

MINUTES

Broadband Development Office Board of Advisors Meeting

February 7, 2023

The Broadband Development Office Board of Advisors (BDOBOA) meeting was held virtually and in person. Texas Comptroller Glenn Hegar called the meeting to order at 2 p.m. via Cisco WebEx on Feb. 7, 2023.

Members Present:

Comptroller Glenn Hegar

Rep. Trent Ashby

Alonzo Cantu

Sergio Contreras

Robert F. McGee

Dr. Scott Muri

Mari Robinson

Greg Conte

Members Not Present:

Adriana Cruz

The BDOBOA proceeded on the posted agenda items in the order as follows:

Agenda Item I: Call to order and roll call.

Comptroller Hegar called the meeting to order at 2:04 p.m.

Margeaux Mallick, Legislative Liaison with the Comptroller's Legislative Affairs team, called each member's name, and most BDOBOA members were present. Ms. Adriana Cruz was not in attendance. Rep. Trent Ashby was not present at the time the meeting was called to order but arrived later in the meeting at 2:58 p.m.

Agenda Item II: Adoption of minutes from Dec. 14, 2022, meeting of Broadband Development Office Board of Advisors (BDOBOA).

Comptroller Hegar moved to approve the minutes from the BDOBOA meeting on Dec. 14, 2022.

Agenda Item III: Update from the State Office of Rural Health on its ongoing and future broadband initiatives.

The BDOBOA heard from Trenton Engledow, Director of the State Office of Rural Health (SORH), and Chris Peterson, Executive Vice President for Development and Planning at Connected Nation.

Mr. Engledow provided an overview of rural health facilities and expressed a limited experience with broadband. Mr. Peterson discussed the efforts of Connected Nation working with SORH to conduct a case study with the objective of improving broadband connectivity for rural Texas hospitals and expanding telehealth offerings and usage among rural Texas hospitals. The survey evaluated rural Texas hospitals' satisfaction with internet service, their plans to expand telehealth offerings within the next three years, the steps they have taken to protect themselves from cybersecurity attacks, and their familiarity with state and federal grant opportunities.

Along with the survey, Connected Nation conducted site visits at eight selected hospitals to interview c-level executives and IT staff to better understand internal technology issues and develop a summary report of findings.

Mr. Cantu inquired about how the eight hospitals that received site visits were selected, to which Mr. Peterson responded that they were chosen from survey results that identified a strong need.

Ms. Robinson discussed the complex nature of improving broadband connectivity and expanding telehealth offerings and usage among rural Texas hospitals.

Mr. Muri asked whether the medical community has a set of industry standards for telehealth, to which Ms. Robinson responded that there is no standardized training and there is an absence of regulation on telehealth standards.

Regarding the eight rural hospitals selected for on-site visits, Mr. Contreras asked what level of need fulfillment each rural hospital would receive from the project funding. Both Mr. Engledow and Mr. Peterson responded that the funding would not address every single issue, but it would advance many of the needs they have.

Mr. Muri asked what the definition of "adequate internet home service" is, to which Mr. Engledow answered that "adequate" is defined by the Treasury's minimum connectivity for broadband.

Agenda Item IV: Update from the Texas Health and Human Services Commission's E-Health Advisory Committee on the development, implementation, and long-range plans for health care information technology.

Ms. Robinson provided an overview of the key functions of the Health and Human Services Commission (HHSC) and the duties of HHSC's e-Health Advisory Committee (eHAC). Ms. Robinson detailed the membership of the eHAC and outlined eHAC's role in advising HHS agencies on the development, implementation, and long-range plans for health care information technology (IT) and electronic health information exchange (HIE). Further, Ms. Robinson noted that eHAC advises HHS agencies on their use of electronic health records (EHR) which is heavily reliant on IT and interconnectivity.

Ms. Robinson explained that eHAC submits a report to the Texas Legislature each biennium. Recommendations in the current report include leveraging the existing EHR and HIE infrastructures to better assist health care entities in complying with the interoperability regulations and initiatives, drive down health care costs, and reduce the burden of reporting for both health care providers and public health through structured, secured, electronic data exchange.

Ms. Robinson closed her presentation by noting that telehealth is here to stay and that it is most effective when integrated into the care patients are receiving already. Ms. Robinson also mentioned that the national emergency and public health emergency declarations are set to end May 11, 2023. She explained that this is notable in the health care industry because while the public health emergency was in effect,

health care providers could exercise discretion regarding connectivity and telehealth regulations. With the public health emergencies set to end, health care providers will need to ensure their EHR is compliant.

Agenda Item V: Update from the BDO on activities related to:

- I. Infrastructure, Investment and Jobs Act.**
- II. American Rescue Plan Act Capital Projects Fund.**
- III. Program development under House Bill 5.**
- IV. Texas Broadband Development Map.**

Mr. Conte provided an update regarding the Infrastructure, Investment, and Jobs Act (IIJA) funding, which includes Broadband Equity, Access, and Deployment Act (BEAD) and Digital Equity Act (DEA) funds. In Mr. Conte's update he reported that Texas received an initial allocation of BEAD planning funds on Nov. 30, 2022, and a Five-Year Action Plan is due to the National Telecommunications and Information Administration (NTIA) within 270 days of receiving those funds. Additionally, Mr. Conte reported that the BDO has submitted the initial application and has received \$3.1 million in DEA funds for initial planning purposes to execute a digital equity plan. Mr. Contreras asked to clarify that \$8.1 million is to be used for planning purposes. Mr. Conte confirmed and explained that any remaining funds for the planning phase can be rolled over and applied to the balance for the implementation phase.

Mr. Conte announced that the BDO has executed a contract with Connected Nation to establish a plan to execute on the \$8.1 million initial planning funds.

Mr. Conte discussed the American Rescue Plan Act (ARPA) Capital Projects Fund and informed BDOBOA that the BDO was awarded \$363.8 million to fund the Bringing Online Opportunities to Texas (BOOT) Program. Mr. Muri asked if the BOOT Program had any plans to help small, rural, and less sophisticated communities. He mentioned that technical assistance is critical in those areas. Mr. Conte responded that administrative funds are eligible to support communities with less resources.

Mr. Conte highlighted the accomplishments to date under House Bill (HB) 5. He noted that the Broadband Development Map was published on the Comptroller's website in January 2023 and will be updated on a 6-month basis. Mr. Conte explained that funding can only go to "eligible areas" of the map, and that applicants will select their project area on an applicant map.

Ms. Korry Castillo, Associate Deputy Comptroller for Operations and Support Division, included that BDO is developing a robust self-service application that will help guide applicants through the application.

Mr. McGee asked if fiber is an expectation. Ms. Castillo responded that BDO is technology neutral but there are certain federal regulations with which BDO will have to comply. Comptroller Hegar added that BEAD funding has a fiber preference, and that while BDO is technology neutral now, the Legislature may lean more fiber-specific in the future.

Agenda Item VI: Discussion on topics and dates of future BDOBOA meetings.

Mr. Contreras mentioned it would be helpful for someone in the educational sector to come speak to the BDOBOA.

Mr. Muri requested an update on the conversation within the Legislature surrounding BDO issues.

BDOBOA took a small break and Comptroller Hegar left the meeting due to a conflicting obligation.

Agenda Item VII: Public comment.

Ms. Castillo opened the meeting up for public comment.

John Connaway, a member of the Brown County Texas Farm Bureau, provided comments on broadband accessibility and affordability issues in his area.

Peter Jones, Llano County Commissioner provided comments on the broadband funding grant process. He expressed an interest in learning about the process of applying for funds, how to use funds in the correct manner, and knowing the next steps.

Herb Krasner with Connected Burnet County provided comments on the broadband map and expressed concerns about potential inaccuracies on the map.

Harrison Hiner with the Texas State Employees Union provided comments on BEAD funding.

Mitchell Block with Net Ops Communications, LLC provided comments on the rules outlined in HB 5.

Agenda Item VIII: Adjournment.

Ms. Castillo called the meeting to a close at 3:51 p.m.