

practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: July 8, 2009.

**Janean Chambers,**

*Reports Clearance Officer.*

[FR Doc. E9-16505 Filed 7-10-09; 8:45 am]

BILLING CODE 4184-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### Notice of Hearing: Reconsideration of Disapproval of Washington State Plan Amendment (SPA) 08-019

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

**ACTION:** Notice of hearing.

**SUMMARY:** This notice announces an administrative hearing to be held on August 4, 2009 at the CMS Seattle Regional Office, 2201 Sixth Avenue, MS/RX-43, Seattle, Washington 98121, to reconsider CMS' decision to disapprove Washington SPA 08-019.

**Closing Date:** Requests to participate in the hearing as a party must be received by the presiding officer by July 28, 2009.

**FOR FURTHER INFORMATION CONTACT:** Benjamin Cohen, Presiding Officer, CMS, 2520 Lord Baltimore Drive, Suite L, Baltimore, Maryland 21244, Telephone: (410) 786-3169.

#### SUPPLEMENTARY INFORMATION:

This notice announces an administrative hearing to reconsider CMS' decision to disapprove Washington SPA 08-019 which was received by CMS on September 23, 2008, and disapproved on March 6, 2009. The SPA proposed to increase dispensing fees for pharmacies from \$4.20 to \$4.24 for high-volume pharmacies, \$4.51 to \$4.56 for mid-volume pharmacies, \$5.20 to \$5.25 for low-volume pharmacies, and \$5.20 to \$5.25 for unit dose systems.

As submitted, SPA 08-019 has raised concerns regarding compliance with section 1902(a)(30) of the Social Security Act (the Act) and implementing regulatory requirements.

Section 1902(a)(30)(A) of the Act requires that States have methods and procedures in place to assure that payments are consistent with efficiency, economy, and quality of care. Under that authority, the Secretary has issued regulations prescribing State rate-setting procedures and requirements. Longstanding requirements (presently codified at 42 CFR 447.512 and 447.514, and previously codified at 42 CFR 447.331 and 447.332) provide that the State is responsible for demonstrating that the dispensing fees are reasonable. The State has not provided that demonstration. In addition, Federal regulations at 42 CFR 447.205 require that a State provide public notice of any significant proposed change in its methods and standards for setting payment rates for services. In support of this amendment, the State believes that issuing a memorandum to providers online meets the public requirements. We believe that this does not meet the Federal standard. We believe public notice promotes transparency and openness in this process and allows the public to be fully aware of the State's actions.

Based on the above, and after consultation with the Secretary of the Department of Health and Human Services as required under Federal regulations at 42 CFR 430.15(c)(2), Washington SPA 08-019 was disapproved.

The following issues will be considered at the hearing:

- Whether Washington provided adequate public notice for setting payment rates for services as required at 42 CFR 447.205.
- Whether Washington met the longstanding requirement (presently codified at 42 CFR 447.512 and 447.514, and previously codified in 42 CFR 447.331 and 447.332) that the State is responsible for demonstrating that the proposed increased dispensing fees are reasonable.

Section 1116 of the Act and Federal regulations at 42 CFR Part 430, establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. CMS is required to publish a copy of the notice to a State Medicaid agency that informs the agency of the time and place of the hearing, and the issues to be considered. If CMS subsequently notifies the agency of additional issues that will be considered at the hearing, we will also publish that notice.

Any individual or group that wants to participate in the hearing as a party must petition the presiding officer within 15 days after publication of this

notice, in accordance with the requirements contained at 42 CFR 430.76(b)(2). Any interested person or organization that wants to participate as amicus curiae must petition the presiding officer before the hearing begins in accordance with the requirements contained at 42 CFR 430.76(c). If the hearing is later rescheduled, the presiding officer will notify all participants.

The notice to the State of Washington announcing an administrative hearing to reconsider the disapproval of its SPA reads as follows:

Ms. Susan Dreyfus, Secretary, Department of Social and Health Services, P.O. Box 45010, Olympia, WA 98504-5010.

Dear Ms. Dreyfus: I am responding to your request for reconsideration of the decision to disapprove the Washington State plan amendment (SPA) 08-019, which was received by the Centers for Medicare & Medicaid Services on September 23, 2008, and disapproved on March 6, 2009. The SPA proposed to increase dispensing fees for pharmacies from \$4.20 to \$4.24 for high-volume pharmacies, \$4.51 to \$4.56 for mid-volume pharmacies, \$5.20 to \$5.25 for low-volume pharmacies, and \$5.20 to \$5.25 for unit dose systems.

The following issues will be considered at the hearing:

- Whether Washington provided adequate public notice for setting payment rates for services as required at 42 CFR 447.205.
- Whether Washington met the longstanding requirement (presently codified at 42 CFR 447.512 and 447.514, and previously codified in 42 CFR 447.331 and 447.332) that the State is responsible for demonstrating that the proposed increased dispensing fees are reasonable.

I am scheduling a hearing on your request for reconsideration to be held on August 4, 2009, at the Centers for Medicare & Medicaid Services', Seattle Regional Office, 2201 Sixth Avenue, MS/RX-43, Seattle, Washington 98121, in order to reconsider the decision to disapprove SPA 08-019. If this date is not acceptable, we would be glad to set another date that is mutually agreeable to the parties. The hearing will be governed by the procedures prescribed by Federal regulations at 42 CFR Part 430.

I am designating Mr. Benjamin Cohen as the presiding officer. If these arrangements present any problems, please contact the presiding officer at (410) 786-3169. In order to facilitate any communication which may be necessary among the parties to the hearing, please notify the presiding officer to indicate acceptability of the hearing date that has been scheduled and provide names of the individuals who will represent the State at the hearing.

Sincerely,

Charlene Frizzera,  
*Acting Administrator.*

Section 1116 of the Social Security Act (42 U.S.C. 1316; 42 CFR 430.18)

(Catalog of Federal Domestic Assistance program No. 13.714, Medicaid Assistance Program)

Dated: June 16, 2009.

**Charlene Frizzera,**

*Acting Administrator, Centers for Medicare & Medicaid Services.*

[FR Doc. E9-16677 Filed 7-10-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Substance Abuse and Mental Health Services Administration

#### Advisory Committee for Women's Services; Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of a Web-based meeting of the Substance Abuse and Mental Health Services Administration (SAMHSA) Advisory Committee for Women's Services on July 29, 2009 from 2 p.m. to 4:30 p.m. The meeting is open to the public and will include an update on current and emerging research on women-specific substance use and mental health issues.

ACWS members and invited presenters will participate in this meeting through remote internet connection. On-site attendance by the public will be limited to space available. The meeting can also be accessed by the public via teleconference. To obtain teleconference call-in numbers and access codes, to make arrangements to attend on-site, or to request special accommodations for persons with disabilities, please communicate with Ms. Nevine Gahed, Designated Federal Official (see contact information below).

Substantive meeting information and a roster of Committee members may be obtained either by accessing the SAMHSA Committees' Web site at <https://nac.samhsa.gov/WomenServices/index.aspx>, or by contacting Ms. Gahed. The transcript for the meeting will also be available on the SAMHSA Committees' Web site within three weeks after the meeting.

**Committee Name:** SAMHSA Advisory Committee for Women's Services.

**Date/Time/Type:** Wednesday, July 29, 2009, from 2 p.m. to 4:30 p.m.: Open.

**Place:** 1 Choke Cherry Road, Sugarloaf Conference Room, Rockville, Maryland 20857.

**Contact:** Nevine Gahed, Designated Federal Official, SAMHSA Advisory Committee for Women's Services, 1 Choke Cherry Road, Room 8-1112, Rockville, Maryland 20857, Telephone: (240) 276-2331; FAX: (240) 276-2220 and E-mail: [nevine.gahed@samhsa.hhs.gov](mailto:nevine.gahed@samhsa.hhs.gov).

Dated: July 6, 2009.

**Toian Vaughn,**

*Committee Management Officer, Substance Abuse and Mental Health Services Administration.*

[FR Doc. E9-16457 Filed 7-10-09; 8:45 am]

**BILLING CODE 4162-20-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): Capacity Building Assistance (CBA) To Improve the Delivery and Effectiveness of Human Immunodeficiency Virus (HIV) Prevention Services for High-Risk and/or Racial/Ethnicity Minority Populations, Program Announcement Number PS09-906, Initial Review

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention (CDC) announces the aforementioned meeting.

**Time and Date:** 8:30 a.m.-5:30 p.m., July 28, 2009 (Closed).

**Place:** CDC, Corporate Square Campus, 8 Corporate Boulevard, Atlanta, Georgia 30329.

**Status:** The meeting will be closed to the public in accordance with provisions set forth in Section 552b(c) (4) and (6), Title 5 U.S.C., and the Determination of the Director, Management Analysis and Services Office, CDC, pursuant to Public Law 92-463.

**Matters To Be Discussed:** The meeting will include an initial review, discussion, and evaluation of applications received in response to "Capacity Building Assistance (CBA) To Improve the Delivery and Effectiveness of Human Immunodeficiency Virus (HIV) Prevention Services for High-Risk and/or Racial/Ethnicity Minority Populations, PS09-906." The meeting was initially held June 15-18, 2009. A reviewer conflict of interest was confirmed after the meeting commenced and a reviewer for another application was unable to participate due to sudden illness; therefore, the panel will be reconvened to review the affected applications.

**Contact Person for More Information:** Monica Farmer, M.Ed., Public Health Analyst, Strategic Science and Program Unit, Office of the Director, Coordinating Center for Infectious Diseases, CDC, 1600 Clifton Road, NE., Mailstop E-60, Atlanta, GA 30333, Telephone: (404) 498-2277.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: July 7, 2009.

**Elaine L. Baker,**

*Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.*

[FR Doc. E9-16460 Filed 7-10-09; 8:45 am]

**BILLING CODE 4163-18-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): Strengthening National Capacity in Malaria and Other Infectious Disease Operations Research, Funding Opportunity Announcement (FOA) CK09-004, Initial Review

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention (CDC) announces the aforementioned meeting.

**Time and Date:** 2:30 p.m.-4:30 p.m., July 28, 2009 (Closed).

**Place:** Teleconference.

**Status:** The meeting will be closed to the public in accordance with provisions set forth in Section 552b(c) (4) and (6), Title 5 U.S.C., and the Determination of the Director, Management Analysis and Services Office, CDC, pursuant to Public Law 92-463.

**Matters To Be Discussed:** The meeting will include the initial review, discussion, and evaluation of "Strengthening National Capacity in Malaria and Other Infectious Disease Operations Research, Funding Opportunity Announcement (FOA) CK09-004." This meeting was initially held June 1, 2009. A reviewer was unable to participate unexpectedly and the meeting was held in the absence of the required quorum; therefore, the panel will be reconvened to review the application received in response to the announcement.

#### FOR FURTHER INFORMATION CONTACT:

Wendy Carr, PhD, CDC, 1600 Clifton Road, NE., Mailstop D60, Atlanta, GA 30333, Telephone: (404) 498-2276.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.