



Arizona Hospital and Healthcare Association

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Amendment of Part 97 of the) WP Docket No. 10-72
Commission’s Rules Regarding Amateur)
Radio Service)
Communications During Government)
Disaster Drills)

To: The Commission

**COMMENTS OF
THE ARIZONA HOSPITAL AND HEALTHCARE ASSOCIATION**

On behalf of our approximate 120 member hospitals and healthcare systems, the Arizona Hospital and Healthcare Association (AzHHA) submits the following comments in response to the above-captioned Notice of Proposed Rulemaking regarding Part 97 of the Federal Communication Commission’s rules on amateur radio service communications during a disaster drill. As discussed below, AzHHA urges the Commission to amend its rules to permit amateur radio operators to participate in emergency preparedness and disaster readiness drills, even when they are employees of public safety agencies and other organizations participating in the drills, such as hospitals, and regardless of whether the drills are “government-sponsored.”

In order to effectively care for patients during disasters and other emergency situations, hospitals must develop and test emergency response plans. One of the critical components of these plans is ensuring that hospitals can communicate with each other and other response agencies during disasters. Healthcare accreditation organizations and certification/licensing agencies require hospitals to have such plans and to regularly test their effectiveness.

Ensuring effective communications during a disaster requires developing redundant interoperable communications systems. Amateur radio service has been identified as a significant component of this redundancy by federal agencies and healthcare accreditation organizations alike – including the Public Safety and Homeland Security Bureau (PSHSB), the Federal Emergency Management Agency, the Department of

Health and Human Services (HHS), and The Joint Commission.¹ Because hospital employees are already on site when a disaster strikes, they are the frontline resource available to hospitals should amateur radio use be necessary. Moreover, in some emergency situations it may be impossible for non-employee volunteer operators to reach the hospital. (E.g., weather conditions, debris surrounding the hospital, or quarantine may make access impossible.)

With this in mind, AzHHA believes Commission regulations should specifically permit licensed amateur radio operators to participate in emergency preparedness drills on behalf of their hospital/healthcare system employers. Such drills are essential to ensuring the licensed amateur radio operator is prepared to respond in the event of an emergency. Moreover, such emergency communications training is consistent with best practices posted on the PSHSB's website, HHS Hospital Preparedness Program priorities, and various standards adopted by hospital accreditation and certification bodies.

The Commission's regulations, however, should not restrict participation to drills sponsored by a government agency. Hospitals participate in a wide variety of drills – some that are fully planned, funded, and conducted by a government agency; others are funded by a government agency, but planned and carried out by a hospital or consortium of hospitals and other non-governmental entities; and others are entirely planned, funded, and carried out by a single hospital. Restricting participation to “government-sponsored” drills severely limits the opportunities for hospital-employed amateur radio operators to participate in emergency preparedness drills. Nor does this restriction serve the public interest. Rather, it creates a barrier to emergency preparedness by making it more difficult for hospitals and communities to test their redundant interoperable communications plans. In addition, as budgets for emergency preparedness funding shrink, opportunities for government-sponsored drills will contract, shifting more responsibility to the private sector. With this in mind, the better approach is to authorize hospital-employed amateur radio operators to participate in any emergency preparedness drill, regardless of the sponsor.

AzHHA urges the Commission to permit licensed amateur radio operators to participate in emergency preparedness drills on behalf of their hospital/healthcare system employers. We also urge the Commission to eliminate any requirement that the authority of amateur radio operators to participate in drills be limited to those drills sponsored by the government.

¹ See: (1) <http://www.fcc.gov/pshs/emergency-information/ggidelines/health-care.html>; (2) Emergency Management Guide for Business and Industry: A Step-by-Step Approach to Emergency Planning, Response and Recovery for Companies of All Sizes (FEMA 141/Oct. 1993); (3) Working Paper: Enhancing Public Health Preparedness: Exercises, Exemplary Practices, and Lessons Learned, Phase III; Task G Lessons Learned from the State and Local Public Health Response to Hurricane Katrina, WR-473-DHHS (RAND Health, Aug. 2007); (4) Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response, Office of Preparedness and Emergency Operations, Division of National Healthcare Preparedness Program, FY 10 Hospital Preparedness Program Guidance; (5) The Joint Commission Standard EM.02.02.01, Rationale.

Should the Commission choose to retain the proposed restriction on the type of drill (i.e., government-sponsored) that hospital employed amateur radio operators can participate in, AzHHA urges the Commission to clarify what is meant by “government-sponsored.” For example, must the drill be funded and/or planned by a government entity? What if the government entity participates in the drill, but is not the “primary sponsor” of the drill? What if a hospital or hospital coalition plans the drill, but uses funds allocated from the federal government? What if the drill is funded and planned by a single hospital, but is necessary to meet state or federal licensing, accreditation, or certification requirements? Because potential sanctions could disincentivize participation by hospital employed amateur radio operators in “ambiguous” drills, it is important that the Commission clarify the term “government-sponsored” if it is retained. If this is the case, we urge the Commission to define the term broadly in order to maximize emergency preparedness efforts.

If you have any questions, please do not hesitate to contact me at 602-445-4300 or djohnston@azhha.org.

Sincerely,

A handwritten signature in blue ink that reads "Debbie Johnston". The signature is written in a cursive, flowing style.

Debbie Johnston
Director, Regulatory Affairs and Policy