

June 6, 2008

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

RE: Household Eligibility and Application Process of the Coupon Program for  
Individuals Residing in Nursing Homes

Dear Mr. Brown:

I am a volunteer long-term care ombudsman for a facility in Houston, Texas. The fact that you are even considering assisting this vulnerable population that was left out of the original bill is commendable; however, after reading the proposed rules from the Federal Register / Vol. 73, No. 80 dated Thursday, April 24, 2008, here are my recommendations and concerns:

- NTIA proposing to allow one coupon per resident is acceptable and should be enacted immediately; verification of residency of the Nursing Home is a non-issue, since the coupon is being mailed to the facility where the person resides. There could be abuse from possibly the workers of these facilities, but if we trust them with day-to-day human lives (which is our most valuable commodity) why wouldn't the NTIA trust them to get the mail to the individuals who have requested the coupon. When the address of the facility is given over the phone or in an application, it should be verifiable via the internet or telephone, if the facility is properly licensed. NTIA should define nursing homes as any licensed facility that is in good standing with the state they operate in. Additionally, if the Administrator of the facility is given the right to request the coupons, others should be able to assist as well including: social workers, long-term care ombudsman, and other medical workers who work in the facility. This would aid the residents who do not have any family that can assist them or whose family has abandoned them at the facility.
- Many residents in these facilities would require assistance in obtaining the coupon, as well as purchasing and installing the box. I agree that NTIA should be allowed to collect additional information like social security numbers of the residents and social security numbers, date of birth and other information of the person helping the resident; however, some may be reluctant to give the information for fear of identity theft, so proper precautions would have to be taken to safeguard this information. To expedite the process I still believe utilizing an internet interface as well as the paper application would be vital to getting the coupons to the residents who need them, in a timely manner. Fraud or abuse could be minimized by conducting the audits that NTIA proposes. Additionally, a listing of serial numbers of the actual boxes purchased along with the vital information of the resident could be supplied to NTIA as an additional safety measure.

- Verification of Nursing Homes residents needing the coupon should not be that difficult to supply to NTIA if the facility and others (ombudsman, family members, guardians, etc.) can take a poll of who have individual televisions needing the boxes; however, I am concerned with the “*Certification*” from the Nursing Home resident as to whether he or she receives television exclusively over the air or through cable, satellite or other pay television service. The main reason for my concern, is that many who cannot talk verbally, motion with hands or use other means to communicate. Some residents cannot write or sign their names, so obtaining a statement from them would be difficult. Perhaps the person helping obtain the coupon could explain the exact reason for why the person cannot sign or communicate his or her needs for a box on the application or on the internet interface.
- Lastly, the deadline for comments on duplications, tracking etc. is clear, but there is no deadline for the change. Of the 75+ residents at the facility I am assigned, only a handful utilize cable or other paid television service. It appears that a little less than half actually have personal televisions that will need boxes and of that number, only 1/3 of those residents have no one to speak on their behalf (i.e. family member, guardians, etc.) These residents rely on the care of the facility, long-term care ombudsman and community groups that visit the facility for their needs.

Currently, I am educating as many family members who have loved ones at my facility to order two coupons at their home residences and use at least one of them for their family member who resides in the facility. Additionally, I have personally ordered my two coupons, which I plan use to assist at least two more people in my facility who have no family or guardian to assist them. My family and friends are also assisting me in this effort to ensure that no residents at least at my facility are left in the dark when the change is enacted in February of 2009. I don't know if I will be able to help everyone who needs the assistance, but I plan to do what is in my power to help the residents I can.

I hope that the change your office proposes is enacted expeditiously, to ensure that this vulnerable population will not be left without a link to outside world.

Sincerely,

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