

110TH CONGRESS  
2D SESSION

# S. 3491

To amend the Communications Act of 1934 to improve the effectiveness of rural health care support under section 254(h) of that Act.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 2008

Mr. STEVENS (for himself, Mr. INOUE, and Mr. SMITH) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the Communications Act of 1934 to improve the effectiveness of rural health care support under section 254(h) of that Act.

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 “Telehealth for America  
5       Act of 2008”.

6       **SEC. 2. TELECOMMUNICATIONS SERVICES TO RURAL**  
7       **HEALTH CARE PROVIDERS.**

8       Section 254(h) of the Communications Act of 1934  
9       (47 U.S.C. 254(h)) is amended—

1 (1) in paragraph (1)(A)—

2 (A) by striking “telecommunications serv-  
3 ices” and inserting “telecommunications serv-  
4 ices, advanced telecommunications services and  
5 information services, and network management  
6 services”; and

7 (B) by striking “reasonably comparable to  
8 rates charged” and inserting “up to 60 percent  
9 less than rates charged”; and

10 (2) in paragraph (7)(B)(vi), by striking “clinics;  
11 and” and inserting “clinics and any rural health  
12 care provider, including any—

13 “(I) private physician office or  
14 clinic;

15 “(II) nursing home or other long-  
16 term care facility;

17 “(III) emergency medical service  
18 facility or location;

19 “(IV) residential substance abuse  
20 treatment facility;

21 “(V) hospice service facility;

22 “(VI) home health agency;

23 “(VII) blood bank;

24 “(VIII) social service agency;

1 “(IX) Alaska Native, tribal, or  
 2 Native Hawaiian regional or local  
 3 non-profit organization providing  
 4 health-related services or training;

5 “(X) pharmacy;

6 “(XI) dental clinic;

7 “(XII) behavioral health facility;

8 “(XIII) facility deemed eligible  
 9 by the Department of Veterans Af-  
 10 fairs to provide health care services to  
 11 veterans; or

12 “(XIV) community center, voca-  
 13 tional rehabilitation center, or youth  
 14 center offering health-related services  
 15 or training; and”.

16 **SEC. 3. INTEGRITY AND ACCOUNTABILITY.**

17 (a) IN GENERAL.—To ensure the integrity and ac-  
 18 countability of all programs established under section 254  
 19 of the Communications Act of 1934 (47 U.S.C. 254), the  
 20 Federal Communications Commission, in consultation  
 21 with the Administrator of the Universal Service Adminis-  
 22 trative Company, shall, not later than 180 days after the  
 23 date of enactment of this Act, report to Congress on—

24 (1) the nature and effectiveness of the fiscal  
 25 controls and accountability standards that are ap-

1       plied to programs under section 254 as of the date  
2       of enactment of this Act;

3           (2) the performance goals for programs under  
4       section 254 that are used by the Commission as of  
5       the date of enactment of this Act to determine how  
6       efficiently and cost-effectively the Universal Service  
7       Administrative Company spends funds pursuant to  
8       its operation of all universal service programs; and

9           (3) what steps, if any, should be taken to  
10      strengthen the fiscal controls, accountability stand-  
11      ards, and performance goals for programs under sec-  
12      tion 254 and whether the Federal Communications  
13      Commission requires additional statutory authority  
14      to implement such steps.

15      (b) NO EFFECT ON SCHOOLS AND LIBRARIES.—Ex-  
16      cept as provided in subsection (a), nothing in this Act (or  
17      the amendments made by this Act) shall be construed as  
18      limiting, changing, modifying, or altering the amount of  
19      support or means of distribution of support under section  
20      254 of the Communications Act of 1934 (47 U.S.C. 254)  
21      for schools and libraries.

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