

COVID-19 Regulatory Update

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FCC Grants \$50 Million of the \$200 Million in Funding Available Under the COVID-19 Telehealth Program

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The Federal Communications Commission (“FCC” or “Commission”) has been moving quickly on its new COVID-19 Telehealth program (“Telehealth Program”). Since it began accepting applications on April 13th, the Commission has awarded over \$50 million to 132 health care providers in 33 states and the District of Columbia. Individual awards range from \$5,886 to \$1 million. This alert provides an overview of the Telehealth Program, including who is eligible to apply, as well as information about the participants that have been selected thus far and how they plan to use their Telehealth Program awards. The information provided in this alert is based on publicly available information as of May 26, 2020, which is routinely updated by the FCC on its [Telehealth Program website](#).

Background

The Telehealth Program was established to distribute \$200 million in emergency funding directly to health care providers to support the expansion of telehealth services in response to the COVID-19 pandemic. Participating health care providers receive full funding for telecommunications services, information services, and devices necessary to provide telehealth services during the COVID-19 pandemic. As noted above, the FCC began accepting applications to the Telehealth Program on April 13, 2020, and will continue to accept and evaluate applications, and award funding, on a rolling basis with no deadline until the COVID-19 pandemic ends or available funds are exhausted.

Telehealth Program Eligibility and Application Process

The following types of health care providers are eligible to participate in the Telehealth Program, regardless of their geographic location:

- Post-secondary educational institutions that offer health care instruction, teaching hospitals and medical schools.
- Community health centers or health centers providing health care to migrants.
- Local health departments or agencies.
- Community mental health centers.

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- Not-for-profit hospitals.
- Rural health clinics.
- Skilled nursing facilities.
- Consortia of health care providers consisting of one or more of the above types of entities.

To receive funding through the Telehealth Program, applicants must demonstrate that the funds are needed to “prevent, prepare for, and respond to coronavirus.” As demonstrated by the list of selected applicants below, this is not limited to directly treating patients with COVID-19, and could include telehealth programs that, for example, aid in the prevention of pandemic spread by facilitating social distancing and other measures, treat patients with other health conditions remotely to preserve resources, or treat patient populations with health conditions that make them particularly vulnerable to contracting COVID-19 during in-person visits.

Interested health care providers may apply online through the [FCC’s application portal](#). To assist applicants, the FCC has released a helpful webinar with step-by-step instructions for completing the application process, which is [available for viewing online](#). For a more detailed overview of the Telehealth Program’s eligibility rules and application process, please see our [Primer on the COVID-19 Telehealth Program](#).

Selected Participants

The program requires that selected participants use Telehealth Program funds to provide telehealth services and remote patient monitoring, with a specific focus on keeping patients at home and reducing the spread of COVID-19, conserving hospital capacity and medical resources, and expanding treatment and testing for COVID-19. The FCC places special emphasis on participants using the funds to target low-income communities, Medically Underserved Areas, and populations with pre-existing conditions that make them vulnerable to the virus. A comprehensive list of the selected participants, based on the FCC’s publicly available list as of May 26, 2020, along with their award amounts and program descriptions, can be found [here](#).

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