

**ACTION:** Notice.

**SUMMARY:** The Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS), is announcing a fifty cent increase in the fee charged to entities authorized to request information from the National Practitioner Data Bank (NPDB) for all queries. The new fee will be \$4.75. There will be no change to the \$8.00 self-query fee.

**DATES:** This change will be effective May 9, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mark Pincus, Branch Chief, Practitioner Data Banks Branch, Office of Workforce Evaluation and Quality Assurance, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, Rm 8C-103, 5600 Fishers Lane, Rockville, MD 20857, Tel: 301-443-2300, E-mail: [policyanalysis@hrsa.gov](mailto:policyanalysis@hrsa.gov).

**SUPPLEMENTARY INFORMATION:** The current fee structure (\$4.25 per name) was announced in the **Federal Register** on April 22, 2003 (68 FR 19837) and became effective on July 1, 2003. All entity queries are submitted and query responses received through the NPDB's Integrated Query and Reporting Service (IQRS) and paid via an electronic funds transfer or credit card.

The NPDB is authorized by the Health Care Quality Improvement Act of 1986 (the Act), Title IV of Public Law 99-660, as amended (42 U.S.C. 11101 *et seq.*). Section 427(b)(4) of the Act authorizes the establishment of fees for the costs of processing requests for disclosure and of providing such information.

Final regulations at 45 CFR part 60 set forth the criteria and procedures for information to be reported to and disclosed by the NPDB. Section 60.3 of these regulations defines the terms used in this announcement.

In determining any changes in the amount of the user fee, the Department uses the criteria set forth in section 60.12(b) of the regulations, as well as allowable costs pursuant to Public Law 109-77, as amended, and Title II, Division F, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act for the Consolidated Appropriations Act, 2005, Public Law 108-447. These laws require that the Department recover the full costs of operating the Data Bank through user fees. Paragraph (b) of the regulations states:

"The amount of each fee will be determined based on the following criteria:

(1) Use of electronic data processing equipment to obtain information—the actual cost for the service, including

computer search time, runs, printouts, and time of computer programmers and operators, or other employees, (2) Photocopying or other forms of reproduction, such as magnetic tapes—actual cost of the operator's time, plus the cost of the machine time and the materials used, (3) Postage—actual cost, and (4) Sending information by special methods requested by the applicant, such as express mail or electronic transfer—the actual cost of the special service."

Based on analysis of the comparative costs of the various methods for filing and paying for queries, the Department is increasing all the entity query fees by \$0.50 per name. The practitioner self-query fee remains at \$8.00. This price increase is justified after an evaluation of the Data Bank's operational costs. At the current fee of \$4.25, the Data Bank is unable to recover full costs of operation. In keeping with the Act, and pursuant to the requirements of section 60.12 of the regulations, there are not sufficient funds to recover the full costs of operating the Data Bank without a fee increase.

When a query is for information on one or more physicians, dentists or other health care practitioners, the appropriate fee will be \$4.75 multiplied by the number of individuals about whom information is being requested. For examples, see the table below.

Query method	Fee per name in query	Examples
Entity query (via internet with electronic payment) .....	\$4.75	10 names in query. 10 × \$4.75 = \$47.50.
Practitioner self-query .....	8.00	One self-query = \$8.00.

The Department will continue to review the user fee periodically, and will revise it as necessary. Any changes in the fee and their effective date will be announced in the **Federal Register**.

Dated: March 3, 2006.

**Elizabeth M. Duke,**  
Administrator.

[FR Doc. E6-3323 Filed 3-9-06; 8:45 am]

**BILLING CODE 4165-15-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Inspector General

### Healthcare Integrity and Protection Data Bank: Change in User Fees

**AGENCY:** Office of Inspector General (OIG), HHS.

**ACTION:** Notice.

**SUMMARY:** In accordance with final regulations at 45 CFR part 61, implementing the Healthcare Integrity and Protection Data Bank (HIPDB), the Department is authorized to assess a fee on all requests for information, except requests from Federal agencies. In accordance with § 61.13 of the HIPDB regulations, the Department is announcing an adjustment from \$4.25 to \$4.75 in the fee charged for each query submitted by authorized entities. There will be no change to the current \$8 self-query fee.

**EFFECTIVE DATE:** This change will be effective May 9, 2006.

**FOR FURTHER INFORMATION CONTACT:** Joel Schaer, Office of External Affairs, (202) 619-0089.

**SUPPLEMENTARY INFORMATION:**

### User Fee Amount

Section 1128E(d)(2) of the Social Security Act (the Act), as added by section 221(a) of the Health Insurance Portability and Accountability Act of 1996, specifically authorizes the establishment of fees for the costs of processing requests for disclosure and for providing information from the Healthcare Integrity and Protection Data Bank (HIPDB). Final regulations at 45 CFR part 61 set forth the criteria and procedures for information to be reported to and disclosed by the HIPDB. The Act also requires that the Department recover the full costs of operating the HIPDB through such user fees. In determining any changes in the amount of the user fee, the Department employs the criteria set forth in § 61.13(b) of the HIPDB regulations.

Specifically, § 61.13(b) states that the amount of each fee will be determined based on the following criteria:

- Direct and indirect personnel costs;
- Physical overhead, consulting, and other indirect costs, including rent and depreciation on land, buildings, and equipment;
- Agency management and supervisory costs;
- Costs of enforcement, research, and establishment of regulations and guidance;
- Use of electronic data processing equipment to collect and maintain information, i.e., the actual cost of the service, including computer search time, runs, and printouts; and
- Any other direct or indirect costs related to the provision of services.

The current fee structure of \$4.25 for each separate query submitted by authorized entities was announced in a **Federal Register** notice on April 22, 2003, (68 FR 19838) and became effective on July 1, 2003. Based on the above criteria and our analysis of operational costs and the comparative costs of the various methods for filing and paying for queries, the Department is now raising the fee by \$.50 cents, from \$4.25 to \$4.75, for each query submitted by authorized entities. The practitioner self-query fee will remain at \$8 and the investigative research fee will remain at \$10.

When an authorized entity query is submitted for information on one or more health care practitioners, providers, or suppliers, the appropriate total fee will be \$4.75 multiplied by the

number of individuals or organizations about which information is being requested.

To minimize administrative costs, the Department will accept queries submitted by authorized entities by credit card or electronic funds transfer. The Department will continue to accept payment for self-queries only by credit card. The HIPDB accepts Visa, MasterCard, and Discover. To submit queries, registered entities (including law enforcement agencies) must use the HIPDB Web site at <http://www.npdb-hipdb.com>.

The Department will continue to review the user fee periodically and will revise it as necessary. Any future changes in the fee and its effective date will be announced through a notice in the **Federal Register**.

#### EXAMPLES

Query method	Fee per name in query, by method of payment	Examples
Authorized entity query .....	\$4.75	10 names in query: $10 \times \$4.75 = \$47.50$ .
Self-query .....	8.00	10 self-queries: $10 \times \$8 = \$80$ .
Investigative research query .....	10.00	10 investigative research queries: $10 \times \$10 = \$100$ .

Dated: March 3, 2006.

**Daniel R. Levinson,**

*Inspector General.*

[FR Doc. E6-3378 Filed 3-9-06; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Cancer Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Cancer Institute Initial Review Group, Subcommittee C—Basic & Preclinical.

*Date:* April 9–10, 2006.

*Time:* 6 p.m. to 5 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* Marriott Bethesda North Hotel & Conference Center, 5701 Marinelli Road, North Bethesda, MD 20852.

*Contact Person:* Michael B. Small, PhD, Scientific Review Administrator, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, National Institutes of Health, 6116 Executive Boulevard, Room 8127, Bethesda, MD 20892, 301-402-0996, [smallm@mail.nih.gov](mailto:smallm@mail.nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS.)

Dated: March 3, 2006

**Anna Snouffer,**

*Acting Director, Office of Federal Advisory Committee Policy.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Cancer Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Cancer Institute Special Emphasis Panel, SBIR Topic 219 (Phase I), Platform Biosensor Technologies for Point-of-Care Cancer Diagnostics.

*Date:* March 7, 2006.

*Time:* 12 p.m. to 4 p.m.

*Agenda:* To review and evaluate contract proposals.

*Place:* National Institutes of Health, National Cancer Institute, 6116 Executive