

PREVIOUSLY ANNOUNCED TIME, DATE, AND PLACE OF THE MEETING: Thursday, December 1, 2022 at 10:00 a.m.

Hybrid Meeting: 1050 First Street NE, Washington, DC (12th floor) and Virtual.

CHANGES IN THE MEETING: The Open Meeting began at 10:30 a.m.

The following matters were also considered:

REG 2013–01 (Technological Modernization): Supplemental Notice of Proposed Rulemaking

Draft Advisory Opinion 2022–24: Allen Blue

CONTACT PERSON FOR MORE INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

(Authority: Government in the Sunshine Act, 5 U.S.C. 552b)

Vicktoria J. Allen,

Acting Deputy Secretary of the Commission.

[FR Doc. 2022–26498 Filed 12–1–22; 4:15 pm]

BILLING CODE 6715–01–P

FEDERAL MARITIME COMMISSION

[Docket No. 22–31]

Thompson Pipe Group, Inc. Complainant v. Omni Logistics LLC, Respondent; Notice of Filing of Complaint and Assignment

Served: November 29, 2022.

Notice is given that a complaint has been filed with the Federal Maritime Commission (Commission) by Thompson Pipe Group, Inc. hereinafter “Complainant,” against Omni Logistics LLC (f/k/a Epic Freight Service), hereinafter “Respondent.” Complainant states that it is a corporation organized in the State of Texas. Complainant identifies the Respondent as a limited liability company organized under the laws of the State of Texas and a Non-Vessel-Operating Common Carrier.

Complainant alleges that Respondent violated 46 U.S.C. 41102(c), 41102(d), and 41104(a) in its practices, and assessment of charges, including demurrage and other non-freight charges, related to the movement of containers. The full text of the complaint can be found in the Commission’s Electronic Reading Room at <https://www2.fmc.gov/readingroom/proceeding/22-31/>.

This proceeding has been assigned to Office of Administrative Law Judges. The initial decision of the presiding officer in this proceeding shall be issued by November 29, 2023, and the final

decision of the Commission shall be issued by June 12, 2024.

William Cody,

Secretary.

[FR Doc. 2022–26315 Filed 12–2–22; 8:45 am]

BILLING CODE 6730–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–6092–N]

RIN 0938–ZB73

Medicare, Medicaid, and Children’s Health Insurance Programs; Provider Enrollment Application Fee Amount for Calendar Year 2023

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This notice announces a \$688.00 calendar year (CY) 2023 application fee for institutional providers that are initially enrolling in the Medicare or Medicaid program or the Children’s Health Insurance Program (CHIP); revalidating their Medicare, Medicaid, or CHIP enrollment; or adding a new Medicare practice location. This fee is required with any enrollment application submitted on or after January 1, 2023 and on or before December 31, 2023.

DATES: The application fee announced in this notice is effective on January 1, 2023.

FOR FURTHER INFORMATION CONTACT: Frank Whelan, (410) 786–1302.

SUPPLEMENTARY INFORMATION:

I. Background

In the February 2, 2011 **Federal Register** (76 FR 5862), we published a final rule with comment period titled “Medicare, Medicaid, and Children’s Health Insurance Programs; Additional Screening Requirements, Application Fees, Temporary Enrollment Moratoria, Payment Suspensions and Compliance Plans for Providers and Suppliers.” This rule finalized, among other things, provisions related to the submission of application fees as part of the Medicare, Medicaid, and CHIP provider enrollment processes. As provided in section 1866(j)(2)(C)(i) of the Social Security Act (the Act) and in 42 CFR 424.514, “institutional providers” that are initially enrolling in the Medicare or Medicaid programs or CHIP, revalidating their enrollment, or adding a new Medicare practice location are

required to submit a fee with their enrollment application. An “institutional provider” for purposes of Medicare is defined at § 424.502 as “any provider or supplier that submits a paper Medicare enrollment application using the CMS–855A, CMS–855B (not including physician and non-physician practitioner organizations), CMS–855S, or associated internet-based PECOS enrollment application.” As we explained in the February 2, 2011 final rule (76 FR 5914), in addition to the providers and suppliers subject to the application fee under Medicare, Medicaid-only and CHIP-only institutional providers would include nursing facilities, intermediate care facilities for persons with intellectual disabilities (ICF/IID), and psychiatric residential treatment facilities; they may also include other institutional provider types designated by a state in accordance with their approved state plan.

As indicated in § 424.514 and § 455.460, the application fee is not required for either of the following:

- A Medicare physician or non-physician practitioner submitting a CMS–855I.
- A prospective or revalidating Medicaid or CHIP provider—
 - ++ Who is an individual physician or non-physician practitioner; or
 - ++ That is enrolled as an institutional provider in Title XVIII of the Act or another state’s Title XIX or XXI plan and has paid the application fee to a Medicare contractor or another state.

II. Provisions of the Notice

Section 1866(j)(2)(C)(i)(I) of the Act established a \$500 application fee for institutional providers in CY 2010. Consistent with section 1866(j)(2)(C)(i)(II) of the Act, § 424.514(d)(2) states that for CY 2011 and subsequent years, the preceding year’s fee will be adjusted by the percentage change in the consumer price index (CPI) for all urban consumers (all items; United States city average, CPI–U) for the 12-month period ending on June 30 of the previous year. Consequently, each year since 2011 we have published in the **Federal Register** an announcement of the application fee amount for the forthcoming CY based on this formula. Most recently, in the October 25, 2021 **Federal Register** (86 FR 58917), we published a notice announcing a fee amount for the period of January 1, 2022 through December 31, 2022 of \$631.00. The \$631.00 fee amount for CY 2022 was used to calculate the fee amount for 2023 as specified in § 424.514(d)(2).