

TABLE 4.—HCPCS WITH STATUS INDICATORS THAT CHANGED FROM A TO Y.—Continued

| CPT/ HCPCS | Description |
|------------|--------------------------------|
| K0056 | Seat ht <17 or >=21 lwtw wc. |
| K0057 | Seat wdth 19/20 hvy dty wc. |
| K0058 | Seat dpth 17/18 power wc. |
| K0059 | Plastic coated handrim each. |
| K0060 | Steel handrim each. |
| K0061 | Aluminum handrim each. |
| K0062 | Handrim 8–10 vert/obliq proj. |
| K0063 | Hndrm 12–16 vert/obliq proj. |
| K0064 | Zero pressure tube flat free. |
| K0065 | Spoke protectors. |
| K0066 | Solid tire any size each. |
| K0067 | Pneumatic tire any size each. |
| K0068 | Pneumatic tire tube each. |
| K0069 | Rear whl complete solid tire. |
| K0070 | Rear whl compl pneum tire. |
| K0071 | Front castr compl pneum tire. |
| K0072 | Fmnt cstr compl sem-pneum tir. |
| K0073 | Caster pin lock each. |
| K0074 | Pneumatic caster tire each. |
| K0075 | Semi-pneumatic caster tire. |
| K0076 | Solid caster tire each. |
| K0077 | Front caster assem complete. |
| K0078 | Pneumatic caster tire tube. |
| K0079 | Wheel lock extension pair. |
| K0080 | Anti-rollback device pair. |
| K0081 | Wheel lock assembly complete. |
| K0082 | 22 nf deep cycl acid battery. |
| K0083 | 22 nf gel cell battery each. |
| K0084 | Grp 24 deep cycl acid battry. |
| K0085 | Group 24 gel cell battery. |
| K0086 | U–1 lead acid battery each. |
| K0087 | U–1 gel cell battery each. |
| K0088 | Battry chrgr acid/gel cell. |
| K0089 | Battery charger dual mode. |
| K0090 | Rear tire power wheelchair. |
| K0091 | Rear tire tube power whlchr. |
| K0092 | Rear assem cmplt powr whlchr. |
| K0093 | Rear zero pressure tire tube. |
| K0094 | Wheel tire for power base. |
| K0095 | Wheel tire tube each base. |
| K0096 | Wheel assem powr base complt. |
| K0097 | Wheel zero presure tire tube. |
| K0098 | Drive belt power wheelchair. |
| K0099 | Pwr wheelchair front caster. |
| K0100 | Amputee adapter pair. |
| K0102 | Crutch and cane holder. |
| K0103 | Transfer board < 25". |
| K0104 | Cylinder tank carrier. |
| K0105 | Iv hanger. |
| K0106 | Arm trough each. |
| K0107 | Wheelchair tray. |
| K0108 | W/c component-accessory NOS. |
| K0114 | Whlchr back suprt inr frame. |
| K0115 | Back module orthotic system. |
| K0116 | Back & seat modul orthot sys. |
| K0195 | Elevating whlchair leg rests. |
| K0268 | Humidifier nonheated w PAP. |
| K0452 | Wheelchair bearings. |
| K0455 | Pump uninterrupted infusion. |
| K0460 | WC power add-on joystick. |
| K0461 | WC power add-on tiller cntrl. |
| K0462 | Temporary replacement eqpmnt. |
| K0531 | Heated humidifier used w pap. |
| K0532 | Noninvasive assist wo backup. |
| K0533 | Noninvasive assist w backup. |
| K0534 | Invasive assist w backup. |
| K0538 | Neg pressure wnd thrpy pump. |
| K0539 | Neg pres wnd thrpy dsq set. |
| K0540 | Neg pres wnd thrp canister. |

TABLE 4.—HCPCS WITH STATUS INDICATORS THAT CHANGED FROM A TO Y.—Continued

| CPT/ HCPCS | Description |
|------------|--------------------------------|
| K0541 | SGD prerecorded msg <= 8 min. |
| K0542 | SGD prerecorded msg > 8 min. |
| K0543 | SGD msg formed by spelling. |
| K0544 | SGD w multi methods msg/accs. |
| K0545 | SGD sftwre prgrm for PC/PDA. |
| K0546 | SGD accessory, mounting systm. |
| K0547 | SGD accessory NOC. |
| K0549 | Hosp bed hvy dty xtra wide. |
| K0550 | Hosp bed xtra hvy dty x wide. |
| L3964 | Seo mobile arm sup att to wc. |
| L3965 | Arm supp att to wc rancho ty. |
| L3966 | Mobile arm supports reclinin. |
| L3968 | Friction dampening arm supp. |
| L3969 | Monosuspension arm/hand supp. |
| L3970 | Elevat proximal arm support. |
| L3972 | Offset/lat rocker arm w/ ela. |
| L3974 | Mobile arm support supinator. |

TABLE 5.—HCPCS WITH STATUS INDICATORS THAT CHANGED FROM E TO Y

| CPT/ HCPCS | Description |
|------------|-------------------------------|
| A4232 | Syringe w/needle insulin 3cc. |
| A4632 | Infus pump rplcemt battery. |
| E0188 | Synthetic sheepskin pad. |
| E0189 | Lambswool sheepskin pad. |
| E0218 | Water circ cold pad w pump. |
| E0602 | Manual breast pump. |
| E0740 | Incontinence treatment systm. |
| E0760 | Osteogen ultrasound stimltor. |
| E0765 | Nerve stimulator for tx n&v. |
| K0610 | Peritoneal dialysis clamp. |
| K0611 | Disposable cyclor set. |
| K0612 | Drainage ext line, dialysis. |
| K0613 | Ext line w/easy lock connect. |
| K0614 | Chem/antisept solution, 8oz. |

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

Dated: December 22, 2003.

Ann C. Agnew,

Executive Secretary to the Department.

[FR Doc. 03–32016 Filed 12–24–03; 1:03 pm]

BILLING CODE 4120–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 62

RIN 1660–AA29

National Flood Insurance Program (NFIP); Assistance to Private Sector Property Insurers; Extension of Term of Arrangement

AGENCY: Federal Emergency Management Agency (FEMA).
Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Interim final rule.

SUMMARY: FEMA is changing the current Financial Assistance/Subsidy Arrangement (the Arrangement) to extend its term of October 1, 2002, through December 31, 2003, to a term of October 1, 2002, through May 1, 2004. The Arrangement defines the duties and responsibilities of insurers that sell and service insurance under the Write Your Own (WYO) program. It also identifies the responsibilities of the Government to provide financial and technical assistance to these insurers.

DATES: Effective January 1, 2004. Comments on this interim final rule, should be received on or before March 1, 2004.

ADDRESSES: Please send your comments to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, 500 C Street, SW., Room 840, Washington, DC 20472, (facsimile) 202–646–4536, or (e-mail) rules@fema.gov.

FOR FURTHER INFORMATION CONTACT: Edward L. Connor, FEMA, 500 C Street, SW., Washington, DC 20472, 202–646–3429 (Phone), 202–646–3445 (facsimile), or Edward.Connor@dhs.gov (e-mail).

SUPPLEMENTARY INFORMATION: On August 9, 2002, FEMA published in the **Federal Register**, 67 FR 51768, a final rule to revise the effective date of the Arrangement to agree with the new Arrangement year beginning October 1, 2002, and ending September 30, 2003.

FEMA had planned to make significant changes in the Arrangement regarding litigation issues effective October 1, 2003. The proposed rule for these changes was not published until October 14, 2003, 68 FR 59146. As an interim measure, an interim final rule was published September 5, 2003, 68 FR 52700, extending the Arrangement term beginning October 1, 2002, to December 31, 2003. No comments were received

on that interim final rule. It was anticipated that comments on the October 14, 2003, proposed rule could be reviewed and a final rule published effective January 1, 2004. However, as the final rule for these changes has not yet been published in the **Federal Register**, it is not feasible to complete the rulemaking for an effective date of January 1, 2004. WYO insurers need to receive an offer to enter into the Arrangement each year well in advance of the beginning of the Arrangement year. By extending the current Arrangement for an additional four months, the revised Arrangement with the litigation changes can be effective May 1, 2004, instead of postponing these changes to October 1, 2004. WYO insurers can always elect to cease participation in the WYO program at any time, so any insurer not desiring to participate for the additional four months of this extension may cease participation as of January 1, 2004.

Under this extension of the current Arrangement, the expense allowance provided for in Article III.B of APPENDIX A TO PART 62—FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, FINANCIAL ASSISTANCE/SUBSIDY ARRANGEMENT will remain the same for the additional four months as it is now, including the additional expense allowance of up to two percentage points for meeting marketing goals. This additional expense allowance will be based on the period October 1, 2002, through April 1, 2004.

National Environmental Policy Act

This interim final rule falls within the exclusion category 44 CFR part 10.8(d)(2)(ii), which addresses the preparation, revision, and adoption of regulations, directives, and other guidance documents related to actions that qualify for categorical exclusions. Qualifying for this exclusion and because no other extraordinary circumstances have been identified, this interim final rule will not require the preparation of either an environmental assessment or environmental impact statement as defined by the National Environmental Policy Act.

Executive Order 12866, Regulatory Planning and Review

We have prepared and reviewed this rule under the provisions of E.O. 12866, Regulatory Planning and Review. Under Executive Order 12866, 58 FR 51735, October 4, 1993, a significant regulatory action is subject to an Office of Management and Budget (OMB) review and the requirements of the Executive

Order. The Executive Order defines “significant regulatory action” as one that is likely to result in a rule that may:

(1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in the Executive Order.

For the reasons that follow we have concluded that this interim final rule is neither an economically significant nor a significant regulatory action under the Executive Order. The interim final rule will not have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, the insurance sector, competition, or other sectors of the economy. It will create no serious inconsistency or otherwise interfere with an action taken or planned by another agency. It will not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof. Nor does it raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in the Executive Order.

OMB has not reviewed this rule under the principles of Executive Order 12866.

Paperwork Reduction Act

This interim final rule does not contain a collection of information and it is therefore not subject to the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Executive Order 13132, Federalism

Executive Order 13132, Federalism, dated August 4, 1999, sets forth principles and criteria that agencies must adhere to in formulating and implementing policies that have federalism implications, that is, regulations that have substantial direct effects on the States, or on the distribution of power and responsibilities among the various levels of government. Federal agencies must closely examine the statutory authority supporting any action that would limit the policymaking discretion

of the States, and to the extent practicable, must consult with State and local officials before implementing any such action.

We have reviewed this rule under E.O. 13132 and have concluded that the rule does not have federalism implications as defined by the Executive Order. We have determined that the rule does not significantly affect the rights, roles, and responsibilities of States, and involves no preemption of State law nor does it limit State policymaking discretion.

Executive Order 12778, Civil Justice Reform

This interim final rule meets the applicable standards of section 2(b)(2) of E.O. 12778.

Administrative Procedure Act Statement

In general, FEMA publishes a rule for public comment before issuing a final rule, under the Administrative Procedure Act, 5 U.S.C. 533 and 44 CFR 1.12. The Administrative Procedure Act, however, provides an exception from that general rule where the agency for good cause finds the procedures for comment and response contrary to public interest. The public benefit of this rule is the continuation of the WYO arrangement without interruption. Therefore, we believe it is contrary to the public interest to delay the benefits of this rule. In accordance with the Administrative Procedure Act, 5 U.S.C. 553(d)(3), we find that there is good cause for the interim final rule to be published without prior public comment and without a full 30-day delayed effective date.

List of Subjects in 44 CFR Part 62

Flood insurance.

■ Accordingly, we amend 44 CFR Part 62 as follows:

PART 62—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS

■ 1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

■ 2. In Appendix A to part 62, revise the first sentence of Article V, Section A to read as follows:

Appendix A to Part 62—Federal Emergency Management Agency, Federal Insurance Administration, Financial Assistance/Subsidy Arrangement

Article V * * *

A. This Arrangement shall be effective for the period October 1, 2002 through May 1, 2004. * * *

* * * * *

Dated: December 23, 2003.

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 03-32198 Filed 12-30-03; 8:45 am]

BILLING CODE 9110-12-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 32

[WC Docket No. 02-269; CC Docket No. 00-199; CC Docket No. 80-286; CC Docket No. 99-301; FCC 03-325]

Federal-State Joint Conference on Accounting Issues

AGENCY: Federal Communications Commission.

ACTION: Final rule; delay of effective date.

SUMMARY: This document further delays the implementation of four previously adopted accounting and reporting rule changes from January 1, 2004 through June 30, 2004. The Commission extends the delay of implementation in order to allow time for receipt and consideration of comments in response to recommendations by the Federal-State Joint Conference on Accounting Issues (Joint Conference).

DATES: The effective date for amendments to 47 CFR 32.5200, 32.6562 and 32.6620 published at 67 FR 5670, February 6, 2002, and delayed at 68 FR 38641, June 30, 2003, is further delayed through June 30, 2004.

FOR FURTHER INFORMATION CONTACT: Jane E. Jackson, Associate Chief, Wireline Competition Bureau, (202) 418-1500.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order adopted on December 17, 2003, and released on December 23, 2003. The full text of the document is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445

12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893, facsimile (202) 863-2898, e-mail *qualexint@aol.com*.

Synopsis of Order

On November 12, 2002, the Commission released an order, 67 FR 77432, December 18, 2002, delaying until July 1, 2003 the implementation of four accounting and reporting requirement rule modifications previously adopted by the Commission as part of its biennial review of accounting requirements and Automated Reporting Management System (ARMIS) reporting requirements, Report and Order, 67 FR 5670, February 6, 2002. On June 24, 2003, the Commission released another order, 68 FR 38641, June 30, 2003, further delaying implementation until January 1, 2004. The Commission deferred the implementation of these four accounting and reporting requirement rule modifications in order to allow the Federal-State Joint Conference on Accounting Issues time to consider these and other accounting issues in formulating their recommendations to the Commission. These accounting and reporting rule changes are as follows: (1) Consolidation of Accounts 6621 through 6623 into Account 6620, with sub-accounts for wholesale and retail; (2) consolidation of Account 5230, Directory revenue, into Account 5200, Miscellaneous revenue; (3) consolidation of the depreciation and amortization expense accounts (Accounts 6561 through 6565) into Account 6562, Depreciation and amortization expenses; and (4) revised "Loop Sheath Kilometers" data collection in Table II of ARMIS Report 43-07.

On October 9, 2003, the Joint Conference submitted the result of a year-long study of the Commission's accounting rules and on-going proceedings related to the Commission's accounting requirements. The Joint Conference makes several recommendations that directly relate to the four accounting rule modifications that are scheduled to go into effect on January 1, 2004. Here, the Commission extends through June 30, 2004 the Commission's current delay of the effective date of four accounting rule modifications, to allow time for receipt and consideration of comments in response to the Joint Conference's recommendations.

Federal Communications Commission

William F. Caton,

Deputy Secretary.

[FR Doc. 03-32149 Filed 12-30-03; 8:45 am]

BILLING CODE 6712-07-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 382

Federal Aviation Administration

14 CFR Part 121

Federal Transit Administration

49 CFR Part 655

Federal Railroad Administration

49 CFR Part 219

Research and Special Programs Administration

49 CFR Part 199

[Docket OST-2002-13435]

RIN 2105-AD35

Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Drug and Alcohol Management Information System Reporting

AGENCIES: Federal Motor Carrier Safety Administration, Federal Aviation Administration, Federal Transit Administration, Federal Railroad Administration, and Research and Special Programs Administration, Department of Transportation.

ACTION: Final rule.

SUMMARY: Each of the Department of Transportation's drug and alcohol testing rules include requirements for select employers to submit drug and alcohol testing data to five Department of Transportation (DOT) agencies. In the past, these employers have been required to use agency-specific Management Information System (MIS) forms for this purpose, twenty-one different forms in all. The Department recently published a final rule revising these DOT agency MIS forms and transforming them into a single one-page form for use throughout all the DOT agencies. The requirement for use of the form is now in 49 CFR part 40. By this action, the DOT agencies endorse the use of this single form within their regulated industries,