

unbundled and billed under Part B before implementation of PPS:

(a) In column one, the code "A4554—Disposable underpads" is inserted after "A4481—Tracheostoma filter" and before "A4622—Tracheostomy or laryngectomy".

(b) In column two, the code "A6248—Hydrogel drg gel filler" is inserted after code "A6247—Hydrogel drg > 48 sq in w/b" and before code "A6251—Absorpt drg <= 16 sq in w/o b".

3. On page 41138, in column two, lines 21, 22, and 23 from the bottom of the page, the following codes are removed: "K0137—Skin barrier liquid per oz", "K0138—Skin barrier paste per oz", and "K0139—Skin barrier powder per oz".

4. On page 41165, at the bottom of column two, the phrase in the last complete sentence of the paragraph beginning on the fifth line from the bottom of the page is revised to read "then the MSA or non-MSA at the end of the episode governs the labor adjustment * * *".

5. On page 41168, in the chart in the center of the page, the asterisks are removed each time they appear (seven times), including the corresponding reference below the chart.

6. On page 41173, in Table 4A, the entry for Guam of 0.7268 under "Wage Index" is revised to read 0.9611.

7. On page 41173, in Table 4A, the entry for the Virgin Islands of 0.6389 under "Wage Index" is revised to read 0.6306.

8. On page 41174 and continuing through page 41179, in Table 4B, "Wage Index For Urban Areas—FY 2000 Pre-Floor and Pre-Reclassified," the entries for the urban areas listed below are revised to read as follows:

MSA	Urban area (constituent counties)	Wage index
0580	Auburn-Opelka, AL	0.7749
0680	Lee, AL	
0680	Bakersfield, CA	0.9619
1080	Kern, CA	
1080	Boise City, ID	0.9061
	Ida, ID	
	Canyon, ID	
4150	Lawrence, KS	0.8223
	Douglas, KS	
6680	Reading, PA	0.9437
	Berks, PA	
7160	Salt Lake City-Ogden, UT	0.9855
	Davis, UT	
	Salt Lake, UT	
	Weber, UT	
7880	Springfield, IL	0.8684
	Menard, IL	
	Sangamon, IL	

MSA	Urban area (constituent counties)	Wage index
8080	Steubenville-Weirton, OH-WV	0.8615
	Jefferson, OH	
	Brooke, WV	
	Hancock, WV	

9. On page 41184, under the last table titled "Calculation for the Part B Therapies," in the footnote beneath the table, "57 CPT therapy codes" is revised to read "54 CPT therapy codes".

10. On page 41194, in Table 7, "Home Health Resource Group Case-Mix Classification Decision Tree Logic," under the heading "Service utilization domain", in the first column titled "Variable", "M0170" is revised to read "M0175" in both instances. Also in that column, "M0825—" is added before "Receipt of Therapy".

11. On page 41205, in column one, beginning at line 30 from the top of the page, in the section heading and in the paragraph below it, "411.15(q)" is revised to read "411.15(r)".

Corrections to the Regulations Text

List of Subjects

42 CFR Part 411

Kidney diseases, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 484

Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

Accordingly, 42 CFR parts 411 and 489 are corrected by making the following correcting amendments:

PART 411—EXCLUSIONS FROM MEDICARE AND LIMITATIONS ON MEDICARE PAYMENT

1. The authority citation for part 411 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

§ 411.15 [Corrected]

2. Section 411.15 is amended by—
A. Republishing the introductory text to the section.
B. Redesignating paragraph (q) as paragraph (r).
C. Adding paragraph (q) to read as follows:

§ 411.15 Particular services excluded from coverage.

The following services are excluded from coverage:

* * * * *

(q) *Assisted suicide*. Any health care service used for the purpose of causing,

or assisting to cause, the death of any individual. This does not pertain to the withholding or withdrawing of medical treatment or care, nutrition or hydration or to the provision of a service for the purpose of alleviating pain or discomfort, even if the use may increase the risk of death, so long as the service is not furnished for the specific purpose of causing death.

PART 484—HOME HEALTH SERVICES

1. The authority citation for part 484 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395(hh)), unless otherwise indicated.

§ 484.14 [Corrected]

2. In § 484.14, in paragraph (g), the phrase "62 days" is revised to read "60 days".

§ 484.36 [Corrected]

3. In § 484.36, in paragraph (d)(3), the phrase "62 days" is revised to read "60 days".

§ 484.52 [Corrected]

4. In § 484.52, in paragraph (b), the phrase "62-day period" is revised to read "60-day period".

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

Dated: June 6, 2001.

Brian P. Burns,

Deputy Assistant Secretary for Information Resources Management.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 92–235; FCC 01–174]

Replacement of Part 90 by Part 88 To Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services

AGENCY: Federal Communications Commission.

ACTION: Final rule; petitions for reconsideration.

SUMMARY: This document disposes of two substantially identical petitions for reconsideration or clarification submitted in response to the

Commission's Final rule. The petitions are denied on procedural grounds as untimely; however, the Commission addresses petitioners' concern by treating the petitions as requests for interpretation of the Commission's rule.

ADDRESSES: Federal Communications Commission, Room 1-C804, 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION, CONTACT: Michael J. Wilhelm, 445 12th Street, SW., Room 4C305, Washington, DC 20554; telephone 202.418.0680; email mwilhelm@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Sixth Memorandum Opinion and Order* (Sixth MO&O) in WT Docket 92-225 released May 25, 2001. The complete text of this *Sixth MO&O* is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW., Washington, DC 20554; and also is available from the Commission's copying contractor, International Transcription Services (ITS, Inc.) Courtyard Level, 445 12th Street, SW., Washington, DC 20554. The *Sixth MO&O* addressed two petitions for reconsideration directed to 47 CFR § 90.261 as amended in the Fifth Memorandum Opinion and Order 66 FR 8899 2/5/01.

1. In substantially identical petitions for reconsideration, the Alarm Industry Communications Committee of the Central Station Alarm Association (AICC) and Blooston, Mordkofsky, Dickens, Duffy and Prendergrast (Blooston) sought clarification concerning whether 47 CFR 90.261(a) could be construed to render Central Station Alarm stations as fixed, and hence secondary, facilities.

2. Because both petitioners' petitions were based on a June 26, 2000, letter from the Public Safety and Private Wireless Division, and because more than 30 days had elapsed thereafter, the petitions were dismissed as untimely pursuant to 47 CFR 1.5 and 1.429. However, the Commission treated the petitions as requests for interpretation of 47 CFR 90.261 and held that that rule did not operate to classify Central Station Alarm stations as fixed, secondary facilities.

Federal Communications Commission.

William F. Caton,

Deputy, Secretary.

[FR Doc. 01-15314 Filed 6-15-01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[I.D. 060501B]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery off the Southern Atlantic States; Reopening of the Penaeid Shrimp Fisheries off South Carolina and Georgia

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

ACTION: Reopening of the penaeid shrimp fisheries in the exclusive economic zone (EEZ) off South Carolina and Georgia.

SUMMARY: NMFS reopens the trawl fishery for penaeid shrimp, i.e., brown, pink, and white shrimp, in the EEZ off South Carolina and Georgia. This reopening is taken in accordance with the procedures and criteria specified in the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region (FMP) and its implementing regulations. The reopening is intended to provide optimal utilization of these penaeid shrimp resources while protecting the spawning stock of white shrimp that has been severely depleted by unusually cold weather conditions.

DATES: The reopening is effective 12:01 a.m., eastern daylight savings time, June 16, 2001.

FOR FURTHER INFORMATION CONTACT: Dr. Steve Branstetter, 727-570-5305; fax: 727-570-5583; e-mail: Steve.Branstetter@noaa.gov.

SUPPLEMENTARY INFORMATION: The commercial penaeid shrimp fishery in the South Atlantic region is managed under the FMP. The FMP was prepared by the South Atlantic Fishery Management Council (Council) and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

Background

The FMP and implementing regulations at 50 CFR 622.35 (d) provide the procedures, criteria, and authority for a concurrent closure of the EEZ adjacent to those South Atlantic states that have closed their waters to the harvest of brown, pink, and white shrimp to protect the white shrimp spawning stock if it has been severely

depleted by cold weather. Consistent with those procedures and criteria, the States of Georgia and South Carolina closed their waters to the harvest of brown, pink, and white shrimp and requested that the Council recommend that NMFS implement a concurrent closure of the EEZ off Georgia and South Carolina. The Council approved the States' requests and in turn requested that NMFS concurrently close the EEZ off Georgia and South Carolina to the harvest of brown, pink, and white shrimp. NMFS determined that the recommended closure conformed with the procedures and criteria specified in the FMP and implementing regulations, the Magnuson-Stevens Act, and other applicable law. NMFS implemented the closure effective March 13, 2001 (66 FR 15357, March 19, 2001).

During the closure, no person could:

(1) Trawl for brown, pink, or white shrimp in the EEZ off Georgia or South Carolina; (2) possess on board a fishing vessel brown, pink, or white shrimp in or from the EEZ off Georgia or South Carolina unless the vessel is in transit through the area and all nets with a mesh size of less than 4 inches (10.2 cm) are stowed below deck; or (3) use or have on board a vessel trawling in that part of the EEZ off Georgia or South Carolina that is within 25 nautical miles of the baseline from which the territorial sea is measured a trawl net with a mesh size less than 4 inches (10.2 cm).

Termination of the Closure

The FMP and implementing regulations at 50 CFR 622.35 (d) state that: (1) The closure will be effective until the ending dates of the closures in the respective states' waters, but may be ended earlier based on the states' request; and (2) if the EEZ closure is ended earlier, NMFS will terminate the closure of the EEZ by filing a notification to that effect with the Office of the Federal Register. Based on biological sampling, the States of Georgia and South Carolina have determined that their respective State's waters will remain closed until sometime after June 16, 2001; however, they have requested the EEZ adjacent to their State's waters be opened effective 12:01 a.m. on June 16, 2001. Therefore, consistent with the procedures in the FMP and its implementing regulations, NMFS publishes this notification to reopen the EEZ off Georgia and South Carolina to the harvest of brown, pink, and white shrimp effective 12:01 a.m., eastern daylight savings time, June 16, 2001.