

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
<b>Region VI</b>				
Texas:				
Calhoun County, Unincorporated Areas	480097	March 19, 1971, Emerg; March 19, 1971, Reg; October 16, 2014, Susp.	.....do .....	Do.
Point Comfort, City of, Calhoun County	480098	March 14, 1975, Emerg; April 15, 1982, Reg; October 16, 2014, Susp.	.....do .....	Do.
Port Lavaca, City of, Calhoun County ...	480099	August 27, 1971, Emerg; August 27, 1971, Reg; October 16, 2014, Susp.	.....do .....	Do.
<b>Region VII</b>				
Iowa:				
Ames, City of, Story County .....	190254	July 25, 1974, Emerg; January 2, 1981, Reg; October 16, 2014, Susp.	.....do .....	Do.
Cumming, City of, Warren County .....	190946	N/A, Emerg; January 24, 2000, Reg; October 16, 2014, Susp.	.....do .....	Do.
Des Moines, City of, Polk and Warren Counties.	190227	September 6, 1974, Emerg; February 4, 1981, Reg; October 16, 2014, Susp.	.....do .....	Do.
Norwalk, City of, Warren County .....	190631	March 3, 1993, Emerg; November 20, 1998, Reg; October 16, 2014, Susp.	.....do .....	Do.
Story County, Unincorporated Areas ....	190907	June 1, 1978, Emerg; June 1, 1983, Reg; October 16, 2014, Susp.	.....do .....	Do.
Warren County, Unincorporated Areas	190912	November 19, 1990, Emerg; July 1, 1991, Reg; October 16, 2014, Susp.	.....do .....	Do.

\* do = Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

Dated: September 12, 2014.

**David L. Miller,**

*Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2014–23396 Filed 9–30–14; 8:45 am]

**BILLING CODE 9110–12–P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA–2014–0002; Internal Agency Docket No. FEMA–8353]

#### Suspension of Community Eligibility

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain

management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

**DATES: Effective Dates:** The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public

body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR Part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified

for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

*National Environmental Policy Act.* This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No

environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

*Regulatory Classification.* This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 13132, Federalism.* This rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This rule meets the applicable standards of Executive Order 12988.

*Paperwork Reduction Act.* This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

**List of Subjects in 44 CFR Part 64**

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

**PART 64—[AMENDED]**

■ 1. The authority citation for part 64 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

**§ 64.6 [Amended]**

■ 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
<b>Region III</b>				
Maryland:				
Centreville, Town of, Queen Anne's County.	240056	August 6, 1975, Emerg; September 27, 1985, Reg; November 5, 2014, Susp.	Nov. 5, 2014 .....	Nov. 5, 2014.
Church Hill, Town of, Queen Anne's County.	240057	August 20, 1975, Emerg; June 3, 1986, Reg; November 5, 2014, Susp.	.....do .....	Do.
Queen Anne, Town of, Queen Anne's County.	240059	October 12, 1979, Emerg; December 5, 2000, Reg; November 5, 2014, Susp.	.....do .....	Do.
Queen Anne's County, Unincorporated Areas.	240054	January 15, 1974, Emerg; September 28, 1984, Reg; November 5, 2014, Susp.	.....do .....	Do.
Queenstown, Town of, Queen Anne's County.	240120	May 1, 1975, Emerg; September 28, 1984, Reg; November 5, 2014, Susp.	.....do .....	Do.
<b>Region V</b>				
Indiana:				
Edinburgh, Town of, Shelby County .....	180113	February 13, 1975, Emerg; September 16, 1981, Reg; November 5, 2014, Susp.	.....do .....	Do.
Gibson County, Unincorporated Areas	180434	December 5, 2002, Emerg; N/A, Reg; November 5, 2014, Susp.	.....do .....	Do.
Griffin, Town of, Posey County .....	180305	May 23, 1975, Emerg; February 11, 1976, Reg; November 5, 2014, Susp.	.....do .....	Do.
Morristown, Town of, Shelby County ....	180393	April 1, 1976, Emerg; July 21, 1978, Reg; November 5, 2014, Susp.	.....do .....	Do.
Mount Vernon, City of, Posey County ...	180389	January 31, 1975, Emerg; January 18, 1984, Reg; November 5, 2014, Susp.	.....do .....	Do.
New Harmony, Town of, Posey County	180210	April 14, 1975, Emerg; July 1, 1987, Reg; November 5, 2014, Susp.	.....do .....	Do.
Posey County, Unincorporated Areas ...	180209	May 8, 1975, Emerg; January 1, 1987, Reg; November 5, 2014, Susp.	.....do .....	Do.
Princeton, City of, Gibson County .....	180073	March 19, 1975, Emerg; January 21, 1983, Reg; November 5, 2014, Susp.	.....do .....	Do.
Shelby County, Unincorporated Areas ..	180235	March 13, 1975, Emerg; October 15, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Shelbyville, City of, Shelby County .....	180236	April 14, 1975, Emerg; April 1, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Wisconsin:				

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Big Bend, Village of, Waukesha County	550477	August 19, 1974, Emerg; March 1, 1984, Reg; November 5, 2014, Susp.	.....do .....	Do.
Brookfield, City of, Waukesha County ..	550478	February 23, 1972, Emerg; August 19, 1986, Reg; November 5, 2014, Susp.	.....do .....	Do.
Butler, Village of, Waukesha County ....	550536	March 7, 1974, Emerg; May 15, 1978, Reg; November 5, 2014, Susp.	.....do .....	Do.
Delafield, City of, Waukesha County ....	550479	July 15, 1975, Emerg; August 15, 1983, Reg; November 5, 2014, Susp.	.....do .....	Do.
Dousman, Village of, Waukesha County	550480	June 30, 1975, Emerg; April 17, 1987, Reg; November 5, 2014, Susp.	.....do .....	Do.
Elm Grove, Village of, Waukesha County.	550578	May 1, 1975, Emerg; July 19, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Hartland, Village of, Waukesha County	550481	July 25, 1975, Emerg; December 1, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Lac La Belle, Village of, Waukesha County.	550565	May 25, 1976, Emerg; January 18, 1984, Reg; November 5, 2014, Susp.	.....do .....	Do.
Lannon, Village of, Waukesha County ..	550482	July 18, 1975, Emerg; December 1, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Menomonee Falls, Village of, Waukesha County.	550483	November 12, 1973, Emerg; September 15, 1978, Reg; November 5, 2014, Susp.	.....do .....	Do.
Merton, Village of, Waukesha County ...	550484	July 21, 1975, Emerg; August 3, 1989, Reg; November 5, 2014, Susp.	.....do .....	Do.
Milwaukee, City of, Waukesha County	550278	January 30, 1974, Emerg; March 1, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Mukwonago, Village of, Waukesha County.	550485	February 18, 1975, Emerg; July 5, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Muskego, City of, Waukesha County ....	550486	April 12, 1974, Emerg; December 1, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
New Berlin, City of, Waukesha County	550487	May 18, 1973, Emerg; March 18, 1987, Reg; November 5, 2014, Susp.	.....do .....	Do.
Oconomowoc, City of, Waukesha County.	550488	May 1, 1975, Emerg; September 1, 1983, Reg; November 5, 2014, Susp.	.....do .....	Do.
Pewaukee, City of, Waukesha County ..	550192	N/A, Emerg; December 11, 2012, Reg; November 5, 2014, Susp.	.....do .....	Do.
Pewaukee, Village of, Waukesha County.	550489	March 24, 1975, Emerg; June 15, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Summit, Village of, Waukesha County ..	550663	N/A, Emerg; December 11, 2013, Reg; November 5, 2014, Susp.	.....do .....	Do.
Sussex, Village of, Waukesha County ..	550490	June 24, 1975, Emerg; June 19, 1989, Reg; November 5, 2014, Susp.	.....do .....	Do.
Waukesha, City of, Waukesha County	550491	April 2, 1974, Emerg; September 2, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.
Waukesha County, Unincorporated Areas.	550476	May 25, 1973, Emerg; August 1, 1983, Reg; November 5, 2014, Susp.	.....do .....	Do.
<b>Region VI</b>				
New Mexico:				
Lincoln County, Unincorporated Areas	350122	August 15, 2005, Emerg; October 1, 2009, Reg; November 5, 2014, Susp.	.....do .....	Do.
Ruidoso, Village of, Lincoln County .....	350033	July 26, 1974, Emerg; March 2, 1983, Reg; November 5, 2014, Susp.	.....do .....	Do.
Ruidoso Downs, City of, Lincoln County	350034	February 18, 1975, Emerg; July 5, 1982, Reg; November 5, 2014, Susp.	.....do .....	Do.

\* do = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: September 9, 2014.

David L. Miller,

Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2014-23370 Filed 9-30-14; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 54

[T.D. 9697]

RIN 1545-BL90

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### 29 CFR Part 2590

RIN 1210-AB60

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

[CMS-9946-F]

#### 45 CFR Part 146

RIN 0938-AS16

### Amendments to Excepted Benefits

**AGENCY:** Internal Revenue Service, Department of the Treasury; Employee Benefits Security Administration, Department of Labor; Centers for Medicare & Medicaid Services, Department of Health and Human Services.

**ACTION:** Final rules.

**SUMMARY:** This document contains final regulations that amend the regulations regarding excepted benefits under the Employee Retirement Income Security Act of 1974, the Internal Revenue Code (the Code), and the Public Health Service Act. Excepted benefits are generally exempt from the health reform requirements that were added to those laws by the Health Insurance Portability and Accountability Act and the Patient Protection and Affordable Care Act. In addition, eligibility for excepted benefits does not preclude an individual from eligibility for a premium tax credit under section 36B of the Code if an individual chooses to enroll in coverage under a Qualified Health Plan through an Affordable Insurance Exchange. These regulations finalize some but not all of the proposed rules with minor modifications; additional guidance on limited wraparound coverage is forthcoming.

**DATES:** *Effective date.* These final regulations are effective on December 1, 2014.

*Applicability date.* These final regulations apply to group health plans and group health insurance issuers for plan years beginning on or after January 1, 2015.

#### FOR FURTHER INFORMATION CONTACT:

Amy Turner or Beth Baum, Employee Benefits Security Administration, Department of Labor, at (202) 693-8335; Karen Levin, Internal Revenue Service, Department of the Treasury, at (202) 317-5500; Jacob Ackerman, Centers for Medicare & Medicaid Services, Department of Health and Human Services, at (301) 492-4179.

*Customer Service Information:* Individuals interested in obtaining information from the Department of Labor concerning employment-based health coverage laws, may call the EBSA Toll-Free Hotline at 1-866-444-EBSA (3272) or visit the Department of Labor's Web site (<http://www.dol.gov/ebsa>). In addition, information from HHS on private health insurance for consumers can be found on the Centers for Medicare & Medicaid Services (CMS) Web site ([www.cms.gov/ccio](http://www.cms.gov/ccio)) and information on health reform can be found at [www.HealthCare.gov](http://www.HealthCare.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, 110 Stat. 1936, added title XXVII of the Public Health Service Act (PHS Act), part 7 of the Employee Retirement Income Security Act of 1974 (ERISA), and chapter 100 of the Internal Revenue Code (the Code), providing portability and nondiscrimination provisions with respect to health coverage. These provisions of the PHS Act, ERISA, and the Code were later augmented by other consumer protection laws, including the Mental Health Parity Act of 1996,<sup>1</sup> the Mental Health Parity and Addiction Equity Act of 2008,<sup>2</sup> the Newborns' and Mothers' Health Protection Act,<sup>3</sup> the Women's Health and Cancer Rights Act,<sup>4</sup> the Genetic Information Nondiscrimination Act of 2008,<sup>5</sup> the Children's Health Insurance Program

Reauthorization Act of 2009,<sup>6</sup> Michelle's Law,<sup>7</sup> and the Affordable Care Act.<sup>8</sup>

The Affordable Care Act reorganizes, amends, and adds to the provisions of part A of title XXVII of the PHS Act relating to group health plans and health insurance issuers in the group and individual markets. The term "group health plan" includes both insured and self-insured group health plans.<sup>9</sup> Section 715(a)(1) of ERISA and section 9815(a)(1) of the Code, as added by the Affordable Care Act, incorporate the provisions of part A of title XXVII of the PHS Act into ERISA and the Code to make them applicable to group health plans and health insurance issuers providing health insurance coverage in connection with group health plans. The PHS Act sections incorporated by these references are sections 2701 through 2728.

Sections 2722 and 2763 of the PHS Act, section 732 of ERISA, and section 9831 of the Code provide that the requirements of title XXVII of the PHS Act, part 7 of ERISA, and chapter 100 of the Code, respectively, generally do not apply to excepted benefits. Excepted benefits are described in section 2791 of the PHS Act, section 733 of ERISA, and section 9832 of the Code.

The parallel statutory provisions establish four categories of excepted benefits. The first category includes benefits that are generally not health coverage<sup>10</sup> (such as automobile insurance, liability insurance, workers compensation, and accidental death and dismemberment coverage). The benefits in this category are excepted in all circumstances. In contrast, the benefits in the second, third, and fourth categories are types of health coverage but are excepted only if certain conditions are met.

The second category of excepted benefits is limited excepted benefits, which may include limited-scope vision or dental benefits, and benefits for long-term care, nursing home care, home health care, or community-based care.

<sup>6</sup> Public Law 111-3, 123 Stat. 65 (February 4, 2009).

<sup>7</sup> Public Law 110-381, 122 Stat. 4081 (October 9, 2008).

<sup>8</sup> The Patient Protection and Affordable Care Act, Public Law 111-148, was enacted on March 23, 2010, and the Health Care and Education Reconciliation Act, Public Law 111-152, was enacted on March 30, 2010. (These statutes are collectively known as the "Affordable Care Act".)

<sup>9</sup> The term "group health plan" is used in title XXVII of the PHS Act, part 7 of ERISA, and chapter 100 of the Code, and is distinct from the term "health plan," as used in other provisions of title I of the Affordable Care Act. The term "health plan" does not include self-insured group health plans.

<sup>10</sup> See 62 FR 16894, 16903 (Apr. 8, 1997), which states that these benefits are generally not health insurance coverage.

<sup>1</sup> Public Law 104-204, 110 Stat. 2944 (September 26, 1996).

<sup>2</sup> Public Law 110-343, 122 Stat. 3881 (October 3, 2008).

<sup>3</sup> Public Law 104-204, 110 Stat. 2935 (September 26, 1996).

<sup>4</sup> Public Law 105-277, 112 Stat. 2681-436 (October 21, 1998).

<sup>5</sup> Public Law 110-233, 122 Stat. 881 (May 21, 2008).