

*Drake International, Inc.*, 1590 Phoenix Blvd., Suite 260, College Park, GA 30349-5462, Officer: Augustine E. Clarke, III, President.

Dated: December 8, 1998.

**Joseph C. Polking,**

*Secretary.*

[FR Doc. 98-32985 Filed 12-10-98; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL RESERVE SYSTEM

### Sunshine Act Meeting

**TIME AND DATE:** 10:00 a.m., Wednesday, December 16, 1998.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

**STATUS:** Open.

#### MATTERS TO BE CONSIDERED:

##### *Discussion Agenda:*

1. Proposed 1999 Federal Reserve Bank budgets.
2. Any items carried forward from a previously announced meeting.

**Note:** This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board's Freedom of Information Office, and copies may be ordered for \$6 per cassette by calling 202-452-3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

**CONTACT PERSON FOR MORE INFORMATION:** Lynn S. Fox, Assistant to the Board; 202-452-3204.

**SUPPLEMENTARY INFORMATION:** You may call 202-452-3206 for a recorded announcement of this meeting; or you may contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement. (The Web site also includes procedural and other information about the open meeting.)

Dated: December 9, 1998.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 98-33031 Filed 12-2-98; 12:30 pm]

BILLING CODE 6210-01-P

## FEDERAL RESERVE SYSTEM

### Sunshine Act Meeting

**TIME AND DATE:** Approximately 10:30 a.m., Wednesday, December 16, 1998, following a recess at the conclusion of the open meeting.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, N.W., Washington, D.C. 20551.

**STATUS:** Closed.

#### MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any matters carried forward from a previously announced meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Lynn S. Fox, Assistant to the Board; 202-452-3204.

**SUPPLEMENTARY INFORMATION:** You may call 202-452-3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Dated: December 9, 1998.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 98-33032 Filed 12-9-98; 12:30 pm]

BILLING CODE 6210-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration [HCFA-4002-GNC]

RIN 0938-AJ15

#### Medicare Program; Criteria and Standards for Evaluating Intermediary and Carrier Performance: Millennium Compliance

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

**ACTION:** General notice with comment period.

**SUMMARY:** This notice revises the criteria and standards to be used for evaluating the performance of fiscal intermediaries and carriers in the administration of the Medicare program. This revision establishes a performance standard requiring these contractors to meet requirements for millennium compliance. We require contractors to certify that they have made all necessary system(s) changes and have tested those systems in accordance with HCFA guidelines.

**DATES:** *Effective date:* This notice is effective December 11, 1998.

*Comment date:* Comments will be considered if we receive them at the appropriate address, as provided below,

no later than 5 p.m. on February 9, 1999.

**ADDRESSES:** Mail written comments (1 original and 3 copies) to the following address:

Health Care Financing Administration,  
Department of Health and Human  
Services, Attention: HCFA-4002-  
GNC, P.O. Box 31850, Baltimore, MD  
21207-8850

If you prefer, you may deliver your written comments (1 original and 3 copies) to one of the following addresses:

Room 309-G, Hubert H. Humphrey  
Building, 200 Independence Avenue,  
SW., Washington, D.C. 20201, or  
Room C5-09-26, 7500 Security Blvd,  
Baltimore, MD 21244-1850.

Comments may also be submitted electronically to the following e-mail address: HCFA4002GNC@hcfa.gov. E-mail comments must include the full name, postal address, and affiliation (if applicable) of the sender and must be submitted to the referenced address to be considered. All comments must be incorporated in the e-mail message because we may not be able to access attachments.

Because of staffing and resource limitations, we cannot accept comments by facsimile (FAX) transmission. In commenting, please refer to file code HCFA-4002-GNC-N. Comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, in Room 309-G of the Department's offices at 200 Independence Ave., SW., Washington, DC, on Monday through Friday of each week from 8:30 a.m. to 5:00 p.m. (Phone: 202-690-7890).

**FOR FURTHER INFORMATION CONTACT:** Sue Lathroum, (410) 786-7409; Rich Morrison, (410) 786-7142.

#### SUPPLEMENTARY INFORMATION:

##### **I. Background**

Section 1816 of the Social Security Act (the Act) authorizes us to enter into agreements with fiscal intermediaries to determine whether medical services are covered under Medicare and determine correct payment amounts. The intermediaries then make payments to the health care providers on behalf of the beneficiaries. Section 1816(f) of the Act requires us to develop criteria, standards, and procedures to evaluate an intermediary's performance of its functions under its agreement.

Section 1842 of the Act authorizes us to enter into contracts with carriers for the payment of Part B claims for Medicare-covered services. Under

section 1842(b)(2) of the Act, we are required to develop criteria, standards, and procedures to evaluate a carrier's performance of its functions under its contract. We refer to these fiscal intermediaries and carriers as Medicare "contractors".

On September 7, 1994, we published in the **Federal Register** (59 FR 46258) the criteria and standards to be used to evaluate the performance of our contractors under their agreements or contracts with us.

The criteria and standards we published help us determine if a contractor's performance measures up to the expectations that we have for the activities being evaluated to ensure that our beneficiaries and providers are being properly served. We announced that we would use the results of the performance evaluations in our contract management activities, which might result in the initiation of administrative actions. These actions could include entering into, renewing/extending, or terminating contracts or contract amendments with our contractors. We also announced that we would consider revising the criteria and standards if changes were required as a result of administrative mandate or congressional action. If changes are necessary, we are required to issue a **Federal Register** notice before implementing a change.

## II. Provisions of This Notice

With the approach of the year 2000, we have been focusing on our readiness to move into the next century and taking all appropriate steps to ensure that Medicare claims are processed without interruption. Millennium compliance of all claims processing and related systems is our highest priority. We believe it is appropriate to add a requirement to our contracts and agreements with our Medicare contractors to ensure that all Medicare contractors are making the commitment and taking necessary action to meet our requirements in that regard. In addition, we are requiring each contractor to certify, under the normal penalties that apply to false certifications, that it has made all necessary systems changes and has tested its systems in accordance with the guidelines we have established. The normal penalties for false certification include criminal and/or civil prosecution as well as appropriate administrative action, not limited to suspension of the contractor from the Medicare program, as well as the termination or nonrenewal of a contract or agreement.

Listed below are the revisions to the "Administrative Activities" criterion and section VII. "Action Based on

Performance Evaluations" to incorporate the addition of the certification requirements for the contractors' systems changes.

Under the "Administrative Activities" criterion in sections IV and V for fiscal intermediaries and carriers, respectively, the following introductory paragraph is added:

"A contractor must efficiently and effectively manage its operations to ensure constant improvement in the way it does business. Proper systems security, ADP maintenance, and disaster recovery plans must be in place. It must also ensure that all necessary actions and system changes have been made and tested so that it is meeting established milestones along the critical path of HCFA's requirements for millennium compliance." Year 2000 compliant means information technology that accurately processes date and time data (including, but not limited to, calculating, comparing, and sequencing) from, into, and between the nineteenth, twentieth, and twenty-first centuries, and the years 1999 and 2000 and leap year calculations. Furthermore, Year 2000 compliant information technology, when used in combination with other information technology, must accurately process date and time data if the other information technology properly exchanges date and time data with it. [adapted from: FAR 39.002 Definitions]

The remaining section of the criterion is unchanged, except for the reference to implementation reviews of "Task management plans". This reference should be to implementation reviews of "Change management plans" to conform with our recent implementation of the "Change management system" for issuing instructions to our contractors.

We are also adding the following requirement to section VII. "Action Based on Performance Evaluations" after the existing requirements:

"A contractor must certify that it has made all necessary systems changes and has tested its systems in accordance with the guidelines HCFA has established."

**Authority:** Section 1816(f) and 1842(b)(2) of the Social Security Act (42 U.S.C. 1395h and 1395u).

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

Dated: August 24, 1998.

**Nancy-Ann Min DeParle,**  
*Administrator, Health Care Financing Administration.*

[FR Doc. 98-32977 Filed 12-10-98; 8:45 am]

BILLING CODE 4120-01-P

## 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 a meeting of the President's Cancer Panel.

The meeting will be closed to the public in accordance with the provisions set forth in section 552b(c)(9)(B), Title 5 U.S.C. The purpose of this meeting is to write the Annual Report to the President and to plan the 1999 meeting agenda. Premature disclosure of the specific details of these discussions and recommendations would be likely to significantly frustrate the subsequent implementation of proposed recommendations made by the Panel.

*Name of Committee:* President's Cancer Panel.

*Date:* December 7, 1998.

*Time:* 11:00 am to 5:00 pm

*Agenda:* Preparation of the 1998 Annual Report to the President and 1999 panel meeting agenda planning.

*Place:* NOVA Research Company, 4600 East-West Highway, Suite 700, Bethesda, MD 20892.

*Contact Person:* Maureen O. Wilson, PhD, Executive Secretary, National Cancer Institute, National Institutes of Health, 31 Center Drive, Building 31, Room 4A48, Bethesda, MD 20892.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(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: December 4, 1998.

**LaVerne Y. Stringfield,**

*Committee Management Officer, NIH.*

[FR Doc. 98-32934 Filed 12-10-98; 8:45 am]

BILLING CODE 4140-01-M

## 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