

GENERAL SERVICES ADMINISTRATION

Office of Small Business Utilization; Small Business Advisory Committee; Notification of a Public Meeting of the Small Business Advisory Committee

AGENCY: Office of Small Business Utilization, GSA.

ACTION: Notice.

SUMMARY: The General Services Administration (GSA) is announcing a public meeting of the GSA Small Business Advisory Committee (the Committee).

DATES: The meeting will take place April 21, 2008. The meeting will begin at 9:00 a.m. and conclude no later than 6:00 p.m. that day. The Committee will accept oral public comments at this meeting and has reserved a total of thirty minutes for this purpose. Members of the public wishing to reserve speaking time must contact Aaron Collmann in writing at: sbac@gsa.gov or by fax at (202) 501-2590, no later than one week prior to the meeting.

ADDRESS: Marriott Anaheim, Gold Key I and II, 700 W Convention Way, Anaheim, CA 92802

FOR FURTHER INFORMATION CONTACT Aaron Collmann, Room 6029, GSA Building, 1800 F Street, NW., Washington, DC 20405; (202) 501-1021 or email at sbac@gsa.gov.

SUPPLEMENTARY INFORMATION: This notice is published in accordance with the provisions of the Federal Advisory Committee Act (FACA) (Pub. L. 92-463). The purpose of this meeting is to develop the topics generated during the previous meetings; to receive briefings from small business topical experts, and to hear from interested members of the public on proposals to improve GSA's small business contracting performance.

Topics for this meeting will include discussion on GSA's Veteran Outreach Program (21 Gun Salute) and GSA's role in the Presidential Transition. Other topics to be discussed may include, but are not limited to, topics from previous meetings. The agenda will be published online at <http://www.gsa.gov/sbac> at least 7 days prior to the meeting. Information and agendas from previous meetings can be found online at <http://www.gsa.gov/sbac>.

Dated: March 24, 2008.

Felipe Mendoza,

Associate Administrator, Office of Small Business Utilization, General Services Administration.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Office of the Assistant Secretary for Preparedness and Response (ASPR), Office of Preparedness and Emergency Operations (OPEO), Revised National Disaster Medical System (NDMS) Patient Treatment and Tracking Records System

AGENCY: Office of the Assistant Secretary for Preparedness and Response, HHS.

ACTION: Notice of a Revised Privacy Act System of Records (SOR).

SUMMARY: In accordance with the Privacy Act of 1974, we are proposing to revise the new Privacy Act System of Records (SOR) entitled, "The National Disaster Medical System (NDMS) Patient Treatment and Tracking Records System," System Number 09-90-0040, in response to public comments received. The primary purpose of the NDMS Patient Treatment and Tracking Records System is to collect and store data about individuals who are served by the medical care response capabilities provided by the Department of Health and Human Services (HHS) through the NDMS, and through other HHS medical personnel. The proposed system will cover the collection, storage and sharing of personally identifiable data in accordance with the Privacy Act.

SUPPLEMENTARY INFORMATION:

A. Background

In a **Federal Register** Notice [72 FR 35052-35055] published on June 26, 2007, the HHS, ASPR, OPEO, NDMS proposed to establish the NDMS Patient Treatment and Tracking Record System. This system will collect demographic and health care data from individuals treated by the medical response personnel of HHS and in particular, ASPR. The HHS notice included reasons why this system is necessary as well as routine uses for disclosures. HHS received comments from private, non-profit organizations regarding the privacy protections that apply to information about individuals treated by HHS medical personnel. The comments suggested that the notice lacked clarity. The following paragraphs summarize the comments, recommendations and the agency's responses. We are also making other editorial changes to the System of Records Notice at this time.

B. Comments and Responses

Comment: There was an overall comment that the notice lacked

adequate discussion of whether this system would be maintained in compliance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. It was recommended that compliance with the HIPAA Privacy Rule be "spelled out in the notice."

Response: While ASPR, in operating NDMS, provides medical care to individuals who are victims of disasters, emergencies, public health emergencies, and events of national significance, ASPR is not a covered entity or a health care component of a covered entity, and therefore is not subject to the HIPAA Privacy Rule. Congress provided that these HIPAA standards only apply to health care providers that transmit health information electronically in connection with a transaction for which the Secretary of HHS has adopted standards (i.e., the standards provided for in the HIPAA Transactions Rule at 45 CFR Part 162). NDMS health care providers, operating under ASPR auspices, do not engage in these electronic transactions. However, the records within the NDMS Patient Treatment and Tracking Records System are protected by the Privacy Act.

Comment: The organizations which commented on the notice wanted to make it clear that there will be "no routine uses that are in violation of HIPAA."

Response: As explained above, while ASPR provides medical care to individuals who are victims of disasters, emergencies, public health emergencies, and events of national significance, ASPR is not subject to the HIPAA Privacy Rule. The routine uses will comply with the provisions of the Privacy Act.

Comment: There was a comment regarding clarifying the use of data by NDMS's federal partners.

Response: The language has been clarified. Disclosure of personally identifiable information between federal partners will be limited to what is needed to support patient care and medical transport.

Comment: There is a concern that routine disclosure of patient location, especially when the patient is a victim of domestic violence, should be changed.

Response: Agree. The routine disclosure to family members regarding patient location and status has been revised to state that disclosure is not permitted when there is a reasonable belief that such information could endanger the life, safety, health, or well-being of the patient.