

HOUSE BILL NO. HB0068

Broadband and telehealth access projects.

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

A BILL

for

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

7

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

9

10 **Section 1.**

11

12 (a) As used in this act:

13

14 (i) "American Rescue Plan Act funds" means funds
15 appropriated or disbursed to the state of Wyoming through

1 the Coronavirus State Fiscal Recovery Fund established
2 under section 602 of title VI of the federal Social
3 Security Act and the Coronavirus Capital Projects Fund
4 established under section 604 of title VI of the federal
5 Social Security Act, as created by section 9901 of the
6 American Rescue Plan Act of 2021, P.L. 117-2;

7

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

13

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

18

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

21

22 (v) "Health care provider" means a person or
23 facility licensed, certified or otherwise authorized by the

1 laws of this state to provide health care in the ordinary
2 course of business or practice of a profession and who
3 provides health care within the state of Wyoming and
4 includes nursing homes, but does not include a person who
5 provides health care solely through the sale or dispensing
6 of drugs or medical devices;

7

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

14

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

18

19 (viii) "Telehealth" means a mode of delivery of
20 health care services provided through telecommunications
21 systems to facilitate the assessment, diagnosis,
22 consultation, treatment, education and care management for

1 a patient while the health care provider is located at a
2 different site from the patient;

3

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

9

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

15

16 **Section 2.**

17

18 (a) The council shall establish a program to provide
19 grants using American Rescue Plan Act funds for local
20 governmental entities to complete broadband internet access
21 projects in Wyoming cities, towns and counties. As part of
22 this program, the council shall provide grants to local
23 governmental entities to enter into contracts with

1 commercial broadband providers not exceeding five (5) years
2 in length for the provision of wireless internet at public
3 wireless access points within the local governmental
4 entity's boundaries. Each grant provided under this section
5 shall not exceed twenty thousand dollars (\$20,000.00) per
6 grant per local governmental entity.

7

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

11

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

15

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

19

20 (iii) No community wireless internet access
21 exists within the applicant's proposed project area;

22

1 (iv) That the proposed project will not result
2 in an overlap of existing community wireless internet
3 access.

4

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

8

9 **Section 3.**

10

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

14

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

17

18 (ii) Provide outreach and education related to
19 telehealth;

20

21 (iii) Obtain technical support for telehealth
22 and telehealth equipment.

23

1 (b) Each grant provided under this section shall not
2 exceed an amount established by rule of the department of
3 health. The department shall provide only one (1) grant per
4 health care provider under this section.

5

6 **Section 4.**

7

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

1

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

18

19 (c) The appropriations in this act shall supersede
20 and take priority over any unexpended appropriation or
21 reappropriation of American Rescue Plan Act funds in any
22 law enacted during the 2021 legislative general session.

23

1 (d) No expenditure of funds shall be made under this
2 act except in accordance with state and federal laws,
3 regulations and orders. Any recipient of funds under this
4 section shall comply with the provisions of 2021 Wyoming
5 Session Laws, Chapter 166, Section 5(d) and (e).

6

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

18

19 (f) No grants shall be provided with funds
20 appropriated in this act after the later of December 31,
21 2024 or any other deadline set in relevant federal law,
22 related federal legislation or any extension granted by the
23 United States department of treasury.

1

2 **Section 5.** This act is effective immediately upon
3 completion of all acts necessary for a bill to become law
4 as provided by Article 4, Section 8 of the Wyoming
5 Constitution.

6

7

(END)