

§ 422.308 Limits on premiums and cost sharing amounts.

* * * *

(b) * * *

(2) For supplemental benefits, the actuarial value of its cost-sharing may not exceed the amounts approved in the ACR for those benefits, as determined under § 422.310 on an annual basis.

* * * *

§ 422.310 [Corrected]

22. On page 35096, in the second column, in § 422.310 (that section begins on page 35095), in paragraph (c)(4), "component. Adjustments will be" is corrected to read "component. In addition, adjustments will be".

§ 422.502 [Corrected]

23. In § 422.502, the following corrections are made:

a. On page 35100, in the third column, in paragraph (a)(2), "§ 422.108" is corrected to read "§ 422.110".

b. On the same page, in the same column, in paragraph (a)(3)(i), "§ 422.100" is corrected to read "§ 422.101", and "§ 422.101" is corrected to read "§ 422.102".

c. On page 35101, in the first column, in paragraph (a)(4), "§ 422.110" is corrected to read "§ 422.111".

d. On page 35103, in the second column, paragraph (m) is redesignated as paragraph (1)(4) and is corrected to read as follows:

§ 422.502 Contract provisions.

* * * *

(l) * * *

(4) The CEO or CFO must certify that the information in its ACR submission is accurate and fully conforms to the requirements in § 422.310.

§ 422.550 [Corrected]

24. On page 35106, in the second column, amendatory instruction "19. a." is corrected to read as follows:

a. In paragraph (b)(1), the following sentence is added at the end: "The M+C organization must also provide updated financial information and a discussion of the financial and solvency impact of the change of ownership on the surviving organization."

§ 422.608 [Corrected]

25. On page 35111, in the third column, in § 422.608, in the heading, the acronym "(DAB)" is corrected to read "(the Board)" and in the text "DAB" is corrected to read "Board" each time it appears (twice).

§ 422.612 [Corrected]

26. In § 422.612, the following corrections are made:

a. On page 35111, in the third column, in paragraph (a)(1) "DAB" is corrected to read "Board".

b. On the same page, in the same column, in the heading of paragraph (b), "DAB" is corrected to read "Board".

c. On the same page, in the same column, in the text of paragraph (b) introductory text, "DAB" is corrected to read "Board".

§ 422.616 [Corrected]

27. On page 35111, in the third column that continues on page 35112, in § 422.616(a), "DAB" is corrected to read "Board".

§ 422.620 [Corrected]

28. On page 35112, in the second column, in § 422.620, in paragraph (a), "§ 422.112(b)" is corrected to read "§ 422.112(c)".

§ 422.622 [Corrected]

29. On page 35112, in the third column, in § 422.622, in paragraph (c)(1)(i) "§ 422.112(b)" is corrected to read "§ 422.112(c)" each time it appears (twice).

§ 422.752 [Corrected]

30. On page 35115, in the second column, in § 422.752, in paragraph (a)(6), "§ 422.204" is corrected to read "§ 422.206".

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.766, Medicare—Supplementary Medical Insurance Program)

Dated: September 25, 1998.

Neil J. Stillman,

Deputy Assistant Secretary for Information Resources Management.

[FR Doc. 98-26242 Filed 9-30-98; 8:45 am]

BILLING CODE 4120-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Care Financing Administration****42 CFR Parts 405, 412, and 413**

[HCFA-1003-CN]

RIN 0938-A122

Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 1999 Rates; Corrections

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rule; correction notice.

SUMMARY: In the July 31, 1998 issue of the **Federal Register** (63 FR 40594), we published a final rule revising the

Medicare hospital inpatient prospective payment systems for operating costs and capital-related costs to implement applicable statutory requirements, including the Balanced Budget Act of 1997 (BBA), as well as changes arising from our continuing experience with the system. In addition, in the addendum to that final rule, we announced the amounts and factors for determining prospective payment rates for Medicare hospital inpatient services for operating costs and capital-related costs applicable to discharges occurring on or after October 1, 1998, and set forth rate-of-increases limits for hospitals and hospital units excluded from the prospective payment systems. This document corrects errors made in that document.

FOR FURTHER INFORMATION CONTACT: Shawn Braxton (410) 786-7292.

SUPPLEMENTARY INFORMATION: The July 31, 1998 final rule contained technical and typographical errors. Therefore, we are making the following corrections:

1. On page 40983, at the top of the page, the second column of the table is replaced with the following:

209
\$8,400.32
\$1,714.35
\$5,914.51
\$6,771.69
\$7,628.87
\$8,400.32

2. On page 40983, at the top of the page, the second footnote, the first line, the second parenthetical figure "\$2,048.86" is corrected to read "\$1,714.35".

3. On page 41019, in Table 1A—National Adjusted Operating Standardized Amounts, Labor/Nonlabor, the figure for Nonlabor-related share of the Large Urban Areas standardized amount "1,313.41" is corrected to read "1,131.38".

4. On page 41053, in Table 4A—Wage Index and Capital Geographic Adjustment Factor (GAF) for Urban Areas, the first set of columns, first column, tenth line from the bottom, the footnote number "2" (for Cincinnati, OH-KY-IN) is corrected to read "1".

5. On pages 41123, 41124, 41128, 41129, 41130, and 41131, in Appendix D—DRG Charts, the last graph titled—Costs and Payments by Length of Stay (Using Current Transfer Methodology), in the legend, the label "Costs" is corrected to read "Payments" and the label "Payments" is corrected to read "Costs".

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program; No. 93.773 Medicare—Hospital Insurance; and No. 93.774, Medicare—Supplementary Medical Insurance)

Dated: August 25, 1998.

Neil J. Stillman,

Deputy Assistant, Secretary for Information
Resource Management.

[FR Doc. 98-26241 Filed 9-30-98; 8:45 am]

BILLING CODE 4120-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 2200, 2210, 2240, 2250, and 2270

[WO-420-1050-00-24 1A]

RIN 1004-AC58

Exchanges: General Procedures; State Exchanges; National Park Exchanges; Wildlife Refuge Exchanges; Miscellaneous Exchanges

AGENCY: Bureau of Land Management,
Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Land Management (BLM) is streamlining its exchange regulations at 43 CFR group 2200 by amending § 2200.0-7 of part 2200 and by removing parts 2210, 2240, 2250, and 2270. Section 2200.0-7 states that, apart from the Federal Land Policy and Management Act (FLPMA), the Secretary of the Interior administers various statutes authorizing land exchanges, and that those exchanges may involve BLM-managed lands. If BLM-managed lands are involved, the other statutes will prevail over the regulations in part 2200 to the extent they are inconsistent with the regulations in part 2200. BLM is simultaneously removing parts 2210, 2240, 2250, and 2270 because the regulations in those parts largely restate the substance of the exchange statutes referenced in them and are, in that respect, redundant and unnecessary.

EFFECTIVE DATE: November 2, 1998.

ADDRESSES: You may send inquiries or suggestions to: Administrative Record (630), Bureau of Land Management, 1849 C Street, NW, Room 401LS, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Chris Fontecchio, Bureau of Land Management, 1849 C Street, N.W., Room 401LS, Washington, DC 20240; Telephone: 202-452-5012.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Final Rule as Adopted
- III. Responses to Comments
- IV. Procedural Matters

I. Background

Land exchanges involving BLM-managed lands and interest in lands are

generally governed by FLPMA of 1976, as amended, 43 U.S.C. 1701 *et seq.*, and the implementing regulations at 43 CFR part 2200. However, various other statutes authorize certain site- and type-specific land exchanges that may involve BLM-managed lands or interests in lands. The terms of these statutes may not be fully consistent with BLM's general land exchange regulations in part 2200. To the extent that an exchange of BLM-managed lands involves such inconsistencies, the conflicting terms of the site- or type-specific statute will prevail over the part 2200 regulations. Provisions currently found at 43 CFR parts 2210, 2240, 2250, and 2270 refer to some of these other site- and type-specific exchange statutes.

In light of the regulatory reform initiative's goals of streamlining the Code of Federal Regulations, this final rule removes the parts which in large measure restate statutory terms and, also, amends section 2200.0-7 to generally advise the public that other statutes governing certain site- and type-specific exchanges will preempt the exchange regulations at part 2200, to the extent that the terms of the statute and the part 2200 regulations conflict. This can be accomplished without significantly affecting the rights of the United States, BLM's customers, or the public at large. This rule finalizes a proposed rule which was published on December 6, 1996, in the **Federal Register** at 61 FR 64658.

II. Final Rule as Adopted

The parts which this rule removes, 43 CFR parts 2210, 2240, 2250, and 2270, are almost entirely devoted to repeating statutory provisions. To the extent that they are duplicative, these regulations serve only to provide information that can be found in the statutes themselves. Furthermore, the few provisions in these parts which go beyond the statutes are provisions which can and should be removed.

For example, removing section 2240.0-3(f) deletes: (1) the requirement that States, political subdivisions thereof, or interested parties requesting public hearings to consider an exchange do so in writing; and (2) the definitions of National Park System and miscellaneous areas. These provisions constitute substance beyond that already contained in the Act of July 15, 1968, 16 U.S.C. 4601-22. However, BLM has determined that deleting these provisions does not meaningfully alter its administration of the Act's exchange provisions or significantly affect the rights of the United States or the public. BLM believes the benefits of

streamlining and deleting unnecessary material such as part 2240 outweigh the impact of these minor substantive changes.

Next, removing part 2250 eliminates regulatory language stating that lands eligible for exchange under the Act of August 22, 1957, 16 U.S.C. 696, include federally owned property in Florida classified by the Secretary as suitable for exchange or disposal. In fact, the statute requires that lands be "federally owned property in the State of Florida under [the Secretary of the Interior's] jurisdiction" Therefore, any suggestion by the existing 43 CFR 2250.0-3(c) that the land need only be Federal land in Florida, regardless of the Secretary's jurisdiction, contradicts the law. Removing part 2250 will eliminate this confusion and will delete otherwise unnecessary language.

Similarly, removing part 2270 will eliminate a few minor inconsistencies with the governing statutes, but in each case our intention is that these deletions will not have any substantive effect. For example, section 2271.0-3(a) adds the word "approximately" to the requirement that exchanges of Indian Reservation land under the Act of April 21, 1904, 43 U.S.C. 149, must be "equal" in area and value. In this particular statutory context, BLM has generally interpreted the word "equal" to mean "approximately equal" to allow the exchanging parties some flexibility in making the exchange as close to equal as is reasonably possible, without risking failure over negligible differences. Although removing part 2270 will eliminate this interpretation from the CFR, BLM advises that it will continue to interpret the term "equal" in this way. BLM also advises that eliminating part 2270 will cause several other minor changes, but none that involve any significant substance. To sum up, BLM believes that there are no variances between the statute and the regulations being removed which are significant enough to justify continued publication of these otherwise redundant and unnecessary regulations.

In place of these redundant parts, this rule amends 43 CFR 2200.0-7(b) to include a general provision rather than a reference to the deleted parts. The amended section informs the public that the rules in part 2200 will apply to all exchanges involving BLM-managed lands unless a statute authorizes an exchange to be conducted under different requirements or procedures. As amended, the regulation gives several examples of land exchanges, such as National Park System and National Wildlife Refuge System exchanges, which may require complying with