The Revitalization of Health and Education in Rural America Act of 1992

General:

During the preceding decade of the 1980's, rural communities witnessed an exodus of over 5 million residents to urban and suburban areas of the nation. It has become increasingly clear that rural parts of the country must adopt aggressive strategies to strengthen rural communities and enhance the quality of life for its citizens into the 21st century.

Studies by the U.S. Department of Commerce, Office of Technology Assessment, and the Aspen Institute all identify advanced telecommunications systems as the linchpin for a vigorous future for rural America. The Revitalization of Health and Education in Rural America Act of 1992 incorporates these recommendations into viable strategies to improve health care and educational services for rural citizens. By linking up hospitals and schools through advanced telecommunications technology, vast geographic distances are instantly reduced. With the proper infrastructure in place, up-to-date telecommunications services will facilitate endless opportunities for improving the quality of life in remote areas. This comprehensive legislation is the critical first step in forging a partnership with urban communities to create an economically sound and technologically advanced America for generations to come.

Improvement of Health Care and Educational Services in Rural Areas through the Implementation of Interactive Telecommunications Systems.

The bill sets up a program through the Rural Electrification Administration (REA) for providing grants to qualified health and education
consortia to assist them in obtaining access to modern interactive telecommunications systems through the public switched network. A qualified health care consortium is made up of a large health facility linked up with at least three rural hospitals, clinics, community health centers, migrant health centers or local health departments. A qualified education consortium is a consortium of not less than three educational institutions accredited by the State.

In order for a State's potential grantees to participate in the program, the Governor of that State must submit a plan to the Administrator of REA to upgrade and modernize its rural telecommunications infrastructure and improve the use of telecommunications, computer networks, and related advanced technologies within ten years. An interested health or education consortium would then submit a plan to REA to provide more comprehensive health or education services through interactive telecommunications systems in order to receive a grant. The bill sets out de minimis standards for the Governor to meet in order for the State to have eligible grant applicants.

In selecting the grantees, the Administrator of REA must prioritize those grants which have the greatest likelihood of success, participation of the local telecommunications exchange carrier, and support of the local community. The grants are capped at $1.5 million per consortium and must be used for the purpose of improving health care and education as provided under the bill through a qualified health or education consortium. As an incentive for local telephone exchange carriers to upgrade existing facilities, a telephone borrower can receive a low interest loan through REA if the State in which the borrower does business has a qualified plan submitted by the Governor of that State to REA.

Grants to improve health care in rural areas can be used for consultations between health care providers; transmitting and analyzing x-rays, lab slides and other images; and providing continuing education programs for physicians. Grants to improve education in rural areas can be used for the development of innovative education programs and expanding curriculum offerings; providing continuing education to all members of the community; providing the means for libraries of educational institutions and public libraries to share resources; provide public access to State and national data bases; and conducting town meetings for educational purposes.

The bill authorizes $30 million to be appropriated for health care consortia and $20 million to be appropriated for education consortia. The legislation amends the Rural Electrification Act in order to provide Section 305(b) insured 4% loans to telephone companies that participate in the Governor's plan. The Act is further amended to provide for the rural population requirement under the
telephone loan program of REA to be increased from 1,500 to 10,000 in order to enhance participation by those local telephone exchange carriers not currently upgrading in their service areas. There is a “Sense of the Congress” provision stating that those local telephone exchange carriers interested in upgrading their service territory with REA loans, but are reluctant due to the lien requirements, may set up a subsidiary for that exchange in order to borrow from REA.
IN THE HOUSE OF REPRESENTATIVES

Mr. ENGLISH introduced the following bill; which was referred to the Committee on ____________

A BILL

To establish a grant program to improve the provision of health care services and educational services in rural areas by enabling providers of such services to obtain access to modern interactive telecommunications systems, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Revitalization of Health and Education in Rural America Act of 1992".

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SEC. 2. GRANTS TO ENABLE PROVIDERS OF HEALTH CARE AND EDUCATIONAL SERVICES IN RURAL AREAS TO IMPLEMENT INTERACTIVE TELECOMMUNICATIONS SYSTEMS.

(a) FINDINGS.—The Congress finds that—

(1) interactive telecommunications systems hold the potential to alleviate many of the problems rural Americans face in obtaining access to adequate health care and expanded educational services; and

(2) access to such systems by providers of health care services and educational institutions in rural areas would greatly increase their ability to provide more comprehensive health care and education to rural, underserved populations.

(b) GRANT PROGRAM.—Subtitle D of title XXIII of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by adding at the end the following:

"CHAPTER 3—IMPROVEMENT OF HEALTH CARE SERVICES AND EDUCATIONAL SERVICES THROUGH TELECOMMUNICATIONS"

"SEC. 2338. GRANT PROGRAM.

“(a) ESTABLISHMENT.—The Administrator of the Rural Electrification Administration (in this chapter referred to as the ‘Administrator’) shall establish a program for providing grants to any qualified consortium to assist the consortium in obtaining access to modern interactive
telecommunications systems through the public switched network.

(b) DEFINITIONS.—

(1) QUALIFIED CONSORTIUM.—As used in this chapter, the term 'qualified consortium means a consortium which—

(A) provides health care services or educational services in a rural area of a qualified State; and

(B) is composed of—

(i) a tertiary care facility, rural referral center, or medical teaching institution, or an educational institution accredited by the State;

(ii) any number of institutions that provide health care services or educational services; and

(iii) in the case of a consortium seeking a grant under this chapter to improve health care services, not less than 3 rural hospitals, clinics, community health centers, migrant health centers, local health departments, or similar facilities; or

(II) in the case of a consortium seeking a grant under this chapter to improve
educational services, not less than 3 educational institutions accredited by the State.

"(2) QUALIFIED STATE.—The term 'qualified State' means a State which has adopted, within 1 year after the date final regulations are prescribed to carry out this chapter, a plan for the upgrading and modernization of the rural telecommunications infrastructure of the State which, among other things—

"(A) provides for the elimination of party line service in rural areas of the State;

"(B) encourages and improves the use of telecommunications, computer networks, and related advanced technologies to provide educational and medical benefits to people in rural areas of the State;

"(C) provides for an enhancement in the quality and availability of educational opportunities for students in rural areas of the State;

"(D) provides for improvement in the quality of medical care provided, and access to medical care afforded, to people in rural areas of the State;
"(E) provides incentives for local telephone exchange carriers to improve the quality of telephone service and access to advanced telecommunications services for subscribers in rural areas of the State, including facsimile document transmission, multifrequency tone signaling services, interactive audio and video transmissions, voicemail services, and other telecommunications services;

"(F) provides for the full participation of rural areas in the modernization of the telecommunications network through the implementation of joint coordinated network planning, design, and cooperative implementation among all local telephone exchange carriers in the provision of public switched network infrastructure and services;

"(G) provides for the achievement, preservation, and enhancement of universal service by bringing reasonably priced, high-quality, advanced telecommunications network capabilities to the people of the rural areas of the State, including through the sharing of public switched network infrastructure and functionality by local telephone exchange carriers at the request
of local telephone exchange carriers lacking economies of scale or scope to provide such infrastructure or functionality on their own;

"(H) provides for the achievement of such goals within 10 years after the adoption of the plan; and

"(I) does not alter the boundaries of any local telephone exchange company franchised service area designated or recognized by the State, or the equivalent in the State.

"(3) RURAL AREA.—The term 'rural area' has the meaning given such term in section 203(b) of the Rural Electrification Act of 1936.

"(4) TELEPHONE SERVICE.—The term 'telephone service' has the meaning given such term in section 203(a) of the Rural Electrification Act of 1936.

"(c) SELECTION OF GRANT RECIPIENTS.—

"(1) APPLICATION REQUIREMENT.—

"(A) IN GENERAL.—Any qualified consortium that provides services in a State and desires to obtain a grant under this chapter shall submit to a State agency designated by the Governor of the State an application in such form, containing such information and assur-
ance, and at such time, as the Administrator may require.

"(B) CONTENTS OF APPLICATION.—The application shall contain or be accompanied by—

"(i) a copy of the State plan described in subsection (b)(2);

"(ii) the plan of the applicant, for obtaining access to interactive telecommunications systems, which—

"(I) specifies, consistent with subsection (f), the uses to be made of such systems;

"(II) demonstrates that the systems will be capable of being readily connected to the established public switched network; and

"(III) is compatible with the State plan; and

"(iii) a commitment by the State to make a grant to the applicant in an amount equal to 20 percent of the funds required to carry out the plan of the applicant, conditional upon a commitment by the Administrator to make 1 or more
grants to the applicant under this chapter in an amount equal to 80 percent of the funds required to carry out the plan of the applicant.

“(2) REVIEW AND COMMENT.—The State agency shall review the application and the applicant's plan and, after any revisions made by the applicant are incorporated, transmit to the Administrator the application and plans, and the comments of the State agency.

“(3) SELECTION OF GRANTEES.—The Administrator shall—

“(A) review the applications and plans transmitted pursuant to paragraph (2);

“(B) consider the comments of the State agency with respect to the application; and

“(C) make grants in accordance with paragraph (4) to each applicant therefor that complies with the requirements of this chapter and the regulations prescribed by the Administrator to carry out this chapter.

“(4) PRIORITY.—Priority for grants under this chapter shall—

“(A) be accorded to applicants whose applications demonstrate—
“(i) the greatest likelihood of successfully and efficiently carrying out the activities described in subsection (f)(1);

“(ii) the participation of the local telephone exchange carrier in providing and operating the telecommunications transmission facilities required by the plan; and

“(iii) unconditional financial support from the local community; and

“(B) so as to ensure, to the extent possible, that various regions of the United States benefit from the use of the grants.

“(d) Maximum Amount of Grant.—The amount of each grant under this chapter shall not exceed $1,500,000.

“(e) Distribution of Grants.—Grants to any qualified consortium under this chapter shall be disbursed over a period of not more than 3 years.

“(f) Use of Funds.—

“(1) In General.—Grants under this chapter may be used to support the costs of activities involving the sending and receiving of information to improve health care services or educational services in rural areas, including—

“(A) in the case of grants to improve health care services—
"(i) consultations between health care providers;

"(ii) transmitting and analyzing x-rays, lab slides, and other images;

"(iii) developing and evaluating automated claims processing, and transmitting automated patient records; and

"(iv) developing innovative health professions education programs;

"(B) in the case of grants to improve educational services—

"(i) developing innovative education programs and expanding curriculum offerings;

"(ii) providing continuing education to all members of the community;

"(iii) providing the means for libraries of educational institutions or public libraries to share resources;

"(iv) providing the public with access to State and national databases;

"(v) conducting town meetings; and

"(vi) covering meetings of agencies of State government; and

"(C) in all cases—
“(i) transmitting financial information; and
“(ii) such other related activities as the Administrator deems to be consistent with the purposes of this chapter.

“(2) LIMITATION ON ACQUISITION OF INTERACTIVE TELECOMMUNICATIONS EQUIPMENT.—Not more than 40 percent of the amount of any grant made under this chapter may be used to acquire interactive telecommunications end user equipment.

“(3) LIMITATION ON USE OF CONSULTANTS.—Not more than 5 percent of the amount of any grant made under this chapter may be used to employ or contract with any consultant or similar person.

“(4) PROHIBITIONS.—Grants made under this chapter may not be used, in whole or in part, to establish or operate a telecommunications network or to provide any telecommunications service for hire.

“(g) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

“(1) GRANTS TO IMPROVE RURAL HEALTH CARE SERVICES.—For grants under this chapter to improve health care services, there are authorized to be appropriated to the Administrator not to exceed $30,000,000.
"(2) Grants to Improve Rural Educational Services.—For grants under this chapter to improve educational services, there are authorized to be appropriated to the Administrator not to exceed $20,000,000.

"(3) Availability of Funds.—Sums appropriated pursuant to this subsection are authorized to remain available until expended."

(c) Reduction in Interest Rate on Insured Telephone Loans for Borrowers From States With Plans for Upgrading Rural Telecommunications Infrastructure.—Section 305(b) of the Rural Electrification Act of 1936 (7 U.S.C. 935(b)) is amended by adding after and below the end the following:

"Notwithstanding the preceding sentence, an insured telephone loan made under this section on or after the date of the enactment of this sentence to an otherwise eligible borrower therefor in any qualified State (as defined in section 2338(b)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990), which would (but for this sentence) bear interest at more than 4 percent per annum, shall bear interest at 4 percent per annum."

(d) Elimination of Preference for Rural Telephone Bank Loans for Borrowers Located in States With Plans for Upgrading Rural Tele-
COMMUNICATIONS INFRASTRUCTURE.—Section 408(b)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 948(b)(2)) is amended by inserting "which is not located in a qualified State (as defined in section 2338(b)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990)" after "any borrower".

SEC. 3. INCREASE IN LIMITATION ON POPULATION OF RURAL AREAS FOR PURPOSES OF TELEPHONE LOANS.

(a) In General.—Section 203(b) of the Rural Electrification Act of 1936 (7 U.S.C. 924(b)) is amended by striking "one thousand five hundred" and inserting "10,000".

(b) Conforming Amendment.—Section 13 of such Act (7 U.S.C. 913) is amended by inserting "(except in title II)" before "shall be deemed to mean any area".

SEC. 4. SENSE OF THE CONGRESS.

It is the sense of the Congress that persons who are eligible for telephone loans under the Rural Electrification Act of 1936 and are interested in upgrading telecommunications in rural areas should obtain financial assistance under such Act through a subsidiary in order to limit the assets subject to the lien requirements of such Act.

May 14, 1992
1 SEC. 5. REGULATIONS.

2 Within 180 days after the date of the enactment of this Act, the Administrator of the Rural Electrification Administration and the Governor of the Rural Telephone Bank shall prescribe such regulations as may be necessary to carry out the amendments made by this Act.
Appendix C
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