DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Children's Bureau; Kinship Care Advisory Panel; Notice of Meeting

AGENCY HOLDING THE MEETING: Children's Bureau.

DATE AND TIME: January 28, 1999, 9 a.m.–5 p.m.

NAME: Kinship Care Advisory Panel.

PLACE: The Inn and Conference Center, University of Maryland, University College, University Boulevard, at Adelphi Road, College Park, Maryland 20742.

SUMMARY: The Adoption and Safe Families Act of 1997 (Pub. L. 105–89) signed into law on November 19, 1997, includes a section requiring the Secretary of Health and Human Services to prepare a report to the Congress on children in foster care who are placed in the care of a relative. Section 303 of Pub. L. 105–89 requires the Secretary, in consultation with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate to convene an advisory panel on kinship care to review an initial report and advise the Secretary on the extent to which children in foster care are placed in the care of a relative. The report will be based on the comments submitted by the advisory panel and will include policy recommendations from the Secretary. The Secretary shall present the report to the Congress by June 1, 1999.

SUPPLEMENTARY INFORMATION: This meeting is open to the public and is barrier free. Meeting records will also be open to the public and will be kept at the Switzer Building located at 330 ''C'' Street, SW., Washington, DC 20447.

FOR FURTHER INFORMATION CONTACT: Geneva Ware-Rice, Switzer Building, 330 ''C'' Street, SW., Washington, DC 20447, 202–205–8305.

Dated: January 5, 1999.

Carol W. Williams,

Associate Commissioner, Children's Bureau.

[FR Doc. 99–657 Filed 1–11–99; 8:45 am]

BILLING CODE 4184–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Senior Executive Service; Performance Review Board Members

Title 5 U.S. Code, section 4314 (c)(4) of the Civil Service Reform Act of 1978, Pub. L. 95–454, requires that the appointment of Performance Review Board members be published in the **Federal Register**.

The following persons will serve on the Performance Review Board or Panels which oversee the evaluation of performance appraisals of Senior Executive Service members of the Administration for Children and Families.

Diann Dawson
Leon McCowan
Madeline Mocko
Carol W. Williams
Elizabeth M. James

Dated: January 7, 1999.

Olivia A. Golden,

Assistant Secretary for Children and Families.

[FR Doc. 99–658 Filed 1–11–99; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 94N–0424]

Mohammad Uddin; Proposal to Debar; Opportunity for a Hearing

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is proposing to issue an order under the Federal Food, Drug, and Cosmetic Act (the act) permanently debarring Mr. Mohammad Uddin from providing services in any capacity to a person that has an approved or pending drug product application. FDA bases this proposal on a finding that Mr. Uddin was convicted of a felony under Federal law for conduct relating to the regulation of a drug product under the act. This notice also offers Mr. Uddin an opportunity for a hearing on the proposal. The agency is issuing this notice in the **Federal Register** because all other appropriate means of service of the notice upon Mr. Uddin have proven ineffective.

DATES: Written request for a hearing by February 11, 1999.

ADDRESSES: Submit written requests for a hearing and supporting information to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Christine F. Rogers, Center for Drug Evaluation and Research (HFD–7), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–594–2041.

SUPPLEMENTARY INFORMATION:

I. Conduct Related to Conviction

On November 19, 1993, Mr. Uddin entered into a plea agreement to plead guilty to one count of obstruction of an agency proceeding. Based on this plea, the United States District Court for the District of Maryland entered judgment against Mr. Uddin on June 17, 1994, for one count of obstruction of an agency proceeding, a Federal felony offense under 18 U.S.C. 1505.

The underlying facts supporting this felony conviction, and to which Mr. Uddin stipulated in his plea agreement, are as follows:

Mr. Uddin was Assistant Vice President of Research and Development at Halsey Drug Co., Inc. (Halsey), during the period August 1987 through March 10, 1993. During an FDA inspection of Halsey on October 22, 1990, to determine Halsey's compliance with the act, Mr. Uddin was interviewed by FDA investigators. Although Mr. Uddin knew that Halsey had made three research and development (R&D) batches of sulfamethoxazole/trimethoprim (generic Bactrim), during the interview he told the investigators that these batches had not been made. He also told the investigators that he had made filing batches of generic Bactrim in both single and double strength dosage forms, when, in fact, he had not made the single strength batch. Mr. Uddin's false statements to FDA investigators obstructed FDA's inspection and audit of Halsey.

II. FDA's Finding

Section 306(a)(2)(B) of the act (21 U.S.C. 335a(a)(2)(B)) requires debarment of an individual if FDA finds that the individual has been convicted of a felony under Federal law for conduct relating to the regulation of any drug product. Mr. Uddin's felony conviction under 18 U.S.C. 1505 was for illegal conduct relating to the regulation of Halsey's drug product. His false statements to FDA investigators concerned matters that affect FDA's regulatory decisions about drug products. Under section 306(l)(2) of the act, mandatory debarment applies when an individual is convicted within the 5

years preceding this notice. Section 306(c)(2)(A)(ii) of the act requires that Mr. Uddin's debarment be permanent.

III. Proposed Action and Notice of Opportunity for a Hearing

Based on the findings discussed previously in this document, FDA proposes to issue an order under section 306(a)(2) of the act permanently debarring Mr. Uddin from providing services in any capacity to a person that has an approved or pending drug product application.

In accordance with section 306 of the act and part 12 (21 CFR part 12), Mr. Uddin is hereby given an opportunity for a hearing to show why he should not be debarred. If Mr. Uddin decides to seek a hearing, he must file on or before February 11, 1999, a written notice of appearance and request for a hearing. The procedures and requirements governing this notice of opportunity for a hearing, a notice of appearance and request for a hearing, information and analyses to justify a hearing, and a grant or denial of a hearing are contained in part 12 and section 306(i) of the act.

Mr. Uddin's failure to file a timely written notice of appearance and request for a hearing constitutes an election by him not to use the opportunity for a hearing concerning his debarment, and a waiver of any contentions concerning this action. If Mr. Uddin does not request a hearing in the manner prescribed by the regulations, the agency will not hold a hearing and will issue the debarment order as proposed in this letter.

A request for a hearing may not rest upon mere allegations or denials but must present specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the information and factual analyses in the request for a hearing that there is no genuine and substantial issue of fact which precludes the order of debarment, the Commissioner of Food and Drugs will enter summary judgment against Mr. Uddin, making findings and conclusions and denying a hearing.

The facts underlying Mr. Uddin's conviction are not at issue in this proceeding. The only material issue is whether Mr. Uddin was convicted as alleged in this notice and, if so, whether, as a matter of law, this conviction mandates his debarment.

A request for a hearing, including any information or factual analyses relied on to justify a hearing, must be identified with Docket No. 94N–0424 and sent to the Dockets Management Branch (address above). All submissions pursuant to this notice of opportunity for a hearing are to be filed in four copies. The public availability of information in these submissions is governed by 21 CFR 10.20(j). Publicly available submissions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under section 306 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 335a) and under authority delegated to the Director, Center for Drug Evaluation and Research (21 CFR 5.99).

Dated: December 23, 1998.

Janet Woodcock,

Director, Center for Drug Evaluation and Research.

[FR Doc. 99–562 Filed 1–11–99; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

[Document Identifier: HCFA–0319, 0381, 1856/1893, and 1880/1882]

Agency Information Collection Activities: Proposed Collection; Comment Request

Agency: Health Care Financing Administration, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Health Care Financing Administration (HCFA), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

1. Type of Information Collection Request: Extension of a currently approved collection; Title of Information Collection: State Medicaid Eligibility Quality Control (MEQC) Sample Section Lists and Supporting Regulations in 42 CFR 431.800–431.865; Form No.: HCFA–0319 (OMB# 0938–0147); Use: At the beginning of each month, State agencies are required to submit sample selection lists which identify all of the cases selected for review in the States' samples. These reviews are conducted to determine whether the sampled cases meet applicable State Title XIX eligibility requirements. The sample selection lists contain identifying information on Medicaid beneficiaries such as: State agency review number; beneficiary's name and address; the name of the county where beneficiary resides; and the Medicaid case number. The reviews are also used to assess beneficiary liability, if any, and to determine the amounts paid to provide Medicaid services for these cases.; Frequency: Monthly; Affected Public: State, Local or Tribal Government; Number of Respondents: 55; Total Annual Responses: 660; Total Annual Hours: 5,280.

2. Type of Information Collection Request: Extension of a currently approved collection; Title of Information Collection: Identification of Extension Units of Outpatient Physical Therapy (OPT) and Outpatient Speech Pathology (OSP) Providers and Supporting Regulations in 42 CFR 485.701–785.729; Form No.: HCFA–381 (OMB# 0938–0273); Use: Medicare requires OPT/OSP providers to be surveyed to determine compliance with Federal requirements. When an OPT/OSP provider furnishes services to locations other than their already certified premises (extension locations), those premises are considered to be part of the OPT/OSP provider and are subject to the same Medicare regulations as the primary location. This form is used by the State survey agencies and by the HCFA regional offices to identify and monitor extension locations to ensure their compliance with Federal requirements. The HCFA–381 form requests information such as: facility name, provider number, where services are rendered, and the number of OPT/OSP services rendered.; Frequency: Annually; Affected Public: Business or other for-profit; Number of Respondents: 2,300; Total Annual Responses: 2,300; Total Annual Hours: 575.

3. Type of Information Collection Request: Extension of a currently approved collection; Title of Information Collection: Request for Certification in the Medicare and/ or Medicaid Program to Provide Outpatient Physical Therapy (OPT) and/or Speech Pathology Services, Outpatient Physical Therapy Speech Pathology Survey Report and Supporting Regulations in 42 CFR 485.701–485.729; Form No.: HCFA–1856/1893 (OMB# 0938–0065); Use: The request for certification form is