changes to the process for determining urban rates.
- Allowing a conditional approval of eligibility to allow entities that will soon become eligible to participate
  in the RHC program to begin competitive bidding and file a Request for Services.
- Moving the Service Provider Identification Number (SPIN) change deadline to align with the invoice deadline.

#### The Second Further Notice of Proposed Rulemaking seeks comment on:

- Reinstating the cap on satellite services in the Telecom Program.
- Funding in the HCF Program for equipment used for Telecom Program supported connections.
- Revisions to data collected in the Telecom Program.
- Whether there should be a process for changing the dates of evergreen contracts after a funding commitment is issued.

#### **FY2023 Funding Requests**

- The FY2023 filing window closed on May 1, 2023.
  - No further FY2023 funding requests (FCC Forms 462 and 466) will be accepted.
- Funding Requests Reviews Started Earlier Than Ever!
  - RHC began funding request reviews before the filing window closed.
  - This means that you may have received an Information Request before May 1, 2023.
  - The first FY2023 funding commitments were issued on June 1, 2023, four weeks after the close of the filing window
- Due to the demand for RHC program funds, there will not be a second filing window for FY2023. The RHC program will not accept additional funding requests (FCC Forms 462 or 466).

## **FY2023 Funding Demand**

- On May 24, 2023, the FCC Wireline Competition Bureau directed USAC to carry forward up to \$211.5 million in unused funds from prior funding years to the extent necessary to satisfy FY2023 demand for the Rural Health Care program.
- For more information, read <u>Public Notice DA 23-440</u>.
- All approved Telecom Program and HCF funding requests will be fully funded.

#### **FY2023 Funding Request Review Status**

- As of September 15, 2023
  - FY2023 HCF 81% of FCC Forms 462 are committed (approved, denied or withdrawn)
  - FY2023 Telecom 73% of FCC Forms 466 are committed (approved, denied or withdrawn)

#### **Connected Care Pilot Program (CCPP)**

- The Connected Care Pilot Program (CCPP) provides up to \$100 million over a three-year period to support the provision of connected care services, with an emphasis on supporting these services for low income Americans and veterans.
- The CCPP application window closed on December 7, 2020 at 11:59 p.m. ET and no further applications are currently being accepted.
- As of March 16, 2022, a total of 107 applications serving patients in 40 states plus Washington, DC were chosen.
- No more applications will be selected for the CCPP.
- Pilot projects will use the same forms as the HCF Program.
- Please visit the <u>FCC Connected Care Pilot Program</u> website for more information about the program.

## FY2023 - Next Steps

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#### **Next Steps for Approved FY2023 Commitments**

- When you receive a Funding Commitment Letter (FCL):
  - Review details carefully including funding start and end dates.
- Prepare to invoice:
  - The invoice filing deadline for Telecom and single-year HCF FY2023 commitments is
     October 28, 2024.
  - Your invoice filing deadline appears on your FCL and on <u>Rural Health Care</u>
     <u>Commitments and Disbursements (FCC Form 462/466/466A)</u> section of the <u>USAC</u>

     <u>Open Data</u> platform.
  - To locate your invoice filing deadline, search by FRN and your invoice filing deadline
    will be on the far right of the screen.

#### **Next Steps for FY2023 Applicants - Appeals**

- If you disagree with a final decision from USAC, please use the <u>Appeals</u> webpage on the USAC website as a resource.
  - You must file your appeal (or, if submitting by mail, it must be postmarked) within 60 days of the date when USAC issued the decision you are appealing.
  - Note: If that day falls on a weekend or on a federal holiday, the appeal is also considered on time if you file it (or it is postmarked) by the first business day following that weekend or holiday.
- Unless you're appealing a program deadline, all appeals must be submitted to RHC before submitting to the FCC.

#### **Awaiting Decision on FY2023**

- If you are waiting on an FY2023 evergreen determination as of December 1, 2023, we recommend filing an FCC Form 461 or 465 to competitively bid for FY2024.
- Applicants planning to apply for FY2024 funding should submit their forms prior to the window close, regardless of their FY2023 pending form status.
  - FY2024 Filing Window: December 1, 2023 April 1, 2024, at 11:59 p.m. ET.
- Please be sure to include a cover letter when you submit your FY2024 request explaining your competitive bidding process and include the associated FY2023 FRN for reference.
  - Without an explanation, your FY2024 funding request could be perceived as a duplicate request and denied as such. RHC reviewers will work directly with applicants on specific applications.

## **Example of FY2023 Single Expense FCL**

- General information including:
  - FRN info
  - Listed contact information
  - Service provider information
  - Service delivery deadline
  - Invoice filing deadline



Privileged and Contains Confidential Information

Funding Commitment Letter (FCL) Date: 06/22/2023
Funding Request Number (FRN): RHC202300

Program: Healthcare Connect Fund

Funding Year (FY): 2023
Service Delivery Deadline: 06/30/2024
Invoice Filing Deadline: 10/28/2024

FCC Form 461 Application Number: Health Care Provider (HCP) Name:

HCP Number: HCP Contact Name: HCP Contact Email: HCP Contact Phone:

The Rural Health Care (RHC) Division of the Universal Service Administrative Company (USAC) has completed its review of the FCC Form 462 (Funding Request Form) and supporting documentation submitted by the HCP referenced above. Based on the information provided, RHC has made a funding decision for the expense items described below. Additionally, if the HCP submitted a contract or service agreement with the form, the outcome of the contract review is included in this letter.

Total Committed Funding:

HCP Physical Location:

Service Provider Name:

SPIN/498 ID:

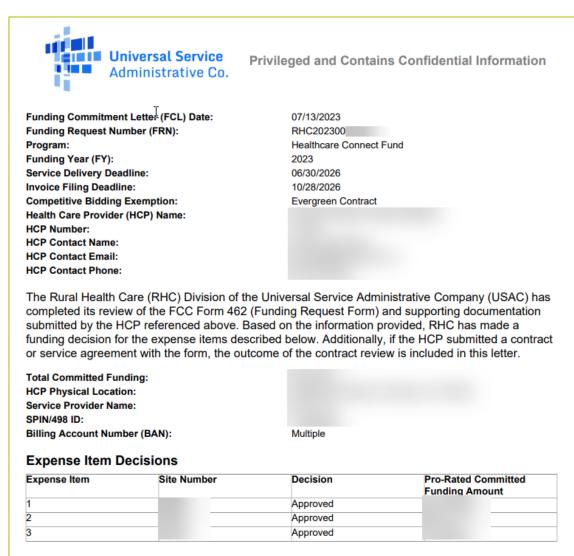
Billing Account Number (BAN):

#### **Expense Item Decisions**

Expense Item	Site Number		Pro-Rated Committed Funding Amount
1		Approved	

#### **Example of FY2023 Multiple Expense FCL**

- General information including:
  - FRN info
  - Contact information
  - Service provider information
  - Service delivery deadline
  - Invoice filing deadline



## **Best Practices: Communicating With Your Service Provider**

- Ensure your service provider is aware of all the necessary documentation needed for future steps in the funding process.
- 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.

#### **Supply Chain Order**

- As a reminder, when service providers login to My Portal they will see two new 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 for specified transactions with companies deemed to pose a national security threat. 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>.
- **FY2022 and FY2023 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 FY2023, you cannot invoice for these funds. Instead, you should immediately request a <u>service substitution</u>.
- **FY2024 Applicants:** As you proceed with competitive bidding, 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



#### **Site and Service Substitutions**

- Site and service substitutions allow you to reallocate un-invoiced committed funds to substitute the services, modify the services, or provide the requested services to other eligible sites.
- You may request a site or service substitution if:
  - The substitution is stated in the contract, within the change clause, or constitutes a minor modification;
  - The requested change, e.g., adding sites or upgrading services, is clearly stated in the Request for Services, including any applicable Requests for Proposal (RFP) used in the competitive bidding process;
  - The substitution does not violate any contract provision or state, Tribal, or local procurement laws;
     and
  - The site is an eligible HCP, and the service must be eligible under the Telecom or HCF Program.
- HCPs using month-to-month service agreements are not eligible for site and service substitutions.
- For more information, visit our <u>Site and Service Substitutions</u> webpage.
- Site and service substitutions must be submitted by the service delivery deadline.

## **Questions?**

## **FY2023 RHC Connect and My Portal Updates**

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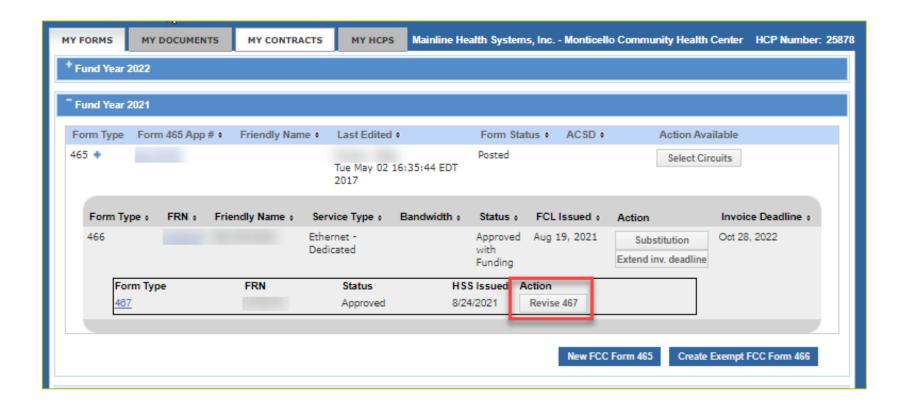
#### **Best Practices for Creating the FCC Form 463**

- Consolidate invoices.
- Use calendar drop down for billing start and end dates.
- Identify eligible amount for chosen period.
- Common issues:
  - Expense items unavailable to invoice
  - \$0.00 in the USF Support Amount to be Paid column
  - Error Messages

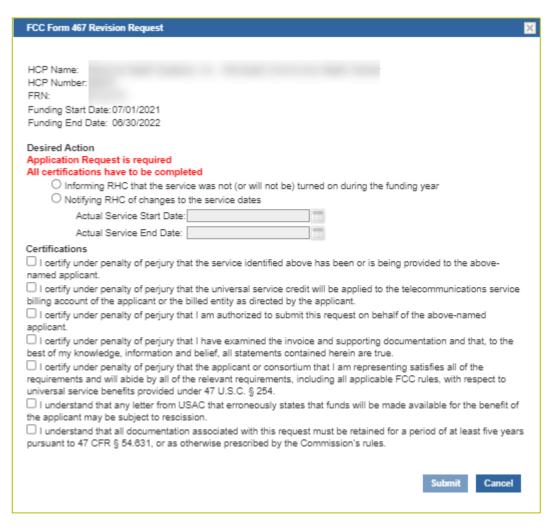
#### **Post-Commitment Changes in RHC Connect**

- The following operations are now available in RHC Connect for FY2022 and forward:
  - SPIN changes, both correctional and operational
  - Site and service substitutions
  - Invoice filing deadline extension
  - Service delivery deadline extension for non-recurring costs in HCF
- NOTE: If you have submitted a post-commitment change request in RHC Connect, please log into RHC Connect and request an invoice filing deadline extension.
  - We have a high volume of these requests and may not complete the review prior to the invoice filing deadline.
- These post-commitment operations are available in My Portal for funding commitments for FY2021 and prior funding years for HCF, Telecom and CCPP FRNs.

## **My Portal – Revise FCC Form 467 (Telecom)**

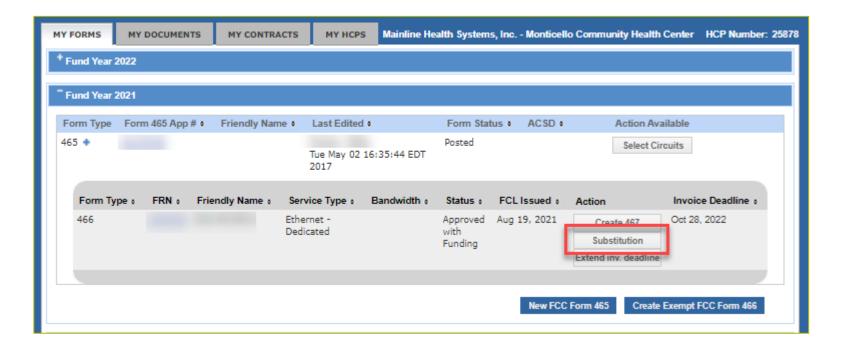


#### My Portal – Revise FCC Form 467 (Telecom)

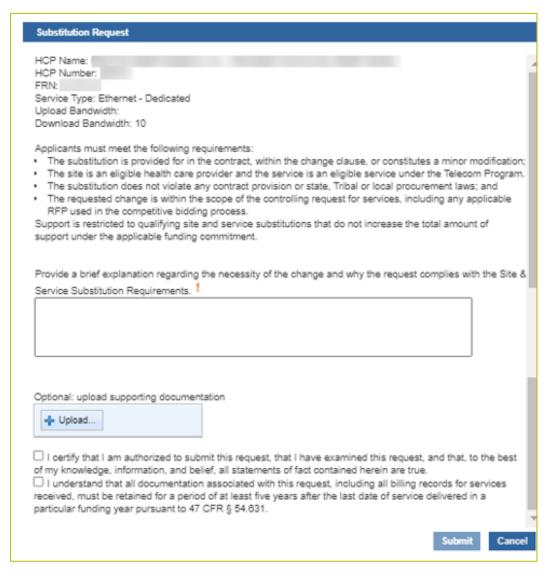


#### **My Portal – Service Substitutions (Telecom)**

- Service substitutions can now be requested in My Portal
- Do not send these requests to the RHC Customer Service Center



#### **My Portal – Service Substitutions (Telecom)**



# **Questions?**

## **Important Reminders**

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#### **FCC Form 467 Revisions**

- You must carefully review your Funding Commitment Letter (FCL) and Healthcare Support Schedule (HSS) prior to invoicing.
- If you have any questions about the information on the FCL or HSS, email <a href="mailto:RHC-Assist@usac.org">RHC-Assist@usac.org</a> with the FRN in the subject line.
- If services were delayed or not turned on, it is the responsibility of the HCP to submit an FCC Form 467 revision.

## **Post-Commitment Changes to Approved Funding**

- If the address of your site changes or the primary account holder no longer works for the HCP, you must submit an FCC Form 460 revision for HCF or a new FCC Form 465 for Telecom within 30 days of the change.
  - This is for all changes including those that occur post-commitment.
- If you don't use all approved funding, you can request a decrease in your approved funding by sending an email to <a href="RHC-Invoicing@usac.org">RHC-Invoicing@usac.org</a>.
  - You must include your HCP name and number, the affected Funding Request Number (FRN) and the amount you would like to reduce in the commitment.
  - USAC will complete a partial de-commitment for that FRN in that amount.
- If you'd like to re-allocate funds within your approved FRN, you can submit a <u>Site and Service Substitution</u>. This applies to both HCF and Telecom.
- If you will not be using **any** of the funds in your approved funding commitment, you can return the approved and invoiced funds to USAC. For more information, use the <u>Returning Program Funding</u> webpage as a resource.

#### **Account Holders**

- Please ensure all account holders are up to date for all HCPs.
- We recommend having at least one secondary account holder per HCP.
- Resources:
  - HCF Program Account Holder Guide
  - <u>Telecom Program Account Holder Guide</u>

### **Information Requests**

- Forms with missing or incomplete information or documentation cannot be processed.
- If USAC requires information that cannot be located on the submitted supporting documentation, this will result in an **Information Request.**
- All account holders will receive all Information Requests.
- Account holders are given 14 calendar days to provide a response to the Information Request.
  - 11:59 p.m. ET on the 14<sup>th</sup> day would be the last time to respond to the Information Request.
- Information Requests not responded to within 14 calendar days will result in a denial of that form.

### **Information Requests (continued)**

- Information Requests for the HCF Program will come from RHC Connect or from a reviewer using an @usac.org domain address
  - Reply to all Information Requests sent through RHC Connect directly in RHC Connect
    - Email notifications sent from RHC Connect are from an unattended mailbox
  - If you receive an email from a reviewer, please click "Respond All" when replying
- Information Requests for the Telecom Program will either come from My Portal or from a reviewer using an @usac.org domain address
  - Reply to all Information Requests sent through My Portal directly in My Portal
    - Email notifications sent from My Portal are from an unattended mailbox
  - If you receive an email from a reviewer, please click "Respond All" when replying

# **Questions?**

## **Upcoming Trainings and Resources**

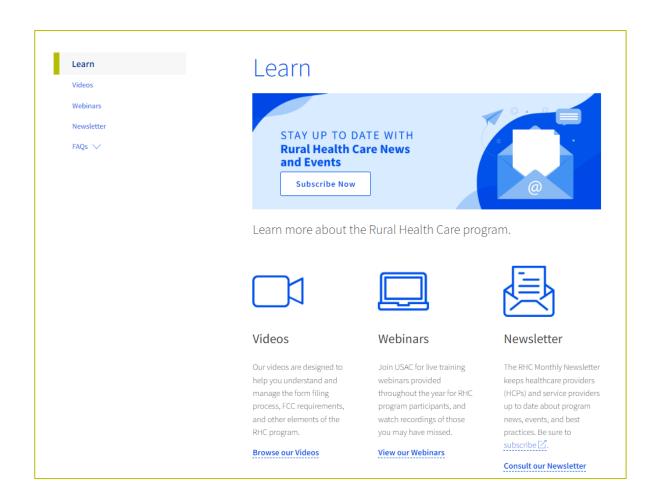
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### **Upcoming Webinars**

- Funding Request Best Practices for FY2024 Filing Window
  - HCF Program November 15, 2023, 2-3 p.m. ET register
  - Telecom Program TBD due to FCC Form 466 move to RHC Connect
- All RHC trainings are posted on the <u>Upcoming Dates</u> webpage on the USAC website.

#### **RHC Learn**

- Webinars
- RHC Monthly Newsletter
- Videos



#### Resources

- Examples of Common Products and Services
  - HCF Program
  - <u>Telecom Program</u>
- RHC Connect User Guide HCF program FCC Form 461
- RHC Connect User Guide HCF program FCC Form 462
- RHC Connect User Guide HCF program FCC Form 463
- RHC Connect FCC Form 461 training module
- RHC Connect FCC Form 462 training module
- RHC Connect FCC Form 463 training module
- <u>Information Requests in RHC Connect</u> tip sheet

### **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 and other FCC orders	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 and RHC Connect
Assist with My Portal and RHC Connect	Transfer a call to a specific form reviewer

# **Questions?**

## **Thank You!**

