

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by May 13, 1998.

Unless an exemption is granted, as sought, from the OFA provisions of 49 U.S.C. 10904, any OFA under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by the filing fee, which currently is set at \$900. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Unless an exemption is granted, as sought, from the public use provisions of 49 U.S.C. 10905, any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than March 4, 1998.<sup>3</sup> Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. 290 (Sub-No. 184X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001, and (2) James R. Paschall, Norfolk and Western Railway Company, Three Commercial Place, Norfolk, VA 23510-2191.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. (TDD for the hearing impaired is available at (202) 565-1695.)

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Decided: February 6, 1998.

<sup>3</sup>NW states that, since it has already agreed to transfer the line to the City of Cincinnati, NW will not negotiate with any party for transfer of the line for trail use.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

*Vernon A. Williams,*

*Secretary.*

[FR Doc. 98-3618 Filed 2-11-98; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF VETERANS AFFAIRS

### Privacy Act of 1974; Amendment of Systems of Records

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** As required by the Privacy Act of 1974, 5 U.S.C. 552a(e), notice is hereby given that the Department of Veterans Affairs (VA) is amending three systems of records notices to update the "Access/Safeguards" statements.

**DATES:** These amendments are effective on February 12, 1998.

**FOR FURTHER INFORMATION CONTACT:** Bill Lanson, Legal Consultant, Compensation & Pension Service, Veterans Benefits Administration, (202) 273-7267; Celia Winter, Privacy Act Officer, Veterans Health Administration, (202) 273-6274.

**SUPPLEMENTARY INFORMATION:** The Department of Veterans Affairs (VA) has decided, as a matter of policy, to provide direct, on-line, remote access to its automated medical treatment and benefits records to certain employees of the Veterans Health Administration (VHA) and the Veterans Benefits Administration (VBA) who need to have access to the information contained in the records in order for them to make decisions about veterans' benefits (medical care and other benefits) in a more timely and efficient manner.

VHA is responsible for the medical treatment of veterans and claimants, and maintains individually identified and retrieved records, both paper and electronic, reflecting the care and treatment rendered. VBA is responsible for determining entitlement to compensation and pension benefits for veterans and claimants under title 38, United States Code. VBA also maintains individually identified and retrieved paper and electronic records of this claims administration activity.

The status of a veteran's compensation, pension, retirement, and other benefits may be affected while the veteran is receiving hospitalization, domiciliary care, nursing home care, or other medical services. Information maintained by the VA medical centers often is relevant to determinations by VBA about these benefits. Similarly,

there may be some change in a veteran's eligibility to receive medical care and treatment without charge. Information maintained by VBA often is pertinent to the ability of a VA medical center to make a determination on this matter.

In both situations, VBA and VHA personnel need timely access to the appropriate records in order to ensure that veterans receive the medical care or other title 38 benefits that they are entitled to receive as expeditiously as possible.

Historically, VBA and VHA exchanged necessary information to make these determinations by the appropriate, authorized employees at the VA medical center treating the veteran or at the VBA regional office administering the delivery of benefits to the veteran, by submitting a paper form to the other for the necessary records. The relevant portions of the medical treatment records or claims records were photocopied (and in the case of electronic medical records, printed out) and mailed back and forth between the medical center and the regional office.

VA replaced the use of paper forms for VBA to request copies of records with the AMIE (Automated Medical Information Exchange) software package. The use of AMIE allows regional offices to electronically request copies of the relevant veterans' medical records from the medical centers, particularly hospital admission and discharge reports, outpatient treatment reports and other patient care records. The medical center then provides either paper copies of the records or electronic reports if available. The use of AMIE greatly reduced the time it takes to exchange patient information between the medical centers and the regional offices, reduced the number of paper forms exchanged, provided better monitoring of the examination process, and, most importantly, allowed the veterans to receive benefits due them in a more timely and efficient manner.

VA medical centers currently maintain significant portions of their clinical records in electronic format on the computer system known as VISTA/DHCP (Veterans Information Systems Technology Architecture/Decentralized Hospital Computer Programs). Other clinical records are maintained in a variety of hardcopy forms, e.g., paper and X-ray film. VHA is eventually migrating all of its clinical records to an electronic environment. The electronic clinical records can be accessed within a medical center and downloaded or printed out by authorized VHA

personnel, such as the treating physician, as needed.

VBA created the BDN (Benefits Delivery Network) HINQ (Hospital Inquiry) screen to allow VHA to request relevant treatment eligibility information from VBA on individual veterans. HINQ provides access to discrete electronically stored data fields containing VBA information that VA medical centers need to determine the care that can be provided to a veteran free of charge and that portion of care the veteran may be billed for. The use of HINQ also shortened the time necessary for VA medical centers to receive the information needed to ensure that veterans received the medical care due them without being billed.

VBA maintains standardized data fields on veterans in electronic form in addition to those accessible through HINQ. These VBA data fields are accessible to authorized VBA personnel through the VBA's BDN. VBA personnel can download or print the field from the BDN. VBA contemplates moving to an electronic claims record in the future.

VA has determined that direct, real-time, remote electronic access to veterans' electronic medical records maintained at VA medical centers by authorized VBA personnel for claims development and adjudication purposes should expedite the processing of veterans' claims by VBA, allowing veterans' to receive benefits due them in a more timely and efficient manner. Also, VA has determined that direct, real-time, remote electronic access to the BDN by authorized VHA personnel will result in a more timely and accurate determination of appropriate billing for medical care to veterans. When VBA moves to an electronic claims folder, it would be equally useful for VHA to have access to that electronic folder.

Accordingly, authorized VBA personnel will be provided direct, remote access to VHA clinical medical records maintained on the VISTA/DHCP computer systems at the medical centers for the purposes of reading and downloading veterans' medical records relevant to the development and adjudication of the veterans' claims, such as final hospital summaries and compensation and pension examination reports, to reduce claims' processing time. To the extent that medical records do not exist in electronic form, VBA will continue to use the AMIE software to request those records. Further, this policy supports providing VA medical centers with personal computers configured specifically for access to the BDN for health care eligibility verification. VHA personnel will be able

to read and download data from the BDN, or any other databases later developed by VBA, as well as electronic claims records at some future time.

Therefore, VA is amending Access/Safeguards statements in the "Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system" portion of the following three systems of records notices: "24VA136"—Patient Medical Records "58VA21/22"—Compensation, Pension, Education and Rehabilitation Records "38VA23"—Veterans and Beneficiaries Identification and Records Location Subsystem—VA

Approved January 29, 1998.

**Togo D. West, Jr.,**  
*Acting Secretary.*

1. The system of records identified as 24VA136, "Patient Medical Records—VA," published at 40 FR 38095, August 26, 1975, and amended at 40 FR 52125, November 7, 1975, 41 FR 2881, January 20, 1976, 41 FR 11631, March 19, 1976, 42 FR 30557, June 15, 1977, 44 FR 31058, May 30, 1979, 45 FR 77220, November 21, 1980, 46 FR 2766, January 12, 1981, 47 FR 28522, June 30, 1982, 47 FR 51841, November 17, 1982, 50 FR 11610, March 22, 1985, 51 FR 25968, July 17, 1986, 51 FR 44406, December 9, 1986, 52 FR 381, January 5, 1987, 53 FR 49818, December 9, 1988, 55 FR 5112, February 13, 1990, 55 FR 37604, September 12, 1990, 55 FR 42534, October 19, 1990, 56 FR 1054, January 10, 1991, 57 FR 28003, June 23, 1992, 57 FR 45419, October 1, 1992, 58 FR 29853, May 24, 1993, 58 FR 40852, July 30, 1993, and 58 FR 57674, October 26, 1993, is amended by revising paragraphs 2 through 6 of the safeguards statement, the entire storage statement and the system manager statement in the "Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system" as follows:

#### **24 VA 136**

##### **SYSTEM NAME:**

Patient Treatment Records—VA.

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##### **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:**

##### **STORAGE:**

Records (or information in records) are maintained on paper documents in the consolidated health record at the last VA health care facility where care was rendered and at Federal records centers. Subsidiary record information is maintained at the various respective services within the health care facility

(e.g., Pharmacy, Fiscal, Dietetic, Clinical Laboratory, Radiology, Social Work, Psychology, etc.) and by individuals, organizations, and/or agencies with whom VA has a contract or agreement to perform such services as VA may deem practicable. All or portions of the consolidated health record is stored or maintained on-line in VISTA or DHCP (Veterans Information Systems Technology Architecture or Decentralized Hospital Computer Program) computer systems in each VA health care facility and back-up computer files maintained at off-site locations, and may also be stored, in part, at VA Central Office, the National Institutes of Health, the VA Boston Development Center, Chief Information Officer Field Offices (CIOFOs), VA regional offices (VAROs), and the Austin Automation Center (AAC), Austin, Texas.

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##### **SAFEGUARDS:**

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2. Access to the VISTA or/and DHCP computer rooms within the health care facilities is generally limited by appropriate locking devices and restricted to authorized VA employees and vendor personnel. ADP peripheral devices are generally placed in secure areas (areas that are locked or have limited access) or are otherwise protected. Information in DHCP and VISTA systems may be accessed only by authorized VA employees. Access to file information is controlled at two levels: The system recognizes authorized employees by a series of individually unique passwords/codes as a part of each data message, and the employees are limited to only that information in the file which is needed in the performance of their official duties. Information that is downloaded from PTF, OPC, DHCP and VISTA files and maintained on personal computers must be afforded similar storage and access protections as the data that is maintained in the original files.

3. Authorized Veterans Benefits Administration (VBA) regional office personnel are provided direct, on-line remote access to VHA patient treatment records maintained on DHCP or VISTA systems at VA health care facilities for the purposes of reading and downloading veterans' medical record relevant to the development and adjudication of the veterans' claims. To the extent that medical treatment records do not exist in electronic format, VBA will continue to access treatment records via AMIE (Automated Medical Information Exchange) software.

4. Access to the Austin Automation Center (AAC) is generally restricted to AAC employees, custodial personnel, Federal Protective Service and other security personnel. Access to computer rooms is restricted to authorized operational personnel through electronic locking devices. All other persons gaining access to computer rooms are escorted. Information stored in the AAC databases may be accessed by authorized VA employees at remote locations including VA health care facilities, VA Central Office, VISN (Veterans Integrated Service Network) Offices, and OIG headquarters and field staff. Access is controlled by individually unique passwords/codes which must be changed periodically by the employee.

5. Access to records maintained at VA Central Office, the VA Boston Development Center, the CIOFOs, and the VISN Offices is restricted to VA employees who have a need for the information in the performance of their official duties. Access to information stored in electronic format is controlled by individually unique passwords/codes. Records are maintained in manned rooms during working hours. The facilities are protected from outside access during non-working hours by the Federal Protective Service or other security personnel.

6. Information stored on computers at the CIOFOs may be accessed by authorized VA employees at remote locations including VA health care facilities and VISN Offices. Access to electronically stored information is controlled by individually unique passwords/codes. Records are maintained in manned rooms during working hours. The facilities are protected from outside access during non-working hours by the Federal Protective Service or other security personnel.

7. Access to PTF information stored by VA Central Office at the National Institutes of Health Computer Center is limited to quality assurance program staff at VA Central Office and the VISN Offices. VA Central Office staff may access the nationwide data and staff of the VISN Offices may access data for their network area. Access to file information is controlled by individually unique passwords/codes.

8. Information downloaded from OPC, PTF and VISTA/DHCP files and maintained by the OIG headquarters and field offices on automated storage media is secured in storage areas or facilities to which only OIG staff have access. Paper documents are similarly secured. Access to paper documents and information on automated storage media

is limited to OIG employees who have a need for the information in the performance of their official duties.

Access to information stored electronically is controlled by individually unique passwords/codes.

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#### SYSTEM MANAGER(S) AND ADDRESS:

Chief Information Officer (19),  
Veterans Health Administration, VA  
Central Office, Washington, DC 24020.

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2. The system of record identified as 38VA23, "Veterans and Beneficiaries Identification and Records Location Subsystem (BIRLS)—VA," published at 40 FR 38095, August 26, 1975, 41 FR 11631, March 19, 1976, 43 FR 23798, June 1, 1978, 45 FR 77220, November 21, 1980, 47 FR 367, January 5, 1982, 48 FR 45491, October 5, 1983, 50 FR 13448, April 4, 1985 and 60 FR 32210, June 20, 1995, is amended by revising the first paragraph of the storage policies and practices for the record in this system of record to read as follows:

#### 38 VA 23

##### SYSTEM NAME:

Veterans and Beneficiaries  
Identification and Records Location  
Subsystem (BIRLS)—VA.

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##### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

The basic file is on automated storage media (e.g., magnetic tapes and disks), with backup copies of the information on magnetic tape. Such information may be accessed through a data telecommunication terminal system designated the Benefits Delivery Network (BDN). BDN terminal locations include VA Central Office, VA regional offices, VBA Debt Management Center, VA health care facilities, Department of Defense Finance and Accounting Service Centers and the U.S. Coast Guard Pay and Personnel Center. An adjunct file (at the Records Processing Center (RPC) in St. Louis, MO) contains microfilm and paper documents of former manual Central Index claims numbers registers, partial files of pensioners with service prior to 1930, personnel with service between 1940 and 1948 with VA insurance, and partial lists of other Armed Forces personnel indexed by service number. A duplicate of the microfilm is also located at VA Central Office.

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3. The system of records identified as 58 VA 21/22, "Compensation, Pension,

Education and Rehabilitation Records—VA," published at 41 FR 9294, March 3, 1976, 43 FR 3984, January 30, 1978, 43 FR 15026, April 10, 1978, 43 FR 23797, June 1, 1978, 45 FR 57641, August 28, 1980, 45 FR 77220, November 21, 1980, 47 FR 367, January 5, 1982, 47 FR 16132, April 14, 1982, 47 FR 40742, September 15, 1982, 48 FR 1384, January 12, 1983, 48 FR 15994, April 13, 1983, 48 FR 39197, August 29, 1983, 48 FR 52798, November 22, 1983, 49 FR 23974, June 8, 1984, 49 FR 36046, September 13, 1984, 50 FR 10886, March 18, 1985, 50 FR 26875, June 28, 1985, 50 FR 31453, August 2, 1985, 51 FR 24781, July 8, 1986, 51 FR 25141, July 10, 1986, 51 FR 28289, August 6, 1986, 51 FR 36894, October 16, 1986, 52 FR 4078, February 9, 1987, 54 FR 36933, September 5, 1989, 55 FR 28508, July 11, 1990, 55 FR 42540, October 19, 1990, 56 FR 15667, April 17, 1991, 56 FR 16354, April 22, 1991, 57 FR 12374, April 9, 1992, 57 FR 44007, September 23, 1992, 58 FR 38164, July 15, 1993, 58 FR 54643, October 22, 1993, and 60 FR 20156, April 24, 1995 is amended by revising the first paragraph of the storage policies and practices for the records in this system of records to read as follows:

#### 58 VA 21/22

##### SYSTEM NAME:

Compensation, Pension, Education  
and Rehabilitation Records—VA.

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##### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM.

##### STORAGE:

Records (or information contained in records) are maintained on paper documents in claims file folders (e.g., "C" file folders, educational file folders and vocational rehabilitation folders) and on automated storage media (e.g., microfilm, microfiche, magnetic tape and disks.) Such information may be accessed through a data telecommunication terminal system designated the Benefits Delivery Network (BDN). BDN terminal locations include VA Central Office, VA regional offices, VA health care facilities, VISN offices, Department of Defense Finance and Accounting Service Centers and the U.S. Coast Guard Pay and Personnel Center.

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