

§ 493.1202 [Amended]

2. In § 493.1202, in the section heading, remove “December 31, 2000” and add in its place “December 31, 2002”.

§ 493.1203 [Amended]

3. In § 493.1203, in the section heading, remove “December 31, 2000” and add in its place “December 31, 2002”.

§ 493.1443 [Amended]

4. Section 493.1443 is amended as set forth below:

a. In § 493.1443(b)(3)(ii) introductory text, remove “December 31, 2000,” and add in its place “December 31, 2002,”.

b. In § 493.1443(b)(3)(ii)(C), remove “December 31, 2000,” and add in its place “December 31, 2002,”.

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program; Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: November 20, 2000.

Jeffrey P. Koplan,

Director, Centers for Disease Control and Prevention.

Dated: November 28, 2000.

Michael M. Hash,

Acting Administrator, Health Care Financing Administration.

Dated: December 18, 2000.

Donna E. Shalala,

Secretary.

[FR Doc. 00–33288 Filed 12–26–00; 1:13 pm]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office of the Secretary
45 CFR Parts 160 and 164

RIN 0991–AB08

Technical Corrections to the Standards for Privacy of Individually Identifiable Health Information Published December 28, 2000

AGENCY: Office of the Assistant Secretary for Planning and Evaluation, DHHS.

ACTION: Technical corrections to final rule.

SUMMARY: These technical corrections address changes that inadvertently were excluded from the preamble of the Standards for Privacy of Individually Identifiable Health Information published December 28, 2000.

DATES: The effective date of these changes is February 26, 2001, the same as the effective date of the Standards for Privacy of Individually Identifiable Health Information published December 28, 2000.

FOR FURTHER INFORMATION CONTACT: Kimberly Coleman, 1–866–OCR–PRIV (1–866–627–7748) or TTY 1–866–788–4989.

Technical Corrections

Correction 1: In the section-by-section description of the rule provisions, under the description of section 164.510(a)—Use and Disclosure for Facility Directories, paragraphs seven and eight beginning “We believe that allowing clergy . . .,” and “More specifically, . . .,” are deleted and replaced with the following:

We believe that allowing clergy access to patient information pursuant to this section does not violate the Establishment Clause because the exemption from the final rule’s authorization requirement for disclosure to clergy of the specified protected health information is a permissible religious accommodation. The purpose and effect of this provision is to alleviate significant governmental interference with the exercise of religion, and we anticipate that the exemption would rarely, if ever, impose any significant burdens on patients or other individuals.

Without this exemption, covered entities would have to obtain authorizations before disclosing the limited protected health information to clergy, thereby making it more difficult than it commonly has been for clergy to provide services to patients. Accordingly, the clergy exemption permitting limited disclosure of protected health information in the circumstances noted above is “rationally related to the legitimate purpose of alleviating significant governmental interference with the ability of religious organizations to define and carry out their religious missions.” *Corporation of the Presiding Bishop of Jesus Christ of Latter-Day Saints v. Amos*, 483 U.S. 327, 339 (1987). Moreover, in certain cases the clergy exemption might also alleviate significant governmental interference with patients’ religious exercise that the final rule’s authorization requirement otherwise would impose—for example, by eliminating delay that might inhibit the ability of a patient to obtain sacraments provided during last rights.

Correction 2: In the section-by-section discussion of comments, under the discussion of section 164.534—EFFECTIVE DATE AND COMPLIANCE

DATE, the last sentence of the second paragraph should be replaced with the following language. Although the regulation is effective as of 60 days from publication in the **Federal Register**, section 1175 of HIPAA makes clear that no covered entity shall be required to comply with any standard or implementation specification for 24 months (or 36 months for small health plans). We will not enforce the regulation prior to those dates, and the regulation’s provisions will not preempt or otherwise alter state or other law prior to those dates. A covered entity may, or course, voluntarily implement policies that would comply with the regulation prior to those dates, but the regulation itself will neither compel disclosure nor provide a basis to refuse disclosure. We intend, therefore, for all of the provisions of the rule to come into force in 24 months (or 36 months for small health plans).

Dated: December 27, 2000.

LaVerne Burton,

Executive Secretary.

[FR Doc. 00–33444 Filed 12–27–00; 1:33 pm]

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DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
50 CFR Part 648

[Docket No. 980414095–8240–02; I.D. 121800D]

Fisheries of the Northeastern United States; Dealer Reporting Requirements

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

ACTION: Notification of termination of the deferral of Interactive Voice Response (IVR) System reporting requirements for Atlantic cod and haddock purchases.

SUMMARY: NMFS announces that it is terminating the current deferral of IVR reporting requirements of Atlantic cod and haddock beginning January 28, 2001. One of the management measures for Atlantic cod includes two conditional 1-month closures in the Gulf of Maine (GOM) when the trigger of 1.67 million lbs (759 mt) is reached. One management measure for haddock is an adjustment to the daily landing limit as specified in Framework 33 to the Northeast Multispecies Fishery Management Plan (FMP) to provide the industry with the opportunity to harvest

at least 75 percent of the total allowable catch (TAC) for the 2000-2001 fishing year (TAC=6,252 mt, 75 percent TAC=4,689 mt). If the Regional Administrator, Northeast Regional Office, NMFS (RA) projects that less than 75 percent of the TAC for haddock will be harvested by the end of the fishing year NMFS may adjust, through publication of a notification in the **Federal Register**, the trip limit per DAS and/or the maximum trip limit to an amount that is determined to be sufficient to allow harvesting of at least 75 percent of the target TAC, but not to exceed the target TAC. This termination of deferral for Atlantic cod and haddock is necessary to collect accurate data on a real-time basis to ensure that these fisheries are maintained at sustainable levels. Any dealer issued a Northeast (NE) Multispecies permit must submit, through the IVR system, a weekly summary of Atlantic cod and haddock purchased beginning January 28, 2001.

DATES: Effective January 28, 2001.

FOR FURTHER INFORMATION CONTACT:

Sandra Arvilla, (978) 281-9255 or Gregory Power, (978) 281-9304.

SUPPLEMENTARY INFORMATION: To effectively monitor landings of quota-managed species on a timely basis, NMFS issued a final rule (63 FR 52639, October 1, 1998) requiring federally-permitted dealers to submit a weekly summary of purchases of quota-managed species through the IVR system within 3 days of the end of the reporting week. To minimize the burden of dealer reporting requirements, the regulations implementing the use of an IVR system also include authorization (50 CFR 648.7(a)(ii)) for the RA to defer the IVR reporting requirements for any species if landings are not expected to reach levels that would cause the applicable target exploitation rate specified in the FMP for that species to be achieved, resulting in specific management changes. At that time the RA deferred IVR reporting requirements for Atlantic mackerel, butterfish and,

regulated NE Multispecies, which included Atlantic cod and haddock.

In order to effectively monitor Atlantic cod and haddock landings relative to the trigger and TAC, NMFS is requiring any dealer issued a NE Multispecies permit to submit, through the IVR system, a weekly summary of Atlantic cod and haddock purchases beginning January 28, 2001. IVR reports must be submitted within 3 days of the end of the reporting week. If the RA determines that weekly IVR reports of Atlantic cod and haddock purchases are no longer necessary, notification of deferral will be published in the **Federal Register**.

Dealers must continue to report through the IVR system, their purchases of the species specified in 50 CFR 648.7(a) for which IVR reporting requirements have not been deferred. Currently, these species are summer flounder, scup, black sea bass, *Illex* squid and *Loligo* squid, spiny dogfish, and Atlantic bluefish. If no purchases of any quota-managed species are made during the reporting week, a negative report, so stating, must be submitted.

As specified in 50 CFR 648.7(a)(1), dealers must continue to report purchases of all species, including those species for which IVR reporting has been deferred, on the detailed written reports.

Classification

This action is authorized by 50 CFR part 648 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: December 22, 2000.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 00-33223 Filed 12-28-00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 000119014-0137-02; I.D. 080700C]

Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Adjustments to the 2000 Summer Flounder, Scup and Black Sea Bass Commercial Quotas

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

ACTION: Commercial quota adjustment for 2000; correction.

SUMMARY: NMFS publishes additional adjustments to the 2000 commercial summer flounder and black sea bass quotas. This action complies with the regulations that implement the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP), which specifies that summer flounder landings in excess of a given state's individual commercial quota be deducted from that state's quota for the following year. Similarly, for black sea bass, the FMP specifies that landings in excess of a quota for a given quarter be deducted from the quota for the same quarter in the following year. The intent of this action is to account for additional 1999 summer flounder landings reported in Massachusetts, New Jersey, and Maryland, and to correct Delaware landings downward and the black sea bass landings data for 1999 Quarters 2, 3, and 4.

DATES: Effective December 29, 2000, through December 31, 2000.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones, Fisheries Policy Analyst, (978) 281-9273, fax 978-281-9135, e-mail paul.h.jones@noaa.gov.