HOUSE BILL NO. HB0068

Broadband and telehealth access projects.

Sponsored by: Select Committee on Blockchain, Financial Technology and Digital Innovation Technology

A BILL

for

AN ACT relating to the support of broadband internet and telehealth access; appropriating federal funds for broadband access projects and telehealth access projects as specified; providing requirements for projects funded; defining terms; requiring rulemaking; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) As used in this act:

(i) "American Rescue Plan Act funds" means funds appropriated or disbursed to the state of Wyoming through...
the Coronavirus State Fiscal Recovery Fund established under section 602 of title VI of the federal Social Security Act and the Coronavirus Capital Projects Fund established under section 604 of title VI of the federal Social Security Act, as created by section 9901 of the American Rescue Plan Act of 2021, P.L. 117-2;

(ii) "Broadband internet access project" means a project for which a local governmental entity establishes one (1) or more public access points for wireless internet access within the boundaries of the local governmental entity;

(iii) "Community wireless internet access" means internet access available to the general public through an open network for public use and that is provided at no cost to the user;

(iv) "Council" means the Wyoming business council;

(v) "Health care provider" means a person or facility licensed, certified or otherwise authorized by the
laws of this state to provide health care in the ordinary
course of business or practice of a profession and who
provides health care within the state of Wyoming and
includes nursing homes, but does not include a person who
provides health care solely through the sale or dispensing
of drugs or medical devices;

(vi) "Local governmental entity" means cities
and towns, counties, school districts, joint powers boards,
airport boards, public corporations, school districts,
community college districts, special districts and their
governing bodies or any unit, branch, agency or subdivision
thereof;

(vii) "Low latency" means latency that is
sufficiently low to allow multiple, simultaneous, real-time
interactive applications;

(viii) "Telehealth" means a mode of delivery of
health care services provided through telecommunications
systems to facilitate the assessment, diagnosis,
consultation, treatment, education and care management for
a patient while the health care provider is located at a
different site from the patient;

(ix) "Underserved area" means a project area
without access to broadband service offered with a download
speed of at least one hundred (100) megabits per second and
an upload speed of at least twenty (20) megabits per second
with low latency;

(x) "Unserved area" means a project area without
access to broadband service or to services operating with a
download speed of at least twenty-five (25) megabits per
second and upload speed of at least three (3) megabits per
second with low latency.

Section 2.

(a) The council shall establish a program to provide
grants using American Rescue Plan Act funds for local
governmental entities to complete broadband internet access
projects in Wyoming cities, towns and counties. As part of
this program, the council shall provide grants to local
governmental entities to enter into contracts with
commercial broadband providers not exceeding five (5) years in length for the provision of wireless internet at public wireless access points within the local governmental entity's boundaries. Each grant provided under this section shall not exceed twenty thousand dollars ($20,000.00) per grant per local governmental entity.

(b) The council shall adopt rules to prioritize applications that demonstrate one (1) or more of the following:

(i) A significant number of unserved or underserved households are located within the proposed project area;

(ii) The wireless internet access point will be located in an area populated by an economically disadvantaged population;

(iii) No community wireless internet access exists within the applicant's proposed project area;
(iv) That the proposed project will not result in an overlap of existing community wireless internet access.

(c) The council shall promulgate rules to ensure that no known overlap in community wireless internet access exists as a result of a project funded under this section.

Section 3.

(a) The Wyoming department of health shall establish a program to provide American Rescue Plan Act funds for grants to health care providers to:

(i) Purchase and use telehealth equipment to provide telehealth services to Wyoming residents;

(ii) Provide outreach and education related to telehealth;

(iii) Obtain technical support for telehealth and telehealth equipment.
(b) Each grant provided under this section shall not exceed an amount established by rule of the department of health. The department shall provide only one (1) grant per health care provider under this section.

Section 4.

(a) There is appropriated to the council seven million dollars ($7,000,000.00) from any unexpended or unobligated American Rescue Plan Act funds that were appropriated in 2021 Wyoming Session Laws, Chapter 166, Section 5(b). This appropriation shall be used only for grants for broadband internet access projects as provided by section 2 of this act and consistent with the terms of the American Rescue Plan Act. This appropriation shall not be transferred or expended for any other purpose. Any unobligated, unexpended funds remaining from this appropriation upon the expiration of the later of the relevant federal law, related federal legislation, reallocation by the secretary of the United States department of treasury, or any extension granted by the United States department of treasury shall be deposited to the general fund unless otherwise provided by law.
(b) There is appropriated to the department of health two million dollars ($2,000,000.00) from any unexpended or unobligated American Rescue Plan Act funds that were appropriated in 2021 Wyoming Session Laws, Chapter 166, Section 5(b). This appropriation shall be used only for grants for health care providers as provided by section 3 of this act and consistent with the terms of the American Rescue Plan Act. This appropriation shall not be transferred or expended for any other purpose. Any unobligated, unexpended funds remaining from this appropriation upon the expiration of the later of the relevant federal law, related federal legislation, reallocation by the secretary of the United States department of treasury, or any extension granted by the United States department of treasury shall be deposited to the general fund unless otherwise provided by law.

(c) The appropriations in this act shall supersede and take priority over any unexpended appropriation or reappropriation of American Rescue Plan Act funds in any law enacted during the 2021 legislative general session.
(d) No expenditure of funds shall be made under this act except in accordance with state and federal laws, regulations and orders. Any recipient of funds under this section shall comply with the provisions of 2021 Wyoming Session Laws, Chapter 166, Section 5(d) and (e).

(e) The department of health shall promulgate all rules necessary for the provision of grants for telehealth equipment as provided for by this act. The Wyoming business council shall promulgate all rules necessary for the provision of grants for broadband internet access projects as provided for by this act. Rules promulgated under this subsection shall include rules required under 2021 Wyoming Session Laws, Chapter 166, Section 5(e) and rules to ensure that adequate consideration is provided to the state for the expenditure of public funds on projects authorized in this act.

(f) No grants shall be provided with funds appropriated in this act after the later of December 31, 2024 or any other deadline set in relevant federal law, related federal legislation or any extension granted by the United States department of treasury.
Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.