

(b) \* \* \*

(1) Compensation for the services of a physician, physician assistant, nurse practitioner, nurse-midwife, visiting nurse, qualified clinical psychologist, and clinical social worker who owns, is employed by, or furnishes services under contract to an FQHC. (RHCs are not paid for services furnished by contracted individuals other than physicians.)

\* \* \* \* \*

(3) Costs of services and supplies incident to the services of a physician, physician assistant, nurse practitioner, nurse-midwife, qualified clinical psychologist, or clinical social worker.

\* \* \* \* \*

(d) \* \* \*

(2) Screening guidelines are used to assess the costs of services, including the following:

(i) Compensation for the professional and supervisory services of physicians and for the services of physician assistants, nurse practitioners, and nurse-midwives.

(ii) Services of physicians, physician assistants, nurse practitioners, nurse-midwives, visiting nurses, qualified clinical psychologists, and clinical social workers.

(iii) The level of administrative and general expenses.

(iv) Staffing (for example, the ratio of other clinic or center personnel to physicians, physician assistants, and nurse practitioners).

(v) The reasonableness of payments for services purchased by the clinic or center, subject to the limitation that the costs of physician services purchased by the clinic or center may not exceed amounts determined under the applicable provisions of subpart E of part 405 or part 415 of this chapter.

\* \* \* \* \*

B. Part 491 is amended as follows:

#### **PART 491—CERTIFICATION OF CERTAIN HEALTH FACILITIES**

1. The authority citation for part 491 continues to read as follows:

Authority: Sec. 1102 of the Social Security Act (42 U.S.C. 1302) and sec 353 of the Public Health Services Act (42 U.S.C. 263a).

2. In part 491, the term, "Federally qualified health center" is changed to "FQHC" wherever the term appears.

3. Section 491.5 is amended by revising paragraphs (a) and (b)(1), and adding new paragraphs (e) and (f) to read as follows:

##### **§ 491.5 Location of clinic or center.**

(a) *Basic requirements.* (1) An RHC is located in a rural area that is designated as a shortage area.

(2) An FQHC is located in a rural or urban area that is designated as either a shortage area or an area that has a medically underserved population.

(3) Both the RHC and the FQHC may be permanent or mobile units.

(i) *Permanent unit.* The objects, equipment, and supplies necessary for the provision of the services furnished directly by the clinic or center are housed in a permanent structure.

(ii) *Mobile unit.* The objects, equipment, and supplies necessary for the provision of the services furnished directly by the clinic or center are housed in a mobile structure, which has fixed, scheduled location(s).

(iii) *Permanent unit in more than one location.* If clinic or center services are furnished at permanent units in more than one location, each unit is independently considered for approval as a rural health clinic or for approval as an FQHC.

(b) *Exceptions.* (1) HCFA does not disqualify an RHC approved under this subpart if the area in which it is located subsequently fails to meet the definition of a rural, shortage area.

\* \* \* \* \*

(e) *Medically underserved population.* A medically underserved population includes the following:

(1) A population of an urban or rural area that is designated by PHS as having a shortage of personal health services.

(2) A population group that is designated by PHS as having a shortage of personal health services.

(f) *Requirements specific to FQHCs.* An FQHC approved for participation in Medicare must meet one of the following criteria:

(1) Furnish services to a medically underserved population.

(2) Be located in a medically underserved area, as demonstrated by an application approved by PHS.

4. Section 491.8 is amended by revising paragraphs (a)(3), (a)(6) and (b)(1)(i) to read as follows:

##### **§ 491.8 Staffing and staff responsibilities.**

(a) *Staffing.* \* \* \*

(3) The physician assistant, nurse practitioner, nurse-midwife, clinical social worker, or clinical psychologist member of the staff may be the owner or an employee of the clinic or center, or may furnish services under contract to the center.

\* \* \* \* \*

(6) A physician, nurse practitioner, physician assistant, nurse-midwife, clinical social worker, or clinical psychologist is available to furnish patient care services at all times the clinic or center operates. In addition, for

rural health clinics, a nurse practitioner or a physician assistant is available to furnish patient care services at least 60 percent of the time the clinic operates.

(b) *Physician responsibilities.* (1) The physician—

(i) Except for services furnished by a clinical psychologist in an FQHC, which State law permits to be provided without physician supervision, provides medical direction for the clinic's or center's health care activities and consultation for, and medical supervision of, the health care staff.

\* \* \* \* \*

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

Dated: October 6, 1995.

Bruce C. Vladeck,  
Administrator, Health Care Financing  
Administration.

Dated: March 18, 1996.

Donna E. Shalala,  
Secretary.

[FR Doc. 96-7787 Filed 4-2-96; 8:45 am]

BILLING CODE 4120-01-P

#### **FEDERAL EMERGENCY MANAGEMENT AGENCY**

##### **44 CFR Part 65**

[Docket No. FEMA-7176]

##### **Changes in Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

**DATES:** These modified base flood elevations are currently in effect on the dates listed in the table and revise the Flood Insurance Rate Map(s) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Acting Associate Director, Mitigation Directorate, reconsider the changes. The modified elevations may be changed during the 90-day period.

**ADDRESSES:** The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street, SW, Washington, DC 20472, (202) 646-2756.

**SUPPLEMENTARY INFORMATION:** The modified base flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to Section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt

or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

**National Environmental Policy Act.** This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act.** The Acting Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

**Regulatory Classification.** This interim rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

**Executive Order 12612, Federalism.** This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

**Executive Order 12778, Civil Justice Reform.** This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

#### List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 65 is amended to read as follows:

#### PART 65—[AMENDED]

1. The authority citation for Part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

#### § 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and County	Location	Dates and Name of Newspaper Where Notice Was Published	Chief Executive Officer of Community	Effective Date of Modification	Community Number
California: Contra Costa	City of Clayton .....	March 7, 1996, March 14, 1996, <i>Contra Costa Times</i> .	The Honorable Robert Kendall, Mayor, City of Clayton, P.O. Box 280, Clayton, California 94517.	February 5, 1996 .....	060027
California: Contra Costa	City of Concord .....	March 7, 1996, March 14, 1996, <i>Contra Costa Times</i> .	The Honorable Lou Rosas, Mayor, City of Concord, 1950 Parkside Drive, Concord, California 94519.	February 5, 1996 .....	065022
California: Sonoma .....	City of Cotati .....	February 7, 1996, February 14, 1996, <i>Press Democrat</i> .	The Honorable John Dell'Osso, Mayor, City of Cotati, 201 West Sierra Avenue, Cotati, California 94931.	January 11, 1996 .....	060377
California: San Luis Obispo.	City of El Paso de Robles.	February 8, 1996, February 15, 1996, <i>Daily Press</i> .	The Honorable Walter Macklin, Mayor, City of El Paso de Robles, 1000 Spring Street, El Paso de Robles, California 93446.	January 11, 1996 .....	060308

State and County	Location	Dates and Name of Newspaper Where Notice Was Published	Chief Executive Officer of Community	Effective Date of Modification	Community Number
Colorado: Arapahoe .....	Unincorporated Areas ...	February 15, 1996, February 22, 1996, <i>The Villager</i> .	The Honorable Thomas R. Eggert, Chairperson, Arapahoe County Board of Commissioners, 5334 South Prince Street, Littleton, Colorado 80166.	January 16, 1996 .....	080011
Colorado: Archuleta .....	Unincorporated Areas ...	February 22, 1996, February 29, 1996, <i>Pagosa Springs Sun</i> .	The Honorable Bill Tallon, Chairman, Archuleta Board of County Commissioners, P.O. Box 1507, Pagosa Springs, Colorado 81147.	January 23, 1996 .....	080273
Colorado: Boulder .....	City of Boulder .....	February 22, 1996, February 29, 1996, <i>Daily Camera</i> .	The Honorable Leslie Durgin, Mayor, City of Boulder, P.O. Box 791, Boulder, Colorado 80306.	January 16, 1996 .....	080024
Colorado: El Paso .....	City of Colorado Springs	February 21, 1996, February 28, 1996, <i>Gazette Telegraph</i> .	The Honorable Robert Isaac, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, Colorado 80901.	January 22, 1996 .....	080060
Colorado: Jefferson .....	City of Golden .....	February 9, 1996, February 16, 1996, <i>Golden Transcript</i> .	The Honorable Marvin Kaye, Mayor, City of Golden, City Hall, 911 10th Street, Golden, Colorado 80401.	January 11, 1996 .....	080090
Colorado: Arapahoe and Douglas.	City of Littleton .....	February 29, 1996, March 7, 1996, <i>Littleton Independent</i> .	The Honorable Dennis Reynolds, Mayor, City of Littleton, 2255 West Berry Avenue, Littleton, Colorado 80165.	February 6, 1996 .....	080017
Colorado: Archuleta .....	Town of Pagosa Springs.	February 22, 1996, February 29, 1996, <i>Pagosa Springs Sun</i> .	The Honorable Ross Aragon, Mayor, Town of Pagosa Springs, P.O. Box 1859, Pagosa Springs, Colorado 81147.	January 23, 1996 .....	080019
Oklahoma: Garfield .....	City of Enid .....	February 22, 1996, February 29, 1996, <i>Enid News and Eagle</i> .	The Honorable Michael G. Cooper, Mayor, City of Enid, P.O. Box 1768, Enid, Oklahoma 73702-1768.	January 23, 1996 .....	400062
Oklahoma: Canadian ....	City of Oklahoma City ...	February 15, 1996, February 22, 1996, <i>Journal Record</i> .	The Honorable Ronald J. Norick, Mayor, City of Oklahoma City, 200 North Walker Avenue, Oklahoma City, Oklahoma 73102.	January 22, 1996 .....	405378

State and County	Location	Dates and Name of Newspaper Where Notice Was Published	Chief Executive Officer of Community	Effective Date of Modification	Community Number
Texas: Travis .....	City of Austin .....	February 22, 1996, February 29, 1996, <i>Austin American Statesman</i> .	The Honorable Bruce Todd, Mayor, City of Austin, P.O. Box 1088, Austin, Texas 78767.	January 19, 1996 .....	480624
Texas: Denton .....	Unincorporated Areas ...	February 21, 1996, February 28, 1996, <i>Lewisville Leader</i> .	The Honorable Jeff Moseley, Denton County Judge, Denton County Commissioner's Court, Courthouse on the Square, 110 West Hickory, Denton, Texas 76201.	February 2, 1996 .....	480774
Texas: Denton .....	City of Lewisville .....	February 21, 1996, February 28, 1996, <i>Lewisville Leader</i> .	The Honorable Bobbie J. Mitchell, Mayor, City of Lewisville, P.O. Box 299002, Lewisville, Texas 75029.	February 2, 1996 .....	480195
Texas: Dallas .....	City of Mesquite .....	March 7, 1996, March 14, 1996, <i>Mesquite News</i> .	The Honorable Cathye Ray, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, Texas 75185-0137.	January 31, 1996 .....	485490
Texas: Collin .....	City of Plano .....	February 21, 1996, February 28, 1996, <i>Plano Star Courier</i> .	The Honorable James N. Muns, Mayor, City of Plano, P.O. Box 860358, Plano, Texas 75086-0358.	January 29, 1996 .....	480140

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: March 25, 1996.

Richard W. Krimm,

*Acting Associate Director for Mitigation.*

[FR Doc. 96-8125 Filed 4-2-96; 8:45 am]

BILLING CODE 6718-04-P

#### 44 CFR Part 65

#### Changes in Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** Modified base (1% annual chance) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

**EFFECTIVE DATE:** The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s)

in effect for each listed community prior to this date.

**ADDRESSES:** The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street, SW, Washington, DC 20472, (202) 646-2756.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below of the final determinations of modified base flood elevations for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Acting Associate Director has resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes

the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that