

PUBLIC SERVICE COMMISSION OF WISCONSIN

FY 2020/2021 Telemedicine Grants

5-TF-2020

ORDER

This is the Order approving the award of \$1,000,000 in grants for the Medical Telecommunications Equipment Grant (Telemedicine Grant) Program for Fiscal Years (FY) 2020 and 2021. The purpose of the Telemedicine Grant Program is to encourage the use of telecommunications equipment and services to promote technologically advanced medical services, to directly or indirectly enhance access to medical care in rural or underserved areas of the state, and to directly or indirectly enhance access to medical care by underserved populations or persons with disabilities.

The Telemedicine Grant Program is authorized by Wis. Stat. § 196.218(4u) and Wis. Admin. Code § PSC 160.115. Under this authority, the Commission may grant up to \$500,000 per state fiscal year, or \$1,000,000 per state biennium, for Telemedicine Grants. Beginning in FY 2008, the Commission has combined the consideration and approval of Telemedicine Grant requests, for a two-year period, into a single evaluation. The Commission again combines the funds available to the Telemedicine Grant Program for two fiscal years, FY 2020 and 2021, into a single proceeding. When combined, the total amount available for awards over the two-year period is \$1,000,000.

Telemedicine Grant Applications for FY 2020/2021

Applications for the FY 2020/2021 Telemedicine grant cycle were due to the Commission on March 12, 2020. The Commission received 19 applications that together requested a total of \$1,191,268 in grants. The applications proposed to purchase a variety of

medical telecommunications equipment, including telemedicine carts, video conference equipment, tablet computers, home health monitoring units, and digital imaging devices.

On April 8, 2020, the Commission requested that grant applicants update their application information in light of the COVID-19 public health emergency. ([PSC REF#: 387176](#)) On April 13, 2020, 15 applicants responded to the Commission's request for supplemental information.

The applications were first reviewed by a screening panel consisting of Alyssa Kenney, Holly O'Higgins, Peter Jahn, and Dennis Klaila of the Commission staff. A summary of the applications, panel evaluation and recommendation may be found in a Commission memorandum dated April 23, 2020. ([PSC REF#: 388485](#))

The Commission discussed this matter at its open meeting of April 30, 2020.

Conclusions of Law

1. The Commission has jurisdiction under Wis. Stat. §§ 196.02(1), 196.218(4u), 196.395, and other provisions of Wis. Stat. ch.196, to make the determinations in this Order, and to act or refrain from acting with regard to the administration of the Telemedicine Grant Program under Wis. Stat. § 196.218(4u).

2. The Commission has authority in Wis. Stat. §§ 196.02(1) and 196.395 to impose the conditions on disbursement of grant funds set forth in this Order as necessary and convenient to its award authority in Wis. Stat. § 196.218(4u) in order to evaluate the progress, completion, and results of the grant awards approved in this Order.

Opinion

Eligibility

Each of the 19 grant applications was filed by an entity that meets the definition of an eligible non-profit medical clinic under Wis. Admin. Code § PSC 160.115(1).

Commission staff identified two applications in this grant cycle that it considered possibly ineligible because they might be considered to be incomplete as of the filing deadline. Pursuant to Wis. Admin. Code § PSC 160.115(5), an applicant for funding is required to include certain information, including the items enumerated in that section of the administrative code, and “[a]ny other information that the [C]ommission considers necessary.” The Commission may deem an application to be ineligible if it does not contain the information the Commission considers necessary. The Commission also has the discretion to give special and individual consideration to exceptional and unusual situations, and, upon due investigation of the facts and circumstances involved, to adopt requirements as to individual providers that are different than those provided in Chapter 160 of the Wisconsin Administrative Code. Wis. Admin. Code § PSC 160.01(2)(b).

The Commission’s application instructions, released by the Commission on January 6, 2020, requested that a project budget and a project narrative be submitted, among other materials. The application instructions stated the applications were due at 4:00 p.m. on March 12, 2020.

SSM Health at Home submitted its application at 4:21 p.m. on March 12, 2020. It was incomplete. The filing lacked a project budget that clearly stated the number and unit price of the telemedicine equipment items that SSM Health at Home proposed to purchase. A budget was never provided.

Drops of Kindness, Inc. submitted its application on time, but the application materials

were missing the narrative requested in the application instructions. Promptly after Commission staff notified Drops of Kindness, Inc. of the omission, Drops of Kindness, Inc. sent the missing narrative to Commission staff.

The Commission finds the application of SSM Health at Home to be ineligible, and therefore denies the grant application of SSM Health at Home. SSM Health at Home made no attempt to remedy its incomplete submittal. In contrast, the omission from the Drops of Kindness, Inc. application appears to be ministerial and the required information was promptly submitted. Accordingly, the Commission finds the application of Drops of Kindness, Inc. to be eligible for a grant award.

Evaluation

Wisconsin Admin. Code § PSC 160.115 (6) provides the criteria the Commission applies to evaluate telemedicine grant applications:

1. Whether the applicant is a non-profit medical clinic or public health agency located in the state;
2. Whether the proposal promotes technologically advanced medical services;
3. Whether the proposal directly or indirectly enhances access to medical care in rural or underserved areas of the state;
4. Whether the proposal directly or indirectly enhances access to medical care to underserved populations or persons with disabilities in the state;
5. Whether the applicant will be able to pay for the portion of the cost of the equipment not funded by a telemedicine grant;
6. Whether the applicant has taken steps to secure the equipment at reasonable

prices;

7. For any applicant agency or organization that operates more than one location, which has submitted an application involving an additional location, how much total universal service support has been received by the agency or organization; and

8. Whether the applicant is a new or first-time applicant in the program.

Grant Awards

Upon review of the applications submitted and consideration of the screening panel's evaluation, the Commission awards grants to 16 of the 19 grant applicants in the amounts set forth in Attachment 1.

The Commission denies a grant award to three grant applicants: The Lakes Health Center, Inc. (Application #2), SSM Health at Home, and UnityPoint-Meriter Hospital (eICU Application). As discussed above, the Commission finds SSM Health at Home application to be ineligible. The Commission denies the grant applications of The Lakes Health Center and UnityPoint-Meriter because it finds the successful grant applications better addressed the goals of the Telemedicine Grant program set forth in Wis. Admin. Code § PSC 160.115(2).

Conditions Applicable to the Disbursement of Grant Award Funds

In recent grant proceedings, the Commission adopted a proposal by Commission staff to revise the terms and conditions applicable to the disbursement of grant awards. Under this proposal, each grant award is conditioned upon the recipient accepting certain terms and conditions. The terms and conditions would be the same or similar to terms and conditions for use in other grant programs at the Commission, and include provisions for submitting requests for payment, and providing reports to the Commission.

The application materials in this proceeding advised applicants that the Commission

order awarding grants would require each approved grant applicant to enter into a Grant Agreement with the Commission. The Grant Agreement would confirm the grant award, including the amount of the award and the terms and conditions ordered by the Commission, which include the process for making reimbursement requests and complying with reporting requirements. A grant award would not be final until the applicant signs and returns the Grant Agreement.

The Commission concludes there should be a consistent and enforceable standard or format for submitting requests, and clear direction regarding content and supporting documentation. As a condition of each grant award, the Commission finds it is reasonable to require grant recipients in this proceeding to enter into a Grant Agreement, and to agree to abide by terms and conditions developed by Commission staff, which will include payment request and reporting provisions. The Commission concludes that these requirements provide uniformity with other grant programs at the Commission and facilitate better fiscal management of the grant programs, and are prudent for the administration of grant funds.

Order

1. The grant applications listed in Attachment 1 are approved in the award amounts stated therein. If an approved grant applicant has offered to contribute matching funds toward the total cost of the grant project, that offer of matching funds is accepted in full and incorporated into the grant award.

2. These grant awards are made conditionally. Each grant applicant receiving a grant award may accept the grant award for its respective project by entering into a Grant Agreement prepared by Commission staff. The Grant Agreement will confirm the grant award, including the amount of the award, and will require the grant recipient to agree to abide by terms and conditions

governing the administration of the grant project, developed by Commission staff. The grant awards referred to herein are not final until the grant recipient completes and signs the Grant Agreement, and the Commission's duly designated representative signs and delivers the executed Grant Agreement to the grant recipient. In the event that a grant recipient does not agree on the administration of the grant project, including the reporting requirements, other conditions set forth in this Order, and the terms and conditions developed by Commission staff, the grant award shall be deemed rescinded, and the funds for that grant award shall be reallocated to other grant applications or returned to the Universal Service Fund reserve.

3. Each approved grant applicant shall use grant funds for the purchase of equipment and services specifically identified in the budget summary of its grant application. A grant applicant with an approved grant award may request to substitute an equipment item selected from a competing equipment vendor or manufacturer, in lieu of the equipment item specified in the budget summary of its grant application. Any such request shall be made pursuant to the Grant Agreement, which will include terms and conditions developed by Commission staff.

4. The grant awards approved herein shall expire, without notice or further process, on March 31, 2022, unless extended pursuant to the Grant Agreement, which will include terms and conditions developed by Commission staff. Any unused balance in an expired grant award shall be returned to the Universal Service Fund reserve.

5. Grant funds will be paid as reimbursement for the purchase of equipment and services specifically identified in the budget summary of the grant application, and upon submission of a paid invoice or other documentation supporting a request for payment, pursuant to the Grant Agreement, and the terms and conditions developed by Commission staff.

6. Pursuant to the Grant Agreement and terms and conditions developed by

Commission staff, approved grant applicants shall submit project reports, including a project report after the telecommunications equipment has been purchased and installed. Commission staff will provide an appropriate forms for this purpose.

7. In the event that, after an approved grant project is completed and all expense items identified in the budget summary of the grant application have been paid, there remains a balance of funds in the grant award, the grant applicant may request to apply that balance to the purchase of additional item or items of telecommunications equipment consistent with constraints and objectives of the Telemedicine Grant Program. Such request shall be made pursuant to the Grant Agreement and terms and conditions developed by Commission staff.

8. The grant applications of The Lakes Health Center, Inc. (Application #2), SSM Health at Home, and UnityPoint-Meriter (eICU Application) are denied without prejudice.

9. Jurisdiction is retained.

Dated at Madison, Wisconsin, the 5th day of June, 2020.

By the Commission:

A handwritten signature in black ink that reads "Steffany Power Coker". The signature is written in a cursive, flowing style.

Steffany Power Coker
Secretary to the Commission

SPC:KN:TP:AK:DK:kle:pc DL: 01636684

Attachment

Attachment 1

**Approved Medical Telecommunications Equipment Grant Awards
for FY 2020 and 2021**

Applicant	Application Reference	Grant Award Amount	Matching Funds Amount
Children's Hospital and Health System, Inc.	PSC REF#: 385513	\$125,607	\$0
Drops of Kindness, Inc.	PSC REF#: 385598	\$10,000	\$50,000
Door County Medical Center Foundation	PSC REF#: 385229	\$16,447	\$13,608
Fort Healthcare, Inc.	PSC REF#: 385608	\$32,250	\$0
Edgerton Hospital Capital Foundation	PSC REF#: 385287	\$100,000	\$339,375
HSWS Wisconsin	PSC REF#: 385556	\$105,315	\$0
The Human Service Center	PSC REF#: 385617	\$12,582	\$12,396
La Clinica De Los Campesinos d/b/a Family Health La Clinica	PSC REF#: 385524	\$78,100	\$0
The Lakes Health Center, Inc.	PSC REF#: 385239	\$94,800	\$0
Newcap, Inc.	PSC REF#: 385604	\$30,760	\$0
Scenic Bluffs Health Centers, Inc.	PSC REF#: 385590	\$5,934	\$660
Sixteenth Street Community Health Centers	PSC REF#: 385602	\$77,287	\$15,000
St. Croix Regional Medical Center	PSC REF#: 385612	\$54,828	\$8,200
ThedaCare, Inc.	PSC REF#: 385585	\$182,531	\$0

Applicant	Application Reference	Grant Award Amount	Matching Funds Amount
UnityPoint Health – Meriter Foundation	PSC REF#: 385295	\$57,200	\$0
Unitypoint Health – Meriter	PSC REF#: 385595	\$16,359	\$0
TOTAL		\$1,000,000	\$439,239