

for personal injuries arising from the operation of a motor vehicle.

*Medicare eligible provider.* \* \* \*

*Medicare supplemental insurance plan.* A Medicare supplemental insurance plan is an insurance, medical service or health plan primarily for the purpose of supplementing an eligible person's benefit under Medicare. The term has the same meaning as "Medicare supplemental policy" in section 1882(g)(1) of the Social Security Act (42 U.S.C. 1395ss) and 42 CFR part 403, subpart B.

*No-fault insurance.* \* \* \*

*Preferred provider organization.* A preferred provider organization (PPO) is any arrangement in a third payer plan under which coverage is limited to services provided by a select group of providers who are members of the PPO or incentives (for example, reduced copayments) are provided for beneficiaries under the plan to receive health care services from the members of the PPO rather than from other providers who, although authorized to be paid, are not included in the PPO. However, a PPO does not include any organization that is recognized as a health maintenance organization.

*Third party payer.* A third party payer is an entity that provides an insurance, medical service, or health plan by contract or agreement. It includes but is not limited to:

- (1) State and local governments that provide such plans.
- (2) Insurance underwriters or carriers.
- (3) Private employers or employer groups offering self-insured or partially self-insured medical service or health plans.
- (4) Automobile liability insurance underwriter or carrier.
- (5) No fault insurance underwriter or carrier.
- (6) Workers' compensation program or plan sponsor, underwriter, carrier, or self-insurer.

*Third party payer plan.* A third party payer plan is any plan or program provided by a third party payer, but not including an income or wage supplemental plan.

*Uniformed Services beneficiary.*

\* \* \*

*Workers' compensation program or plan.* A workers' compensation program or plan is any program or plan that provides compensation for loss, to employees or their dependents, resulting from the injury, disablement, or death of an employee due to an employment related accident, casualty or disease. The common characteristic of such a plan or program is the provision of compensation regardless of fault, in accordance with a delineated

schedule based upon loss or impairment of the worker's wage earning capacity, as well as indemnification or compensation for medical expenses relating to the employment related injury or disease. A workers' compensation program or plan includes any such program or plan:

(1) Operated by or under the authority of any law of any State (or the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands).

(2) Operated through an insurance arrangement or on a self-insured basis by an employer.

(3) Operated under the authority of the Federal Employees Compensation Act or the Longshoremen's and Harbor Workers' Compensation Act.

Dated: March 4, 1998.

**L.M.Bynum,**

*Alternate OSD Federal Register Liaison Officer Department of Defense.*

[FR Doc. 98-6076 Filed 3-9-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD08-96-048]

#### Drawbridge Operating Regulation; Tchefuncta River, LA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice; withdrawal of proposed rule.

**SUMMARY:** The Coast Guard is withdrawing a notice of proposed rulemaking (NPRM) to amend the regulation for the draw of the swing span bridge across the Tchefuncta River, mile 2.5, near Madisonville, St. Tammany Parish, Louisiana. The proposed rule did not meet the reasonable needs of navigation. The Coast Guard is withdrawing the notice of proposed rulemaking and terminating this rulemaking.

**DATES:** The proposed rule is withdrawn effective March 10, 1998.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. Commander (ob) maintains the public docket for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On November 22, 1996, the Coast Guard published a notice of proposed rulemaking (NPRM) in the **Federal Register** (61 FR 59396). The NPRM proposed to require that the draw of the swing span bridge across the Tchefuncta River, mile 2.5, at Madisonville will open on demand; except that from 5 a.m. until 8 p.m. the draw would open only on the hour. Presently, the draw is required to open on signal; except that from 5 a.m. until 8 p.m. the draw opens on the hour and half-hour.

The Coast Guard received 22 letters in response to the NPRM. Seventeen of the letters were in opposition to the new proposed rule based on the fact that the majority of the waterway users are sailing vessels with single screw propulsion which cannot maneuver easily raising safety concerns. The bridge owner has not addressed the concerns of these objectors, offered an alternative proposal, or pursued the matter any further. No other parties submitted alternative proposals.

The Coast Guard agreed with the comments that the proposal was too burdensome and did not meet the reasonable needs of vessel traffic. The Louisiana Department of Transportation and Development has not offered an alternative proposal. The Coast Guard is, therefore, withdrawing the notice of proposed rulemaking and terminating further rulemaking on this proposal (CGD08-96-048).

Dated: February 23, 1998.

**T.W. Josiah,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

[FR Doc. 98-6009 Filed 3-9-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD08-94-033, CGD08-95-011]

#### Drawbridge Operating Regulation; Gulf Intracoastal Waterway, LA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice; withdrawal of proposal rules.

**SUMMARY:** The Coast Guard is withdrawing two notices of proposed rulemaking to amend the regulation for the draw of the vertical lift highway bridge across the Gulf Intracoastal Waterway, mile 35.6, west of Harvey Locks, near Larose, Lafourche Parish, Louisiana. The proposed rules did not meet the reasonable needs of navigation. The Coast Guard is withdrawing the notices of proposed rulemaking and terminating these rulemakings.

**DATES:** The proposed rules are withdrawn effective March 10, 1998.

**ADDRESSES:** Unless otherwise indicated, documents referred to in these notices are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. Commander (ob) maintains the public docket for these proposed rulemakings.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

On December 7, 1994, the Coast Guard published a notice of proposed rulemaking (NPRM) in the **Federal Register** (59 FR 63068). The NPRM proposed to change the regulation governing the operation of the vertical lift span drawbridge across the Gulf Intracoastal Waterway, mile 35.6, at Larose, Lafourche Parish, Louisiana, to require that from 7 a.m. to 8:30 a.m. and from 4:30 p.m. to 6 p.m. Monday through Friday, except Friday holidays, the draw of the bridge would remain closed to navigation for passage of vehicular traffic during peak traffic periods. At all other times the draw would open on signal for passage of vessels. Presently, the draw is required to open on signal at all times.

The Coast Guard received 10 letters in response to the NPRM objecting to the proposed rule. Many of the objectors who were associated with the local school stated that the bridge would reopen after an extended closure 30 minutes before the start of school possibly affecting the ability of students to arrive at school on time. The applicant was given an opportunity to address the objections. The applicant modified their proposal and resubmitted a new request for a proposed rule.

Inadvertently, a second NPRM was published in the **Federal Register** (60 FR 40139) on August 7, 1995, instead of a Supplementary Notice of Proposed Rulemaking (SNPRM). Additionally, the original NPRM was never withdrawn. The second NPRM proposed to change the regulation governing the operation of the vertical lift span drawbridge across the Gulf Intracoastal Waterway, mile 35.6, at Larose, Lafourche Parish, Louisiana, to require that from 7 a.m. to 9 a.m. and from 4:30 p.m. to 6 p.m. Monday through Friday, except Federal holidays, the draw of the bridge would remain closed to navigation for passage of vehicular traffic during peak traffic periods. At all other times the draw would open on signal for passage of vessels. Presently, the draw is required to open on signal at all times.

Two letters of objection were received in response to the second NPRM. These objections were from waterway interests stating that the closure would increase the risk of accidents by vessels having to wait for bridge openings while vehicles have an alternate route across the waterway. These concerns were forwarded to the applicant to attempt to reach an acceptable solution. The applicant has not addressed the concerns of these objectors or offered an alternative proposal.

The Coast Guard is, therefore, withdrawing the notices of proposed rulemaking and terminating further rulemaking on proposals (CGD08-94-033 and CGD08-95-011).

Dated: February 18, 1998.

**T.W. Josiah,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 117**

[CGD08-97-007]

**Drawbridge Operating Regulation; Lake Pontchartrain, LA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice; withdrawal of proposed rule.

**SUMMARY:** The Coast Guard is withdrawing a notice of proposed rulemaking to amend the regulation for the draws of the north bascule twin span highway bridges across Lake Pontchartrain, between Metairie, Jefferson Parish, Louisiana, and Mandeville, St. Tammany Parish,

Louisiana. The proposed rule did not meet the reasonable needs of navigation. The Coast Guard is withdrawing the notice of proposed rulemaking and terminating this rulemaking.

**DATES:** This notice is effective March 10, 1998.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. Commander (ob) maintains the public docket for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

On April 4, 1997, the Coast Guard published a notice of proposed rulemaking (NPRM) in the **Federal Register** (62 FR 16122). The NPRM proposed to authorize the draws in the north bascule twin span highway bridges across Lake Pontchartrain, between Metairie, Jefferson Parish, Louisiana, and Mandeville, St. Tammany Parish, Louisiana to remain closed to navigation from June 9, 1997, until October 10, 1997, except on alternating weekends. On alternating weekends during this period when work was not being conducted, the draws would open if 3 hours notice was given. This action was necessary to facilitate the cleaning and painting of the bascule structures.

The Coast Guard received 3 letters in response to the NPRM objecting to the proposed rule. The objectors believed twelve day closures of the bridge would detrimentally effect business on the waterway. The applicant was given an opportunity to address the objections. During this time period, the applicant determined that he would be unable to accomplish the scope of working during the given time frame and decided to postpone the maintenance. The applicant has since consulted with the objectors and has adjusted his scope of work which will no longer require a temporary rule.

The Coast Guard is, therefore, withdrawing the notice of proposed rulemaking and terminating further