

requirements. Therefore, we find good cause to waive a notice of proposed rulemaking and delayed effective date in order to comply with the statutory exemption of this service from the requirements specified in § 447.74(b).

#### IV. Correction of Errors

##### *Regulations Text*

■ Accordingly, CMS amends 42 CFR part 447, as amended in FR Doc. 2010–12954 of May 28, 2010 (75 FR 30244), effective July 1, 2010, by making the following corrections:

#### PART 447—PAYMENTS FOR SERVICES

■ 1. The authority citation for part 447 continues to read as follows:

**Authority:** Sec. 1102 of the Social Security Act (42 U.S.C. 1302).

■ 2. In § 447.50, a new paragraph (b)(2) is added to read as follows:

##### **§ 447.50 Cost sharing: Basis and purpose.**

\* \* \* \* \*

(b) \* \* \*

(2) *Indian health care provider* means a health care program operated by the Indian Health Service (IHS) or by an Indian Tribe, Tribal Organization, or Urban Indian Organization (otherwise known as an I/T/U) as those terms are defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

\* \* \* \* \*

■ 3. In § 447.74, revise paragraph (b) to read as follows:

##### **§ 447.74 Alternative premium and cost sharing protections for individuals with family incomes above 150 percent of the FPL.**

\* \* \* \* \*

(b) Cost sharing may be imposed under the State plan on individuals whose family income exceeds 150 percent of the FPL if the cost sharing does not exceed 20 percent of the payment the agency makes for the item or service (including a non-preferred drug but not including non-emergency services furnished in a hospital emergency department), with the following exception: In the case of States that do not have fee-for-service payment rates, any copayment that the State imposes for services provided by an MCO to a Medicaid beneficiary, including a child covered under a Medicaid expansion program for whom enhanced match is claimed under title XXI of the Act, may not exceed \$3.40 per visit for Federal FY 2009.

Thereafter, any copayment may not exceed this amount as updated each October 1 by the percentage increase in the medical care component of the CPI–

U for the period of September to September ending in the preceding calendar year and then rounded to the next highest 5-cent increment.

\* \* \* \* \*

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: June 29, 2010.

**Dawn L. Smalls,**

*Executive Secretary to the Department.*

[FR Doc. 2010–16272 Filed 6–30–10; 4:15 pm]

**BILLING CODE 4120–01–P**

#### DEPARTMENT OF HOMELAND SECURITY

##### **Federal Emergency Management Agency**

##### **44 CFR Part 64**

[Docket ID FEMA–2010–0003; Internal Agency Docket No. FEMA–8137]

##### **Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

**DATES: Effective Dates:** The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return,

communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 *et seq.*; unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, FEMA has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year, on FEMA's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension

date. Since these notifications were made, this final rule may take effect within less than 30 days.

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

*Regulatory Flexibility Act.* The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory

requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

*Regulatory Classification.* This final 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 13132, Federalism.* This rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This rule meets the applicable standards of Executive Order 12988.

*Paperwork Reduction Act.* This rule does not involve any collection of information for purposes of the

Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

#### List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

■ Accordingly, 44 CFR part 64 is amended as follows:

#### PART 64—[AMENDED]

■ 1. The authority citation for part 64 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.

#### § 64.6 [Amended]

■ 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
<b>Region IV</b>				
Alabama:				
Huntsboro, Town of, Russell County .....	010185	January 20, 1976, Emerg; January 6, 1982, Reg; July 22, 2010, Susp.	July 22, 2010 ....	July 22, 2010.
Phenix City, City of, Lee and Russell Counties.	010184	May 24, 1976, Emerg; September 16, 1981, Reg; July 22, 2010, Susp.	.....do* .....	Do.
Georgia:				
Claxton, City of, Evans County .....	130210	December 19, 1974, Emerg; August 19, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Hagan, City of, Evans County .....	130311	August 7, 2009, Emerg; July 22, 2010, Reg; July 22, 2010, Susp.	.....do .....	Do.
Hilltonia, Town of, Screven County .....	130385	January 30, 1990, Emerg; July 1, 1991, Reg; July 22, 2010, Susp.	.....do .....	Do.
Oconee, City of, Washington County ....	130415	June 25, 1975, Emerg; June 3, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Rocky Ford, Town of, Screven County	130162	July 22, 1992, Emerg; May 1, 1994, Reg; July 22, 2010, Susp.	.....do .....	Do.
Sandersville, City of, Washington County.	130228	August 14, 1975, Emerg; September 1, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Tennille, City of, Washington County ....	130416	July 16, 1975, Emerg; July 17, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Warren County, Unincorporated Areas	135262	March 27, 2006, Emerg; July 22, 2010, Reg; July 22, 2010, Susp.	.....do .....	Do.
Warrenton, City of, Warren County .....	130187	June 23, 1975, Emerg; July 23, 1982, Reg; July 22, 2010, Susp.	.....do .....	Do.
Wilkes County, Unincorporated Areas ..	135263	March 25, 2002, Emerg; July 22, 2010, Reg; July 22, 2010, Susp.	.....do .....	Do.
Kentucky:				
Guthrie, City of, Todd County .....	210214	June 26, 1975, Emerg; April 30, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Pulaski County, Unincorporated Areas	210197	May 29, 1984, Emerg; July 16, 1990, Reg; July 22, 2010, Susp.	.....do .....	Do.
South Carolina:				
Allendale County, Unincorporated Areas.	450201	N/A, Emerg; June 17, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Fairfax, Town of, Allendale County .....	450010	July 19, 1995, Emerg; July 1, 2003, Reg; July 22, 2010, Susp.	.....do .....	Do.
Sycamore, Town of, Allendale County ..	450011	June 27, 2000, Emerg; February 1, 2002, Reg; July 22, 2010, Susp.	.....do .....	Do.
Ulmer, Town of, Allendale County .....	450012	August 19, 1976, Emerg; June 3, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
<b>Region V</b>				
Ohio:				
Darbyville, Village of, Pickaway County	390712	August 25, 1981, Emerg; August 16, 1988, Reg; July 22, 2010, Susp.	.....do .....	Do.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Dennison, Village of, Tuscarawas County.	390542	July 11, 1975, Emerg; December 18, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Dover, City of, Tuscarawas County .....	390543	May 27, 1975, Emerg; July 16, 1987, Reg; July 22, 2010, Susp.	.....do .....	Do.
Frankfort, Village of, Ross County .....	390484	July 11, 1975, Emerg; September 24, 1984, Reg; July 22, 2010, Susp.	.....do .....	Do.
New Holland, Village of, Fayette and Pickaway Counties.	390448	July 25, 1975, Emerg; January 18, 1980, Reg; July 22, 2010, Susp.	.....do .....	Do.
New Philadelphia, City of, Tuscarawas County.	390545	July 2, 1975, Emerg; January 2, 1987, Reg; July 22, 2010, Susp.	.....do .....	Do.
Newcomerstown, Village of, Tuscarawas County.	390544	February 5, 1975, Emerg; January 2, 1987, Reg; July 22, 2010, Susp.	.....do .....	Do.
Port Washington, Village of, Tuscarawas County.	390664	June 12, 1975, Emerg; January 15, 1988, Reg; July 22, 2010, Susp.	.....do .....	Do.
South Bloomfield, Village of, Pickaway County.	390449	August 7, 1974, Emerg; June 15, 1979, Reg; July 22, 2010, Susp.	.....do .....	Do.
Williamsport, Village of, Pickaway County.	390866	April 20, 1979, Emerg; November 23, 1984, Reg; July 22, 2010, Susp.	.....do .....	.....do
Zoar, Village of, Tuscarawas County ....	390752	April 7, 1977, Emerg; September 4, 1987, Reg; July 22, 2010, Susp.	.....do .....	Do.
Wisconsin:				
Appleton, City of, Calumet and Outagamie Counties.	555542	April 23, 1971, Emerg; April 6, 1973, Reg; July 22, 2010, Susp.	.....do .....	Do.
Bear Creek, Village of, Outagamie County.	550526	August 16, 1978, Emerg; August 19, 1986, Reg; July 22, 2010, Susp.	.....do .....	Do.
Birnamwood, Village of, Marathon and Shawano Counties.	550413	May 2, 1975, Emerg; August 19, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Black Creek, Village of, Outagamie County.	550584	November 13, 1975, Emerg; March 2, 1981, Reg; July 22, 2010, Susp.	.....do .....	Do.
Brokaw, Village of, Marathon County ....	550247	January 16, 1975, Emerg; June 1, 1988, Reg; July 22, 2010, Susp.	.....do .....	Do.
Hatley, Village of, Marathon County .....	550251	June 2, 1975, Emerg; September 27, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Hortonville, Village of, Outagamie County.	550529	April 17, 1975, Emerg; July 2, 1981, Reg; July 22, 2010, Susp.	.....do .....	Do.
Kaukauna, City of, Outagamie County ..	550305	July 22, 1975, Emerg; July 16, 1981, Reg; July 22, 2010, Susp.	.....do .....	Do.
Kronenwetter, Village of, Marathon County.	550193	N/A, Emerg; October 7, 2008, Reg; July 22, 2010, Susp.	.....do .....	Do.
Marathon City, Village of, Marathon County.	550252	June 24, 1975, Emerg; August 15, 1980, Reg; July 22, 2010, Susp.	.....do .....	Do.
Marathon County, Unincorporated Areas.	550245	April 9, 1971, Emerg; February 1, 1979, Reg; July 22, 2010, Susp.	.....do .....	Do.
Mosinee, City of, Marathon County .....	555567	May 7, 1971, Emerg; December 16, 1973, Reg; July 22, 2010, Susp.	.....do .....	Do.
Outagamie County, Unincorporated Areas.	550302	January 14, 1972, Emerg; September 30, 1977, Reg; July 22, 2010, Susp.	.....do .....	Do.
Rothschild, Village of, Marathon County	555577	April 2, 1971, Emerg; May 11, 1973, Reg; July 22, 2010, Susp.	.....do .....	Do.
Schofield, City of, Marathon County .....	555579	April 16, 1971, Emerg; July 13, 1973, Reg; July 22, 2010, Susp.	.....do .....	Do.
Seymour, City of, Outagamie County ...	550534	February 18, 1975, Emerg; November 9, 1979, Reg; July 22, 2010, Susp.	.....do .....	Do.
Stratford, Village of, Marathon County ..	550256	March 24, 1975, Emerg; May 1, 1987, Reg; July 22, 2010, Susp.	.....do .....	Do.
Wrightstown, Village of, Brown and Outagamie Counties. Region VI	550025	September 29, 1976, Emerg; May 19, 1981, Reg; July 22, 2010, Susp.	.....do .....	Do.
Louisiana:				
Elton, Town of, Jefferson Davis Parish	220096	May 6, 1975, Emerg; February 3, 1982, Reg; July 22, 2010, Susp.	.....do .....	Do.
Independence, Town of, Tangipahoa Parish.	220209	July 25, 1975, Emerg; July 5, 1977, Reg; July 22, 2010, Susp.	.....do .....	Do.
Tangipahoa Parish, Unincorporated Areas.	220206	April 18, 1975, Emerg; February 2, 1983, Reg; July 22, 2010, Susp.	.....do .....	Do.
Tickfaw, City of, Tangipahoa Parish .....	220214	July 30, 1975, Emerg; June 28, 1977, Reg; July 22, 2010, Susp.	.....do .....	Do.
Welsh, Town of, Jefferson Davis Parish	220100	December 5, 1974, Emerg; July 16, 1981, Reg; July 22, 2010, Susp.	.....do .....	Do.
Oklahoma:				

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Canadian, Town of, Pittsburg County ...	400272	February 25, 1977, Emerg; May 15, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Haileyville, City of, Pittsburg County .....	400167	June 25, 1976, Emerg; August 5, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Hartshorne, City of, Pittsburg County ...	400387	November 23, 1976, Emerg; August 5, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Idabel, City of, McCurtain County .....	400108	August 15, 1975, Emerg; July 16, 1980, Reg; July 22, 2010, Susp.	.....do .....	Do.
Krebs, City of, Pittsburg County .....	400169	May 19, 1978, Emerg; August 5, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Pittsburg, Town of, Pittsburg County ....	400171	April 14, 1976, Emerg; October 15, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Pittsburg County, Unincorporated Areas	400494	November 26, 2002, Emerg; November 1, 2007, Reg; July 22, 2010, Susp.	.....do .....	Do.
Quinton, Town of, Pittsburg County .....	400172	August 11, 1975, Emerg; August 5, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Wright City, City of, McCurtain County	400109	November 29, 1976, Emerg; May 17, 1989, Reg; July 22, 2010, Susp.	.....do .....	Do.
Region VII				
Missouri:				
Hannibal, City of, Marion and Ralls Counties.	290223	August 13, 1971, Emerg; August 1, 1978, Reg; July 22, 2010, Susp.	.....do .....	Do.
Marion County, Unincorporated Areas ..	290222	June 28, 1973, Emerg; May 16, 1977, Reg; July 22, 2010, Susp.	Do. ....	Do.
Palmyra, City of, Marion County .....	290224	N/A, Emerg; March 4, 2009, Reg; July 22, 2010, Susp.	.....do .....	Do.
Region VIII				
Montana:				
Custer County, Unincorporated Areas ..	300147	August 7, 1979, Emerg; September 1, 1987, Reg; July 22, 2010, Susp.	.....do .....	Do.
Denton, Town of, Fergus County .....	300020	February 12, 1979, Emerg; July 19, 1982, Reg; July 22, 2010, Susp.	.....do .....	Do.
Fergus County, Unincorporated Areas ..	300019	April 13, 1978, Emerg; December 1, 1982, Reg; July 22, 2010, Susp.	.....do .....	Do.
Lewistown, City of, Fergus County .....	300022	July 19, 1974, Emerg; July 19, 1982, Reg; July 22, 2010, Susp.	.....do .....	Do.
Miles City, City of, Custer County .....	300014	May 29, 1975, Emerg; February 1, 1980, Reg; July 22, 2010, Susp.	.....do .....	Do.
Moore, Town of, Fergus County .....	300100	May 11, 1977, Emerg; July 19, 1982, Reg; July 22, 2010, Susp.	.....do .....	Do.
South Dakota:				
Sanborn County, Unincorporated Areas	460074	April 21, 1975, Emerg; November 15, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.
Woonsocket, City of, Sanborn County ..	460075	May 28, 1975, Emerg; November 15, 1985, Reg; July 22, 2010, Susp.	.....do .....	Do.

\*-do- = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: June 22, 2010.

**Edward L. Connor,**

*Acting Federal Insurance and Mitigation  
Administrator, Department of Homeland  
Security, Federal Emergency Management  
Agency.*

[FR Doc. 2010-16243 Filed 7-2-10; 8:45 am]

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