



Digital Equity Coalition

Policy Briefing
Wednesday, January 18, 2023



California Partnership for the San Joaquin Valley



Inland Empire Regional Broadband Consortium



SAN JOAQUIN VALLEY REGIONAL Broadband CONSORTIUM



NORTHEASTERN CALIFORNIA CONNECT CONSORTIUM



UPSTATE CALIFORNIA CONNECT CONSORTIUM



Southeast Community Development Corporation



North Bay/North Coast Broadband Consortium





Digital Equity Coalition

OVERVIEW

- ❖ **The Legislature and Governor have approved historic investments in broadband Deployment and Adoption. The challenge now is effective implementation.**
- ❖ **The California Emerging Technology Fund (CETF) and Partners in the Digital Equity Coalition have extensive experience to accelerate Deployment and Adoption.**
- ❖ **The federal Affordable Connectivity Program (ACP) is a major opportunity for low-income residents, but enrollment rates need to be accelerated. Legislative support can make a difference.**
- ❖ **The Infrastructure Investment and Jobs Act provides more federal funding, but requires the State to prepare a Digital Equity Plan and a Broadband Equity Access Deployment (BEAD) Plan.**
- ❖ **Support is respectfully requested for 4 bills to complement historic investments to achieve Digital Equity for all Californians.**
 - **Digital Equity Bill of Rights**
 - **Affordable Internet and Net Equality Act**
 - **Telehealth For All Act**
 - **Digital Equity in Video Franchising Act**



Digital Equity Coalition

- **California Emerging Technology Fund (CETF) is a Unique Organization in the Nation**
 - Statewide non-profit mission-driven organization directed to be established in 2005 by the California Public Utilities Commission (CPUC) as a public benefit from corporate consolidations.
 - Mission is to close the Digital Divide, promote Digital Inclusion, and achieve Digital Equity by accelerating broadband Deployment and Adoption.
 - Annually reports to the Legislature (through CPUC) and is the only non-State Agency on the California Broadband Council (State law authored by Senator Alex Padilla).
 - Works with all stakeholders, including a network of community-based organizations (CBOs), civic leadership organizations and public agencies. Invite since public-private partnerships from Internet Service Providers (ISPs): Step Up or Step Aside.
 - Accomplishes quantified results with discipline and accountability (94% Program, 6% Support) with a strong track record over 15 years of collaboration and performance with partners:
 - Managed \$149M in programs, including \$58M in grants to more than 100 CBOs and public agencies (“trusted messengers” and “honest brokers” for low-income residents).
 - Developed the official California Framework for Digital Literacy Training with a standardized assessment and trained more than 1M people in digital literacy skills.
 - Assisted more than 775,000 low-income households get connected to the Internet with affordable service.

- **Digital Equity Coalition was Established in 2020 to Secure Authorization for Additional Collections Into the California Advanced Services Fund (CASF)**
 - Digital Equity Coalition formed in response to the pandemic to generate more funds into CASF. Legislation was introduced and moved in 2020 and passed in 2021.
 - Comprised of: (a) Regional Broadband Consortia (RBCs); (b) Community-Based Organizations (CBOs) experienced in Adoption (original Digital Navigators); and (c) Digital Equity Champions (such as the California School Boards Association and EveryoneOn).
 - Regional Broadband Consortia (originally formed and funded by CETF and now supported through a CASF Account) are the foundation for engaging stakeholders and mobilizing in each region to accelerate Deployment and Adoption. RBCs need more CASF funding and expanded responsibilities for Adoption.
 - Focused on implementation of CASF, federal Infrastructure Investment and Jobs Act (IIJA), and State statues (including SB717, AB133 and 32, and AB2750):
 - Affordable Connectivity Program (ACP).
 - Digital Equity Plan (IIJA, AB2750) and Broadband Equity Access Deployment (BEAD) Plan.
 - Funds for infrastructure deployment to augment State investments.
 - Committed to collaborating with CPUC to improve impacts and accelerate progress. It is important for Legislators to advocate for and support Commissioners to adopt reforms.

▪ **Legislature and Governor Have Approved Historic Investments in Broadband**

- \$6B in federal funds for broadband infrastructure construction (SB156):
 - \$3.25B for State-owned Middle-Mile Network administered by the California Department of Technology (CDT) and overseen by a Middle-Mile Advisory Committee which includes 4 Legislators (Senators Lena Gonzalez and Mike McGuire and Assemblymembers Sharon Quirk-Silva and Jim Wood). CENIC is the third-party administrator (TPA) for the Middle-Mile Network, called GoldenStateNet (GSN), a wholly-owned subsidiary of CENIC. California Department of Transportation (Caltrans) is responsible for overseeing building GSN.
 - \$2B for Last-Mile Projects administered by the CPUC, which requires at least \$5M of Last-Mile Projects in each County. Rulemaking has been completed by not yet available.
 - \$750M for Loan Loss Reserve Fund administered by CPUC to underwrite deployment of broadband networks by Local Governments (and other Public Agencies).
 - \$50M for Local Agency Technical Assistance (LATA).
- \$150M annual collections into CASF (SB4-AB14):
 - SB4 (Senator Lena Gonzalez) and AB14 (Assemblymember Cecilia Aguiar-Curry) authorized collections of \$150M annually into CASF through 2032—a huge resource for California—unlike any other state. CETF sponsored all CASF bills since 2010 (at request of Senator Alex Padilla), including Internet For All Act of 2017 (Assemblymember Eduardo Garcia).
 - CASF Accounts: Infrastructure; Regional Broadband Consortia; Public Housing; Adoptions.
 - Reform is needed for more cost-effective administration and greater impact.
- \$550M 2022-2023 Budget Act (SB189):
 - \$300M in 2023-2024 and \$250M in 2024-2025 for Middle-Mile Network.
 - Governor’s 2023-2024 Budget proposes deferrals to future years: \$200M to 2024-2025; \$200M to 2025-2026; and \$150M to 2026-2027.
 - Governor’s Budget also proposes \$575M deferrals for the Loan Loss Reserve Fund.
- Focus now must be on timely and effective implementation.
- Legislature oversight could be helpful to foster focus and accountability.

▪ **Federal Infrastructure Investment and Jobs Act (IIJA) Also Provides Significant Resources**

- Established the Affordable Connectivity Program (ACP) with \$14.2B:
 - Administered by the Federal Communications Commission (FCC) and managed by Universal Service Administrative Company (USAC).
 - Provides a subsidy of \$30 per month for Internet service (\$75 on Tribal Lands) and \$100 subsidy for computing device (only Cox offers that benefit in California). Eligible households (HHS) enroll online through USAC and then select an Internet Service Provider (ISP) what receives the ACP subsidy (20 ISPs committed to 100/20 Mbps but don’t widely advertise or encourage at call centers).
 - Eligible HHS: 200% Federal Poverty Guidelines; Medi-Cal; CalFresh; WIC; School Lunch Program; Pell Grant; Veterans Pension or Survivor Benefits; Public Housing.
- Allocated \$65B for Deployment and Adoption administered by the U.S. Department of Commerce National Telecommunications and Information Administration (NTIA):
 - \$42.25B for Broadband Equity Access Deployment (BEAD) at 100/20 Mbps.
 - \$2.75B for Digital Equity Planning, Capacity, and Competitive Grants.
 - \$20B for other programs and administration.

▪ **Affordable Connectivity Program (ACP) Is a Huge Benefit for Low-Income Households**

- California Broadband Council in March 2022 set a goal of 90% enrollment by 2024.
 - There are 13,044,258 HHs in California and 5,844,747 (5.8M) or 45% are ACP-Eligible.
 - As of January 9, 2023 (October 2022 data), 1,800,116 HHs are enrolled or 31% of goal.
 - California has the largest percentage (11.56%) of all HHs enrolled nationwide (15,569,555), however California is 13% of the nation’s population and home to 15% of all poor people.
 - CDT website Broadband For All portal has a regularly-updated ACP Enrollment Tracker which provides statewide enrollment data and by County and Zip Code.
 - Developed and launched ACP Mobilization *Get Connected! California* to organize and conduct 49 ACP Enrollments Events throughout California in 2022 (facilitated and managed by CETF—see Questionnaire results showing the reach to priority HHs).
- California needs to accelerate ACP enrollment to secure a fair share of federal funds for our low-income residents.
 - More than half of eligible HHs are not aware of ACP.
 - Direct notification of eligible HHs is essential reinforced with public awareness ads.
 - Experience shows that about 80% of eligible HHs will be able to enroll themselves, but 20% will need in-person assistance. Thus, of the ACP-Eligible HHs yet to be enrolled, around 700,000 HHs will need in-person assistance to enroll.
- ISPs need to do more to get all low-income HHs enrolled in ACP or their affordable offer.

▪ **California Broadband Council Is Vital Forum for Collaboration and Accountability**

- Provides a public forum for all stakeholders to engage and submit input.
- Reviews implementation of the Broadband For All Action Plan (Executive Order N-73-20) and ACP enrollment status at each meeting.
- Oversees implementation of both State and federal investments in closing the Digital Divide, promoting Digital Inclusion, and achieving Digital Equity. CDT, in consultation with CPUC and California Broadband Council, will prepare a Digital Equity Plan by January 1, 2024 per AB2750 (Assemblymember Mia Bonta). In addition, California has received \$9M from NTIA for preparing the Digital Equity Plan (CDT \$4M) and BEAD Plan (CPUC \$5M) to be submitted in October 2023 to NTIA to access IJJA funds.

▪ **CETF and Digital Equity Coalition Request Support on Implementation and Legislation**

- Support effective implementation of existing funding.
 - Urge and support CPUC to fully collect \$150M per year into CASF.
 - Encourage adequate funding for Regional Broadband Consortia: Deployment and Adoption.
 - Urge CPUC to focus CASF Adoption Account on Adoptions and ACP Enrollment.
 - Direct State Agencies to notify all ACP-Eligible HHs (Medi-Cal, CalFresh, NSLP, Pell Grants).
 - Embrace deployment focus to drive to hardest-to-reach Last-Mile Projects (RFQPPs). Prioritize Middle-Mile Network construction to enable “at scale” Last-Mile Projects that will reach the most unserved HHs (and then upgrade all locations along path of deployment).
- Support 4 Bills sponsored by CETF and Digital Equity Coalition Members:
 - Digital Equity Bill of Rights (Assemblymembers Eloise Gomez Reyes and Chris Holden)
 - Affordable Internet and Net Equality Act of 2023 (Assemblymember Lori Wilson)
 - Telehealth For All (Institutionalization to Improve Health Outcomes and Population Health)
 - Digital Equity in Video Franchising Act of 2023 (AB41 Holden sponsored by LA DEAL – UNITE LA – building upon previous legislation by Senator Anna Caballero)

Key Terms

- Digital Divide: The Challenge
- Digital Inclusion: The Process
- Digital Equity: The Result
- Deployment: The building of broadband infrastructure is referred to as Deployment. State law defines broadband as a generic term for high-speed Internet networks, including wireline and wireless technologies.
- Adoption: The process of getting low-income residents connected to the Internet at home with digital literacy proficiency is referred to as Adoption. Adoption requires overcoming 3 barriers: (1) Cost; (2) Relevance; (3) Digital Literacy. It requires outreach in-language and in-culture by “trusted messengers” and “honest brokers”—community-based organizations (CBOs) who serve as “Digital Navigators” to assist low-income households.
- Institutionalization: The incorporation of Digital Inclusion practices into all public agencies and major entities serving low-income households and other disadvantaged populations so that it becomes the culture of the organization to help get everyone connected.
- Unserved and Underserved: These terms relate to Deployment and describe the availability of broadband infrastructure. Unserved means there is no available Internet infrastructure. Underserved means that the available Internet infrastructure is inadequate (generally not reliable or fast enough to support prevalent consumer applications, especially remote learning and telehealth).

Unserved is defined in State law and CPUC regulations as locations with less than 25/3 Mbps. Given that the State and CPUC standards for deployment is > 100/20 Mbps, Underserved can be considered locations between 25/3 Mbps and 100/20 Mbps.

- Unconnected and Underconnected: These terms relate to Adoption and describe the status of a home connection to the Internet. Unconnected means that a household has no home Internet connection (regardless of whether or not there is the availability or access to broadband infrastructure). Underconnected means that a household is connected to the Internet only by a smartphone.

Today 15% of all California households are digitally-disadvantaged—9% are Unconnected (not online at home) and 6% are Underconnected (have only a smartphone); 29% of low-income households are disadvantaged with 18% Unconnected and 11% Underconnected. .



California Emerging Technology Fund

Leading the Way to Digital Equity and Community Justice

November 2022

The California Emerging Technology Fund (CETF) has led the way to Digital Equity for Community Justice for 15 years. CETF is a statewide non-profit organization with the mission to close the Digital Divide by accelerating the deployment and adoption of broadband, a generic term for high-speed Internet technology. The California Public Utilities Commission (CPUC) directed the establishment of CETF as a public benefit from mergers in 2005. CETF was founded with \$60 million seed capital and has secured additional funds to directly manage more than \$149 million in programs and leveraged more than \$126 million in matching funds, working with an extensive network of partners to achieve Digital Equity and Community Justice for all Californians.

- Managed \$58 million in grants to a network of 100+ community-based organizations and public agencies to deliver digital literacy training to more than 1,000,000 residents and connect more than 775,000 low-income households to the Internet with affordable service.
- Sponsored the Governor’s Executive Order on Digital Literacy, developed a framework for statewide common proficiency metrics, and advanced statewide workforce training in Information and Communications Technology (ICT) skills.
- Founded and led School2Home to close both the Achievement Gap and Digital Divide. Invested more than \$19M in 45 Schools and 13 Districts reaching more than 50,000 students and their parents and supporting more than 1,000 teachers.
- Provided seed capital for the California Telehealth Network and developed Action Plan for telehealth to improve overall population health.
- Funded the formation of Regional Broadband Consortia to assess need, aggregate demand, and lead stakeholders to achieve ubiquitous deployment and universal adoption.
- Secured legislation for more than \$2 billion into the California Advanced Services Fund, including establishing the Accounts for Regional Consortia, Public Housing, and Adoption.
- Supported the California Broadband Council to launch *Get Connected! California* to get 90% of all low-income households connected to the Internet by 2024.
- Championed “smart housing” and advanced policies and programs to get all residents in publicly-subsidized housing complexes connected to the Internet.

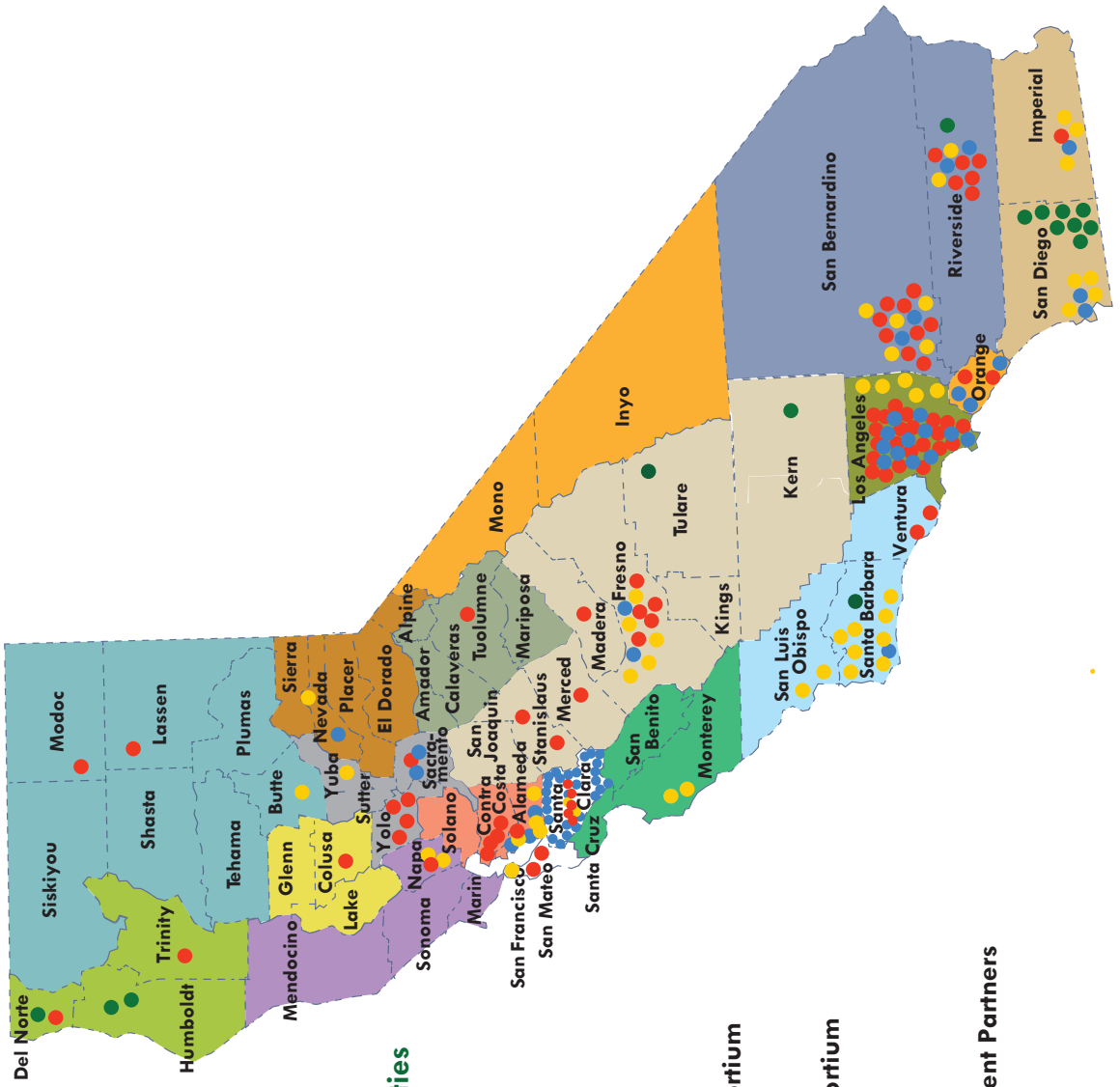
- Advanced broadband as a “green strategy” to reduce traffic congestion and decrease impacts on the environment.
- Negotiated major public benefits in ISP corporate consolidations for deployment, adoption and affordable offers.
- Established the Statewide Survey on Broadband Adoption in 2008 to drive policy and action.
- Wrote the Digital Equity Bill of Rights.



The quest for Digital Equity must recognize that the Digital Divide is simply another manifestation of the Economic Divide and that concentrated persistent poverty is rooted in institutionalized racism. Thus, closing the Digital Divide must address the inter-related factors and forces that constitute a “wall of poverty” and make it very difficult for most low-income residents to escape oppressive economic conditions and succeed in school. This reality screams for systemic change, which is within grasp if policymakers and regulators are willing to overcome bureaucratic inertia and break through government silos. Transforming systems by incorporating Digital Inclusion and focusing on outcomes for the poorest residents and most digitally-disadvantaged households with accountability for results is the hallmark of the California Emerging Technology Fund.

Digital Equity is a 21st Century Civil Right.

The California Emerging Technology Fund and Partners—the Digital Equity Coalition—form a network of experienced on-the-ground “action” organizations that drive to quantified outcomes and results. Investment in this network will accelerate Deployment and Adoption to achieve Digital Equity.



California Emerging Technology Fund California Partners

16 Regional Broadband Consortia Cover 53 Counties

- Redwood Coast Connect
- Northeast California Connect Consortium
- North Bay - Coast Broadband Consortium
- Upstate California Connect Consortium
- Connected Capital Area Broadband Consortium
- Gold Country Broadband Consortium
- East Bay Broadband Consortium
- Central Sierra Connect Consortium
- Central Coast Broadband Consortium
- San Joaquin Valley Regional Broadband Consortium
- Inyo - Mono Broadband Consortium
- Pacific Coast Broadband Consortium
- Los Angeles County Regional Broadband Consortium
- Inland Empire Regional Broadband Consortium
- Southern Border Broadband Consortium

- Community-Based Organization Grantees
- Affordable Program Connectivity (ACP) Enrollment Partners
- School Partners
- Tribal Partners
- Statewide Partners with Local Affiliates: 8

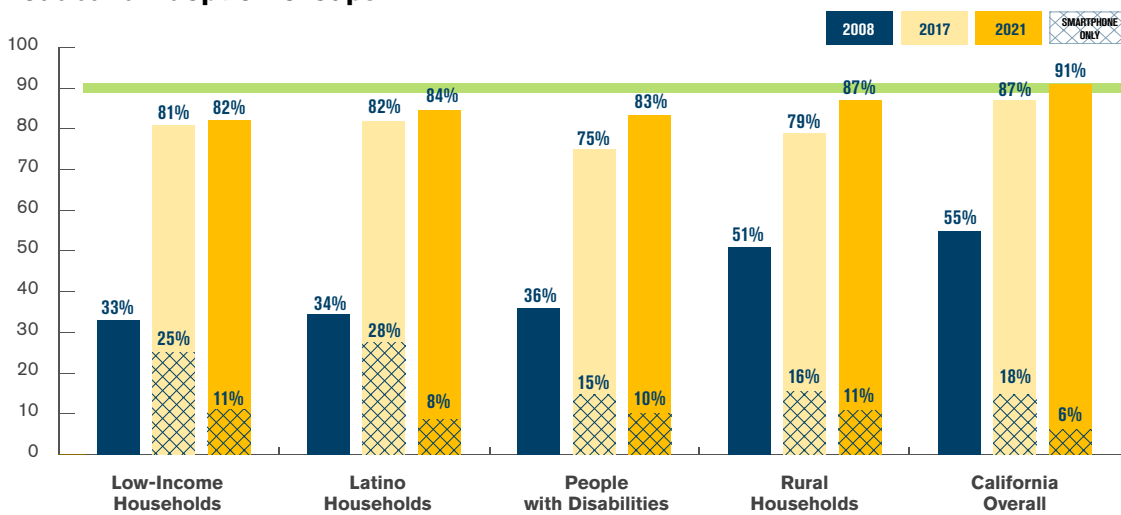


Statewide Survey on Broadband Adoption and Digital Equity

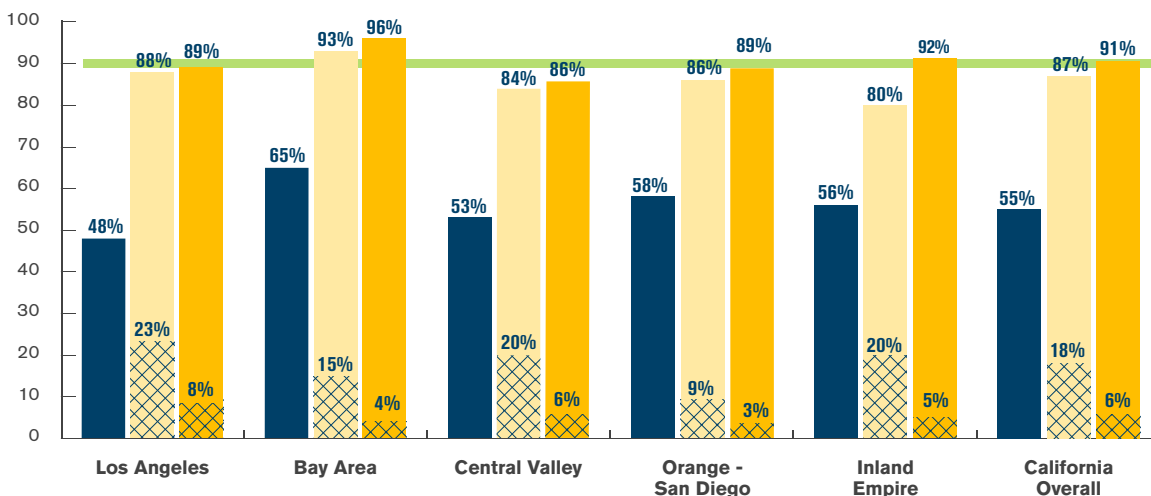
Closing the Digital Divide, promoting Digital Inclusion, and achieving Digital Equity must be informed by data to drive accountability. CETF has sponsored the Statewide Survey on Broadband Adoption since 2008 with 4 different independent research institutions. CETF partnered with the University of Southern California (USC) Annenberg School for Communication and Journalism to conduct the 2021 Statewide Survey (see below) and will be coordinating with the California Department of Technology to conduct the 2023 Statewide Survey to inform preparation of the Digital Equity Plan. CETF also is partnering with Pew Charitable Trusts and USC to study models for ensuring affordable Internet service for low-income households.

Broadband Adoption Groups

EXCEEDED 2022 GOAL: 90% OVERALL ADOPTION



Broadband Adoption Regions

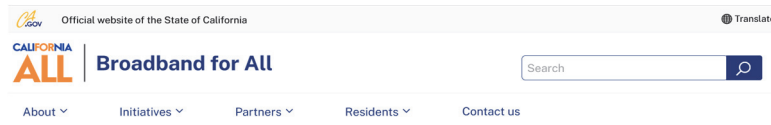




Digital Equity Coalition

The California Broadband Council set a goal to get 90% of all low-income households enrolled in the federal Affordable Connectivity Program (ACP) by 2024. The California Department of Technology Broadband For All website has an ACP Enrollment Tracker showing progress statewide and by County and Zip Code. It is updated as data is released by the Federal Communications Commission (FCC) Universal Service Administrative Company (USAC).

There are 13,044,258 households (HHs) in California and 5,844,747 (5.8M) HHs or 45% are eligible for ACP. As of January 9, 2023 (October 2022 data), 1,800,116 HHs were enrolled or 31% of the 90% goal. California has the largest percentage (11.56%) of all HHs enrolled nationwide (15,569,555), however California is 13% of the nation’s population and home to 15% of all poor people. ACP Enrollment needs to be accelerated for California to secure its fair share of federal dollars for low-income residents.



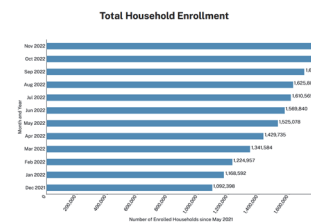
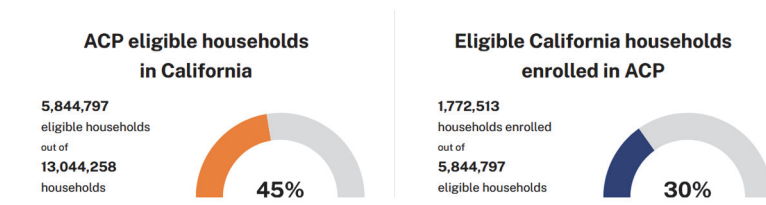
Affordable Connectivity Program enrollment tracker

The California Emerging Technology Fund (CETF) and the Geographical Information Center at Chico State Enterprises (CSE) have worked to provide information on Affordable Connectivity enrollment and progress in California. This is also tracked by county and ZIP code. The Affordable Connectivity Program is a government benefit that helps households reduce the cost of their monthly home internet service.

The CETF is a non-profit organization and member of the California Broadband Council that supports greater access to affordable broadband. CSE is an affiliate of CSU Chico.

Households eligible and enrolled households

Last updated Dec 2022



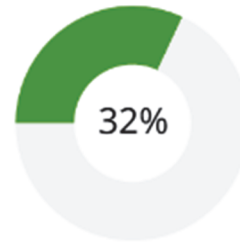
ACP Enrollment Tracker



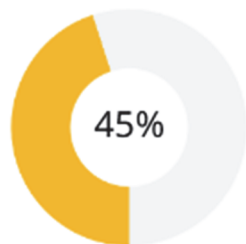
Statewide Enrollment as of
January 23, 2023*

1,841,740

Statewide Percent of Eligible Households
that are Enrolled as of January 23, 2023

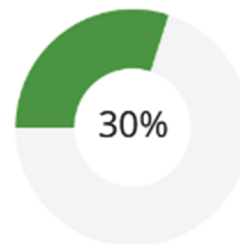


ACP-eligible households
in California



Out of **13,044,258** households in California,
approximately **5,844,797** are eligible for ACP.

California households
enrolled in ACP



Out of **5,844,797** eligible households, only **1,772,513**
have signed up for ACP.
Effective: September 2022**



The California Department of Technology (CDT), California Department of Education (CDE), State Library, and the California Emerging Technology Fund (CETF), under the sponsorship of the California Broadband Council, and in collaboration with the California State Association of Counties (CSAC) launched *Get Connected! California* to reach all eligible households to get them enrolled in the federal Affordable Connectivity Program (ACP) administered by the Federal Communications Commission (FCC). ACP provides up to a \$30 per month subsidy for Internet service (\$75 on Tribal Lands). *Get Connected! California* organized, recruited volunteers, and conducted 49 ACP Enrollment Events throughout the state in August and October 2022. Almost 1,000 families were assisted in-person to enroll in ACP.

Questionnaires were completed by 337 households who received a computing device in a random drawing at the ACP Enrollment Events. The results confirm that *Get Connected! California* is reaching the most digitally-disadvantaged residents:

- 76% earned less than \$40,000 per year (90% less than \$60,000).
- 19% never have been connected to the Internet at home.
- Currently connected are paying an average of \$67 per month (\$30 is a real help).
- 60% speak a language at home other than English.
- 55% rate themselves a “beginner” in using a computer.
- 61% want more digital literacy training.
- 93% consider home Internet service “extremely or very important” to their lives.

These 337 households have agreed to be Expert Advisors to *Get Connected! California* going forward to provide feedback in improving the initiative. Attached is the Summary Report.





Get Connected! California

2022 ACP Enrollment Event Questionnaire and Survey Results

In August and October 2022, the California Emerging Technology Fund (CETF), as a member of the California Broadband Council assigned responsibilities by the Governor’s Broadband For All Executive Order and Action Plan, and State Partners¹ planned, supported, and implemented 49 Affordable Connectivity Program (ACP) Enrollment Events across California. The State Partners invited Local Partners to plan ACP promotion and organize ACP Enrollment Events in August to coincide with back-to-school activities and in October to coincide with National Digital Inclusion Week (October 3-7) and Digital Citizenship Week (October 17-21). ACP Enrollment Events were hosted on August 28 and October 22 to provide in-person hands-on assistance to low-income households.

Two surveys were conducted at each ACP Enrollment Event: (1) all participants completed a simple Intake Survey identifying how they heard about the event and the form of eligibility they were using to enroll; and (2) ACP enrollees who received free computing devices awarded randomly from drawings completed a Questionnaire and Agreement to serve going forward as an “Expert Advisor” to *Get Connected! California*. Approximately 10-15 devices were awarded at each ACP Enrollment Event. The following graphs summarize the results of both the Intake Surveys and Expert Advisor Questionnaires.

Questionnaires from ACP Enrollees Receiving Computing Devices

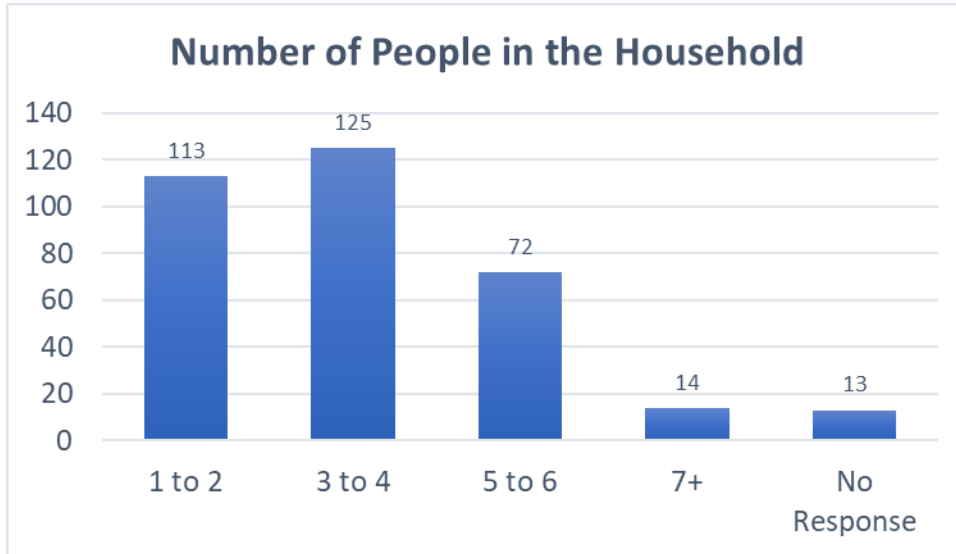
This section summarizes the results of Questionnaires of ACP enrollees who received a Chromebook or other device in a random drawing and have agreed to participate in a customer survey in the future as an Expert Advisor to *Get Connected! California*. At the August and October enrollment events volunteers collected device surveys from 337 households.

¹ The California Department of Technology (CDT), California Department of Education (CDE), State Library, and California State Association of Counties (CSAC).

2022 ACP Enrollment Event Questionnaire and Survey Results

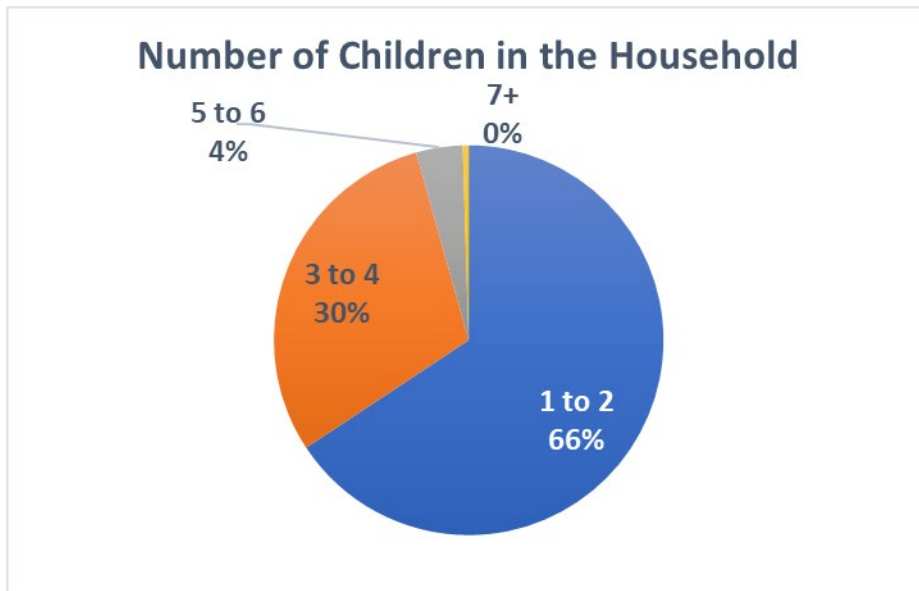
Demographics

Question 1: Number of People in the Household



(324 Responses)

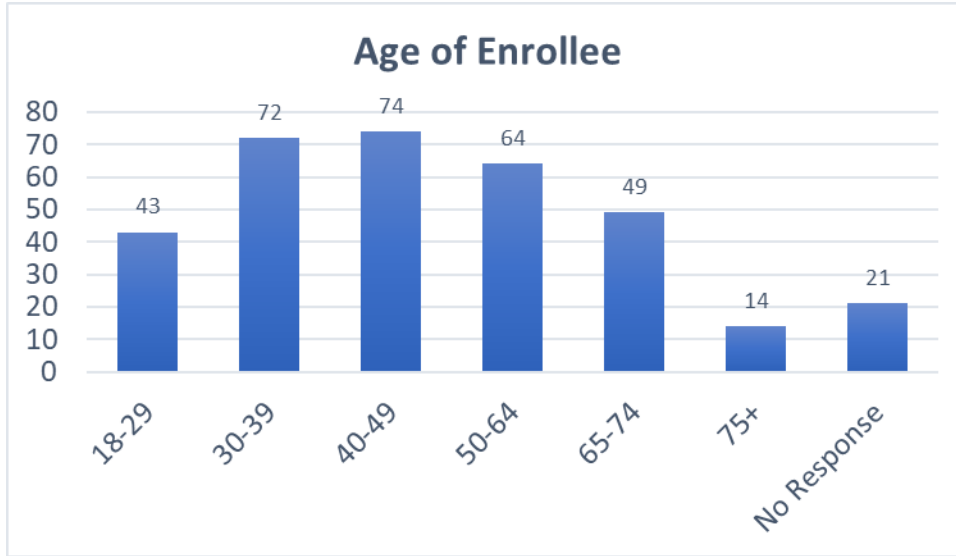
Question 2: Number of Children in the Household



(212 Responses)

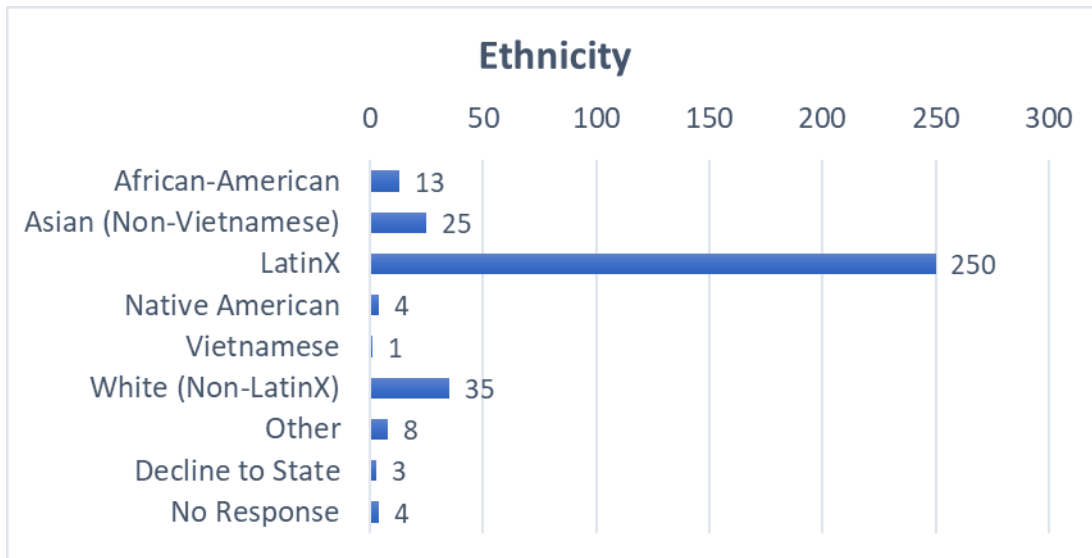
2022 ACP Enrollment Event Questionnaire and Survey Results

Question 3: Enrollee Age



(316 Responses)

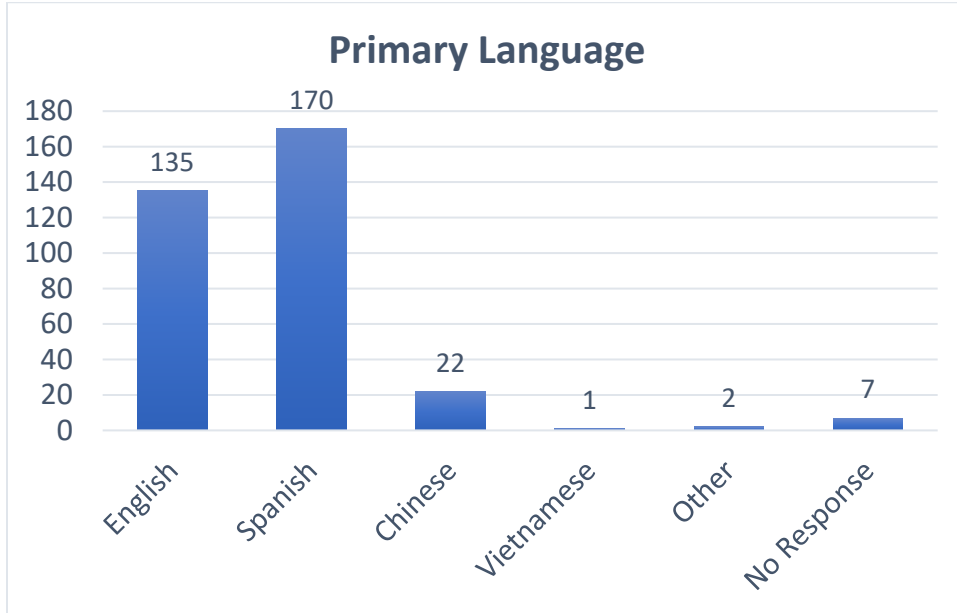
Question 4: Ethnicity



(332 Responses)

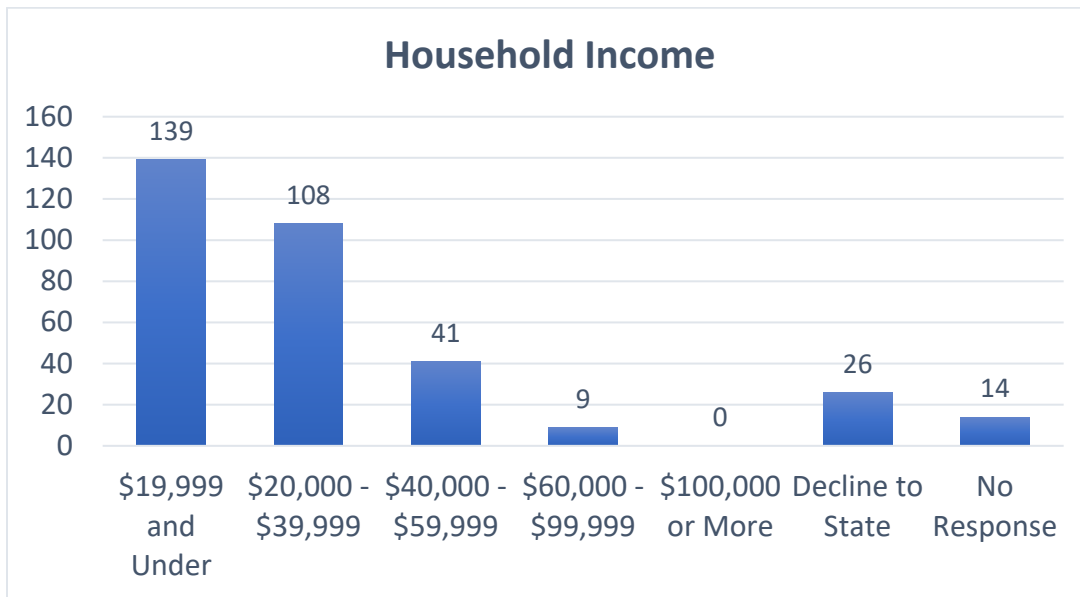
2022 ACP Enrollment Event Questionnaire and Survey Results

Question 5: Primary Language in Household



(330 Responses)

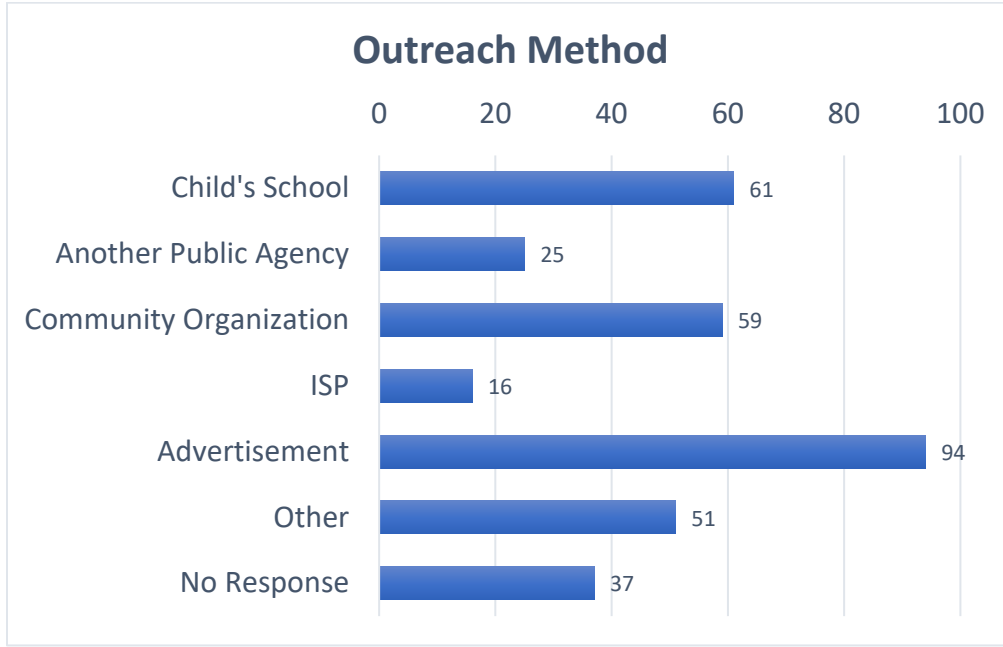
Question 6: Annual Household Income



(323 Responses)

2022 ACP Enrollment Event Questionnaire and Survey Results

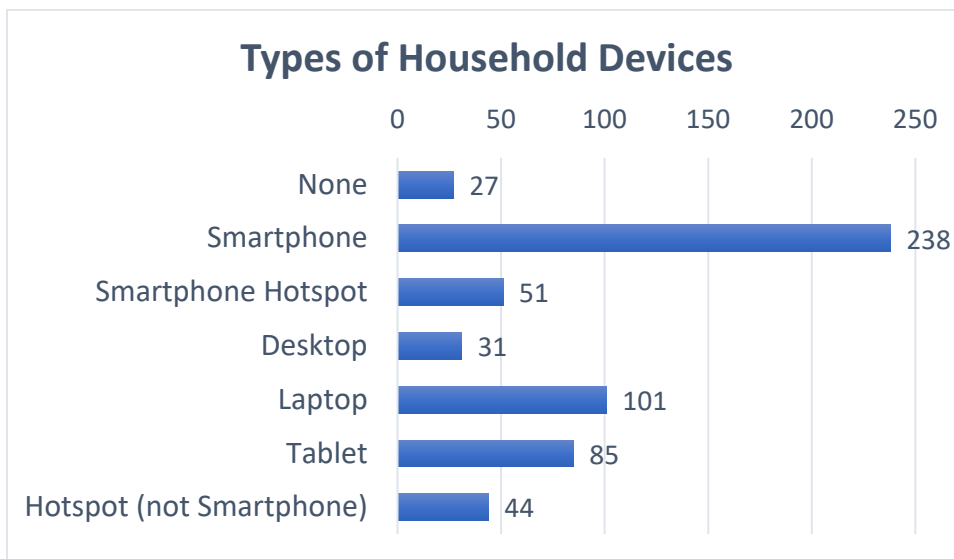
Question 7: How Participant Found Out About ACP Enrollment Event



(299 Responses)

Devices in Home

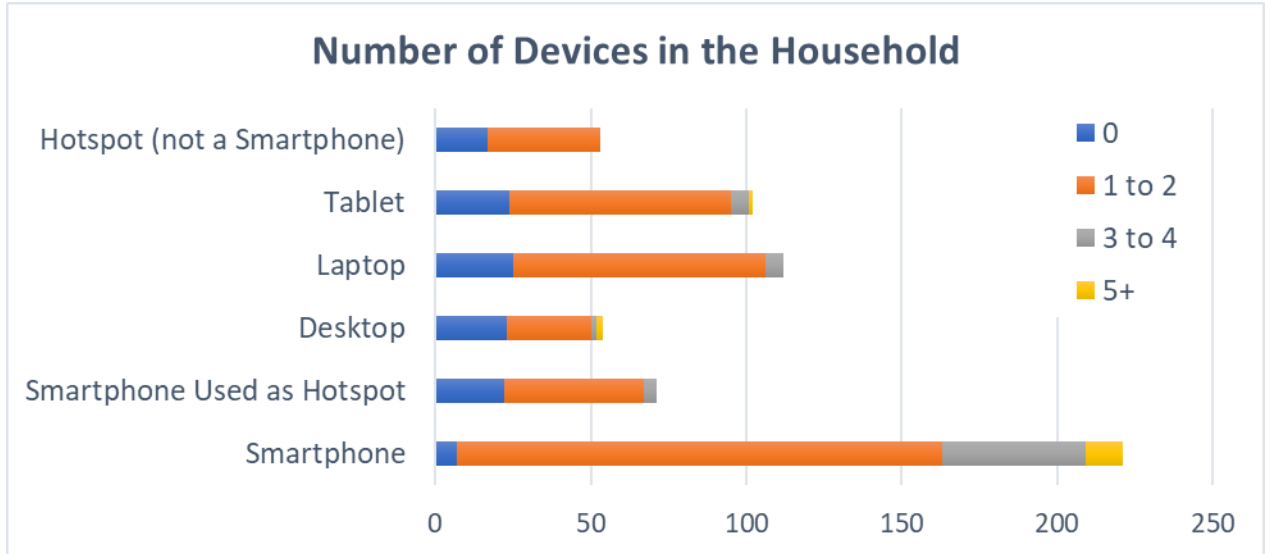
Question 8: Types of Devices in the Household



(306 Responses)

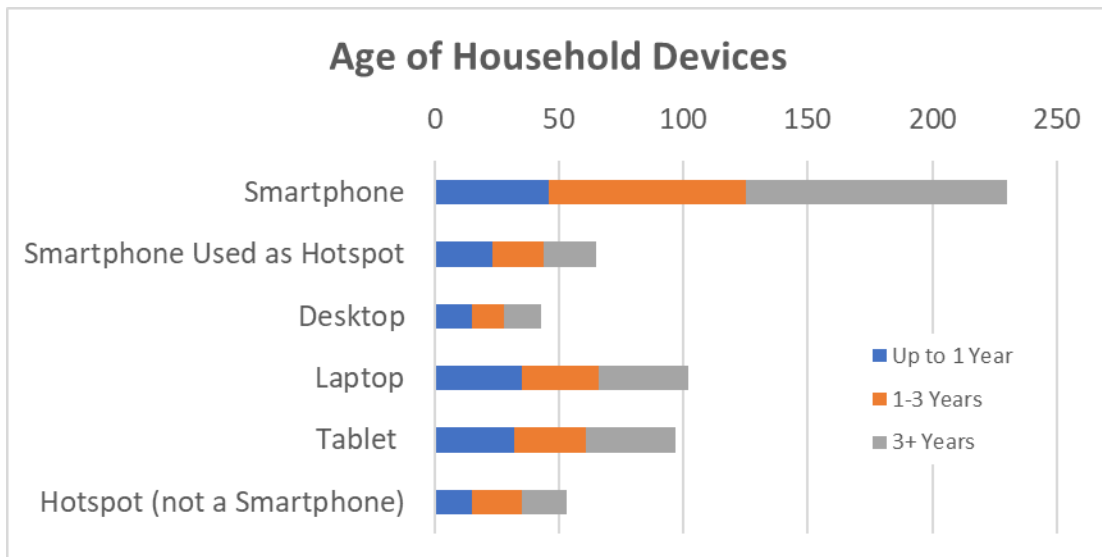
2022 ACP Enrollment Event Questionnaire and Survey Results

Question 9: Number of Devices in the Household



(270 Responses)

Questions 10: Age of the Devices in the Household



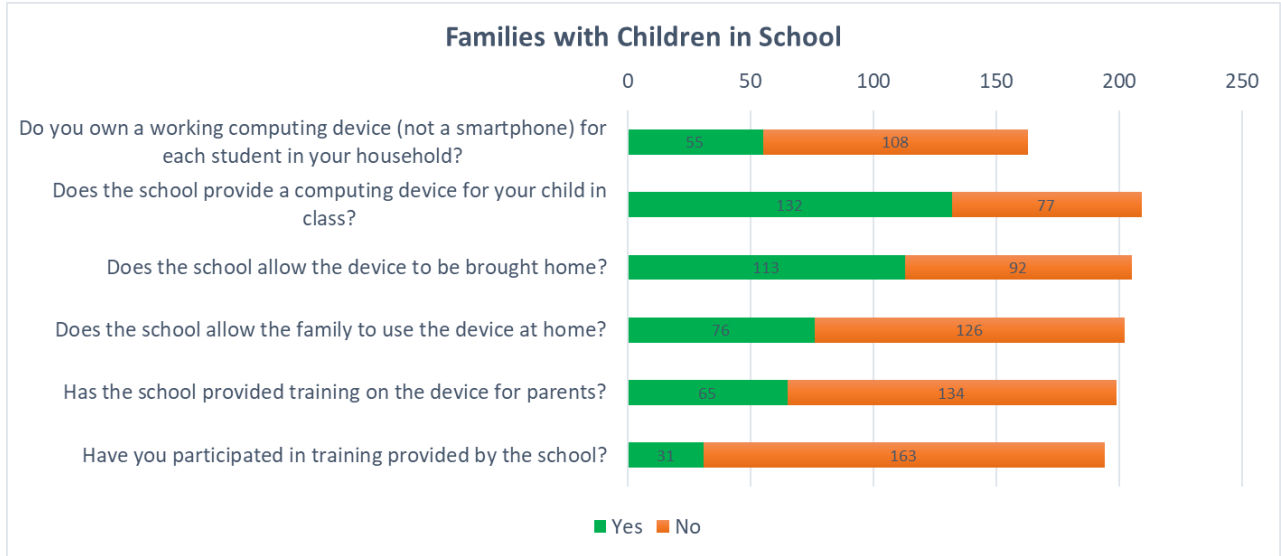
(269 Responses)



Get Connected! California

2022 ACP Enrollment Event Questionnaire and Survey Results

Question 11: Families with School-Aged Children in the Household

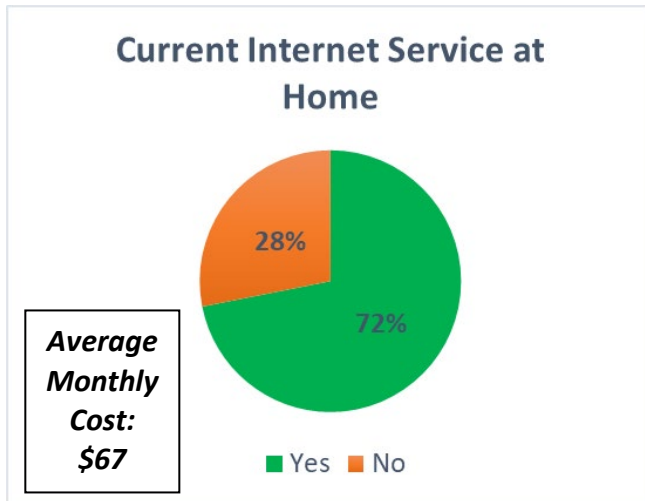


(230 Responses)

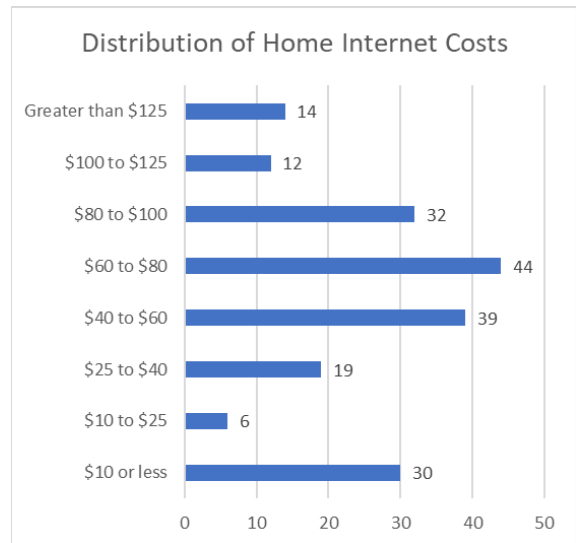
2022 ACP Enrollment Event Questionnaire and Survey Results

Status of Internet Service at Home

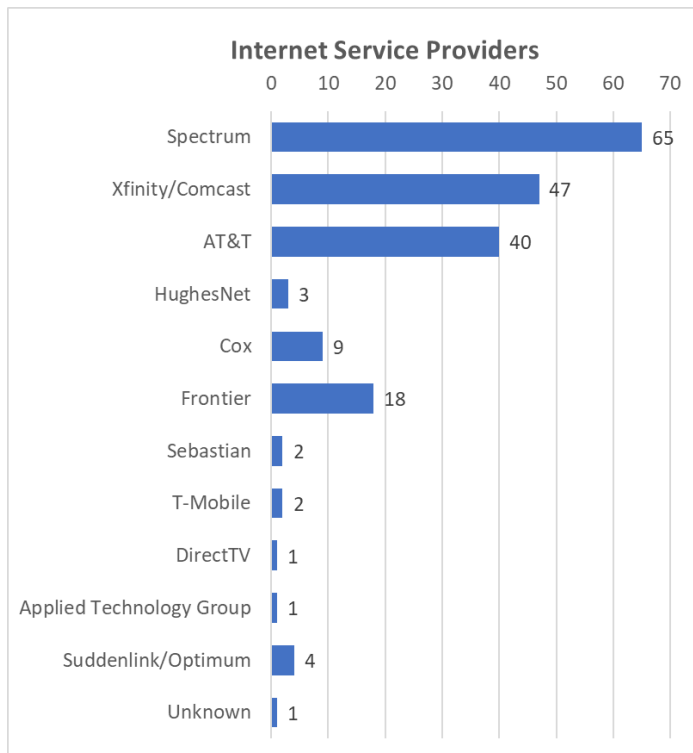
Question 12: Do you currently have Internet service at home? If yes, approximately how much do you pay per month?



(261 Responses)



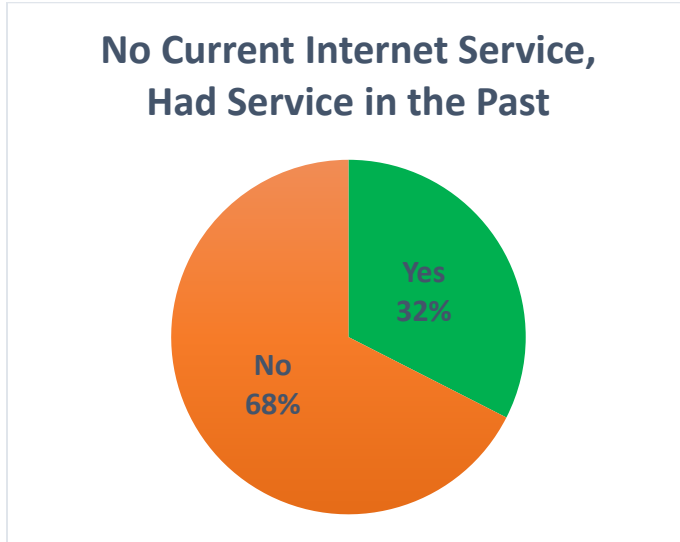
Question 13: Which company is your Internet Service Provider?



(149 Responses)

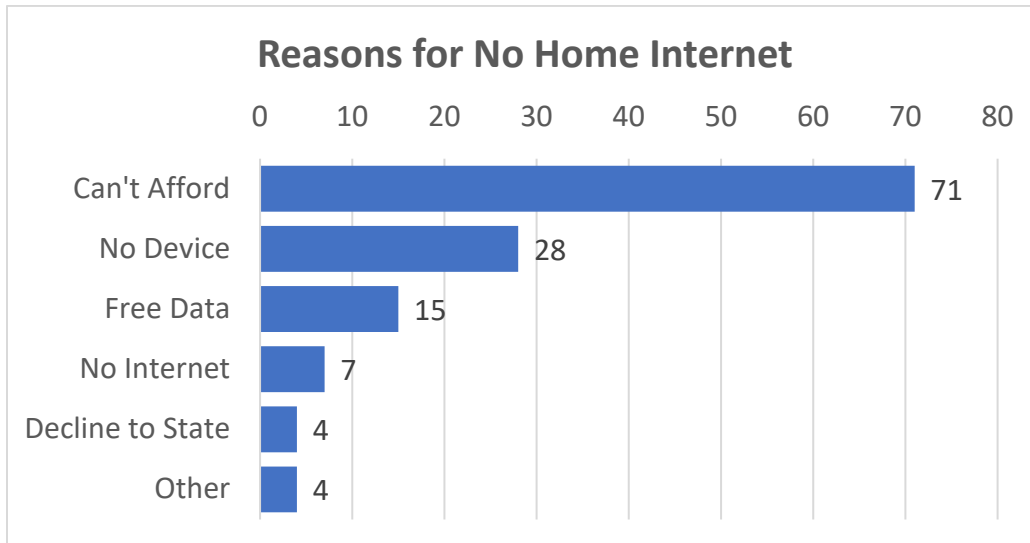
2022 ACP Enrollment Event Questionnaire and Survey Results

Question 14: If you don't have service, have you ever paid for a subscription to Internet service at home?



(80 Responses)

Question 15: If you do not have Internet service at home, check all the boxes that apply.

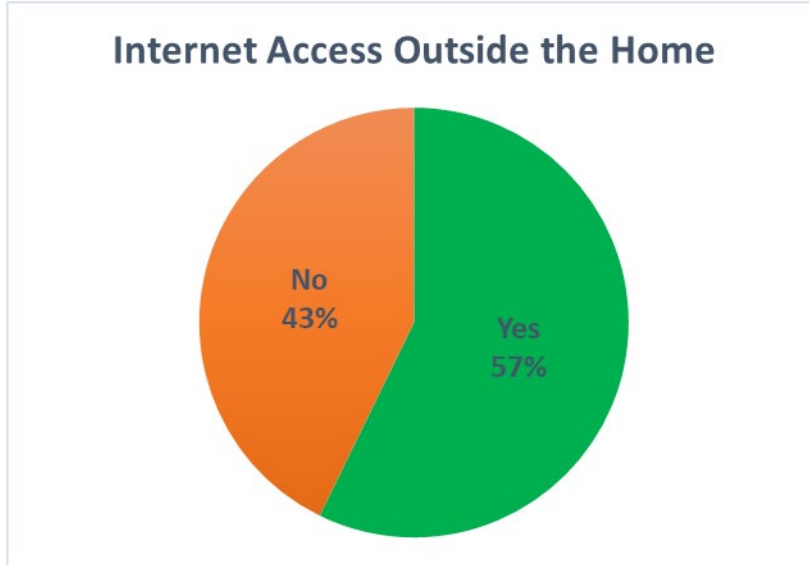


(97 Responses)

2022 ACP Enrollment Event Questionnaire and Survey Results

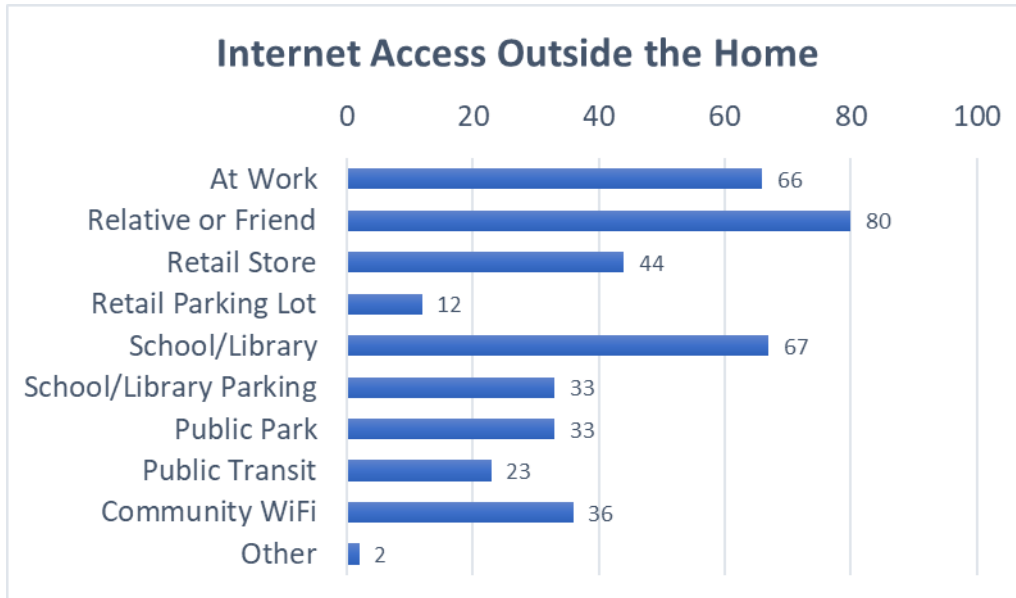
Other Internet Access

Question 16: Do you currently have Internet access outside of home?



(304 Responses)

Question 17: If YES, where do you access and use the Internet outside of your home?

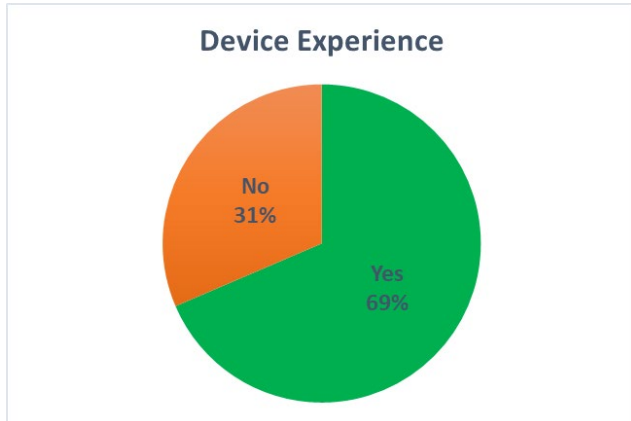


(163 Responses)

2022 ACP Enrollment Event Questionnaire and Survey Results

Experience and Training

Question 18: Do you have experience using a computing device? If you have experience using a computing device, do you consider yourself to be a Beginner, Intermediate, or Advanced user?



(318 responses)



(267 Responses)

Question 19: Are you interested in more computer training for you or your family?

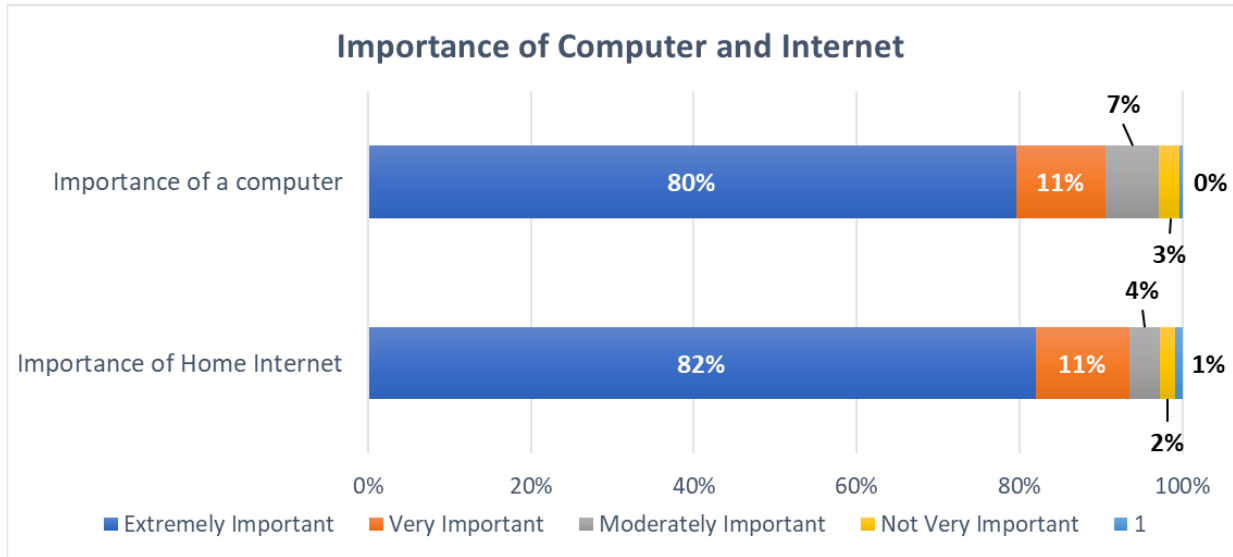


(272 Responses)

2022 ACP Enrollment Event Questionnaire and Survey Results

Importance of Computer and Internet

Question 20: How important are home Internet service and a computer to you and your family?



(318 Responses)

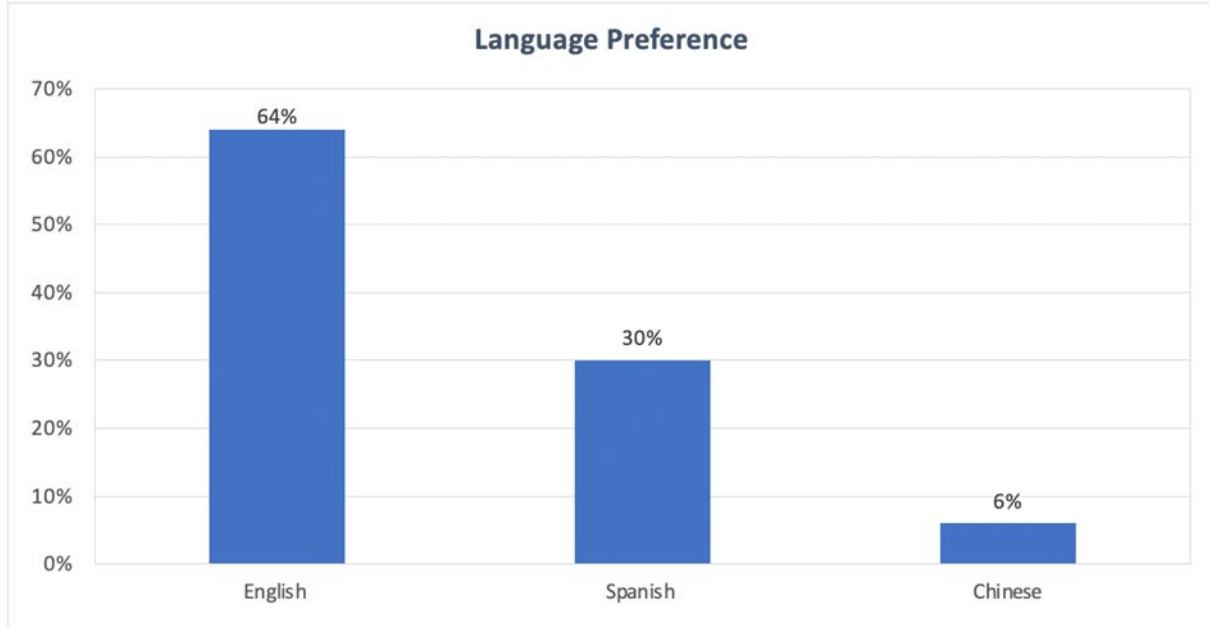


Get Connected! California

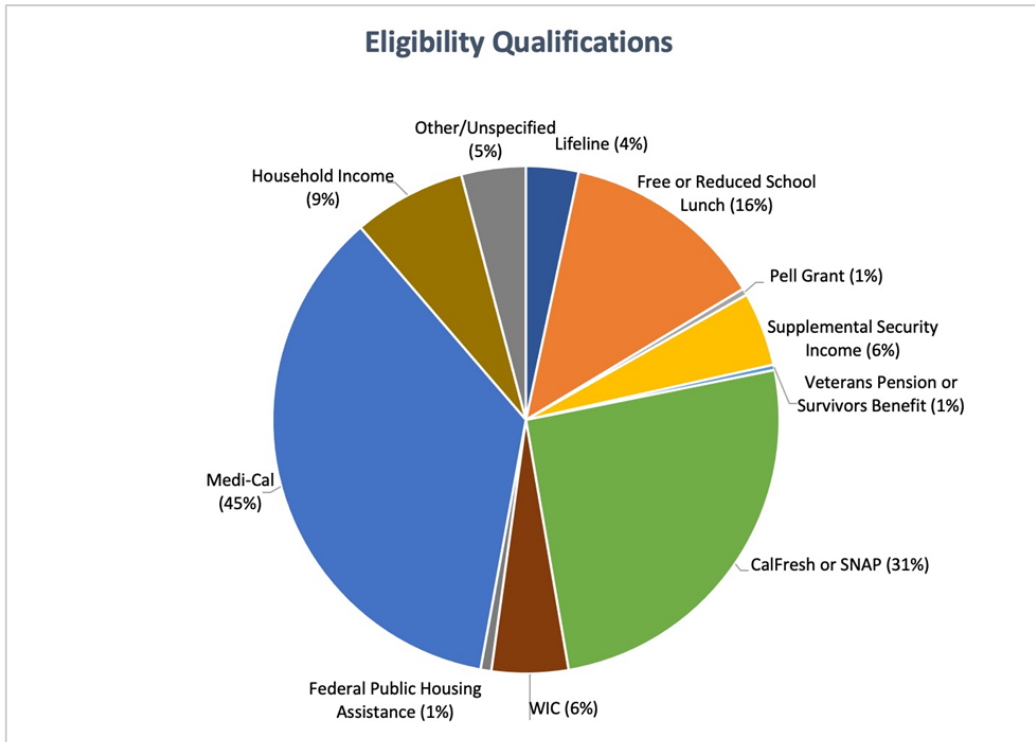
2022 ACP Enrollment Event Questionnaire and Survey Results

ACP Enrollment Event Intake Surveys

Total Number of Intake Surveys – 924 Intake Surveys (40 ACP Enrollment Event Sites)



ACP Eligibility Qualifications



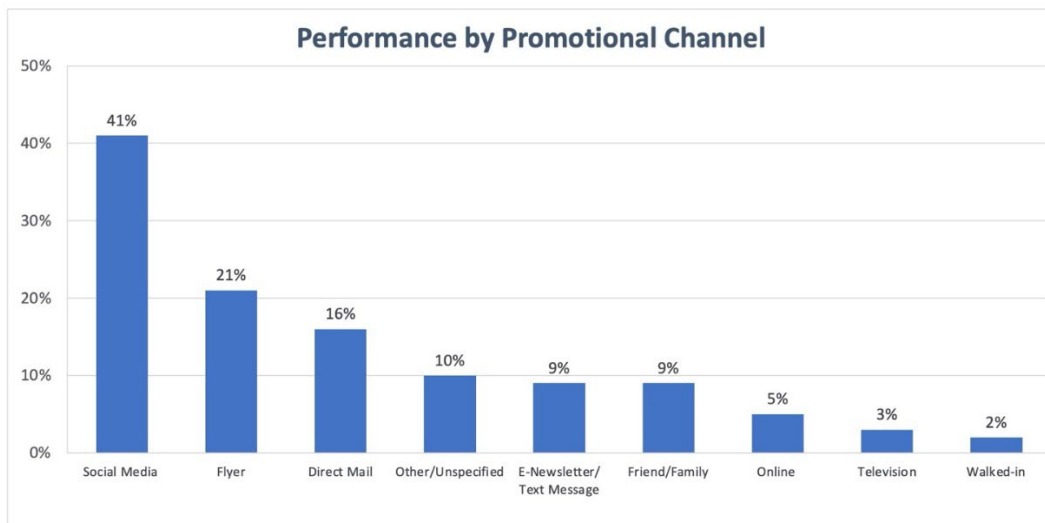


Get Connected! California

2022 ACP Enrollment Event Questionnaire and Survey Results

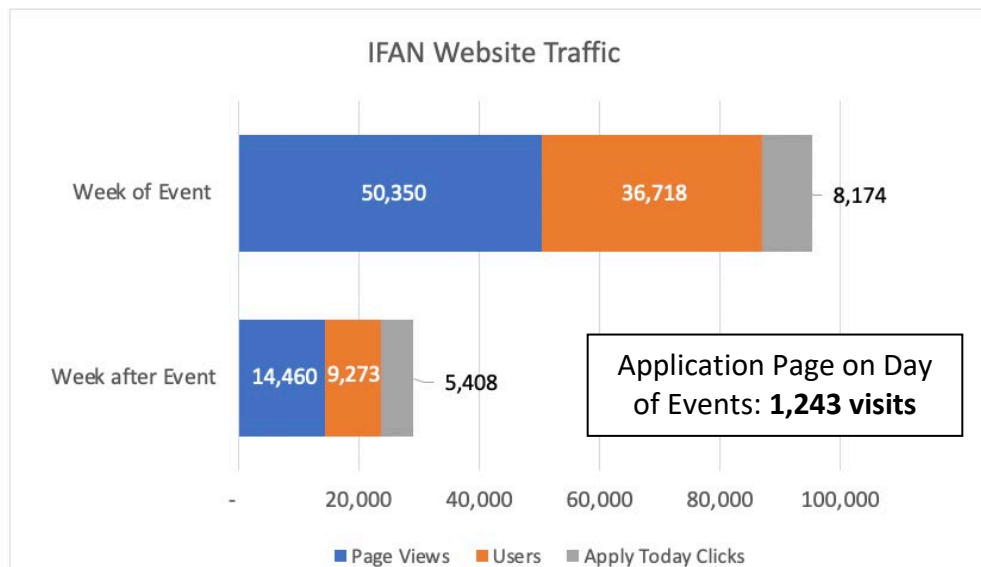
Performance by Channel Media

- 20 ACP Enrollment Event sites (41%) received Direct Mail (DM) support.
- 2 locations (Isla Vista Community Center and St. Anthony’s Tenderloin Tech Hub) with high distribution of DM mailers did not conduct ACP Passport Intake Surveys. However, Event staff reported that participants came to the event with DM mailers in hand.
- San Francisco Tech Exchange also reported that DM was successful in generating event attendance, but Event staff submitted only 16 Event Surveys.



CETF *Get Connected!* Call Center: 869 Calls Handled for ACP Enrollment Events.

Website Traffic





Get Connected! California

2022 ACP Enrollment Event Questionnaire and Survey Results

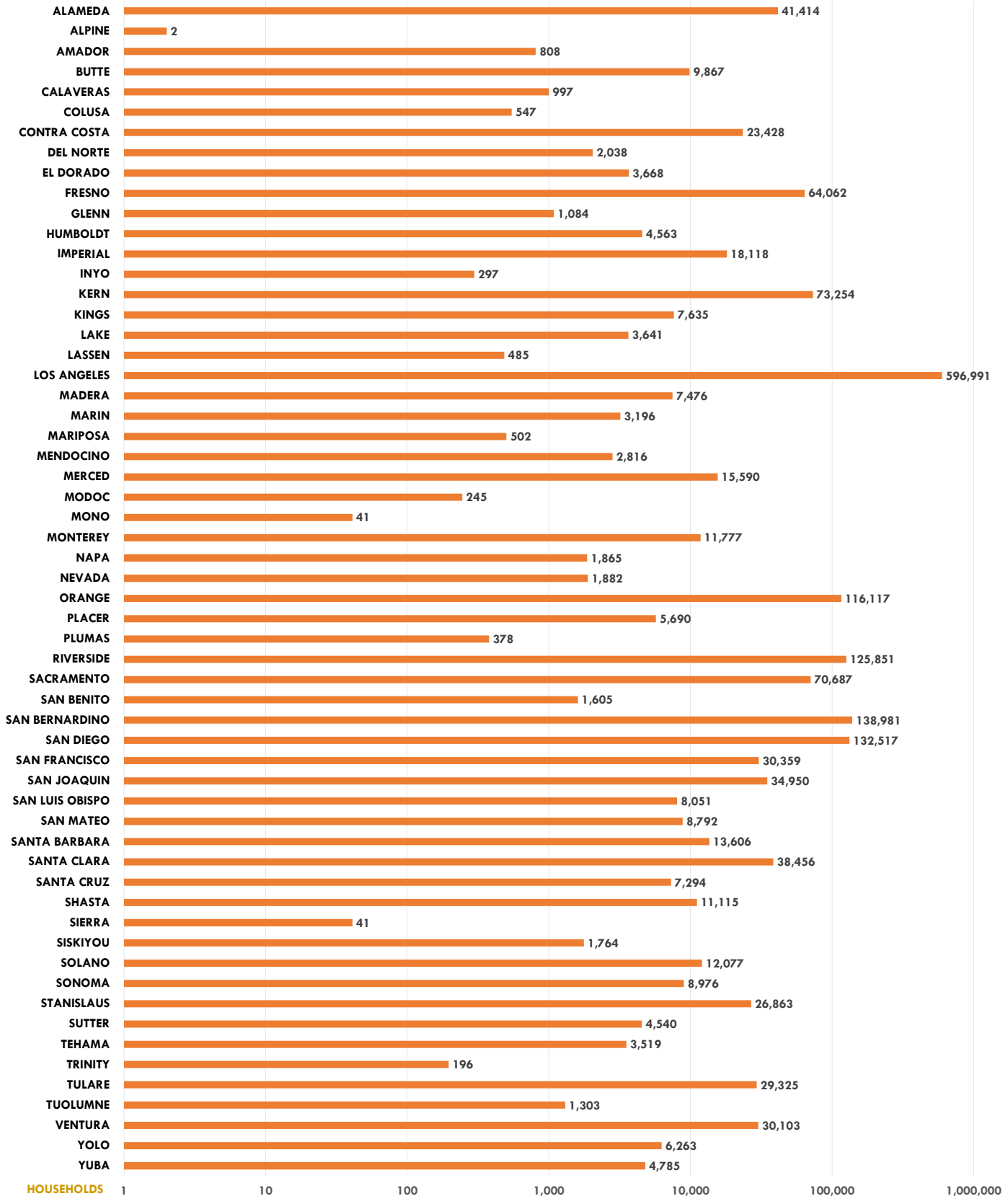
The 2021 Statewide Survey on Broadband Adoption, sponsored by the California Emerging Technology Fund and conducted independently by University of Southern California (USC) Annenberg School of Communication and Journalism, found the following percentages of home Internet connectivity. The households coming to the ACP Enrollment Events for in-person assistance align with the statewide data for low-income households: 18% have never been connected to the Internet, which is the same percentage from the Statewide Survey. This is a strong indicator that the ACP Enrollment Events are serving the most-digitally disadvantaged and hardest-to-reach residents: 27% of the Enrollees currently are not connected at home (18% low-income households statewide are not connected); 59% of the 27% currently not connected (or net 16%) never have had home Internet service.

2021 Statewide Survey on Broadband Adoption

Socio-Economic Demographic Group	Total Percent Connected	Percent Underconnected (Smartphone Only)	Percent To Be Connected (Adoption Target)
All California	91%	6%	9%
<i>Socio-Economic Demographic Group</i>			
Low-Income	84%	8%	18%
African-American	92%	1%	8%
Asian	92%	3%	8%
LatinX	84%	8%	16%
Spanish-Speaking	75%	10%	25%
65 and Older	77%	5%	23%
High School Diploma	92%	7%	8%
No HS Diploma	63%	12%	37%
<i>Region</i>			
Los Angeles	89%	8%	11%
Inland Empire	92%	5%	8%
San Diego-Orange	89%	3%	11%
Central Valley	86%	6%	14%
Bay Area	96%	4%	4%
Rest of California	91%	8%	9%

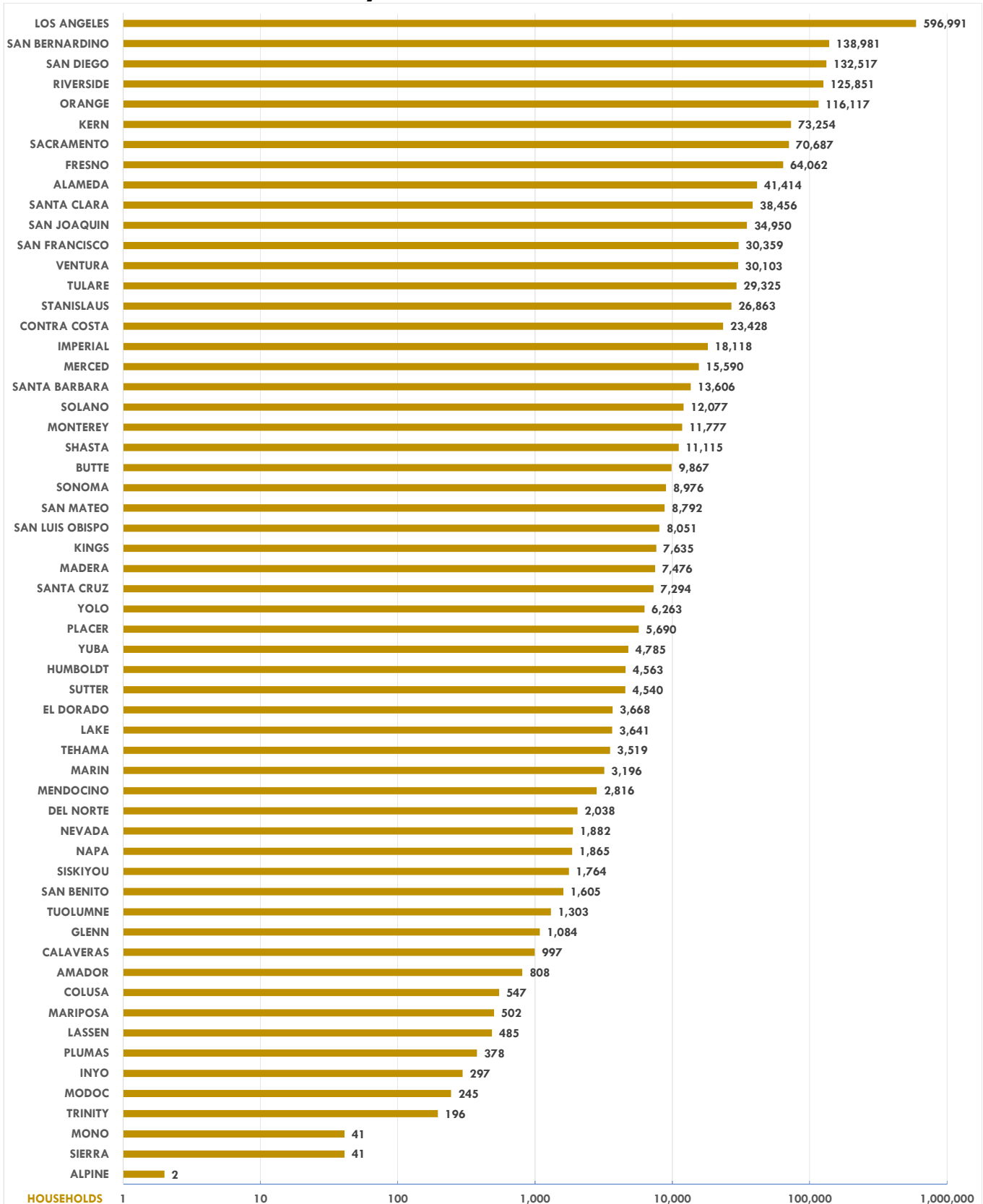


Enrollment for Affordable Connectivity Program (ACP) California Counties in Alphabetical Order



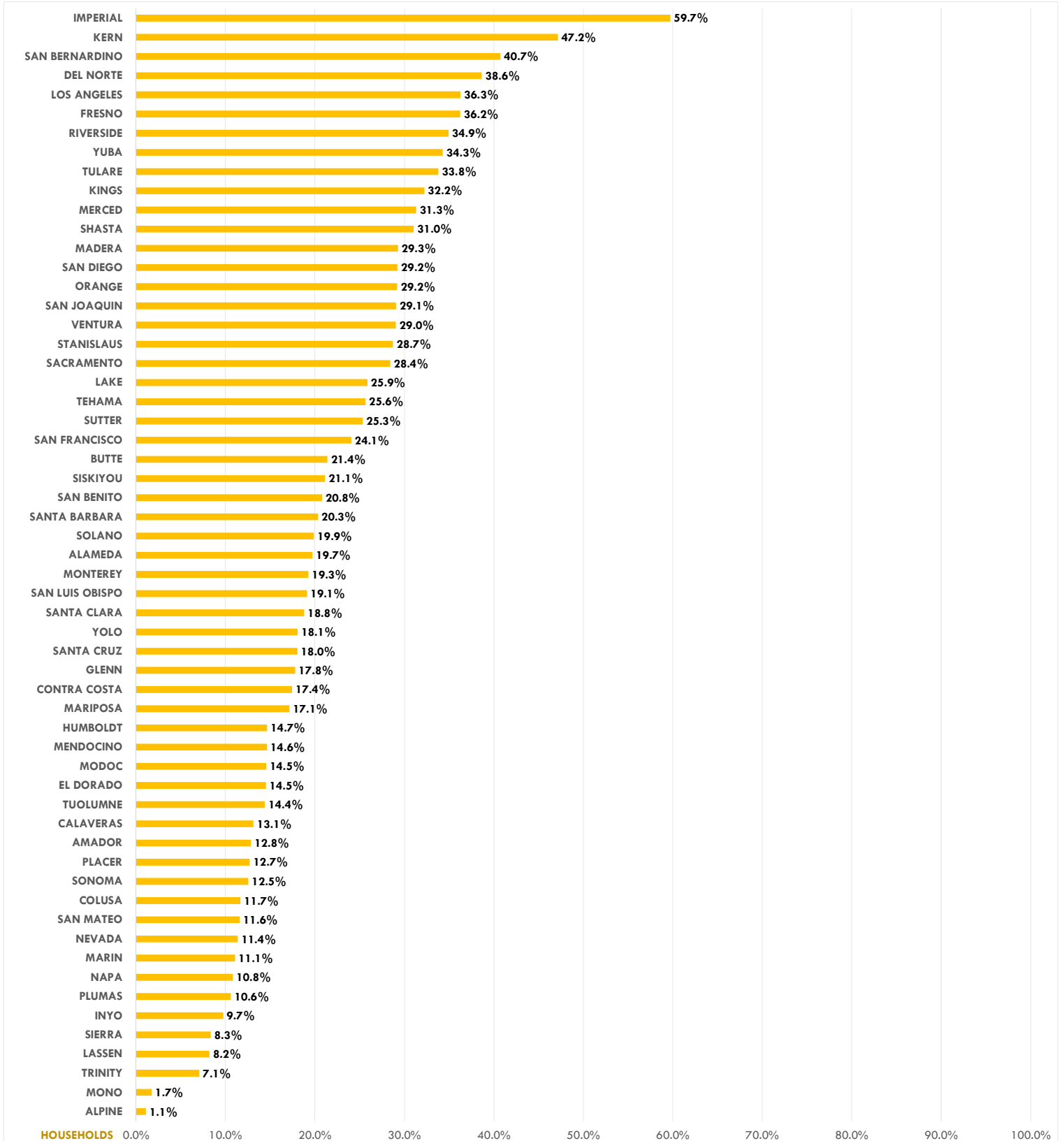


Enrollment in Affordable Connectivity Program (ACP) California Counties by Total Number of Enrolled Households



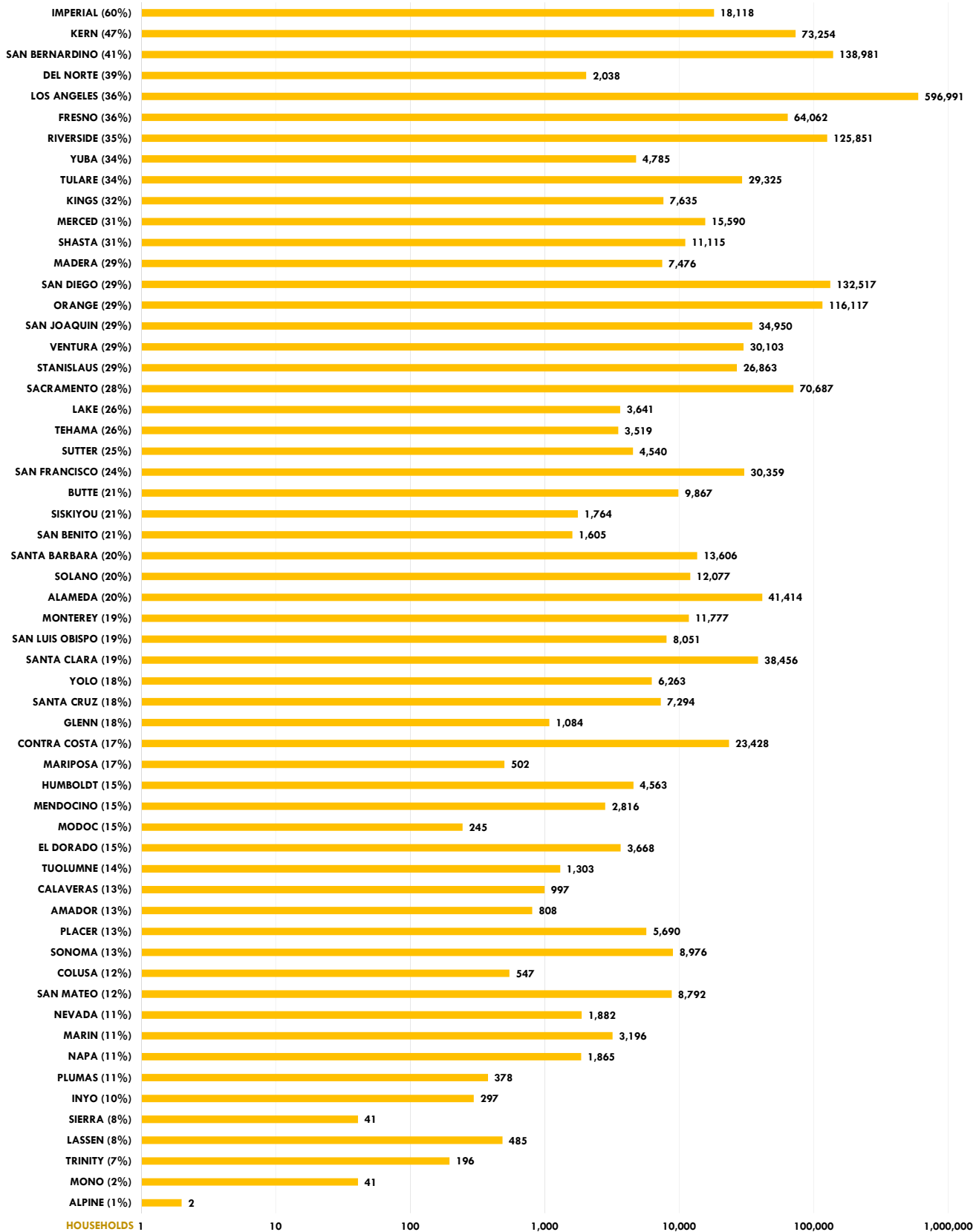


Enrollment in Affordable Connectivity Program (ACP) California Counties by % of Eligible Households Enrolled



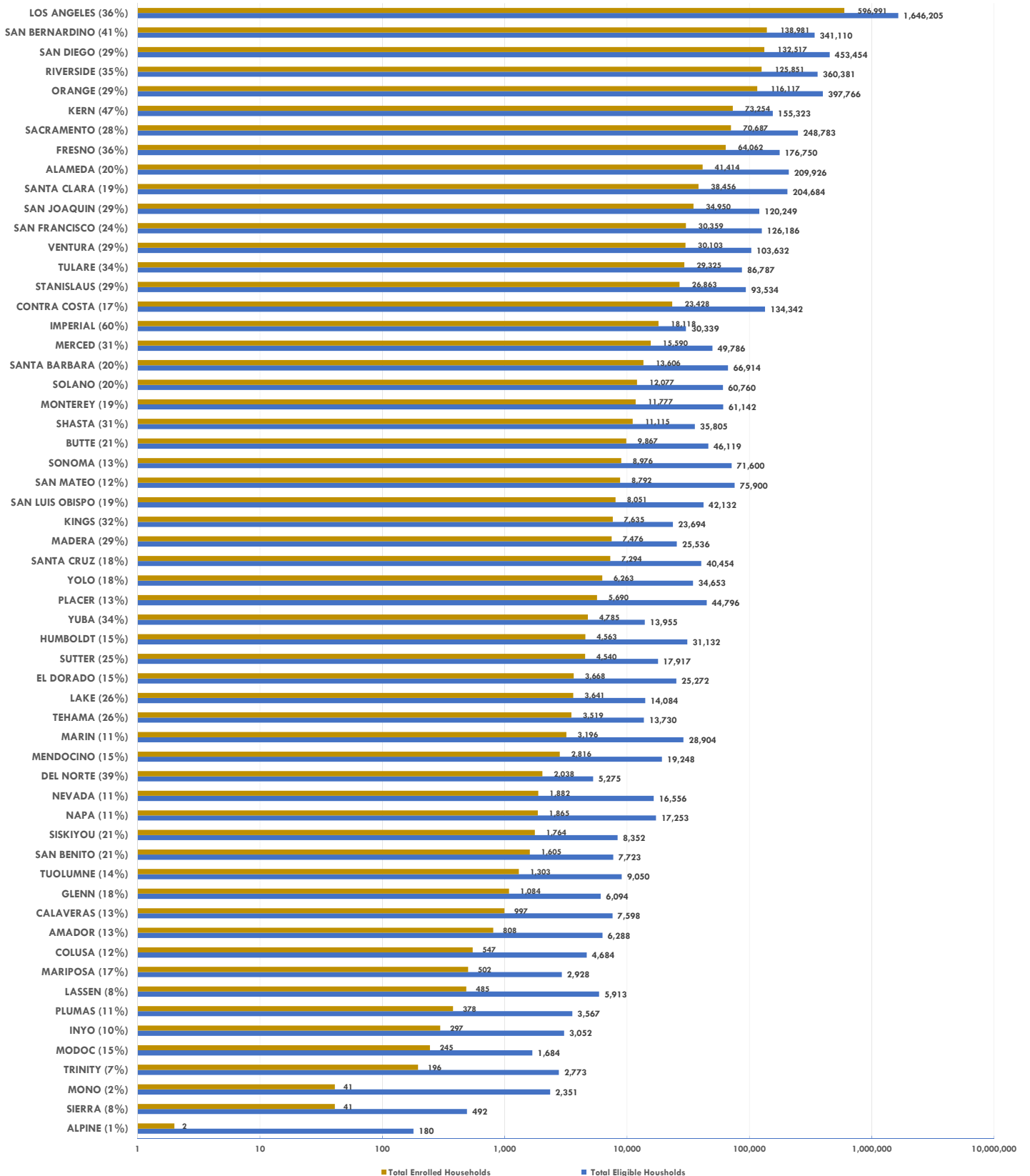


Enrollment in Affordable Connectivity Program (ACP) California Counties in Order of % Enrolled of Eligible Households





Enrollment in Affordable Connectivity Program (ACP) California Counties by Total Eligible and Total Enrolled Households





Digital Equity Coalition

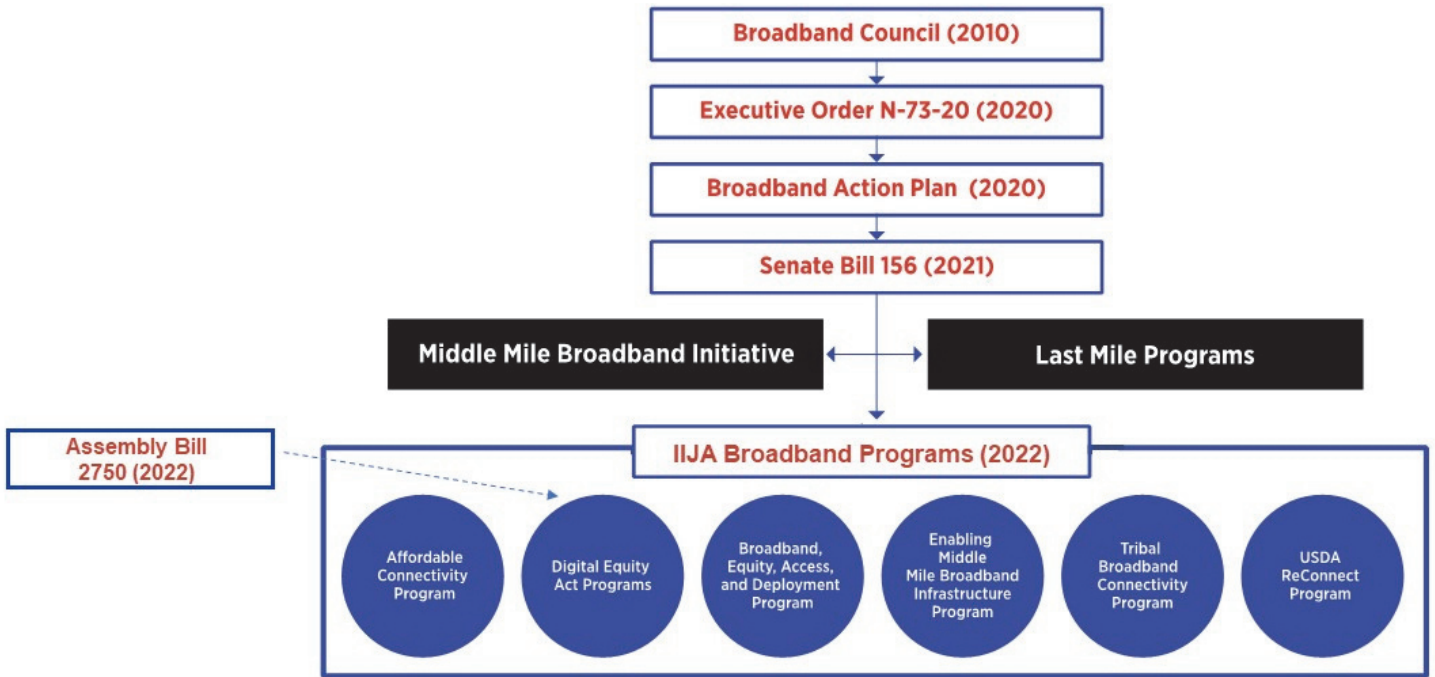
Digital Equity Plan and BEAD Plan

The Infrastructure Investment and Jobs Act (IIJA) authorized \$65B in federal funds for broadband:

- \$42.25B for Broadband Equity Access Deployment (BEAD)
- \$2.75B for Digital Equity Planning, Capacity, and Competitive Grants

State are required to prepare and submit to U.S. Department of Commerce National Telecommunications and Information Administration (NTIA) a Digital Equity Plan and BEAD Plan in order to access the federal funds. Attached is the PowerPoint Presentation for the Broadband For All Summit on October 24, 2022 convened by the California Department of Technology and California Public Utilities Commission for the Digital Equity and BEAD Kick-Off.



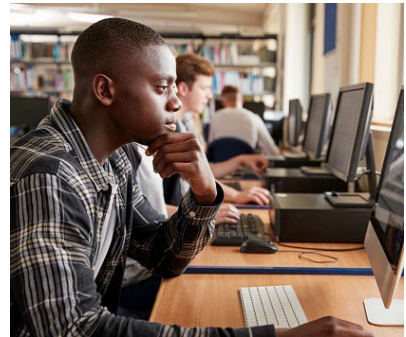




BROADBAND
FOR ALL

**Broadband for All Summit:
Digital Equity and
BEAD Kickoff**

OCTOBER 24, 2022



AGENDA

- Welcome
- Opening Panel: How Are Broadband and Equity Connected?
- About Broadband for All
 - Action Plan
 - Middle-Mile Broadband Initiative
 - Last-Mile Programs
 - Broadband Adoption
- Digital Equity and BEAD Planning Kickoff
- Breakout Sessions

PANEL: HOW ARE BROADBAND AND EQUITY CONNECTED?



Liana Bailey-Crimmins
Director
Department of Technology



Amy Tong
Secretary
Government Operations Agency



Christina Snider
Tribal Affairs Secretary
Office of California Governor Gavin Newsom



Alice Reynolds
President
California Public Utilities Commission



Pam Chueh
Chief Equity Officer
Government Operations Agency



Mary Nicely
Chief Deputy Superintendent
California Department of Education



Angela Thi Bennett
Digital Equity Director
National Telecommunications &
Information Administration

BREAK

PLEASE RETURN AT 10:00 AM



BROADBAND FOR ALL UPDATE



BROADBAND FOR ALL

Scott Adams

Deputy Director
Broadband & Digital Literacy
California Department of Technology

“Californians’ ability to access and use broadband is the difference between being able to fully engage in life and being cut off.”

COVID / Digital Divide

- **83% of Californians have access to broadband**
- **Only 52% of Californians have modern speeds of 100 Mbps**
- **51% rural households have no network offering 100 Mbps**
- **28% tribal lands lack service at this level**
- **Millions lack service, devices, and skills necessary to access essential services and realize other social and economic benefits**

BROADBAND FOR ALL

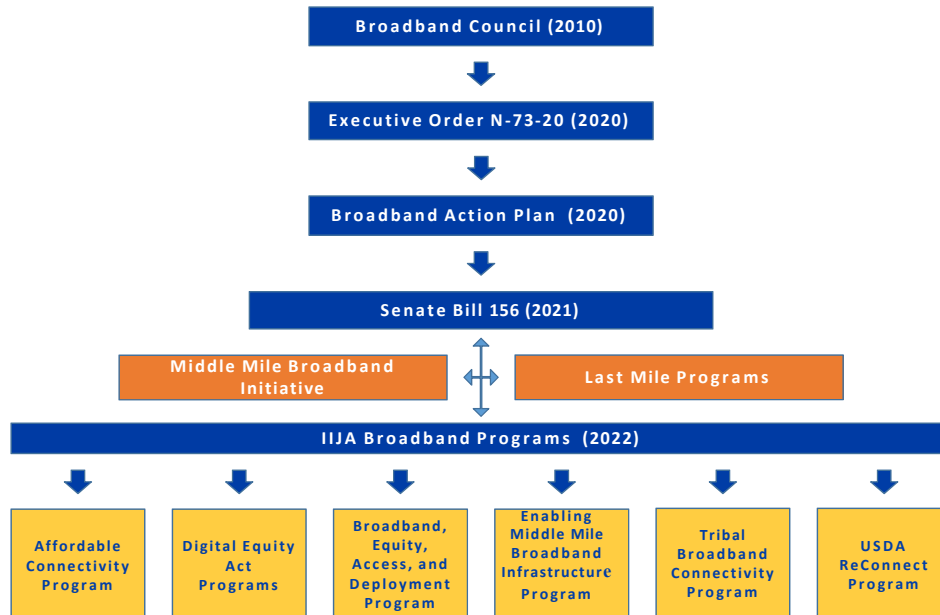
Access

Affordability

Adoption

Digital Literacy & Inclusion

BROADBAND FOR ALL



CALIFORNIA DEPARTMENT OF TECHNOLOGY



- **Policy**
- **Coordination**
- **IT Oversight**
- **Information security**
- **Technology service delivery**
- **Advocacy**

OFFICE OF BROADBAND AND DIGITAL LITERACY

- **Statewide ecosystem dedicated to closing the digital divide**
- **California Broadband Council**
- **Broadband Executive Order / Broadband For All Action Plan**
- **Statewide Open-Access Middle-Mile Network**
- **State Digital Equity Plan**

CALIFORNIA BROADBAND COUNCIL

Multi-agency collaboration



EXECUTIVE ORDER N-73-20

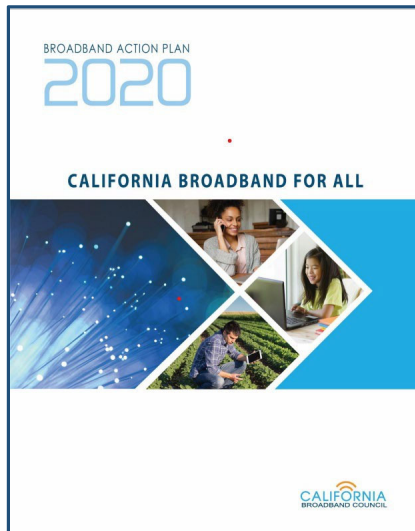
Required the development of a California State Broadband Action Plan.



Specific direction on 15 items:

- Data and Mapping
- Funding
- Deployment
- Adoption

BROADBAND ACTION PLAN



Goal 1: All Californians have high-performance broadband available at home, schools, libraries, and businesses.

Goal 2: All Californians have access to affordable broadband and necessary devices.

Goal 3: All Californians can access training and support to enable digital inclusion.

BROADBAND FOR ALL ACTION PLAN YEAR IN REVIEW

Progress and Highlights

Action Item #5 – broadband projects permitting process and accommodations policy

Action Item #6 - Local Permitting Playbook & agreements and resources with state agencies

Action Item #9 - Leveraged state contracting and procurement vehicles for MMBI

Action Item #15 - Connections, Health, Aging and Technology (CHAT), Access to Technology (ATT), and Digital Connections (DC)

Action Item #16 - ACP & low-cost offer finder, state agencies and ISP coordination

Action Item #18 - Established 2000+ digital inclusion stakeholder network

Action Item #21 - Broadband for All Portal

Action Item #24 – survey of state entities to incorporate broadband into strategic plans



Mark Monroe

Deputy Director
Middle-Mile Broadband Initiative (MMBI)
California Department of Technology



SENATE BILL 156

- **\$6 billion investment over three years to:**
 - Expand broadband infrastructure
 - Increase affordability
 - Enhance access to broadband for all Californians.
- **\$3.25 billion to develop, acquire, construct, maintain and operate a statewide “open-access middle-mile” network (CDT)**
- **\$2.75 billion for last-mile infrastructure grant programs (CPUC)**

ROLES AND RESPONSIBILITIES



California Department of Technology

- Program, fund management, and oversight
- Retain TPA
- Facilitate high speed broadband access through last-mile connectivity



Department of Finance

- Budget oversight
- Quarterly reporting to federal government



Third Party Administrator

- Manages the development, acquisition, construction, maintenance and operation of the network



California Public Utilities Commission

- Identified unserved & underserved areas
- Facilitated public comment
- Recommended network placement



Caltrans

- Leverage existing transportation projects
- Oversee and management construction contracts the network

GUIDING PRINCIPLES

1. Provide affordable, open-access, middle-mile broadband infrastructure to enable last-mile network connectivity throughout the state.
2. Build the network expeditiously, leveraging existing infrastructure, networks, and construction projects, where feasible.
3. Prioritize connectivity to unserved and underserved communities, including community institutions.

SIZE, SCALE AND TIMING



- 10,000-mile statewide network on state highways
- Contracted by Dec 2024
- Constructed by Dec 2026

[Statewide Construction Evaluation Map of 10,000 miles of proposed build](#)

MIDDLE-MILE BROADBAND INITIATIVE PROGRESS

This Year:

- Developed 10,000-mile network map.
- GoldenStateNet developed Preliminary map of infrastructure for potential IRU/leases.
- Procurement contracts for fiber and related materials.
- Streamlined permitting processes with state agencies
- Progress on Initial 18 and “dig smart” projects
- Released bid solicitations for IRU/leases, joint-build/purchase opportunities, and colocation.



STATE ROUTE 67 FIBER PULL

Middle-Mile Groundbreaking

October 13, 2022 — Poway, CA



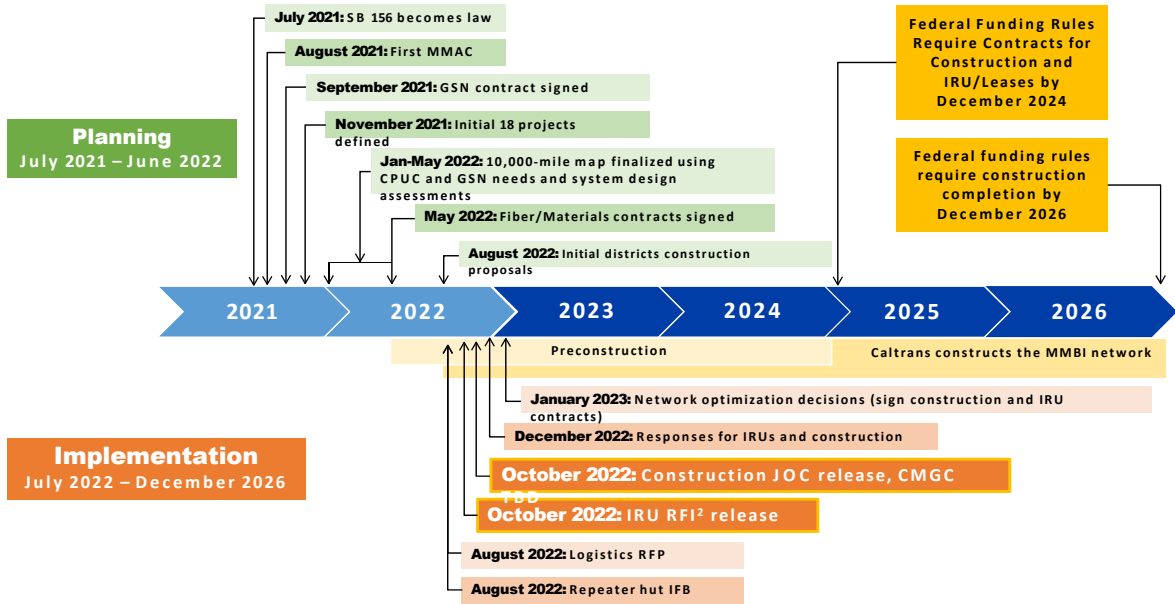
MIDDLE-MILE BROADBAND INITIATIVE REVIEW



Looking Ahead:

- Agreement with federal land agencies to secure construction access
- Bid solicitations for construction contracts on 6,800 miles of network out by the end of October.
- Construction bids due by December 2022
- Key decisions regarding network in January 2023.

MIDDLE-MILE BROADBAND INITIATIVE REVIEW

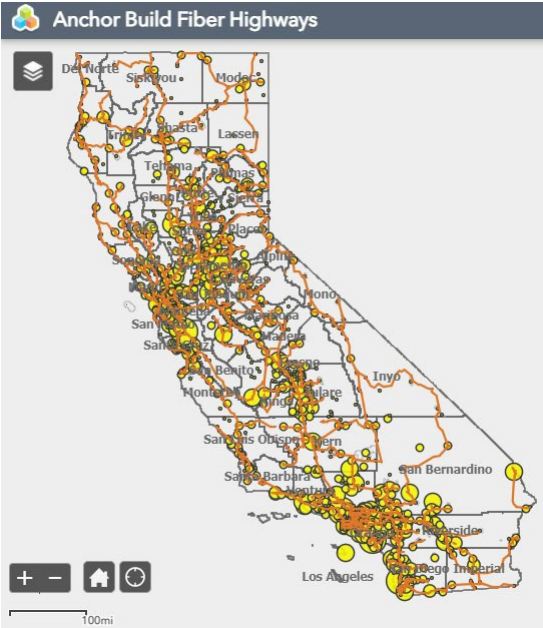


LAST-MILE BROADBAND PROGRAMS

Rob Osborn

Director, Communications Division
California Public Utilities Commission

LAST-MILE BROADBAND PROGRAMS



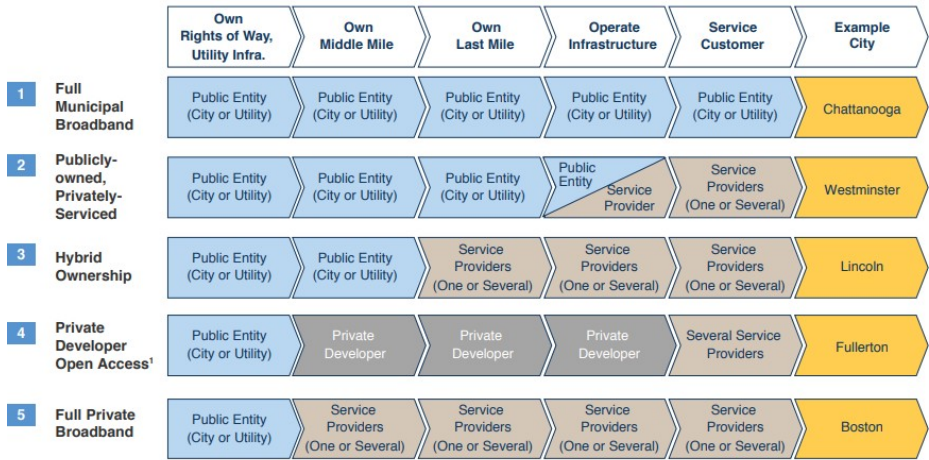
Proposed Middle Mile Network Connects to Last-Mile Locations

- State highways / rights of way
- Connecting unserved census designated places
- [Deployment Proceeding website](#)
- [Anchor Build Fiber Highways web map](#)

LAST-MILE BROADBAND PROGRAMS

Expanding the Ways Broadband Can Be Deployed: Public-Private Models

City Main Business Model Options for Broadband Expansion

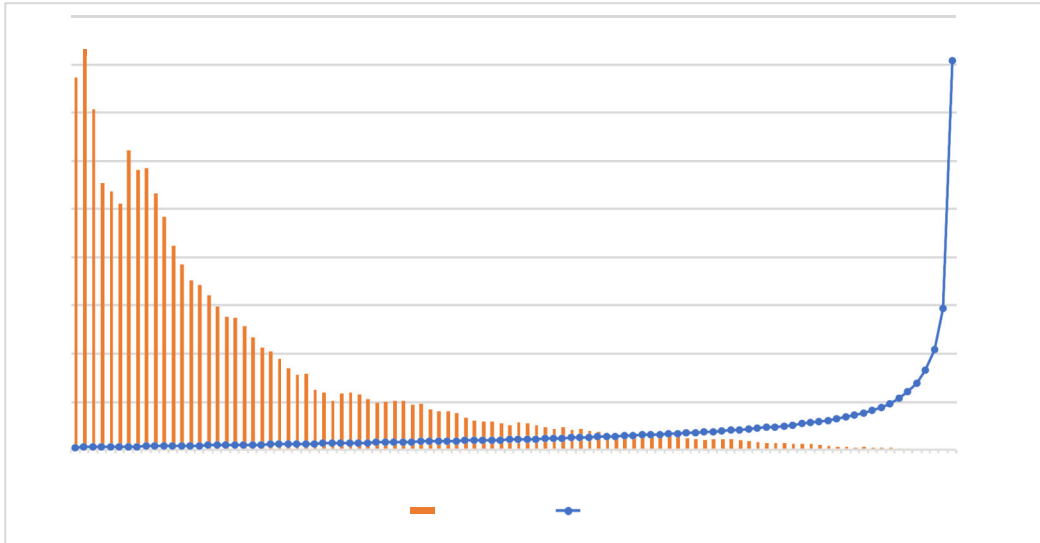


Note: 1) Private Developer is defined as private company that builds, owns and operates the network infrastructure and offers open access to it to several retail SPs that provide service on the top

[US Ignite Whitepaper on Broadband Models \(July 2020\)](#)

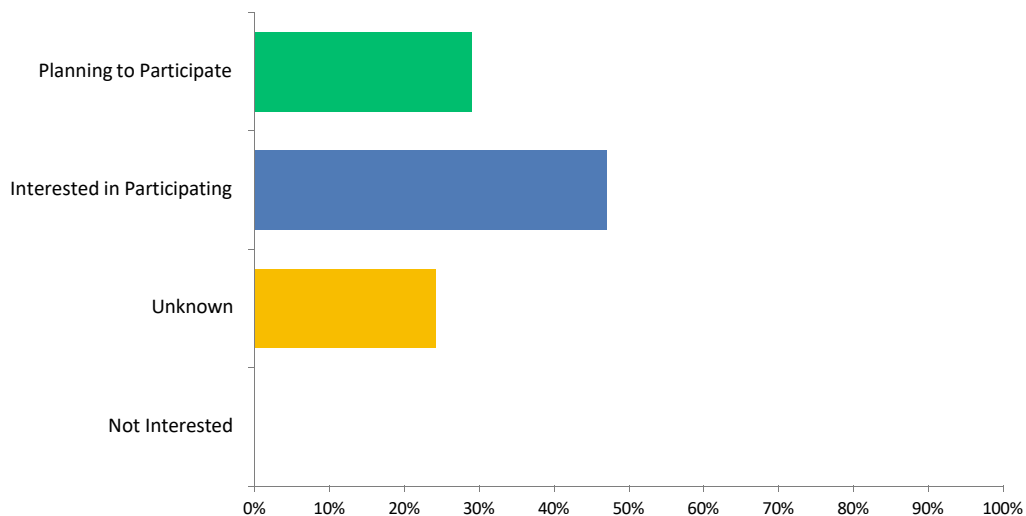
LAST-MILE BROADBAND PROGRAMS

Capital Expenditure Profile – Cost Per Location Increases As Density Decreases



LAST-MILE BROADBAND PROGRAMS

What level of interest does your government have in participating in the Federal Funding Account program?



August 2022 CPUC Broadband Survey for Local Governments, 115 respondents

LAST-MILE BROADBAND PROGRAMS

Local Agency Technical Assistance

\$50 million

Grants available to local agencies and Tribes. Funding can be used for public entity or consultant costs to create **Joint Powers Authorities**, and for other costs to prepare to deploy broadband infrastructure, including for **environmental** permitting, **engineering**, and **design** activities.

→ Now accepting applications

Federal Funding Account

\$2 billion

Grants available to ISPs, local agencies, and Tribes. Money to be used for last-mile broadband deployment. These funds must be encumbered by the 2025 federal deadline, and spent (i.e., projects built) before 2027.

Loan Loss Reserve Fund

\$750 million

Grants available to local governments and non-profits. Supports development of public broadband networks. A form of credit enhancement, or a type of insurance, that helps lenders control for the risk that loans will not be repaid. This new funding will provide collateral to local governments and non-profits for bond financing.

California Advanced Services Fund

Up to \$150 million per year

Grants available to ISPs, local agencies, and Tribes. Money to be used for broadband adoption, public housing, regional consortia, and infrastructure.

LAST-MILE BROADBAND INITIATIVE REVIEW

Summary

COMPLETE

- **Local Agency Technical Assistance** Program Rules and Initial Awards
- Historical **CASF Program** Updates (Adoption, Consortia, Public Housing)
- **Federal Funding Account** Rules

IN PROGRESS

- Receiving Comment on **Loan Loss Reserve Program** Proposed Rules
- Development of **Federal Funding Account** Priority Areas
- **CASF Infrastructure Grant Account** Rules Update
- **Broadband Equity, Access, and Deployment** Program development

2023 FOCUS

- Adopt Final Rules and Issue Awards for the **Loan Loss Reserve Program**
- Issue **Federal Funding Account** Awards
- Issue **Infrastructure Grant Account** Awards
- **Broadband Equity, Access, and Deployment** Program implementation

LAST-MILE BROADBAND INITIATIVE REVIEW

Progress and Highlights

Local Agency Technical Assistance Awards

- Final rules adopted in February 2022
- 71 applications received since August 1, requesting >\$30 million of the total \$50 million program budget

Historical CASF Account Program Awards

- Adoption Account, updated rules and 2022 awards
- Public Housing Account, updated rules and 2022 awards
- Regional Consortia Account, updated rules and 2022 awards



Community members flip the switch, turning on the new broadband network to serve the San Jerardo Housing Cooperative, a CASF grant recipient.



LAST-MILE BROADBAND INITIATIVE REVIEW

Next Steps

Loan Loss Reserve Program

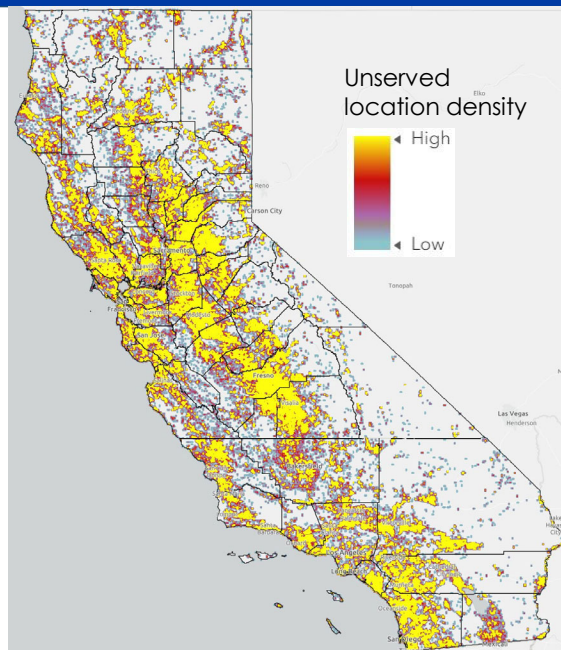
- Adopt final program rules (Q1 2023); open first round application cycle

Federal Funding Account

- Finalize Priority Areas; open first round application cycle

Broadband Equity Access & Deployment (BEAD) Program

- Continue development of 5 Year Action Plan, Initial and Final Proposals



Sunne Wright McPeak

President and CEO
California Emerging Technology Fund

WHAT IS BROADBAND ADOPTION?

Broadband adoption is daily access to the Internet:

- At speeds, quality and capacity necessary to accomplish common tasks,
- With the digital skills necessary to participate online, and
- On a personal device and secure, convenient network.

[Definitions - National Digital Inclusion Alliance](#)

BARRIERS TO BROADBAND ADOPTION

- 1. Cost** (Internet service and computing devices)
- 2. Relevance** (benefits to unconnected households)
- 3. Digital Literacy** (training and skills)

LOW-COST SERVICE OFFERS



AFFORDABLE CONNECTIVITY PROGRAM

The Federal Communication Commission's Affordable Connectivity Program is a \$14.2 billion benefit program to lower the cost of home internet service for residents.

\$30 per month
toward internet service
for eligible households

\$75 per month
for households on
qualifying Tribal lands.

**One-time discount
of up to \$100**
to purchase a laptop,
desktop computer, or
tablet from participating
providers

AFFORDABLE CONNECTIVITY PROGRAM ELIGIBILITY

A household is eligible if the household income is at or below 200% of the [Federal Poverty Guidelines](#), or if a member of the household meets at least *one* of the criteria below:

- Received a Federal Pell Grant during the current award year;
- Meets the eligibility criteria for a participating provider's existing low-income internet program;
- Participates in one of these assistance programs:
 - Free and Reduced-Price School Lunch Program or School Breakfast Program
 - SNAP
 - Medicaid
 - Housing Choice Voucher (HCV) Program (Section 8 Vouchers)
 - Project-Based Rental Assistance (PBRA)/202/811
 - Public Housing
 - Supplemental Security Income (SSI)
 - WIC
 - Veterans Pension or Survivor Benefits
 - or [Lifeline](#);
- Participates in one of these assistance programs and lives on [Qualifying Tribal lands](#):
 - Bureau of Indian Affairs General Assistance
 - Tribal TANF
 - Food Distribution Program on Indian Reservations
 - Tribal Head Start (income based)
 - Affordable Housing Programs for American Indians, Alaska Natives or Native Hawaiians

Highlights

- **Investor-owned utilities outreach to 1.96M CARE Customers**
- **Dept. of Health Care Services Distribution to 8M Medi-Cal HHs**
- **Coordinated state and local effort to promote ACP**
- **State Agency and ISP Monthly Coordinating Meetings**
- **Statewide mobilization events**

CALIFORNIA ACP ENROLLMENT NUMBERS

California leads in Affordable Connectivity Program household enrollments:

1,739,437

as of October 17, 2022

[ACP enrollment tracker | Broadband for All \(ca.gov\)](#)

TOOLS TO SUPPORT AFFORDABILITY AND ADOPTION

CETF, Everyone On, CSU Chico, and CDT partnered to develop the following tools:

[**Affordable service programs | Broadband for All \(ca.gov\)**](#)

[**Affordable connectivity program | Broadband for All \(ca.gov\)**](#)

[**ACP enrollment tracker | Broadband for All \(ca.gov\)**](#)

BROADBAND ADOPTION/AFFORDABLE CONNECTIVITY PLAN

Next Steps

- **Distribute Information to All ACP-Eligible HHs**
- **Organize and Support ACP Enrollment Events**
- **FCC Grant Outreach Grant Program**
- **Promote during Digital Equity Planning process**
- **Recommendations for Digital Equity Plan for BEAD and Capacity Grants**

BREAK

PLEASE RETURN AT 11:00 AM



**Digital Equity and Broadband Equity, Access,
and Deployment Planning Kickoff**



DIGITAL EQUITY AND BEAD PLANNING KICKOFF

Scott Adams

Deputy Director, Broadband & Digital Literacy
Department of Technology

NTIA CALIFORNIA TEAM MEMBERS

NTIA California Team



Susan E. Walters
Regional Director, West
swalters@ntia.gov



Marina MacLatchie
California State Lead
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Gladys Palpallatoc
California State Lead
gpalpallatoc@ntia.gov



Vanesscia Cresci
Broadband Program Specialist
vcresci@ntia.gov



Andrew Orosco
Broadband Program Specialist
orosco@ntia.gov

The Infrastructure Investment and Jobs Act (IIJA)

The IIJA invests roughly \$65 billion to support broadband deployment and adoption and promote digital equity in states.

Broadband Equity,
Access, and
Deployment (**BEAD**)

(\$42.45B)

Digital Equity
Planning, Capacity and
Competitive Grants

(\$2.75B)

IIJA Statute: <https://www.congress.gov/117/plaws/publ58/PLAW-117publ58.pdf>

Background: SDEP and BEAD Coordination

- CDT administering entity for Digital Equity Planning program
- CPUC administering entity for Broadband Equity, Access, and Deployment program
- Planning processes will be coordinated
- Extensive statewide and local engagement and input
- When completed, both plans will be integrated and unlock hundreds of millions of additional dollars to achieve Broadband for All

SDEP Approach: Funding, Process and Outcomes

- Planning grant from NTIA to develop the plan
- One year to complete
- 52-week planning process
- Digital equity outcomes aligned with the state’s priorities

SDEP Plan Requirements: Covered Populations

The Digital Equity Act prioritizes investments for eight “Covered Populations”

1 **Individuals living in covered households**
income at or below 150% Federal Poverty Level

2 **Aging individuals**

3 **Incarcerated individuals**
other than individuals who are incarcerated
in a Federal correctional facility

4 **Veterans**

5 **Individuals with disabilities**

6 **Individuals with language barriers**
including individuals who are English learners
and have low levels of literacy

7 **Members of a racial or
ethnic minority group**

8 **Individuals who reside in rural areas**

SDEP PLAN REQUIREMENTS

15 required components

STATUTORY REQUIREMENTS (IIJA)	ADDITIONAL REQUIREMENTS (NOFO)
<ol style="list-style-type: none">1. Identification of barriers2. Measurable objectives3. How those objectives impact State Policy4. Stakeholder engagement plan5. List of planning partners	<ol style="list-style-type: none">1. Vision for Digital Equity2. Needs assessment3. Asset inventory4. Outreach strategy (to covered populations)5. Relation to local Digital Equity Plans6. Implementation strategy7. Explanation of how gaps will be addressed8. Engagement of workforce, labor, higher ed entities9. Timeline for implementation10. Use of potential funds

SDEP APPROACH: PLANNING COMPONENTS

The planning process will consist of five components:

1. Statewide Planning Group
2. Outcome Area Working Groups
3. California Digital Equity Survey(s)
4. Local and Regional Outreach Events
5. Statewide Public Engagement

SDEP Approach: Statewide Planning Group (SPG)

The Statewide Planning Group will advise CDT, provide input on planning activity and the final components of the Digital Equity Plan.

SPG will consist of:

- Broadband Council member entities
- Statewide agencies/departments or entities with:
 - Connection to eight covered populations
 - Subject matter expertise related to outcome areas
- Meetings will be publicly noticed and open to the public

SDEP Approach: Outcome Area Working Groups

Working groups will develop strategies that align with other state priorities:

- Education
- Health
- Digital Literacy and Inclusion
- Civic Engagement, Essential Services, & Accessibility
- Economic and Workforce Development
- Tribal Coordination

Objectives include:

- Develop statewide stakeholder map
- Compile statewide asset inventory of plans, programs, and resources
- Provide recommendations to CDT

SDEP Approach: Surveys

Statewide digital equity survey:

- All 58 counties
- Oversample covered populations
- Phone interviews, online form, in-person

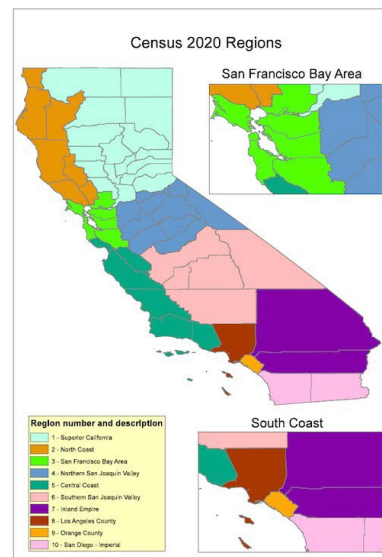
Digital equity ecosystem mapping:

- Inventory of current plans, programs, resources
- Public, private, nonprofit, philanthropic organizations



SDEP Approach: Local & Regional Outreach Events

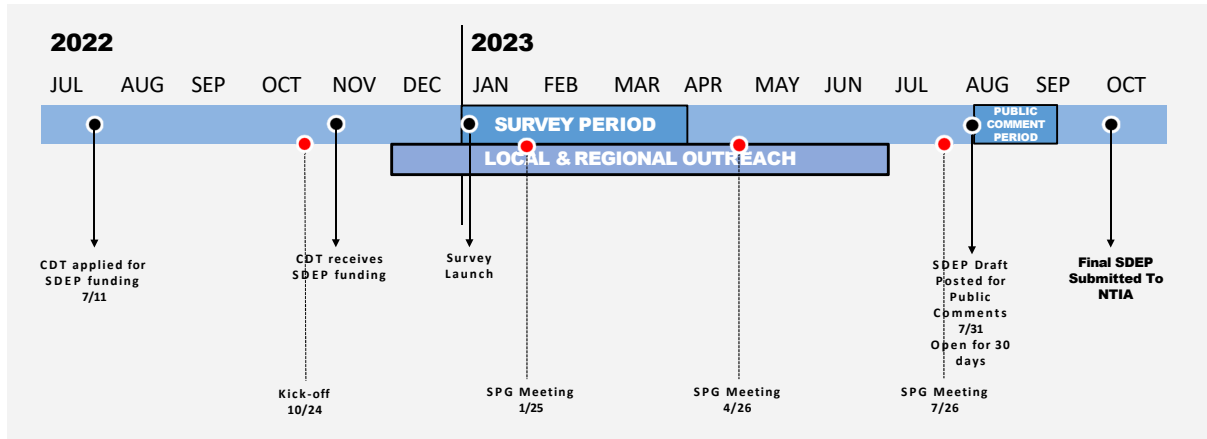
20 local/regional engagement events throughout the state



Preliminary Timeline

California State Digital Equity Planning (SDEP) Timeline

Important milestones for State digital equity planning:



SDEP Approach: Statewide Public Engagement

- Please share how we can partner and align efforts
- We look forward to working with you!

[State Digital Equity Plan Development Process | Broadband for All \(ca.gov\)](https://www.ca.gov)

Participating in the Planning Process

If you would like to participate in California's SDEP planning process, please provide the following information:

Name *

First Last

Your role *

I am an individual resident
 I am part of a group/organization

Email *

Phone number

City *

County *

ZIP code *

How would you like to participate in the SDEP process *

Attend virtual statewide planning group meetings
 Attend virtual outcome area working group meetings
 Attend local/regional in-person planning event
 Promote/distribute Digital Equity Survey(s) through my network
 Not listed

Rob Osborn

Director, Communications Division
California Public Utilities Commission

BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD)

Summary

COMPLETE

- BEAD Letter of Intent Submitted (July 1)
- BEAD Initial Planning Funds application submitted (August 12)
- Initial Planning Funds application under review (September 1)

IN PROGRESS

- Collaborating with CDT on Digital Equity outreach planning
- Drafting scope of work for 5-Year Action Plan activities
- Federal Communications Commission Bulk Fabric Challenge

2023 FOCUS

- 1Q-2Q: Scoping BEAD last-mile grant program into a proceeding
- 2Q-3Q: NTIA Announces BEAD allocation
- 2Q-3Q: Complete 5 Year Action Plan
- 3Q-4Q: Submit BEAD Initial Proposal

Progress and Highlights

Initial Planning Funds

Aug. 12 – CPUC submitted application for \$5M BEAD initial planning funds to support:

- 5-Year Action Plan (due 270 days after planning funds received)
- Initial Proposal (due 180 days after BEAD allocation announced)
- Final Proposal (due 365 days after Initial Proposal Approval)
- Outreach (in coordination with CDT)
- Staffing (to support BEAD planning and last-mile grant program)
- Workforce-related planning (in coordination with CDT, industry, labor, and education)



Next Steps

NTIA Initial Planning Funds award (\$5M)

- Expected between mid-Oct. to early Dec.

Outreach

- Solicit public feedback on 5-Year Action Plan in coordination with CDT Digital Equity outreach

Create 5-Year Action Plan

- Due 270 days from Initial Planning Funds award

Federal Communications Commission Broadband Map

- Estimated publication May 2023
- Basis for state BEAD allocation





Breakout Sessions: Goals

Discussions based around 6 outcome areas:

1. Education
2. Healthcare
3. Digital Literacy and Inclusion
4. Economic & Workforce Development
5. Civic Engagement
6. Tribal Collaboration

BREAKOUT SESSIONS

Please choose an outcome area breakout session and join per Zoom instructions:



Room 1
Education
California
Department
of Education



Room 2
Healthcare
Insure the
Uninsured
Project



Room 3
**Digital
Literacy &
Inclusion**
CDT & CETF



Room 4
**Economic &
Workforce
Development**
GO-BIZ



Room 5
**Civic Engagement,
Essential Services, &
Accessibility**
ODI



Room 6
**Tribal
Collaboration**
NTIA



The summit has now concluded.

BREAK

PLEASE ENTER BREAKOUT SESSIONS AT 12:15 PM





DIGITAL EQUITY BILL OF RIGHTS

Digital Equity is defined by the National Digital Inclusion Alliance as condition in which all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy. Digital Equity is necessary for civic and cultural participation, employment, lifelong learning, and access to essential services. Digital Equity requires deployment and adoption of information technologies enabled by access to broadband, a generic term for high-speed Internet infrastructure, including wireline and wireless technologies.

To insure [Digital Equity](#) for all Californians, residents have the right to:

1. **Broadband that is Sufficient and Reliable**
2. **Broadband that is Ubiquitous**
3. **Broadband that is Affordable**
4. **Broadband that Provides Educational Opportunities and Supports Digital Skills Proficiency**
5. **Broadband that Ensures Public Safety and Maintains Peace of Mind**
6. **Broadband that Improves Quality of Life**
7. **Broadband that Supports Economic Prosperity**
8. **Broadband that Attracts Capital Investment**
9. **Broadband that Supports Innovation and Research**
10. **Broadband that Empowers and Enables Participation in the Democracy**

Sign the CETF [Digital Equity Bill of Rights](#)¹ at [InternetForAllNow.org](#)² and Join [List of Supporters](#)³.

¹ <https://www.cetfund.org/action-and-results/public-awareness-and-education-get-connected/digital-equity-bill-of-rights/>

² <http://www.internetforallnow.org/>

³ <http://www.internetforallnow.org/digital-equity-bill-rights-supporters-2021>

AMENDED IN ASSEMBLY APRIL 27, 2022
AMENDED IN ASSEMBLY MARCH 24, 2022
CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 2753

Introduced by Assembly Member Reyes
(Coauthor: Assembly Member Holden)

February 18, 2022

An act to add Article 14 (commencing with Section 930) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to communications.

LEGISLATIVE COUNSEL'S DIGEST

AB 2753, as amended, Reyes. Communications: Digital Equity Bill of Rights.

Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including telephone corporations. Existing law requires the commission to develop, implement, and administer the California Advanced Services Fund to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information communications technologies, as specified.

This bill, the Digital Equity Bill of Rights, would state that it is the policy of the state, to ensure digital equity for all residents of the state, that residents shall have the right to broadband that meets specific requirements, and that broadband internet subscribers benefit from equal access to broadband internet service. *The bill would provide any person or entity the right to petition the state for relief on or after January 1,*

2027, if the state fails to act in good faith and pursue all reasonable measures to effectuate the Digital Equity Bill of Rights, as specified. The bill would require the commission, on or before January 1, 2025, to adopt rules to facilitate equal access to broadband internet service, as specified, and require that any rules adopted by the commission promote equal access to robust broadband internet service by prohibiting deployment discrimination, as specified. The bill would require the commission to develop model policies and best practices that local governmental entities may use to ensure that broadband internet service providers do not engage in digital discrimination and would require the commission to revise its public complaint process to accept complaints from consumers or other members of the public that relate to digital discrimination.

Under existing law a violation of the Public Utilities Act is a crime.

Because the provisions of the bill would be codified in the act, a violation of which would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 14 (commencing with Section 930) is
 2 added to Chapter 4 of Part 1 of Division 1 of the Public Utilities
 3 Code, to read:

4

5 Article 14. Digital Equity Bill of Rights

6

7 930. This article shall be known, and may be cited, as the
 8 Digital Equity Bill of Rights.

9 931. The Legislature finds and declares that digital equity, in
 10 which all individuals and communities have the information
 11 technology capacity needed for full participation in society,
 12 democracy, and the economy, is necessary for civic and cultural
 13 participation, employment, lifelong learning, and to access essential

1 services. The Legislature further finds and declares that digital
2 equity requires deployment and adoption of information
3 technologies enabled by access to high-speed internet
4 infrastructure, including wireline and wireless technologies.

5 932. (a) It is the policy of the state, to ensure digital equity for
6 all residents of the state, that residents have the right to all of the
7 following:

8 (1) Broadband that is sufficient and reliable, with internet speeds
9 that are sufficient to meet the growing demand and reliance on
10 access to education, government, public safety, economic
11 prosperity, and ~~healthcare~~ *health care* through high-speed internet
12 access. Determining minimum speeds for high-speed internet
13 infrastructure should be performance-based to support ~~distance~~
14 ~~learning~~, *online educational opportunities*, telehealth, and remote
15 working by a majority of households online simultaneously with
16 an increasing need for symmetrical network speeds.

17 (2) Broadband that is ubiquitous by ensuring that sufficient and
18 reliable broadband access is available throughout the state, from
19 the most rural areas, including tribal lands, to the most populated
20 urban areas, including all low-income neighborhoods. Public
21 broadband investments should be prioritized to connect entire
22 communities and address digital redlining in historically unserved
23 and underserved communities.

24 (3) Broadband that is affordable by ensuring that internet service
25 plans are affordable for all residents of the state, regardless of their
26 geographic location or household income.

27 (4) Broadband that provides educational opportunities and
28 supports digital skills proficiency by providing residents of the
29 state with access to opportunities to develop the skills needed to
30 thrive in a digital world.

31 (5) Broadband that ensures public safety and maintains the peace
32 of mind of the residents of the state that comes with knowing they
33 have reliable access to emergency response services and emergency
34 alert systems in the event of emergencies or catastrophic disasters.

35 (6) Broadband that improves quality of life by advancing
36 economic status with access to educational opportunities, new job
37 opportunities, and health care.

38 (7) Broadband that supports economic prosperity by ensuring
39 that all workers, employers, businesses, entrepreneurs, startups,
40 and enterprises, regardless of size, and including agriculture, have

1 high-speed internet access that optimizes the value of their
2 contributions to the economy to ensure global competitiveness.

3 (8) Broadband that attracts capital investment because ubiquitous
4 high-speed internet infrastructure is essential to ensuring that the
5 state continues to attract its fair share of global capital investment
6 to support and enhance economic prosperity.

7 (9) Broadband that supports innovation and research by ensuring
8 that high-speed internet infrastructure connects all research
9 institutions to sustain world-class research and innovation that
10 drives economic productivity.

11 (10) Broadband that empowers and enables participation in the
12 democratic process so that all residents of the state are connected
13 to the internet with sufficient speeds to participate in government,
14 ~~distance learning~~, *online educational opportunities*, and telehealth
15 for quality of life and public safety.

16 (b) It is the policy of the state that, to the extent technically ~~and~~
17 ~~economically~~ feasible, broadband internet subscribers benefit from
18 equal ~~access~~ *access, as defined in subdivision (a) of Section 933*,
19 to broadband internet service within the service area of a broadband
20 provider.

21 (c) *A person or entity shall have the right to petition the state*
22 *for relief pursuant to this article on or after January 1, 2027, if*
23 *the state fails to act in good faith and pursue all reasonable*
24 *measures to effectuate the Digital Equity Bill of Rights. There shall*
25 *be a rebuttable presumption that the state acted in good faith and*
26 *pursued all reasonable measures to effectuate the Digital Equity*
27 *Bill of Rights if both of the following are satisfied:*

28 (1) *The Broadband for All Action Plan has been fully*
29 *implemented pursuant to a resolution adopted by the California*
30 *Broadband Council.*

31 (2) *The state is able to provide evidence that the lack of equal*
32 *access to broadband internet service within a service area is due*
33 *to technical infeasibility.*

34 933. (a) For purposes of this section, “equal access” means
35 the equal opportunity to subscribe to an offered service that
36 provides comparable speeds, capacities, latency, and other
37 quality-of-service metrics in a given geographical area, for
38 comparable terms and conditions.

39 (b) (1) The commission shall ensure that all residents of the
40 state benefit from equal access to broadband internet service.

1 (2) On or before January 1, 2025, the commission shall adopt
2 rules that facilitate equal access to broadband internet service. The
3 adopted rules shall account for issues of technical and economic
4 feasibility presented by equal access, including both of the
5 following:

6 (A) Prohibiting discrimination of access to broadband internet
7 service based on income level, race, ethnicity, color, religion, or
8 national origin.

9 (B) Identifying the actions the commission shall take to
10 eliminate the discrimination of access to broadband internet service
11 described in paragraph (1).

12 (c) Any rules adopted by the commission shall promote equal
13 access to robust broadband internet service by prohibiting
14 deployment discrimination based on all of the following:

15 (1) The average income earned by residents of a geographical
16 area.

17 (2) The predominant race or ethnicity of residents residing in a
18 geographical area.

19 (3) Other factors that the commission determines are relevant
20 based on the findings in the record developed by the commission
21 in adopting rules pursuant to subdivision (b).

22 (d) The commission shall develop model policies and best
23 practices that local governmental entities may use to ensure that
24 broadband internet service providers do not engage in digital
25 discrimination.

26 (e) The commission shall revise its public complaint process to
27 accept complaints from consumers or other members of the public
28 that relate to digital discrimination.

29 SEC. 2. No reimbursement is required by this act pursuant to
30 Section 6 of Article XIII B of the California Constitution because
31 the only costs that may be incurred by a local agency or school
32 district will be incurred because this act creates a new crime or
33 infraction, eliminates a crime or infraction, or changes the penalty
34 for a crime or infraction, within the meaning of Section 17556 of
35 the Government Code, or changes the definition of a crime within
36 the meaning of Section 6 of Article XIII B of the California
37 Constitution.

O



Affordable Internet and Net Equality Act of 2023

The Affordable Internet and Net Equality Act of 2023 is intended to align the interests of all stakeholders to promote ACP while ensuring that there always will be affordable Internet service available to low-income households in California. It sets State policy, assigns responsibility for implementation, and directs State Agencies and ISPs to join forces to increase ACP enrollment as the preferred option to get low-income households connected to the Internet with affordable service. It also ensures that affordable Internet service always will be available in California should the federal government cease to fund such a program by requiring ISPs who are vendors to the State to offer affordable Internet plans with standardized eligibility categories and quality service requirements.

Given that federal law does not allow states to regulate Internet rates, the Affordable Internet and Net Equality Act takes the innovative approach of using procurement pursuant to contract law to require ISPs voluntarily providing services as vendors to the State (and other public agencies receiving State funds) to promote ACP as well as make available their own affordable offers. Procurement with reliance on contract law is the same approach used by the Legislature and Administration in the Net Neutrality Act of 2018 (SB822) which was upheld by the federal Court of Appeals Ninth Circuit in January 2022.

The coupling of aligning efforts to promote ACP while requiring ISP vendors to offer their own affordable Internet plans is likely to encourage ISPs to urge the federal government to continue ACP (or a successor program) so that the State can direct its resources to other facets of the Digital Divide.



Digital Equity and Net Equality Act of 2023 Overview and Outline December 2022

In 2021 the Governor and Legislature allocated \$6B of federal funds (SB156) for broadband construction (high-speed Internet infrastructure) throughout California—referred to as “deployment”—to help close the Digital Divide. However, while broadband infrastructure is necessary, it is not sufficient to close the Digital Divide, which requires getting all residents connected to the Internet at an affordable cost with sufficient digital literacy skills to use technology to improve their lives. The task now is to focus on the “adoption” side of challenge to achieve Digital Equity.

In 2021 the Legislature also passed SB4 (Gonzalez) and AB14 (Aguilar-Curry) to authorize \$150M annual collections through 2032 into the California Advanced Services Fund (CASF) administered by the California Public Utilities Commission (CPUC). CASF has several Accounts for both deployment and adoption: Infrastructure; Regional Broadband Consortia; Public Housing; and Adoption. AB156 also established the CASF Federal Funding Account to receive a portion of the \$6B: \$2B for Last-Mile Deployment Projects and \$750M for the Loan Loss Reserve Fund.

The Infrastructure and Jobs Act (IIJA) established the Affordable Connectivity Program (ACP) and allocated \$14.2B to provide subsidies of up to \$30 per month for Internet service to eligible households (up to \$75 per month for residents on Tribal Lands). ACP is administered by the Federal Communications Commission (FCC) through the Universal Services Administrative Company (USAC). Households are eligible for ACP if their annual income is 200% or below the Federal Poverty Guidelines or participate in any of the following public assistance programs:

- Medicaid (Medi-Cal in California)
- Supplemental Nutrition Assistance Program (SNAP) or CalFresh in California
- Free and Reduced-Price School Lunch Program or School Breakfast Program
- Housing Choice Voucher (HCV) Program (Section 8 Vouchers)
- Project-Based Rental Assistance (PBRA)/202/811
- Public Housing
- Supplemental Security Income (SSI)
- Women Infant and Children (WIC) Program
- Veterans Pension or Survivor Benefits
- Federal Pell Grant for College Students (during the award year)
- Lifeline
- Participates in one of these assistance programs and lives on Qualifying Tribal Lands:
 - Bureau of Indian Affairs General Assistance
 - Tribal TANF
 - Food Distribution Program on Indian Reservations
 - Tribal Head Start (income based)
 - Affordable Housing Programs for American Indians, Alaska Natives or Native Hawaiians

In addition to the above eligibility, all customers who meet the eligibility criteria of participating Internet Service Providers (ISPs) also are eligible for ACP.

There are 13,044,258 households in California of which 5,844,797 (or 45%) are eligible for ACP (according to the California Department of Technology (CDT) ACP Enrollment Tracker on the Broadband For All portal, which is based on analysis by the University of Southern California Annenberg School for Communication and Journalism). As of December 26, 2022 USAC reported ACP enrollment of 1,780,871 households or 30% of the total who are eligible. California enrollment is the most of any state, however is hovering at 12.6% of all enrollments nationwide which is below requisite performance to secure a fair share for low-income Californians: California is 13% of the nation's population and is home to 15% of all poor people in the country. While California is the most populous state with more public and private stakeholders to engage for this kind of effort and also is ahead of other states in organizing, smaller states are organizing to enroll eligible households and are using more of the available federal funds now, which are projected to last only 2-3 more years. Therefore, more needs to be done to promote ACP and enroll eligible California households.

In March 2022 the California Broadband Council (CBC) set a goal of getting 90% of ACP-eligible households connected by the end of 2024. CBC Members, including State Agencies and the California Emerging Technology Fund (CETF), actively mobilized to promote ACP and organized 49 ACP Enrollment Events in August and October 2022. Several ISPs also supported the Events. While the CDT and CPUC processes to prepare a Digital Equity Plan and Broadband Equity Access Deployment (BEAD) Plan for submission to the U.S. Department of Commerce National Telecommunications and Information Administration (NTIA) to secure more IJA funding will consider additional strategies to promote ACP and increase adoption rates, time is of the essence if California is going to secure its fair share of ACP funding for low-income residents.

The Affordable Internet and Net Equality Act of 2023 is intended to align the interests of all stakeholders to promote ACP while ensuring that there always will be affordable Internet service available to low-income households in California. It sets State policy, assigns responsibility for implementation, and directs State Agencies and ISPs to join forces to increase ACP enrollment as the preferred option to get low-income households connected to the Internet with affordable service. However, it also ensures that affordable Internet service always will be available in California should the federal government cease to fund such a program by requiring ISPs who are vendors to the State to offer affordable Internet plans with standardized eligibility categories and quality service requirements. Given that federal law does not allow states to regulate Internet rates, the Affordable Internet and Net Equality Act takes the innovative approach of using procurement pursuant to contract law to require ISPs voluntarily providing services as vendors to the State (and other public agencies receiving State funds) to promote ACP as well as make available their own affordable offers. Procurement with reliance on contract law is the same approach used by the Legislature and Administration in the Net Neutrality Act of 2018 (SB822) which was upheld by the federal Court of Appeals Ninth Circuit in January 2022.

The coupling of aligning efforts to promote ACP while requiring ISP vendors to offer their own affordable Internet plans is likely to encourage ISPs to urge the federal government to continue ACP (or a successor program) so that the State can direct its resources to other facets of the Digital Divide.

The following are the foundational components of the **Affordable Internet and Net Equality Act of 2023**:

- Establish Official State Policy for Universal Adoption. Establish official State policy of “Universal Adoption” which is defined as getting online all Californians with sufficient digital literacy proficiency to ensure public safety and improve lives.
- Assign Authority to California Broadband Council to Set Adoption Goals and Strategies. Delegate the responsibility and assign authority to the California Broadband Council, with support from the California Department of Technology (Office of Broadband and Digital Literacy), to set appropriate goals, strategies, and timetables to achieve Universal Adoption.
- Set Target Goals for Getting Low-Income Households Connected to the Internet. Set the following target goals of getting low-income households connected to the Internet with affordable quality service, including sufficient speeds: 90% by December 31, 2024; and 95% by December 31, 2027. The term “connected to the Internet” includes enrollment in the federal Affordable Connectivity Program (ACP) or a comparable affordable offer from an Internet Service Provider (ISP) for home Internet connectivity in addition to mobile service. The percentage of enrollment achieved shall be determined by the California Broadband Council based on data from the FCC and/or accepted surveying methodologies.
- Direct State Agencies and IOUs to Inform Eligible Households. Direct all State Agencies and Investor-Owned Utilities (IOUs) to distribute information about ACP and ISP affordable offers to eligible households. Authorize and direct "auto-enroll" by public agencies to the extent possible and consistent with FCC rules regarding ACP.
- Require ISP Vendors to Promote ACP Enrollment and Offer Affordable Internet Service. Require all ISPs receiving public funds as a vendor (a voluntary party in a contract to provide services for payment) to the State, or any public agency receiving State funds, to assist in ensuring all residents have access to affordable home Internet service through the following:
 - Promote ACP (or successor federal program) enrollment within their service areas, including distribution of information, participation at ACP enrollment events coordinated by the California Broadband Council, and contribution to public information media advertising overseen by the California Broadband Council, with the assistance of CDT, until >90% of low-income households are enrolled in ACP or other affordable Internet service offer. Make available the ACP device benefit.
 - Offer an affordable home Internet service subscription that is no more than \$XX per month that meets established performance standards. Ensure that the IPS affordable home Internet service subscription offers continue in perpetuity during any time period in which an ISP is a vendor, regardless of whether or not the federal government continues to fund an affordable Internet service program.
- Standardize Eligibility for ISP Affordable Offers. Establish standardized eligibility for the ISP affordable offers to include households with a member participating in: (a) all categories of eligibility for ACP (or successor federal affordable Internet service program); (b) all higher education income-based financial aid programs for either public or private institutions; and (c) energy utility CARE-ESA programs (or equivalent).

- Delineate Performance Standards for ISP Affordable Offers. Delineate quantitative and qualitative performance standards for ISP affordable offers which shall incorporate all those required for ACP (or successor federal affordable Internet service program) and include the following: State standards for speeds which shall be no less than 100/20 Mbps and higher if necessary to support distance learning and telehealth; customer assistance in-language and in-culture with a widely-published telephone number; and training of service agents at call centers to be customer-friendly with a prohibition on upselling.
- Monitor Progress and Compliance for Accountability. Empower the California Broadband Council to: (a) assess progress in enrolling low-income households in ACP and ISP affordable Internet service plans; and (b) monitor ISP vendors in complying with the Act and regularly report to the Legislature. Require regular public conferring with the State Agencies and ISPs to ensure transparency and accountability.



Telehealth For All Act

The Telehealth For All Act stems from Fact-Finding Listening Conferences convened in 2020 by the California Emerging Technology Fund, CENIC, Partners in Care Foundation, and the California Primary Care Foundation which produced a Summary Report and Action Framework:

- Enact legislation to permanently reimburse Telehealth services comparable to in-person visits.
- Invest in and ensure ubiquitous high-speed Internet infrastructure to support Telehealth for all patients and providers.
- Institutionalize Telehealth with accountability for improving patient outcomes and overall population health.

The Telehealth For All Act will declare that it is the policy of the State of California to optimize the use telehealth to improve patient outcomes and overall population health. It will build upon recent legislation, including: AB133 for which the Department of Health Care Services (DHCS) convened a Telehealth Advisory Workgroup and produced a report with recommendations to support telehealth; and AB32 and SB966 which allow more flexibility for the use of telehealth in the delivery and reimbursement of health and medical services to Medi-Cal recipients. It proposes the formation of a mission-driven non-profit organization as a complementary partner to the State to build capacity among health and medical care providers to medically-underserved communities and populations. The California Office for Data Insights and Innovation is a valuable resource to help inform and shape the Telehealth for All Act.



California Emerging Technology Fund Telehealth For All Act of 2023

Background

The mission of the California Emerging Technology Fund (CETF) as designated by the California Public Utilities Commission (CPUC) is to close the Digital Divide in California by accelerating the deployment and adoption of broadband, which is a generic term for high-speed Internet infrastructure including both wireline and wireless networks and technologies. Research shows that one of the most valued uses of the Internet by residents is for healthcare information and connecting with health and medical care providers. Thus, supporting and promoting the use of Telehealth is a major strategy to help close the Digital Divide. CETF has a long history of involvement in advancing Telehealth in California.

The COVID-19 pandemic shelter-in-place and social distancing orders spotlighted the need for all Californians to be able to use telehealth and exposed the existing digital access inequities. It illuminated the imperative for investments in constructing high-speed Internet infrastructure capable of supporting telehealth services and the imperative for getting all residents online with appropriate computing devices and functional digital literacy. The Digital Divide has become a “Digital Cliff” with residents falling off into deeper poverty and greater isolation. Clearly, although much progress has been made in advancing Telehealth and the federal government issued waivers that removed significant hurdles, California has not yet optimized the use of Telehealth to close gaps for medically-underserved communities and economically-segregated neighborhoods, which also are home to the most digitally-disadvantaged residents.

Further, given that technology is only a tool—yet powerful and empowering—but just a tool and not the end game, it is essential for policymakers who seek to achieve Digital Equity to understand how to effectively integrate the use of technology into all institutions and systems, including the delivery of health and medical care. Therefore, CETF joined with partner organizations to convene Fact-Finding Listening Conferences in 2020 to gather data and input for an Action Plan to inform State and federal policymakers about how to optimize the use of Telehealth in California consistent with our shared vision:

Optimize the use of Telehealth to augment and enhance health and medical care for all California residents, especially those who are medically-underserved, to improve individual patient outcomes and overall population health.

It is understood that an effective Action Plan must build upon the expertise within the Health and Human Services Agency and Department of Health Care Services, Center for Connected Health Policy and California Telehealth Policy Coalition, OCHIN and California Telehealth Resource Center, and all of the providers to medically-underserved communities and residents. However, there must be focused leadership with accountability for results to optimize the use of Telehealth, which requires legislation.

The working premise from the CETF experience and reinforced by the first Fact-Finding Listening Conferences is that there must be a mission-driven entity in California designated and supported by the Legislature and Administration to achieve the shared vision. Such an entity could be inside the Administration and/or a new California-based non-profit with responsibility to report to the Legislature and Administration. CETF recommends that it will be most effective to have an explicit operational responsibility inside government coupled with a companion mission-driven public-purpose non-profit organization. Further, the State must provide seed capital to establish the non-profit entity and leverage other public and private funding sources. Finally, a ubiquitous high-speed Internet infrastructure throughout California is required to ensure that all residents, especially in rural remote communities and low-income urban neighborhoods, can access health and medical care using Telehealth. Thus, it is presumed that the State will accommodate this functionality in allocating approved funding for the Middle-Mile Network and Last-Mile Projects.

Overview

The Telehealth For All Act stems from Fact-Finding Listening Conferences convened in 2020 by the California Emerging Technology Fund, CENIC, Partners in Care Foundation, and the California Primary Care Foundation which produced a Summary Report and Action Framework:

- Enact legislation to permanently reimburse Telehealth services comparable to in-person visits.
- Invest in and ensure ubiquitous high-speed Internet infrastructure to support Telehealth for all patients and providers.
- Institutionalize Telehealth with accountability for improving patient outcomes and overall population health.

The Telehealth For All Act will:

1. Declare that it is the policy of the State of California to optimize the use telehealth to improve patient outcomes and overall population health.
2. Assign additional responsibilities within State Agencies.
3. Set forth an open, competitive process to establish a mission-driven non-profit organization as a complementary partner to the State to build capacity among health and medical care providers to medically-underserved communities and populations

It will build upon recent legislation, including: AB133 for which the Department of Health Care Services (DHCS) convened a Telehealth Advisory Workgroup and produced a report with recommendations to support telehealth; and AB32 and SB966 which allow more flexibility for the use of telehealth in the delivery and reimbursement of health and medical services to Medi-Cal recipients. The California Office for Data Insights and Innovation is a valuable resource to help inform and shape the Telehealth for All Act.

Concept Proposal

The following is a concept proposal for legislation to advance the shared vision to optimize the use of Telehealth by assigning additional responsibility within State Agencies and setting forth a public process for an open, transparent, and competitive process to select a mission-driven California-based non-profit organization as a State partner.

- It is the policy of the State of California to optimize the use of Telehealth to improve patient outcomes, especially among medically-underserved populations, and to increase overall population health.
- The Health and Human Services Agency Department of Health Care Services (DHCS) shall be responsible for implementing the policy, including preparing an action plan with qualitative and quantitative performance objectives and a timetable of milestones to track progress. This responsibility may be assigned to the California Office of Data Insights and Innovation.
- The California Health and Human Services DHCS, in consultation and collaboration with other relevant departments and the Department of Insurance, shall convene experts and stakeholders to gather input on how to optimize the use of telehealth to augment and enhance health and medical care for all California residents, especially those who are medically-underserved, both rural and urban, to improve individual patient outcomes and overall population health and submit a report to the Legislature within 120 days that includes:
 - An inventory of high-speed Internet connectivity needs and an assessment of the status of telehealth services delivery in federally qualified healthcare clinics, rural health clinics, public health departments, critical care and rural hospitals, skilled nursing facilities, and residential assisted living centers.
 - An itemization of telehealth best practices as set forth by recognized experts, including the American Telemedicine Association, Center for Connected Health Policy, and California Telehealth Resource Center, to be adopted and promoted by the California Health and Human Services Agency DHCS and the Department of Insurance.
 - An evaluation framework, including outcomes, metrics and reporting schedules to assess and measure the impact of optimizing the use of telehealth services on individual patient outcomes and overall population health.
 - A delineation of the performance requirements and a description of the process to issue a request for proposals and partners (a new kind of RFP) to establish a California-based mission-driven, public-purpose non-profit statewide organization to optimize the use of telehealth to augment and enhance health and medical care for all California residents, especially those who are medically-underserved, both rural and urban, to improve individual patient outcomes and overall population health.
- The request for proposals shall define a qualified applicant and require at least the following of the public-purpose non-profit statewide organization to optimize the use of telehealth:
 - An independent non-profit incorporated within the State of California that is governed by a Board of which at least 95% of the Directors reside in California and which is legally obligated to implement the best practices adopted by the California Health and Human Services Agency and Department of Insurance.

- A business plan that: (a) optimizes the use of telehealth by no less than two-thirds of all health and medical care providers serving medically-underserved communities and residents, in no longer than 5 years, including facilitating relationships with medical centers to improve access to primary and specialty care and expertise; (b) leverages public funding from the federal government and other government resources; and (c) secures commitments from philanthropic foundations.
 - A proposal for the amount and source(s) of State funding for initial seed capital if needed pursuant to the business plan.
- Upon completion and submission of the report to the Legislature, the California Health and Human Services Agency shall:
 - Release and post the request for proposals for an open competitive process to receive proposals from qualified applicants within 90 days.
 - Evaluate and select a qualified proposal within 90 days to designate the California-based mission-drive, public-purpose non-profit statewide organization to optimize the use of telehealth to augment and enhance health and medical care for all California residents, especially those who are medically-underserved, both rural and urban, to improve individual patient outcomes and overall population health.
 - Enter into a contractual agreement with the selected applicant to fulfill the specified responsibilities and provide requested funding, if any, as allocated pursuant to an adopted State Budget.
 - Legislation also must codify and make permanent emergency regulations for telehealth.

Prospective Funding Sources

The above approach and open competitive request for proposals and partners is intended to force fiscal discipline and secure commitments from philanthropic foundations among applicants to leverage whatever State funding, if any, may be requested pursuant to a business plan. It also sets up a transparent public process for stakeholders and experts to provide input while the Legislature and Administration determine options for State seed capital, if requested. Based on CETF previous experience, it is anticipated that seed capital will be needed to establish and launch a new designated California-based mission-driven public-purpose non-profit organization to become a successful partner for the State. There may also need to be some ongoing annual appropriations until the non-profit achieves economies of scale. Applicants responding to the

Possible sources of State seed capital include:

- California Telehealth Fund
- California Advanced Service Fund
- Federal COVID-19 Emergency Response Funding
- Federal Funding for Telehealth (new federal law and appropriation)
- State General Fund

It also may be possible for the State of California to work collaboratively with philanthropic foundations to secure all requisite seed capital. However, that will require direct engagement by the Governor and Legislature Leaders.



California Emerging Technology Fund Leading the Way to Optimizing Telehealth and Digital Equity

January 2023

The California Emerging Technology Fund (CETF) has led the way to Digital Equity for Community Justice for 15 years. CETF is a statewide non-profit organization with the mission to close the Digital Divide by accelerating the deployment and adoption of broadband, a generic term for high-speed Internet technology. The California Public Utilities Commission (CPUC) directed the establishment of CETF as a public benefit from mergers in 2005. CETF was founded with \$60 million seed capital and has secured additional funds to directly manage more than \$149 million in programs and leveraged more than \$126 million in matching funds, working with an extensive network of partners to achieve Digital Equity and Community Justice for all Californians. CETF has prioritized Telehealth and has provided the necessary leadership that has worked in collaboration with key partners and stakeholders to advance Telehealth in California. The CETF Vision Goal for Telehealth is:

Optimize the use of Telehealth to augment and enhance health and medical care for all California residents – especially those who are medically-underserved – to improve individual patient outcomes and overall health status.

CETF has a long history of advancing Telehealth in California, including:

- Provided seed capital and operational funding for the California Telehealth Network (CTN) and developed the Business Plan to achieve “critical mass” of providers to optimize use of technology for medically-underserved communities. In 2017, CTN was given to OCHIN (formerly the Oregon Community Health Information Network) over the objection of CETF, which resulted in an absence of a dedicated network based in California responsible for promoting Telehealth to improve patient outcomes and overall health status.
- Convened 2 Fact-Finding Listening Conferences in 2020 in partnership with CENIC (Corporation for Education Network Initiatives in California), Partners in Care Foundation, and California Primary Care Association and published the Summary Report: *Delivering on the Promise of Telehealth to Improve Health Status in California*.
 - Purpose: (a) Understand the status of Telehealth in California; (b) Identify gaps and barriers to optimizing Telehealth to improve health status for Californians; and (c) Develop an Action Plan to advance Telehealth policy and funding California.
 - Presenters: Governor’s Office; Legislators; Center for Connected Health Policy; OCHIN/CTN; Federally-Qualified Health Centers (FQHCs) and other Community Health Clinics; Skilled Nursing Facilities (SNFs) and Senior Care Facilities; Managed Health Care Plans (including Publicly-Sponsored Plans); Medical Centers; Veterans Affairs Administration; and Health Foundations.
 - Outcome: Action Framework with 3 Recommendations.

1. Enact legislation to permanently reimburse Telehealth services comparable to in-person visits.
 2. Invest in and ensure ubiquitous high-speed Internet infrastructure to support Telehealth for all patients and providers;
 3. Institutionalize Telehealth with accountability for improving patient outcomes and overall population health.
- Applied to the FCC Round 1 Telehealth Program to acquire telehealth equipment for skilled nursing facilities (SNFs), which were one of the hardest-hit segments of the healthcare system during the COVID-19 pandemic. Due to high demand, the FCC exhausted available funding early before considering the CETF application. In response, the CETF Board of Directors recognized the urgency and funded a SNF Pilot Project.
 - Organized and managed a Telehealth SNF Pilot Project with 5 partner facilities: 4 SNFs and 1 Assisted Living Facility. The overall purposes were: study barriers to Telehealth implementation; provide timely treatment and prevent costly transfer of patients to hospitals; and reduce the spread of COVID-19 to protect residents and personnel. The Pilot Project provided vital experience for expansion to more partners with the support of a FCC Round 2 Telehealth Grant. The Pilot Project Final Report sets forth key findings:
 - Telehealth prevented nearly 20% of transfers and admissions to an outside facility, thereby reducing emergency transportation and hospitalization costs, and possibly reducing COVID-19 transmission.
 - Telehealth is accepted by residents and staff when sufficient preparation and training has been provided for effective use of the technology: 94% residents and family reported being comfortable or very comfortable with Telehealth visits.
 - Secured a \$862,906 grant from FCC Round 2 Telehealth Program. CETF, in partnership with the Los Angeles Jewish Health, was the only California grantee and one of the highest-rated nationally. Partners include 10 organizations and 25 facilities: SNFs; FQHCs; Tribal Health Clinics; and a Critical Access Hospital. The purpose is to implement Telehealth in these facilities, collect the necessary data to address barriers, and improve access to healthcare while informing Telehealth policy.
 - Received a \$25,000 grant from Kaiser Permanente Foundation, which CETF matched with \$25,000 to improve health care access in San Jose and Santa Clara County by engaging community healthcare workers (Promotores) to function also as “Digital Navigators” to enroll existing patients into the Affordable Connectivity Program (ACP) – a \$30 monthly federal subsidy for Internet access for eligible households – and providing digital literacy training to use Telehealth to expand access to health and medical care resources.
 - Served on AB 133 Department of Health Care Services (DHCS) Telehealth Advisory Workgroup to develop post-pandemic Telehealth policies and investments. The Telehealth Advisory Workgroup consisted of subject-matter experts and stakeholders to advise DHCS in establishing billing and utilization management protocols for Telehealth to increase access and reduce disparities in the Medi-Cal program.

CETF is a member of the California Telehealth Policy Coalition (CTPC).

ASSEMBLY BILL

NO. 41

Introduced by Assembly Member Holden

December 05, 2022

An act to amend Sections 5800, 5810, 5820, 5830, 5840, 5850, 5860, 5890, 5895, and 5900 of, to amend the heading of Division 2.5 (commencing with Section 5800) of, and to add Section 5841 to, the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 41, as introduced, Holden. Telecommunications: The Digital Equity in Video Franchising Act of 2023.

The Digital Infrastructure and Video Competition Act of 2006 establishes a procedure for the Public Utilities Commission to issue state franchises for the provision of video service, defined as video programming services, cable service, or open-video system service, except any video programming provided by a commercial mobile service provider, as defined in federal law or video programming provided as part of, and via, a service that enables users to access content, information, email, or other services offered over the public internet. The act provides that the holder of a state franchise is not a public utility as a result of providing video services and that the act does not authorize the commission to regulate the rates, terms, and conditions of video service, except as explicitly set forth in the act. The act establishes a state franchise fee to be remitted to a local entity based on the franchiseholder's gross revenues, as defined, derived from the provision of cable or video service within that jurisdiction. The act prohibits a cable operator or video service provider that has been granted a state franchise from discriminating against, or denying access to service to, any group of potential residential subscribers because of the income of the residents in the local area in which the group resides. The act limits the maximum fine that could be assessed for a violation of the access requirement.

This bill would revise and recast the Digital Infrastructure and Video Competition Act of 2006 to, among other things: (1) rename the act as the Digital Equity in Video Franchising Act of 2023; (2) expand the definition of video service to include video programming provided as part of, and via, a service that enables users to access content, information, email, or other services offered over the public internet; (3) provide that the act does not authorize the commission to regulate the rates of video services; (4) authorize the commission to exercise all authority, jurisdiction, and powers authorized to be exercised by a franchise authority pursuant to certain federal law; (5) require a franchise applicant to submit a

description of the households that are known to be unserved in the video service area footprint that is proposed by the applicant; (6) revise the revenues excluded from the definition of “gross revenue” for purposes of calculating the franchise fee for a local jurisdiction; (7) establish a policy of the state that subscribers and potential subscribers of a state video franchiseholder should benefit from equal access, as defined, to service within the service area, as specified; (8) expand the prohibition on certain cable operators or video service providers from discriminating against, or denying access to service to, any group of potential residential subscribers to include discrimination or denial of equal access because of any rationale, rather than only because of the income of the residents in the local area in which the group resides; (9) repeal the maximum amount of a fine that could be assessed for a violation of the equal access requirement; and (10) authorize the commission to enforce customer standards and conditions.

Under existing law, a violation of any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because a violation of a commission action implementing this bill’s requirements would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes