

collection change clarifies the “Identify the HIPAA Non-Privacy complaint category” section of the complaint form. In this section, complainants are given an opportunity to check the “Unique Identifiers” option to categorize the type of HIPAA complaint being filed. The revised form now includes a “For a Unique Identifier Complaint” section, that allows a complaint to further categorize their identifier complaint as either a “National Provider Identifier (NPI)” or an “Employer Identification Number (EIN)” complaint. *Form Number:* CMS-10148 (OMB#: 0938-948); *Frequency:* Reporting—On occasion; *Affected Public:* Individuals or Households, Business or other for-profit, Not-for-profit institutions, and State, Local, or Tribal governments; *Number of Respondents:* 500; *Total Annual Responses:* 500; *Total Annual Hours:* 500.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access CMS’ Web site address at <http://www.cms.hhs.gov/PaperworkReductionActof1995>, or E-mail your request, including your address, phone number, OMB number, and CMS document identifier, to Paperwork@cms.hhs.gov, or call the Reports Clearance Office on (410) 786-1326.

To be assured consideration, comments and recommendations for the proposed information collections must be received at the address below, no later than 5 p.m. on February 6, 2007.

CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development—A, Attention: Melissa Musotto, Room C4-26-05, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

Dated: November 30, 2006.

Michelle Shortt,

*Director, Regulations Development Group,
Office of Strategic Operations and Regulatory Affairs.*

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10209, CMS-R-282, CMS-10197, and CMS-R-240]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the Agency’s function; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

1. Type of Information Collection
Request: New collection; *Title of Information Collection:* Chronic Care Improvement Program (CCIP) and Medicare Advantage Quality Improvement Project (QIP); *Use:* 42 CFR 422.152 requires each Medicare Advantage Organization (MAOs) (other than Medicare Advantage (MA) private fee for service and Medical Savings Account (MSA) plans) that offers one or more MA plan to have an ongoing quality assessment and performance improvement program. Information collected in the QIP and CCIP Reporting Templates will be an integral resource for oversight, monitoring compliance and auditing activities necessary to ensure high quality provision of general health services and chronic care services to Medicare beneficiaries. *Form Number:* CMS-10209 (OMB#: 0938-New); *Frequency:* Recordkeeping, and Reporting—Annually; *Affected Public:* Business or other for-profits and Not-for-profit institutions; *Number of Respondents:* 426; *Total Annual Responses:* 852; *Total Annual Hours:* 38,050.

2. Type of Information Collection
Request: Extension of a currently approved collection; *Title of Information Collection:* Medicare Health Plan Appeals and Grievance Data Collection and Reporting Requirements, Data Disclosure Requirements § 422.111; *Use:* Medicare Advantage (MA) organizations and demonstrations are required to disclose information pertaining to the number of disputes, and their disposition in the aggregate. Organizations provide appeals and grievance information to individuals eligible to elect an MA organization, or persons or entities making the request

on behalf of the individuals who request this information. MA eligible individuals will use this information to help them make informed decisions about their organization’s performance in the area of appeals and grievances. *Form Number:* CMS-R-0282 (OMB#: 0938-0778); *Frequency:* Recordkeeping, Third Party Disclosure and Reporting—Semi-annually; *Affected Public:* Business or other for-profits and Not-for-profit institutions; *Number of Respondents:* 434; *Total Annual Responses:* 868; *Total Annual Hours:* 876.

3. Type of Information Collection
Request: New collection; *Title of Information Collection:* Evaluation of the Medicare National Competitive Bidding Program for DME; *Use:* Section 302(b) of The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) requires the Centers for Medicare and Medicaid Services (CMS) to begin a program of competitive bidding for durable medical equipment (DME), supplies, certain orthotics, and enteral nutrients and related equipment and supplies. Section 303(d) of the MMA requires a Report to Congress on the program, covering program savings, reductions in cost sharing, impacts on access to and quality of affected goods and services, and beneficiary satisfaction. This project’s purpose is to provide information for this Report to Congress. *Form Number:* CMS-10197 (OMB#: 0938-New); *Frequency:* Reporting—Other: Baseline and Follow-up; *Affected Public:* Individuals or Households, Business or other for-profit, Federal Government and Not-for-profit institutions; *Number of Respondents:* 12,671; *Total Annual Responses:* 12,671; *Total Annual Hours:* 6,557.

4. Type of Information Collection
Request: Revision of a currently approved collection; *Title of Information Collection:* Provider-based Status Regulations in 42 CFR 413.24 and 413.65; *Use:* Section 1833(t) of the Social Security Act (of the Act), as amended by section 4523 of the Balanced Budget Act of 1997 (the BBA) requires the Secretary to establish a prospective payment system (PPS) for hospital outpatient services. Successful implementation of an outpatient PPS requires that CMS distinguish facilities or organizations that function as departments of hospitals from those that are freestanding, so that CMS can determine which services should be paid under the PPS. Regulations found at 42 CFR 413.65(b)(3) and (c) require the submission of the information CMS needs to make the determination of whether an organization functions as a department of a hospital or functions as

a freestanding facility. In addition, section 1866(b)(2) of the Act authorizes hospitals and other providers to impose deductible and coinsurance charges for facility services, but does not allow such charges by facilities or organizations which are not provider-based. Implementation of this provision requires that CMS have information from the required reports, so it can determine which facilities are provider-based. *Form Number:* CMS-R-240 (OMB#: 0938-0798); *Frequency:* Recordkeeping—On occasion; *Affected Public:* Business or other for-profit, Not-for-profit institutions; *Number of Respondents:* 750; *Total Annual Responses:* 872; *Total Annual Hours:* 26,063.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access CMS' Web site address at <http://www.cms.hhs.gov/PaperworkReductionActof1995>, or E-mail your request, including your address, phone number, OMB number, and CMS document identifier, to Paperwork@cms.hhs.gov, or call the Reports Clearance Office on (410) 786-1326.

Written comments and recommendations for the proposed information collections must be mailed or faxed within 30 days of this notice directly to the OMB desk officer: OMB Human Resources and Housing Branch, Attention: Carolyn Lovett, New Executive Office Building, Room 10235, Washington, DC 20503, Fax Number: (202) 395-6974.

Dated: November 30, 2006.

Michelle Shortt,

*Director, Regulations Development Group,
Office of Strategic Operations and Regulatory Affairs.*

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

Privacy Act of 1974; Revisions to OIG's Privacy Act System of Records—Criminal Investigative Files

AGENCY: Office of Inspector General (OIG), HHS.

ACTION: Notice of revisions to existing Privacy Act systems of records.

SUMMARY: The Office of Inspector General (OIG) is revising the existing system of records, entitled "Criminal Investigative Files" (09-90-0003), by updating the "Systems Location"

section of that document, and republishing the revised system of records in its entirety. This notice is in accordance with the Privacy Act requirement that agencies publish their amended systems of records in the **Federal Register** when there is a revision, change, or addition. This system of records, maintained by OIG, was last revised and updated on June 19, 2003 (68 FR 36828).

EFFECTIVE DATE: These revisions will become effective on January 22, 2007.

FOR FURTHER INFORMATION CONTACT: Joel Schaer, Regulations Officer, Office of External Affairs, (202) 619-0089.

SUPPLEMENTARY INFORMATION: In accordance with the Inspector General Act of 1978, 5 U.S.C. App. 3, the Criminal Investigative Files system of records is maintained for the purpose of (1) Conducting, documenting, and tracking investigations conducted by OIG or other investigative agencies regarding HHS programs and operations; (2) documenting the outcome of OIG reviews of allegations and complaints received concerning HHS programs and operations; (3) aiding in prosecutions brought against the subjects of OIG investigations; (4) maintaining a record of the activities that were the subject of investigations; (5) reporting the results of OIG investigations to other departmental components for their use in operating and evaluating their programs and the imposition of civil or administrative sanctions; and (6) acting as a repository and source for information necessary to fulfill the reporting requirements of 5 U.S.C. App. 3.

This system of records was first published in the **Federal Register** on November 2, 1990 (55 FR 46248). The system of records was last revised and updated on June 19, 2003 (68 FR 36828), by adding a new routine use to allow disclosure of information to authorized officials within the President's Council on Integrity and Efficiency, in compliance with requirements established by the Homeland Security Act of 2002.

In accordance with the Privacy Act requirement that agencies publish their amended systems of records in the **Federal Register** when there is a revision, change, or addition, OIG has reviewed and is revising the criminal investigative files system of records by updating and amending the files' "System Location" section. Records in this system have been located and maintained in OIG's regional offices, and the update of the "Systems Location" section will simply reflect changes in mailing addresses and a

division of a region. Specifically, the updating of the system locations are necessary to reflect new regional mailing addresses, the change of the Region 7 headquarters office from Denver to Kansas City, and the division of Region 9 into two regions (San Francisco and Los Angeles). This change will not otherwise increase access to these records.

Dated: December 4, 2006.

Daniel R. Levinson,
Inspector General.

SYSTEM NAME:

Criminal Investigative Files of the Inspector General HHS/OS/OIG.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Inspector General, HHS, Room 5409, Wilbur J. Cohen Bldg., 330 Independence Avenue, SW., Washington, DC 20201.

Region 1, Office of Investigations (OI), OIG, JFK Federal Building, Room 2475, Boston, Massachusetts 02203.

Region 2, OI, OIG, 26 Federal Plaza, Room 13-124, New York, New York 10278.

Region 3, OI, OIG, Public Ledger Bldg., 150 South Independence Mall West, Suite 326, Philadelphia, Pennsylvania 19106.

Region 4, OI, OIG, Atlanta Federal Office, 61 Forsyth Street, SW., Suite 5T18, Atlanta, Georgia 30303.

Region 5, OI, OIG, 233 North Michigan Avenue, Suite 1330, Chicago, Illinois 60601.

Region 6, OI, OIG, 1100 Commerce Street, Room 629, Dallas, Texas 75242.

Region 7, OI, OIG, 1201 Walnut, Suite 920, Kansas City, Missouri 64106.

Region 9, OI, OIG, 50 United Nations Plaza, Room 174, San Francisco, California 94102.

Los Angeles Region, OI, OIG, 600 West Santa Ana Blvd., Suite 1100, Santa Ana, California 92701.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals relevant to a criminal investigation, including but not limited to the subjects of an investigation, complainants, and key witnesses where necessary for future retrieval.

CATEGORIES OF RECORDS IN THE SYSTEM:

Criminal investigative files and extracts from that file consisting of a computerized case management and tracking file.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Inspector General Act of 1978, 5 U.S.C. App. 3, authorizes Inspectors