

Dated: November 6, 2006.

Alvin Hall,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

National Institute for Occupational Safety and Health (NIOSH); Advisory Board on Radiation and Worker Health

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention announces the following committee meeting:

Name: Subcommittee for Dose Reconstruction and Site Profile Reviews, Advisory Board on Radiation and Worker Health, National Institute for Occupational Safety and Health.

Time and Date: 10 a.m.–4 p.m., November 16, 2006.

Place: Holiday Inn Cincinnati Airport, 1717 Airport Exchange Blvd., Erlanger, Kentucky, 41018. Phone 859.371.2233, Fax 859.371.5002.

Conference Call Access: 866-643-6504. Participant Pass Code 9448550.

Status: Open to the public, but without a public comment period.

Background: The Advisory Board on Radiation and Worker Health was established under the Energy Employees Occupational Illness Compensation Program Act of 2000 to advise the President on a variety of policy and technical functions required to implement and effectively manage the new compensation program. Key functions of the Advisory Board include providing advice on the development of probability of causation guidelines that have been promulgated by the Department of Health and Human Services (HHS) as a final rule, advice on methods of dose reconstruction which have also been promulgated by HHS as a final rule, advice on the scientific validity and quality of dose estimation and reconstruction efforts being performed for purposes of the compensation program, and advice on petitions to add classes of workers on to the Special Exposure Cohort.

In December 2000, the President delegated responsibility for funding, staffing, and operating the Advisory Board to HHS, which subsequently delegated this authority to CDC. NIOSH implements this responsibility for CDC.

Purpose: The Advisory Board is charged with (a) providing advice to the Secretary, HHS, on the development of guidelines under Executive Order 13179; (b) providing advice to the Secretary, HHS, on the scientific validity and quality of dose reconstruction efforts performed for this program; and (c) upon request by the

Secretary, HHS, advise the Secretary, HHS, on whether there is a class of employees at any Department of Energy facility who were exposed to radiation but for whom it is not feasible to estimate their radiation dose, and on whether there is reasonable likelihood that such radiation doses may have endangered the health of members of this class.

Matters to be Discussed: Individual Dose Reconstruction Reviews and planning for future meetings and activities.

The agenda is subject to change as priorities dictate. In the event an individual cannot attend, written comments may be submitted. Any written comments received will be provided at the meeting and should be submitted to the contact person below well in advance of the meeting.

Due to programmatic matters, this **Federal Register** Notice is being published on less than 15 days notice to the public (41 CFR 102-3.150(b)).

For Further Information Contact: Dr. Lewis V. Wade, Executive Secretary, NIOSH, CDC, 4676 Columbia Parkway, Cincinnati, Ohio 45226, telephone 513.533.6825, fax 513.533.6826.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: November 2, 2006.

Alvin Hall,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention (CDC).

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

Notice of Hearing: Reconsideration of Disapproval of Colorado State Plan Amendment 05-006

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice of hearing.

SUMMARY: This notice announces an administrative hearing to be held on December 29, 2006, at the Colorado State Bank Building, 1600 Broadway, Suite 700, Keystone Conference Room, Denver, CO 80202-4967, to reconsider CMS' decision to disapprove Colorado State plan amendment 05-006.

Closing Date: Requests to participate in the hearing as a party must be received by the presiding officer by November 28, 2006.

FOR FURTHER INFORMATION CONTACT: Kathleen Scully-Hayes, Presiding Officer, CMS, Lord Baltimore Drive,

Mail Stop LB-23-20, Baltimore, Maryland 21244, Telephone: (410) 786-2055.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider CMS' decision to disapprove Colorado State plan amendment (SPA) 05-006 which was submitted on July 26, 2005. This SPA was disapproved on July 13, 2006.

In SPA 05-006, Colorado proposed to modify the reimbursement methodology in the State plan for covered Medicaid Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services provided in schools. Specifically, this amendment specified cost elements used to determine reimbursement rates for school-based services and targeted case management.

The amendment was disapproved because it did not comport with the requirements of sections 1902(a)(2), 1902(a)(4), 1902(a)(23), 1902(a)(30)(A), 1902(a)(10)(B), and 1903(a)(1) of the Social Security Act (the Act).

The issues to be decided in the hearing are:

- Whether Colorado has established that the indirect cost elements specified in Colorado SPA 05-006 would not duplicate direct cost elements also specified, to ensure that the payment rate is consistent with efficiency and economy as required by section 1902(a)(30)(A) of the Act.

- Whether Colorado has shown that certified public expenditures that will be used as the basis for claims under SPA 05-006 will be documented through auditable methods for determining or documenting actual and non-duplicative Medicaid expenditures incurred for school-based health services by a governmental entity, so that the claims will be consistent with sections 1902(a)(2), 1902(a)(4) and 1903(a)(1) of the Act.

- Whether the State has assured that the payment methodology specified under SPA 05-006, when read together with the State plan provisions authorizing the covered services that are the subject of SPA 05-006, would allow beneficiaries the ability to receive services from any willing and qualified provider within the State, consistent with the requirements of section 1902(a)(23) of the Act.

- Whether the State has established that the covered EPSDT services that are the subject of SPA 05-006 would be available in comparable amount, duration, and scope to the EPSDT services available to all eligible Medicaid beneficiaries, including those who do not attend schools paid under SPA 05-006, consistent with the