## **PUBLICATION**

## The FCC's COVID-19 Telehealth Program Round 2 Application Window is About to Open for a Narrow One-Week Timeframe

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The Federal Communications Commission (FCC) announced that it will accept applications for Round 2 of the COVID-19 Telehealth Program (the Program) from 12:00 p.m. ET Thursday, April 29 to 12:00 p.m. ET Thursday, May 6, 2021.

The Program was originally established by the CARES Act "to support efforts of health care providers to address coronavirus by providing telecommunications services, information services, and devices necessary to enable the provision of telehealth services" during the COVID-19 pandemic.

The Consolidated Appropriations Act authorized \$249.95 million in funding to establish Round 2 of the Program. (See Baker Donelson's Payment Matters Publication "A Deeper Dive into Telehealth, Graduate Medical Education and Rural Health Care Provisions in the Stimulus Legislation.")

On March 30, 2021, after seeking comment on application evaluation metrics, the FCC established requirements, processes, and procedures for Round 2 of the Program. The FCC has indicated that the application guidelines and deadline were designed to allow it to evaluate all applications collectively in an effort to ensure that each state, territory and the District of Columbia are approved for funding.

Health Care Provider eligibility criteria from Round 1 continue to apply in Round 2. Accordingly, only certain categories of non-profit and public health care providers are eligible to apply to seek support for certain telecommunications services. For-profit entities remain ineligible for funding, but the Program remains open to eligible health care providers regardless of whether they are located in a rural or non-rural location.

Round 1 applicants will be able to resubmit their applications for Round 2, and are eligible for an increase in points in Round 2 if they did not receive Round 1 funding. Round 1 applicants that received an award can also apply again. The limitation on awards of \$1 million per applicant applies in Round 2, but this maximum commitment amount is independent of any funding received through Round 1.

A link to the Program application form is available at https://www.fcc.gov/covid-19-telehealth-program. Application process guidance is available on the Universal Service Administrative Company's COVID-19 Telehealth Program webpage. As a broad overview, applicants need to follow these three steps in preparation for submitting an application:

- 1. Request an eligibility determination from USAC by filing an FCC Form 460
- 2. Obtain an FCC Registration Number (FRN)
- 3. Start the registration process for the System for Awards Management (SAM)

Given that the Program is not a grant program, health care providers approved for funding will be required to submit an invoicing form and supporting documentation to receive reimbursement for eligible expenses and services.

Please contact Allison Cohen, Sheila Burke or any member of Baker Donelson's Telehealth Group for any questions you may have about the FCC's COVID-19 Telehealth Program or the application process.