

106TH CONGRESS  
1ST SESSION

# H. R. 2379

To ensure that adequate frequencies of the electromagnetic spectrum are available for biomedical telemetry.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1999

Mr. INSLEE (for himself, Mr. McDERMOTT, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To ensure that adequate frequencies of the electromagnetic spectrum are available for biomedical telemetry.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Critical Care Spectrum  
5       Act of 1999”.

6       **SEC. 2. CONGRESSIONAL FINDINGS.**

7       The Congress finds that—

8               (1) biomedical telemetry systems can greatly  
9       improve the quality, and significantly decrease the  
10       cost, of certain health care services;

1           (2) in making prior allocation decisions, the  
2       Federal Communications Commission has not ade-  
3       quately considered the needs of hospitals and other  
4       health care providers for electromagnetic spectrum  
5       for biomedical telemetry that is free of interference  
6       from other sources;

7           (3) in the absence of affirmative regulatory ac-  
8       tion, the continued operation and growth of these  
9       critical health care systems may be seriously threat-  
10      ened;

11          (4) the FCC should allocate or authorize the  
12      use of spectrum adequate for the current and future  
13      needs of biomedical telemetry systems.

14   **SEC. 3. RULEMAKING TO ENSURE ADEQUATE SPECTRUM**  
15                           **FOR CURRENT AND FUTURE NEEDS.**

16      (a) IN GENERAL.—The Federal Communications  
17   Commission shall adopt rules to ensure that biomedical  
18   telemetry operations are provided with frequencies ade-  
19   quate to support existing and future need, that—

20          (1) make primary allocations of bands of fre-  
21      quencies for such operations as are appropriate; and

22          (2) maintain and expand any secondary alloca-  
23      tions of bands of frequencies for such operations  
24      that are in effect upon the commencement of the  
25      proceeding for such rulemaking.

1 (b) PROCEEDING.—The rules required by subsection  
2 (a) shall be adopted not later than 1 year after the date  
3 of the enactment of this Act pursuant to a rulemaking  
4 proceeding commenced not later than 90 days after such  
5 date of enactment.

6 (c) REPORT.—Not later than 1 year after the date  
7 of the enactment of this Act, the Federal Communications  
8 Commission, in consultation with the Joint Working  
9 Group on Telemedicine, shall submit a report to the Con-  
10 gress on the future spectrum needs of telemedicine and  
11 telehealth providers, including emergency medical services  
12 providers.

13 **SEC. 4. MAINTENANCE OF EXISTING SPECTRUM ALLOCA-**  
14 **TION.**

15 Until the rules issued by the Federal Communica-  
16 tions Commission pursuant to section 3 take effect, the  
17 Commission shall maintain any allocations of bands of fre-  
18 quencies for biomedical telemetry operations that are in  
19 effect upon January 1, 1999, except that any television  
20 broadcast station authorized by the Commission to initiate  
21 digital television service may initiate such service in ac-  
22 cordance with the rules and policies of the Commission  
23 in effect on such date.

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