

Milton Brown
Office of the Chief Counsel
National Telecommunications and Information Administration
1401 Constitution Avenue, Room 4713
Washington, DC 20230

Regarding: Department of Commerce, National Telecommunications and Information Administration 47 CFR Part 301

Dear Mr. Brown:

The Texas Long-Term Care Ombudsman Program is housed in the Texas Department of Aging and Disability Services and serves thousands of long-term care residents each year. In Texas, over 90,000 individuals live in nursing homes and over 30,000 live in assisted living facilities. Almost 11,000 individuals live in Intermediate Care Facilities. Many of these residents would benefit from the Department of Commerce's digital television coupon program, but currently are excluded. I appreciate the effort that NTIA has made to try to address the needs of residents who live in long-term care. On behalf of the Texas Long-Term Care Ombudsman Program, I offer the following comments on the Notice of Proposed Rulemaking regarding 47 CFR Part 301.

Recommended changes:

Sec 301.2 Definitions

1. Amend household definition:

"Household" consists of all persons who currently occupy a house, apartment, mobile home, group of rooms, or single room that is occupied as separate living quarters and has a separate U.S. Postal address. A household does not mean a Post Office Box. Add: Individuals (residents) who reside in long-term care facilities are included in the definition of a "household."

2. Add new definition:

"Long-term care facility" includes a facility licensed or certified by state or federal government including nursing homes, assisted living facilities, group homes, intermediate care facilities, and state facilities such as schools, hospitals and other institutional settings.

Sec. 301.3 (a) (2)

3. Add (C) to read:

(a) To apply for and receive a coupon, an Eligible Household must:

- (1) provide the name of the person submitting the request
- (2) provide a United States Postal Service mailing address
 - (A) a Post Office Box will not be considered a valid mailing address unless (2)(B) applies
 - (B) residents of Indian reservations, Alaskan Native Villages and other rural areas without home postal delivery may be requested to supply additional information to identify the physical location of the household, as required.
 - (C) an Eligible Household member, as a resident of a long-term care facility. One coupon will be awarded per eligible resident.

Comments on NTIA's proposed administration of the coupon program for long-term care residents

A resident of a long-term care facility is a consumer equal to any other member of the public. Additional measures to reduce the risk of coupon fraud should not impose unnecessary burden. We propose NTIA add a field to the existing application. This field will collect information on the type of address entered. This field may include options such as: individual home (apartment, house, duplex); nursing home; assisted living facility; intermediate care facility; licensed group home; and state school. All other application questions would remain the same. An additional signature option could be added stating, "I am completing this application for a resident in a long-term care facility." This information would allow NTIA to search available databases for verification of the address as a licensed facility and provide only one coupon to the applicant. Residents in long-term care facilities should not be asked to provide unnecessary identifying information, such as a Social Security number, nor should a facility Administrator or relative of the resident.

Thank you for the opportunity to comment. If you have additional questions, please contact Patty Ducayet, Texas State Long-Term Care Ombudsman at patty.ducayet@dads.state.tx.us or 512-438-4356.