

# ConnectedHealthInitiative

May 17, 2022

Federal Communications Commission  
45 L Street NE  
Washington, District of Columbia 20554

**Re: CG Docket No. 02-278, Consumer and Governmental Affairs Bureau Seeks Comment on Request Relating to Enrollment in Medicaid and Other Governmental Health Coverage Programs**

ACT | The App Association's Connected Health Initiative<sup>1</sup> (CHI) writes in support of the United States Department of Health and Human Services' (HHS) and Centers for Medicare & Medicaid Services' (CMS) letter urging the Federal Communications Commission (the Commission) to affirm that states can utilize short code texting (i.e., 5- or 6-digit codes) to reach and provide resources to Medicaid-eligible patients.<sup>2</sup>

CHI is the leading multistakeholder policy and legal advocacy effort driven by a consensus of stakeholders from across the connected health ecosystem. CHI aims to realize an environment in which Americans can see improvement in their health through policies that will allow for the potential of connected health technologies to enhance health outcomes and reduce costs. CHI members develop and use of connected health technologies across a wide range of use cases. We have and continue to advocate before Congress, numerous U.S. federal agencies, and states where we seek to advance responsible pro-digital health policies and laws in areas including reimbursement and payment, privacy and security, and effectiveness and quality assurance.

Exacerbating existing disparities in healthcare access and effectiveness,<sup>3</sup> the COVID-19 pandemic has disproportionately impacted countless communities with limited resources and are underserved or unserved. As our country navigates the post-pandemic era, effective communication with Medicaid-eligible patients is integral to continuing to save American lives. Accordingly, CMS has urged states to use all means necessary for Medicaid eligibility redetermination. Unfortunately, states have faced barriers to using short code texting—which is particularly useful for reaching the Medicaid population. Eased and streamlined communications through technology modalities widely relied upon for countless other aspects of consumers lives should be available in reaching Medicaid-eligible consumers, and are necessary to reduce administrative burdens and free up Medicaid resources by permitting resource redeployment to better serve those vulnerable populations.

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<sup>1</sup> <http://connectedhi.com>.

<sup>2</sup> See Letter from Xavier Becerra, Secretary, U.S. Department of Health and Human Services, to Jessica Rosenworcel, Chairwoman, FCC (April 28, 2022) (filed in CG Docket No. 02-278), <https://www.fcc.gov/ecfs/search/search-filings/filing/10429695829926>.

<sup>3</sup> See Health Equity and Access Leadership (HEAL) Coalition, *Advancing Health Equity Through Technology* (Nov. 2021), available at <https://bit.ly/3wCkfZS>.

Appropriate texting via short codes has proven to be a valuable tool that gives states a greater chance of reaching the recipient for purposes of delivering timely Medicaid-related information. Recently, it appears that mobile carriers have interpreted the Commission's requirements to limit short codes to use by appropriate entities only when individuals opt in to receive messages while states contend that they are exempt from such a restriction. To help state policymakers most efficiently reach Medicaid-eligible consumers, and to navigate the ongoing national public health emergency (and the transition out of it), CHI joins HHS and CMS in urging the Commission to affirm that states are exempt from such an opt-in requirement, thus allowing states to more efficiently via short code and more easily mitigate and eliminate healthcare disparities.

The CHI is committed to continued collaboration with the Commission and all agencies to help eliminate barriers to life saving information and resources, especially in underserved communities.

Sincerely,



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