

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 441 and 483

[HCFA-2065-F]

RIN 0938-AJ96

Medicare Program; Use of Restraint and Seclusion in Residential Treatment Facilities Providing Inpatient Psychiatric Services to Individuals Under Age 21: Delay of Effective Date

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

ACTION: Interim final rule; delay of effective date.

SUMMARY: In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the January 24, 2001 **Federal Register**, this action temporarily delays for 60 days the effective date of the interim final rule entitled "Use of Restraint and Seclusion in Residential Treatment Facilities Providing Inpatient Psychiatric Service to Individuals Under Age 21" published in the January 22, 2001 **Federal Register** (66 FR 7148). That interim final rule establishes a definition of a "psychiatric residential treatment facility" that is not a hospital and that may furnish covered Medicaid inpatient psychiatric services for individuals under age 21. This rule also sets forth a Condition of Participation that psychiatric residential treatment facilities that are not hospitals must meet to provide, or to continue to provide, the Medicaid inpatient psychiatric services benefit to individuals under age 21. The effective date of that rule, which would have been March 23, 2001, is now May 22, 2001. The temporary 60-day delay in effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. To the extent that 5 U.S.C. section 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(3)(a). Alternatively, HCFA's implementation of this rule without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. section 553(b)(3)(B) and 553(d)(3), in that seeking public comment is

impracticable, unnecessary, and contrary to the public interest. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest, in the orderly promulgation and implementation of regulations.

DATES: The effective date of the interim final rule amending 42 CFR parts 441 and 483 published in the January 22, 2001 **Federal Register** (66 FR 7148), is delayed 60 days, from March 23, 2001 to a new effective date of May 22, 2001.

FOR FURTHER INFORMATION CONTACT: Mary Kay Mullen, (410) 786-5480.

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

Dated: February 27, 2001.

Michael McMullan,

Acting Deputy Administrator, Health Care Financing Administration.

Approved: January 14, 2001.

Tommy G. Thompson,
Secretary.

[FR Doc. 01-7033 Filed 3-20-01; 8:45 am]

BILLING CODE 4120-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

Radio Broadcast Services

CFR Correction

In Title 47 of the Code of Federal Regulations, Parts 70 to 79, revised as of October 1, 2000, on page 278, part 73 is corrected by adding § 73.1020 as set forth below:

§ 73.1020 Station license period.

(a) Initial licenses for broadcast stations will ordinarily be issued for a period running until the date specified in this section for the State or Territory in which the station is located. If issued after such date, it will run to the next renewal date determined in accordance with this section. Both radio and TV broadcasting stations will ordinarily be renewed for 8 years. However, if the FCC finds that the public interest, convenience and necessity will be served thereby, it may issue either an initial license or a renewal thereof for a lesser term. The time of expiration of normally issued initial and renewal licenses will be 3 a.m., local time, on the following dates and thereafter at 8-year intervals for radio and TV broadcast stations located in:

- (1) Maryland, District of Columbia, Virginia and West Virginia:
- (i) Radio stations, October 1, 1995.

- (ii) Television stations, October 1, 1996.

- (2) North Carolina and South Carolina:

- (i) Radio stations, December 1, 1995.
- (ii) Television stations, December 1, 1996.

- (3) Florida, Puerto Rico and the Virgin Islands:

- (i) Radio stations, February 1, 1996.
- (ii) Television stations, February 1, 1997.

- (4) Alabama and Georgia:

- (i) Radio stations, April 1, 1996.
- (ii) Television stations, April 1, 1997.
- (5) Arkansas, Louisiana and

- Mississippi:

- (i) Radio stations, June 1, 1996.
- (ii) Television stations, June 1, 1997.
- (6) Tennessee, Kentucky and Indiana:

- (i) Radio stations, August 1, 1996.
- (ii) Television stations, August 1, 1997.

- (7) Ohio and Michigan:

- (i) Radio stations, October 1, 1996.
- (ii) Television stations, October 1, 1997.

- (8) Illinois and Wisconsin:

- (i) Radio stations, December 1, 1996.
- (ii) Television stations, December 1, 1997.

- (9) Iowa and Missouri:

- (i) Radio stations, February 1, 1997.
- (ii) Television stations, February 1, 1998.

- (10) Minnesota, North Dakota, South Dakota, Montana and Colorado:

- (i) Radio stations, April 1, 1997.
- (ii) Television stations, April 1, 1998.
- (11) Kansas, Oklahoma and Nebraska:

- (i) Radio stations, June 1, 1997.
- (ii) Television stations, June 1, 1998.
- (12) Texas:

- (i) Radio stations, August 1, 1997.
- (ii) Television stations, August 1, 1998.

- (13) Wyoming, Nevada, Arizona, Utah, New Mexico and Idaho:

- (i) Radio stations, October 1, 1997.
- (ii) Television stations, October 1, 1998.

- (14) California:

- (i) Radio stations, December 1, 1997.
- (ii) Television stations, December 1, 1998.

- (15) Alaska, American Samoa, Guam, Hawaii, Mariana Islands, Oregon and Washington:

- (i) Radio stations, February 1, 1998.
- (ii) Television stations, February 1, 1999.

- (16) Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont:

- (i) Radio stations, April 1, 1998.
- (ii) Television stations, April 1, 1999.
- (17) New Jersey and New York:

- (i) Radio stations, June 1, 1998.
- (ii) Television stations, June 1, 1999.

(18) Delaware and Pennsylvania:
 (i) Radio stations, August 1, 1998.
 (ii) Television stations, August 1, 1999.

(b) For the cutoff date for the filing of applications mutually exclusive with renewal applications that are filed on or before May 1, 1995 and for the deadline for filing petitions to deny renewal applications, see § 73.3516(e).

(c) The license of a broadcasting station that fails to transmit broadcast signals for any consecutive 12-month period expires as a matter of law at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303))

[49 FR 4382, Feb. 6, 1984, as amended at 52 FR 25604, July 8, 1987; 59 FR 63051, Dec. 7, 1994; 61 FR 18291, Apr. 25, 1996; 61 FR 28767, June 6, 1996; 62 FR 5347, Feb. 5, 1997]

[FR Doc. 01-55508 Filed 3-20-01; 8:45 am]

BILLING CODE 1505-01-D

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-626; MM Docket No. 00-70; RM-9843]

Radio Broadcasting Services; Key West, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 244A to Key West, Florida, in response to a petition filed by Adolphus Warfield, Inc. See 65 FR 30046, May 10, 2000. The coordinates for Channel 244A at Key West are 24-33-06 NL and 81-47-48 WL. A filing window for Channel 244A at Key West will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

DATES: Effective April 23, 2001.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 00-70, adopted February 28, 2001, and released March 9, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW., Washington, DC. The complete text of

this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Florida, is amended by adding Channel 244A at Key West.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01-6971 Filed 3-20-01; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-627; MM Docket No. 00-145; RM-9845]

Radio Broadcasting Services; Lowry City, Missouri

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 285A to Lowry City, Missouri, in response to a petition filed by Bott Communications, Inc. See 65 FR 53690, September 5, 2000. The coordinates for Channel 285A at Lowry City are 38-02-24 NL and 93-38-28 WL. A filing window for Channel 285A at Lowry City will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

DATES: Effective April 23, 2001.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 00-145, adopted February 28, 2001, and released March 9, 2001. The full text of this Commission decision is available for

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Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Missouri, is amended by adding Lowry City, Channel 285A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01-6970 Filed 3-20-01; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 010119023-1062-02; I.D. 121900A]

RIN 0648-AO80

Pacific Halibut Fisheries; Catch Sharing Plans

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule; annual management measures for Pacific halibut fisheries and approval of catch sharing plans.

SUMMARY: The Assistant Administrator for Fisheries, NOAA (AA), on behalf of the International Pacific Halibut Commission (IPHC), publishes annual management measures promulgated as regulations by the IPHC and approved by the Secretary of State governing the Pacific halibut fishery. The AA also announces the approval of modifications to the Catch Sharing Plan (CSP) for Area 2A and implementing