NET NEUTRALITY – POTENTIAL IMPACT ON HEALTH CARE
MARCH 23, 2018

Kathleen Daman MN RN
Telehealth Clinical Program Manager
Swedish Medical Group
OBJECTIVES

» What is Net Neutrality?
» What Changed?
» Why the Controversy?
» What are the Potential Impacts?
» Newest Updates?
» Next Steps?
WHAT IS NET NEUTRALITY?

- Originally instituted in 2015
- "Internet providers should be neutral gateways that provide equal access to all legal web content"¹
- Prohibits internet providers from **blocking** or **slowing** web content
- Exemption for healthcare as a "specialized service" from conduct-based rules¹
- Internet Service Providers (ISP’s) are required to treat all users equally
  - No steering to “Fast lanes” or “Slow lanes”
  - No blocking of any content

¹ Source: Federal Communications Commission (FCC)
Federal Communications Commission (FCC) passed Chairman Ajit Pai’s proposal, 3-2 vote along party lines, to **scrap net neutrality rules**.

Focus of change is to, “restore the light-touch regulatory scheme that fostered the internet’s growth, openness, and freedom”²

**New Rule**: ISP’s must notify customers about any changes regarding speed or blocked access

Additionally, it is being replaced with a “robust transparency requirement and FTC-led consumer protection”⁵

**WHAT CHANGED?**
WHY THE CONTROVERSY?

Pros
- Increase innovation and investment in networks
- Reducing overall costs for consumers
- Provide better connectivity for Rural and underserved hospitals
- Revitalized universal service program to increase network deployment to unserved areas

Cons
- No timing for notification of changes
- Opens doors for “special” deals to websites or apps
- Potential repeal of Healthcare exemption noted on 2015 Bill
  - Repeal of “fast-lanes” for telemedicine
- Potentially increase the Digital Divide
  - Internet is a “key social determinant of health”
POTENTIAL IMPACTS TO HEALTHCARE

- **Electronic Health Records (EHR’s)**
  - Increased movement toward Cloud-based storage - speed of connection may negatively impacted in emergent/acute need situations³

- **Remote Monitoring Functionality**
  - Increased number of monitoring devices, healthcare apps, and personal fitness trackers are connected to internet
  - Voluntary participation in net neutrality increases risk of health disparity due to low income or rural residency designations, i.e. financial impacts

- **Telehealth**
  - Services are data-heavy, need large bandwidth for high-quality, accurate and in-the-moment care⁴
  - Potential for slowing down may impact critical care of patient’s, i.e. Telestroke
1. **ISPs May use their dominance in a region to pick winners or losers to determine who pays more for reliable connectivity**
   - Includes telemedicine, data centers, and cloud computing services
   - Several ISPs either operate or have existing financial relationships with vendors = potential conflict of interest

2. **Increased costs for providers, either directly or indirectly**
   - ISPs could charge hospitals or cloud based vendors increased fees to deliver “reliable” service for critical applications

3. **Impact of 1. & 2. = Negative impact on Rural/underserved areas**
   - Combined effects weakens the infrastructure connecting patients, providers and technology³

**Potential Impacts to Healthcare**
January 16, 2018 - 21 States Sue FCC to Restore Net Neutrality Rules

- New York, California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington and the District of Columbia

March 5, 2018 - Washington Governor Inslee Signs First State Net Neutrality Bill

- Goes into effect June 6th
- Bars internet providers from blocking websites or charging more for faster delivery of certain sites in a way that benefits broadband companies and partner websites
- FCC states it has the only authority to oversee broadband internet services because it crosses state lines
  - The law passed in 12/2017 states explicitly that states could not create their own rules
NEXT STEPS

- Contact your state and federal representatives
- Contact the American Telemedicine Association (ATA) info@americantelemed.org
- Provide comments to the FCC:
QUESTIONS OR COMMENTS?


