

and sent a Technical Director's Letter on December 20, 2011 informing fiscal intermediaries of these changes. Accordingly, the corrections are applicable to hospital discharges and payments on or after October 1, 2011.

## II. Summary of Errors and Corrections Posted on the CMS Web site

On pages 51812 and 51813, we list the tables that are tables available only through the Internet. We are making corrections to Tables 2, 4C, and 9A in this notice. Therefore, we have corrected these errors and will post corrections to Tables 2, 4C, and 9A on the CMS Web site at [http://www.cms.hhs.gov/AcuteInpatientPPS/01\\_overview.asp](http://www.cms.hhs.gov/AcuteInpatientPPS/01_overview.asp).

In Table 2.—Acute Care Hospitals Case-Mix Indexes for Discharges Occurring in Federal Fiscal Year 2010; Hospital Wage Indexes for Federal Fiscal Year 2012; Hospital Average Hourly Wages for Federal Fiscal Years 2010 (2006 Wage Data), 2011 (2007 Wage Data), and 2012 (2008 Wage Data); and 3-Year Average of Hospital Average Hourly Wages, we are correcting the wage index value for providers 010022, 010164, and 360096, which were inadvertently omitted from Table 9A as receiving a geographic reclassification for FY 2012.

In Table 4C.—Wage Index and Capital Geographic Adjustment Factor (GAF) for Acute Care Hospitals that are Reclassified, we are adding a wage index value for CBSA 11500 Anniston-Oxford, AL. Provider 010164 was omitted from Table 9A as being reclassified to CBSA 11500. As there was not a published value for CBSA 11500, due to no hospitals previously reclassified to that CBSA, we are adding a reclassified wage index in Table 4C.

In Table 9A.—Hospital Reclassifications and Redesignations—FY 2012, we are correcting the inadvertent omission of providers 010022, 010164, and 360096 from Table 9A by adding these 3 providers to the table.

## III. Waiver of Proposed Rulemaking and Delay in Effective Date

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of

the finding and the reasons therefore in the notice.

Section 553(b) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication in the **Federal Register**. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

In our view, this correcting document does not constitute a rulemaking that would be subject to the APA notice and comment or delayed effective date requirements. This correcting document corrects technical errors in the tables included in the Addendum of the FY 2012 IPPS/LTCH PPS final rule and does not make substantive changes to the policies or payment methodologies that were adopted in the final rule. As a result, this correcting document is intended to ensure that the tables included in the Addendum of the FY 2012 IPPS/LTCH PPS final rule accurately reflects the policies adopted in that rule.

In addition, even if this were a rulemaking to which the notice and comment and delayed effective date requirements applied, we find that there is good cause to waive such requirements. Undertaking further notice and comment procedures to incorporate the corrections in this document into the final rule or delaying the effective date would be contrary to the public interest. Furthermore, such procedures would be unnecessary, as we are not altering the policies that were already subject to comment and finalized in our final rule. Therefore, we believe we have good cause to waive the notice and comment and effective date requirements.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: January 23, 2012.

**Jennifer M. Cannistra**,  
*Executive Secretary to the Department.*

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**BILLING CODE 4120-01-P**

## LEGAL SERVICES CORPORATION

### 45 CFR Part 1611

#### Income Level for Individuals Eligible for Assistance

**AGENCY:** Legal Services Corporation.

**ACTION:** Final rule.

**SUMMARY:** The Legal Services Corporation (“Corporation”) is required by law to establish maximum income levels for individuals eligible for legal assistance. This document updates the specified income levels to reflect the annual amendments to the Federal Poverty Guidelines as issued by the Department of Health and Human Services.

**DATES:** *Effective Date:* This rule is effective February 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Mattie Cohan, Senior Assistant General Counsel, Legal Services Corporation, 3333 K St. NW., Washington, DC 20007; (202) 295-1624; [mcohan@lsc.gov](mailto:mcohan@lsc.gov).

**SUPPLEMENTARY INFORMATION:** Section 1007(a)(2) of the Legal Services Corporation Act (“Act”), 42 U.S.C. 2996f(a)(2), requires the Corporation to establish maximum income levels for individuals eligible for legal assistance, and the Act provides that other specified factors shall be taken into account along with income.

Section 1611.3(c) of the Corporation's regulations establishes a maximum income level equivalent to one hundred and twenty-five percent (125%) of the Federal Poverty Guidelines. Since 1982, the Department of Health and Human Services has been responsible for updating and issuing the Federal Poverty Guidelines. The figures for 2012 set out below are equivalent to 125% of the current Federal Poverty Guidelines as published on January 26, 2012 (77 FR 4034).

In addition, LSC is publishing a chart listing income levels that are 200% of the Federal Poverty Guidelines. This chart is for reference purposes only as an aid to grant recipients in assessing the financial eligibility of an applicant whose income is greater than 125% of the applicable Federal Poverty Guidelines amount, but less than 200% of the applicable Federal Poverty Guidelines amount (and who may be found to be financially eligible under duly adopted exceptions to the annual income ceiling in accordance with sections 1611.3, 1611.4 and 1611.5).

#### List of Subjects in 45 CFR Part 1611

Grant programs—Law, Legal services.

For reasons set forth above, 45 CFR 1611 is amended as follows:

#### PART 1611—ELIGIBILITY

■ 1. The authority citation for part 1611 continues to read as follows:

**Authority:** Secs. 1006(b)(1), 1007(a)(1) Legal Services Corporation Act of 1974, 42 U.S.C. 2996e(b)(1), 2996f(a)(1), 2996f(a)(2).

■ 2. Appendix A to part 1611 is revised to read as follows:

**Appendix A to Part 1611—Legal Services Corporation 2012 Income Guidelines**

LEGAL SERVICES CORPORATION 2012 INCOME GUIDELINES \*

Size of household	48 Contiguous States and the District of Columbia	Alaska	Hawaii
1 .....	\$13,963	\$17,463	\$16,075
2 .....	18,913	23,650	21,763
3 .....	23,863	29,838	27,450
4 .....	28,813	36,025	33,138
5 .....	33,763	42,213	38,825
6 .....	38,713	48,400	44,513
7 .....	43,663	54,588	50,200
8 .....	48,613	60,775	55,888
For each additional member of the household in excess of 8, add .....	4,950	6,188	5,688

\* The figures in this table represent 125% of the poverty guidelines by household size as determined by the Department of Health and Human Services.

REFERENCE CHART—200% OF DHHS FEDERAL POVERTY GUIDELINES

Size of household	48 Contiguous States and the District of Columbia	Alaska	Hawaii
1 .....	\$22,340	\$27,940	\$25,720
2 .....	30,260	37,840	34,820
3 .....	38,180	47,740	43,920
4 .....	46,100	57,640	53,020
5 .....	54,020	67,540	62,120
6 .....	61,940	77,440	71,220
7 .....	69,860	87,340	80,320
8 .....	77,780	97,240	89,420
For each additional member of the household in excess of 8, add .....	7,920	9,900	9,100

**Mattie Cohan,**  
Senior Assistant General Counsel.

[FR Doc. 2012-2098 Filed 1-31-12; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Parts 2, 15 and 18**

[DA 11-2011]

**Editorial Revisions to the Commission's Rules**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document makes a number of non-substantive, editorial revisions to the Commission's rules. These revisions are made to delete certain rule provisions that are without current legal effect and therefore are obsolete. These non-substantive revisions are part of the Commission's ongoing examination and improvement of FCC processes and procedures. The revisions clarify, simplify, and

harmonize the rules, making them more readily accessible to the public and minimizing potential confusion for interested parties and Commission staff.

**DATES:** Effective February 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Hugh Van Tuyl, Office of Engineering and Technology, (202) 418-7506, email: [hugh.vantuyl@fcc.gov](mailto:hugh.vantuyl@fcc.gov), TTY (202) 418-2989.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Order*, DA 11-2011, adopted December 12, 2011 and released December 14, 2011. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257), 445 12th Street SW., Washington, DC 20554. The complete text of this document also may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov).

**Summary of the Order**

1. In this Order, the Commission makes a number of non-substantive,

editorial revisions to parts 2, 15 and 18 of the Commission's rules. These revisions are made to delete certain rule provisions that are without current legal effect and therefore are obsolete. These non-substantive revisions are part of the Commission's ongoing examination and improvement of FCC processes and procedures. The revisions clarify, simplify, and harmonize the rules, making them more readily accessible to the public and minimizing potential confusion for interested parties and Commission staff alike. The revisions and the specific reasons for adopting each change are set forth below.

2. *Part 2, Subpart N, FCC Procedure for Testing Class A, B and S Emergency Position Indicating Radiobeacons (EPIRBs)*. This Order deletes in its entirety part 2, Subpart N, FCC Procedure for Testing Class A, B and S Emergency Position Indicating Radiobeacons (EPIRBs), § 2.1501 through 2.1517 and Figures 1 through 4. All of the rules and figures in this subpart pertain to a measurement procedure that was developed for determining the compliance of certain types of maritime distress beacons with