

## ESTIMATE OF ANNUALIZED BURDEN HOURS

Respondents	Number of respondents	Number of responses/re-spondent	Average burden per response (in hours)	Total burden hours
CDC Employee's Screened .....	16,980	1	1/60	283
CDC Employee Respondents .....	8,490	1	9/60	1274
Total .....	.....	.....	.....	1557

Dated: September 26, 2006.

**Joan F. Karr,**

*Acting Reports Clearance Officer, Centers for Disease Control and Prevention.*

[FR Doc. E6-16306 Filed 10-2-06; 8:45 am]

BILLING CODE 4163-18-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### Notice of Supplemental Grant Award to Bucks County Health Improvement Project, Inc. for a Project Entitled, "Increasing Access to Health Care for Bucks County Residents"

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

**ACTION:** Notice of Supplemental Grant Award.

*Funding Amount:* \$500,000. There will be an additional supplement of \$500,000 to this grant in FY 2007.

**SUMMARY:** The Centers for Medicare & Medicaid Services has awarded a supplemental grant entitled "Increasing Access to Health Care for Bucks County Residents" to the Bucks County Health Improvement Project, Inc., 1201 Langhorne-Newton Road, Langhorne, PA 19047. The project period is September 10, 2002 through September 9, 2008. The Bucks County Health Improvement Project (BCHIP) proposes to provide 3 ongoing major programs, which were initiated under the parent grant. These include continuation and expansion of: The adult health clinic which has served over 3,274 patients having 9,200 visits; the dental program for needy children and adults; and the Cardiovascular Risk Reduction program. Through these programs, BCHIP provides health and dental services for vulnerable populations, including under-insured and recent immigrants.

These BCHIP health services for the indigent and uninsured have helped meet fundamental physical, dental, and mental health needs for residents, including immigrant groups, who are otherwise without resources for needed

care. There is concern that without additional supplemental funding, provision of these vital health care services in Bucks County would be at risk. An additional 2 years of funding will permit BCHIP to follow-on with several of their major, demonstrated successful programs delivering community care and outreach to targeted groups with serious unmet needs.

Furthermore, the BCHIP consortium of public and private hospitals and outpatient health and dental providers has collaborated over the past 15 years to develop an impressively efficient administrative framework for the donation, provision and coverage of a wide array of health services for the medically indigent. Additional funding will further foster the improvement and expansion of their model for administering health care through multiple programs to the needy. Over the past 2 years, BCHIP leaders have been sharing their administrative model and experience with other health U.S. organizations and communities, including a "Communities Joined in Action" conference in New Orleans and quarterly Pennsylvania State Health Improvement Plan (SHIP) meetings. They plan to continue to offer guidance to providers and health organizations gleaned from their expanding, ongoing service programs under requested supplemental funding.

This award is made based on the authority granted by section 1110 of the Social Security Act, which authorizes appropriations each fiscal year for grants to pay for part of the cost of research or demonstration projects that will improve the administration and effectiveness of programs.

**FOR FURTHER INFORMATION CONTACT:** Renee Mentnech, Director, Research and Evaluation Group, Office of Research, Development, and Information, Centers for Medicare & Medicaid Services, Mail Stop C3-21-28, 7500 Security Boulevard, Baltimore, MD 21244, (410) 786-6692, or Judith L. Norris, Grants Officer, Office of Acquisitions and Grants Management, Centers for Medicare & Medicaid Services, Mail

Stop C2-21-15, 7500 Security Boulevard, Baltimore, MD 21244, (410) 786-5130.

**Authority:** (Catalog of Federal Domestic Assistance Program No. 93.779 (CMS) Research, Demonstrations and Evaluations) Section 1110 of the Social Security Act.

Dated: September 19, 2006.

**Mark B. McClellan,**

*Administrator, Centers for Medicare & Medicaid Services.*

[FR Doc. 06-8420 Filed 9-29-06; 8:45 am]

BILLING CODE 4120-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[CMS-2243-N]

RIN 0938-AO75

#### Medicaid Program; Fiscal Year Disproportionate Share Hospital Allotments and Disproportionate Share Hospital Institutions for Mental Disease Limits

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

**ACTION:** Notice.

**SUMMARY:** Consistent with the provisions of section 1923 of the Social Security Act, as amended by section 1001(a) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 and section 6054 of the Deficit Reduction Act of 2005, this notice announces the final Federal share disproportionate share hospital (DSH) allotments for Federal fiscal year (FFY) 2005, the preliminary Federal share DSH allotments for FFY 2006, and the preliminary Federal share DSH allotments for FFY 2007. This notice also announces the final FFY 2005, the preliminary FFY 2006, and the preliminary FFY 2007 limitations on aggregate DSH payments that States may make to institutions for mental disease and other mental health facilities. In addition, this notice includes background information describing the

methodology for determining the amounts of States' FFY DSH allotments.

**FOR FURTHER INFORMATION CONTACT:**  
Richard Strauss, (410) 786-2019.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

*A. Disproportionate Share Hospital Allotments for Federal Fiscal Year 2003*

Under section 1923(f)(3) of the Social Security Act (the Act), States' Federal fiscal year (FFY) 2003 disproportionate share hospital (DSH) allotments are calculated by increasing the amounts of the FFY 2002 allotments for each State (as specified in the chart, entitled "DSH Allotment (in millions of dollars)," contained in section 1923(f)(2) of the Act) by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the prior fiscal year. The allotment, determined in this way, is subject to the limitation that an increase to a State's DSH allotment for a fiscal year cannot result in the DSH allotment exceeding the greater of the State's DSH allotment for the previous fiscal year or 12 percent of the State's total medical assistance expenditures for the allotment year (this is referred to as the 12 percent limit).

Because the actual FFY 2002 DSH allotments were determined in accordance with section 1923(f)(4) of the Act rather than the amount specified in the chart in section 1923(f)(2) of the Act, for most States the calculation of States' FFY 2003 allotments was not based on the States' actual FFY 2002 DSH allotments. The exception to this is the calculation of the FFY 2003 DSH allotments for certain "Low-DSH States" (defined in section 1923(f)(5) of the Act). Under the Low-DSH State provision, there is a special calculation methodology for the Low-DSH States only. Under this methodology, the FFY 2003 allotments were determined by using (that is, increasing) such States' actual FFY 2002 DSH allotments (not their FFY 2002 allotments specified in the chart in section 1923(f)(2) of the Act) by the percentage change in the CPI-U for the previous fiscal year.

*B. DSH Allotments for FFY 2004*

Section 1001(a) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) (Pub. L. 108-173, enacted on December 8, 2003) amended section 1923(f)(3) of the Act to provide for a "Special, Temporary Increase In Allotments On A One-Time, Non-Cumulative Basis." Under this provision, States' FFY 2004 DSH allotments were determined by increasing their FFY 2003 allotments by 16 percent, and the fiscal year DSH

allotment amounts so determined were not subject to the 12 percent limit.

*C. DSH Allotments for Non-Low DSH States for FFY 2005, and Fiscal Years Thereafter*

Under the methodology contained in section 1923(f)(3)(C) of the Act, as amended by section 1001(a)(2) of the MMA, the non-Low-DSH States' DSH allotments for FFY 2005 and subsequent fiscal years continue at the same level as the States' DSH allotments for FFY 2004 until a "fiscal year specified" occurs. The "fiscal year specified" is the first fiscal year for which the Secretary estimates that a State's DSH allotment equals (or no longer exceeds) the DSH allotment as would have been determined under the statute in effect before the enactment of the MMA. We determine whether the fiscal year specified has occurred under a special parallel process. Specifically, under this process, a DSH allotment is determined for FFYs after 2003 by increasing the State's DSH allotment for the previous fiscal year by the percentage change in the CPI-U for the prior fiscal year, subject to the 12 percent limit. The fiscal year specified will be the fiscal year when the DSH allotment calculated under this special parallel process finally equals or exceeds the FY 2004 DSH allotment, as determined under the MMA provisions. Once the fiscal year specified occurs for a State, that State's fiscal year DSH allotment will be calculated by increasing the State's previous actual fiscal year DSH allotment (which would be equal to the FY 2004 DSH allotment) by the percentage change in the CPI-U for the previous fiscal year, subject to the 12 percent limit. The following example illustrates how the fiscal year DSH allotment would be calculated for fiscal years after FFY 2004.

*Example.* A State's FFY 2003 DSH allotment is \$100 million. Under the MMA, the State's FFY 2004 DSH allotment would be \$116 million (\$100 million increased by 16 percent). The State's DSH allotment for FFY 2005 and subsequent fiscal years would continue at the \$116 million FFY 2004 DSH allotment for fiscal years following FFY 2004 until the "fiscal year specified" occurs. In the separate parallel process, we determine whether the fiscal year specified has occurred by calculating the State's DSH allotments in accordance with the statute in effect before the enactment of the MMA. Under this special process, we determine the State's DSH allotment each fiscal year by increasing the State's DSH allotment for the previous fiscal year (as also determined under the special parallel process) by the percentage change in the CPI-U for the previous fiscal year, and subject to the 12 percent limit. Assume for purposes of this example that, in accordance with this special

process, the State's FFY 2007 DSH allotment was determined to be \$115 million and the percentage change in the CPI-U for FFY 2007 (the previous fiscal year) relevant for the calculation of the FFY 2008 DSH allotment was 2 percent. That is, the percentage change for the CPI-U for FFY 2007, the year before FFY 2008, was 2 percent. Therefore, the State's special parallel process FFY 2008 DSH allotment amount would be calculated by increasing the special parallel process FFY 2007 DSH allotment amount of \$115 million by 2 percent; this results in a special DSH allotment process amount for FFY 2008 of \$117.3 million. Since \$117.3 million is greater than \$116 million (the FFY 2004 DSH allotment calculated under the MMA), we would determine that FFY 2008 is the "fiscal year specified" (the first year that the FFY 2004 allotment equals or no longer exceeds the parallel process allotment). We would then determine the State's FFY 2008 allotment as the State's actual FFY 2007 DSH allotment (\$116 million) increased by the percentage change in the CPI-U for FFY 2007 (2 percent). Therefore, the State's FFY 2008 DSH allotment would be \$118.32 million (\$116 million increased by 2 percent); for purposes of this example, the application of the 12 percent limit has no effect. For FFY 2009 and thereafter, the State's DSH allotment would be calculated by increasing the State's previous fiscal year's DSH allotment by the percentage change in the CPI-U for the previous fiscal year, subject to the 12 percent limit.

However, as amended by section 1001(b)(4) of the MMA, section 1923(f)(5)(B) of the Act also contains new criteria for determining whether a State is a Low-DSH State, beginning with FFY 2004. This provision is described in section I.D.

Finally, this notice implements the provisions of section 6054 of the Deficit Reduction Act (DRA) of 2006 Public Law 109-171, enacted February 8, 2006) with respect to the determination of the DSH allotment for the District of Columbia. Under section 6054 of the DRA, for purposes of determining only the FFY 2006 and subsequent fiscal year DSH allotments for the District of Columbia, the table in section 1923(f)(2) of the Act is amended by increasing the FFY DSH allotment amounts indicated in that table for the District of Columbia for FFYs 2000, 2001, and 2002 to \$49 million for each of those fiscal years. Before the DRA amendment, the amount in the chart in section 1923(f)(2) of the Act for the District of Columbia for each of those fiscal years was \$32 million. This DRA provision increases the fiscal year DSH allotment for the District of Columbia effective with the FFY 2006 DSH allotment. This change is because the DSH allotments for FFY 2003 are based on the amounts of States' DSH allotments for FFY 2002 as contained in the chart in section 1923(f)(2) of the Act. Since (for purposes of ultimately

determining the FFY 2006 allotment) the DRA provision increases the FFY 2002 allotment for the District of Columbia, as indicated above, the FFY 2003 allotment was increased. Furthermore, for this purpose, the FFY 2004 allotment for the District of Columbia would then be determined by increasing the FFY 2003 allotment (as so determined) by 16 percent. For fiscal years subsequent to FFY 2006, the DSH allotments are determined as described above. The preliminary FFY 2006 DSH allotment for the District of Columbia contained in this notice reflects the provision of section 6054 of the DRA.

As described below, in accordance with section 6054 of the DRA, the FFY 2006 DSH allotment for the District of Columbia is \$57,692,600. As amended by section 6054 of the DRA, the FFY 2002 DSH allotment amount for the District of Columbia contained in the chart in section 1923(f)(2) of the Act was increased to \$49,000,000. In accordance with section 1923(f)(3)(A) of the Act, the FFY 2003 DSH allotment is determined by increasing the \$49,000,000 DSH Allotment for FFY 2002 (as referenced in section 1923(f)(2) of the Act) by the percentage change in the CPI-U for 2002 (in this case, 1.5 percent) to \$49,735,000. In accordance with section 1923(f)(3)(C)(i) of the Act, the FFY 2004 DSH allotment is determined by increasing the \$49,735,000 FFY 2003 DSH allotment amount by 16 percent to \$57,692,600. In accordance with the provisions of section 1923(f)(3)(C) of the Act, the District of Columbia's DSH allotments for FFYs 2005, 2006, and 2007 are also \$57,692,600. Finally, in accordance with section 6054 of the DRA, the District of Columbia's DSH allotment is increased as described above, effective beginning with FFY 2006.

#### *D. DSH Allotments for Low-DSH States for FFYs 2004, and Fiscal Years Thereafter*

Section 1001(b)(1) of the MMA amended section 1923(f)(5) of the Act regarding the calculation of the fiscal year DSH allotments for "Low-DSH" States for FFY 2004 and subsequent fiscal years. Specifically, under section 1923(f)(5)(B) of the Act, as amended by section 1001(b)(4) of the MMA, a State is considered a Low-DSH State for FFY 2004 if its total DSH payments under its State plan for FFY 2000 (including Federal and State shares) as reported to us as of August 31, 2003, are greater than 0 percent and less than 3 percent of the State's total FFY 2000 expenditures under its State plan for medical assistance. For States that meet the new Low-DSH criteria, their FFY

2004 DSH allotments are calculated by increasing their FFY 2003 DSH allotments by 16 percent. Therefore, for FFY 2004, Low-DSH States' fiscal year DSH allotments are calculated in the same way as the DSH allotments for regular States, which under section 1923(f)(3) of the Act get the special temporary increase for FFY 2004.

Furthermore, for States meeting the new MMA's Low-DSH definition, the DSH allotments for FFYs 2005 through 2008 will continue to be determined by increasing the previous fiscal year's DSH allotment by 16 percent. The Low-DSH States' DSH allotments for FFYs 2004 through 2008 are not subject to the 12 percent limit. The Low-DSH States' DSH allotments for FFYs 2009 and subsequent fiscal years are calculated by increasing those States' DSH allotments for the prior fiscal year by the percentage change in the CPI-U for that prior fiscal year. For FFYs 2009 and thereafter, the DSH allotments so determined would be subject to the 12-percent limit.

#### *E. Institutions for Mental Diseases DSH Limits for FFYs 1998 and Thereafter*

Under section 1923(h) to the Act, Federal financial participation (FFP) is not available for DSH payments to institutions for mental diseases (IMDs) and other mental health facilities that are in excess of State-specific aggregate limits. Under this provision, this aggregate limit for DSH payments to IMDs and other mental health facilities is the lesser of a State's FFY 1995 total computable (State and Federal share) IMD and other mental health facility DSH expenditures applicable to the State's FFY 1995 DSH allotment (as reported on the Form CMS-64 as of January 1, 1997), or the amount equal to the product of the State's current year total computable DSH allotment and the applicable percentage.

Each State's IMD limit on DSH payments to IMDs and other mental health facilities was calculated by first determining the State's total computable DSH expenditures attributable to the FFY 1995 DSH allotment for mental health facilities and inpatient hospitals. This calculation was based on the total computable DSH expenditures reported by the State on the Form CMS-64 as mental health DSH and inpatient hospital as of January 1, 1997. We then calculate an "applicable percentage." The applicable percentage for FFY 1998 through FFY 2000 (1995 IMD DSH percentage) is calculated by dividing the total computable amount of IMD and mental health DSH expenditures applicable to the State's FFY 1995 DSH allotment by the total computable

amount of all DSH expenditures (mental health facility plus inpatient hospital) applicable to the FFY 1995 DSH allotment. For FFY 2001 and thereafter, the applicable percentage is defined as the lesser of the applicable percentage as calculated above (for FFYs 1998 through 2001) or 50 percent for FFY 2001; 40 percent for FFY 2002; and 33 percent for each subsequent FFY.

The applicable percentage is then applied to each State's total computable FFY DSH allotment for the current FFY. The State's total computable FFY DSH allotment is calculated by dividing the State's Federal share DSH allotment for the FFY by the State's Federal medical assistance percentage (FMAP) for that FFY.

In the final step of the calculation of the IMD DSH Limit, the State's total computable IMD DSH limit for the FFY is set at the lesser of the product of a State's current fiscal year total computable DSH allotment and the applicable percentage for that fiscal year, or the State's FFY 1995 total computable IMD and other mental health facility DSH expenditures applicable to the State's FFY 1995 DSH allotment as reported on the Form CMS-64.

The MMA legislation did not amend the Medicaid statute with respect to the calculation of the IMD DSH limit.

#### *F. DSH Allotments and IMD DSH Limits Published in the Federal Register on August 26, 2005*

On August 26, 2005, we published a notice (70 FR 50358) in the **Federal Register** that announced the final Federal share DSH allotments for Federal fiscal years (FFYs) 2003 and 2004, and the preliminary Federal share DSH allotments for FFY 2005. It also announced the final FFYs 2003 and 2004, and the preliminary FFY 2005, limitations on aggregate DSH payments that States may make to institutions for mental disease (IMDs) and other mental health facilities.

#### *G. Publication in the Federal Register of Preliminary and Final Notice for DSH Allotments and IMD DSH Limits*

In general, we initially determine States' DSH allotments and IMD DSH limits for a fiscal year using estimates of medical assistance expenditures, including DSH expenditures in their Medicaid programs. These estimates are provided by States each year on the August quarterly Medicaid budget reports (Form CMS-37) before the Federal fiscal year for which the DSH allotments and IMD DSH limits are being determined. The DSH allotments and IMD DSH limits determined using

these estimates are referred to as “*preliminary*.” Only after we receive States’ reports of the actual related medical assistance expenditures through the quarterly expenditure report (Form CMS–64), which occurs after the end of the fiscal year, are the “*final*” DSH Allotments and IMD DSH limits determined.

As indicated in the section I.F. of this notice, the notice published in the **Federal Register** on August 26, 2005 announced the final FFYs 2003 and 2004 DSH allotments and the final FFYs 2003 and 2004 IMD DSH limits (since they were based on the actual expenditures related to those years), the *preliminary* FFY 2005 DSH allotments (based on estimates), and the preliminary IMD DSH limits (since they were based on the preliminary DSH allotments for FFY 2005).

This notice announces the *final* FFY 2005 DSH allotments and the *final* FFY 2005 IMD DSH limits (since these are now based on the actual expenditures for those fiscal years), the preliminary FFY 2006 and FFY 2007 DSH allotments (based on estimates), and the *preliminary* IMD DSH limits for FFY 2006 and FFY 2007 (since they are based on the *preliminary* DSH allotments for FFY 2006 and FFY 2007, respectively).

## II. Calculation of the Final FFY 2005 Federal Share State DSH Allotments, the Preliminary FFY 2006 Federal Share State DSH Allotments, and the Preliminary FFY 2007 Federal Share State DSH Allotments

Chart 1 of the Addendum to this notice provides the States’ “*final*” FFY 2005 DSH allotments. The final FFY 2005 DSH allotments for each State were computed in accordance with the provisions of the Medicaid statute as amended by the MMA. As required by the provisions of the MMA, the final FFY 2004 DSH allotments for the “Low-DSH” States and all the other States were calculated by increasing the FFY 2003 DSH allotments by 16 percent. In the notice published on March 26, 2004 in the **Federal Register**, we explained the definition and determination of the “Low-DSH” States under the MMA provisions. However, for following fiscal years, the DSH allotments are determined under a process which incorporates a parallel process described in section I.C. of this notice. Under that parallel process, States final FFY 2005 DSH allotments were determined using the States’ expenditure reports (Form CMS–64) for FFY 2005.

Chart 3 of the Addendum to this notice provides the States’

“*preliminary*” FFY 2006 DSH allotments. These preliminary allotments were determined using the States’ August 2005 expenditure estimates submitted by the States on the Form CMS–37. We will publish the final FFY 2006 DSH allotments for each State following receipt of the States’ four quarterly Medicaid expenditure reports (Form CMS–64) for FFY 2006.

## III. Calculation of the FFYs 2005 Through 2007 IMD DSH Limits

Section 1923(h) of the Act specifies the methodology to be used to establish the limits on the amount of DSH payments that a State can make to IMDs and other mental health facilities. FFP is not available for IMD/DSH payments that exceed the lesser of the State’s FFY 1995 total computable mental health DSH expenditures applicable to the State’s FFY 1995 DSH allotment as reported to us on the Form CMS–64 as of January 1, 1997; or the amount equal to the product of the State’s current FFY total computable DSH allotment and the applicable percentage. We are publishing the final FFY 2005 IMD DSH limit, the preliminary FFY 2006 IMD DSH limit, and the preliminary FFY 2007 IMD DSH limit, along with an explanation of the calculation of these limits.

For FFY 2003 and following fiscal years, the applicable percentage is the lesser of 33 percent or the 1995 DSH IMD percentage of the amount computed for FFY 2000. This percentage was applied to the State’s fiscal year total computable DSH allotment. This result was then compared to the State’s FFY 1995 total computable mental health DSH expenditures applicable to the State’s FFY 1995 DSH allotment as reported on the Form CMS–64 as of January 1, 1997. The lesser of these two amounts was the State’s limitation on total computable IMD/DSH expenditures for FFY 2003 and following fiscal years.

Charts 4, 5, and 6 of the Addendum to this notice detail each State’s final IMD/DSH limitation for FFY 2005, the preliminary IMD/DSH limitation for FFY 2006, and the preliminary IMD/DSH limitation for FFY 2007, respectively, in accordance with section 1923(h) of the Act.

## IV. Collection of Information Requirements

This document does not impose information collection and recordkeeping requirements. Consequently, it need not be reviewed by the Office of Management and Budget under the authority of the

Paperwork Reduction Act of 1995 (44 U.S.C. 35).

## V. Regulatory Impact Statement

We have examined the impact of this rule as required by Executive Order 12866 (September 1993, Regulatory Planning and Review), the Regulatory Flexibility Act (RFA) (September 19, 1980, Pub. L. 96–354), section 1102(b) of the Social Security Act, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), and Executive Order 13132.

Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects (\$100 million or more in any 1 year). This notice does not reach the economic threshold and thus is not considered a major rule.

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and small governmental jurisdictions. Most hospitals and most other providers and suppliers are small entities, either by nonprofit status or by having revenues of \$6 million to \$29 million in any 1 year. Individuals and States are not included in the definition of a small entity. Due to the various controlling statutes, the effects on providers are not impacted by a result of any independent regulatory impact and not this notice. The purpose of the notice is to announce the latest distributions as required by the statute.

In addition, section 1102(b) of the Act requires us to prepare a regulatory impact analysis if a rule may have a significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the provisions of section 604 of the RFA. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a Core-Based Statistical Area for Medicaid payment regulations and has fewer than 100 beds.

The MMA set statutorily defined limits on the amount of Federal share DSH expenditures available for FFY 2004 and subsequent fiscal years. Specifically, section 1001 of the MMA increased the DSH allotment for States beginning with fiscal year 2004. While overall the statute mandated some increases in DSH payments, we do not

believe that this notice will have a significant economic impact on a substantial number of small entities.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule whose mandates require spending in any 1 year of \$100 million in 1995 dollars, updated annually for inflation. That threshold level is currently approximately \$120 million. This notice will have no consequential effect on

State, local, or tribal governments or on the private sector.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. Since this notice does not impose any costs on State or local governments, the

requirements of E.O. 13132 are not applicable.

In accordance with the provisions of Executive Order 12866, this notice was reviewed by the Office of Management and Budget.

#### **Addendum**

This addendum contains the charts 1 through 6 (including associated keys) that are referred to in the preamble of this notice.

**BILLING CODE 4120-01-P**

**Chart 1.--Final DSH Allotments for FY 2005**  
**[Key to the Chart of the Final FFY 2005 DSH Allotments. The final FFY 2005 DSH Allotments for the regular States are presented in the top section of this chart and the final FFY 2005 DSH Allotments for the Low-DSH States are presented in the bottom section of the chart.]**

Column	Description
For Non-Low-DSH States:	
Column A	State.
Column B	Final FY 2004 DSH Allotment Federal Share-- This column contains the final FFY 2004 DSH Allotments.
Column C	FY 2005 DSH Allotment Federal Share--This column contains the final FFY 2005 DSH Allotments.
Column D	MMA Low-DSH Status--This column indicates the MMA Low-DSH Status of each State.
For Low-DSH States:	
Column A	State.
Column B	Prior FY DSH Allotment--This column contains the final FFY 2004 DSH Allotments.
Column C	FY 2005 DSH Allotments Federal Share--This column contains the final FFY 2005 DSH Allotments = Column B multiplied by 1.16.
Column D	MMA Low-DSH Status--This column indicates the MMA Low-DSH Status of each State.

<b>Chart 2.--Preliminary DSH Allotments for FY 2006</b>	
<b>[Key to the Chart of the Preliminary FFY 2006 DSH Allotments. The preliminary FFY 2006 DSH Allotments for the regular States are presented in the top section of this chart and the preliminary FFY 2006 DSH Allotments for the Low-DSH States are presented in the bottom section of the chart.]</b>	
<b>Column</b>	<b>Description</b>
<b>For Non-Low-DSH States:</b>	
Column A	State.
Column B	Final FY 2004 DSH Allotment Federal Share-- This column contains the final FFY 2004 DSH Allotments.
Column C	FY 2006 DSH Allotment Federal Share--This column contains the preliminary FFY 2006 DSH Allotments.
Column D	MMA Low-DSH Status--This column indicates the MMA Low-DSH Status of each State.
<b>For Low-DSH States:</b>	
Column A	State.
Column B	Prior FY DSH Allotment--This column contains the final FFY 2005 DSH Allotments.
Column C	FY 2006 DSH Allotments Federal Share--This column contains the preliminary FFY 2006 DSH Allotments = Column B multiplied by 1.16.
Column D	MMA Low-DSH Status--This column indicates the MMA Low-DSH Status of each State.

<b>Chart 3.--Preliminary DSH Allotments for FY 2007</b>	
<b>[Key to the Chart of the Preliminary FFY 2007 DSH Allotments. The preliminary FFY 2007 DSH Allotments for the regular States are presented in the top section of this chart and the preliminary FFY 2007 DSH Allotments for the Low-DSH States are presented in the bottom section of the chart.]</b>	
<b>Column</b>	<b>Description</b>
<b>For Non-Low-DSH States:</b>	
Column A	State.
Column B	Final FY 2004 DSH Allotment Federal Share--This column contains the final FFY 2004 DSH Allotments.
Column C	FY 2007 DSH Allotment Federal Share--This column contains the preliminary FFY 2007 DSH Allotments.
Column D	MMA Low-DSH Status--This column indicates the MMA Low-DSH Status of each State.
<b>For Low-DSH States:</b>	
Column A	State.
Column B	Prior FY DSH Allotment--This column contains the final FFY 2006 DSH Allotments.
Column C	FY 2007 DSH Allotments Federal Share--This column contains the preliminary FFY 2007 DSH Allotments = Column B multiplied by 1.16.
Column D	MMA Low-DSH Status--This column indicates the MMA Low-DSH Status of each State.



<b>Chart 4.--Final FFY 2005 IMD DSH Limits</b>	
<b>[Key to the Chart of the FFY 2005 IMD Limitations.--The final FFY 2005 IMD DSH Limits for the regular States are presented in the top section of this chart and the final FFY IMD DSH Limits for the Low-DSH States are presented in the bottom section of the chart.]</b>	
<b>Column</b>	<b>Description</b>
Column A	State.
Column B	Inpatient Hospital Services FY 95 DSH Total Computable. This column contains the States' total computable FFY 1995 inpatient hospital DSH expenditures as reported on the Form CMS-64.
Column C	IMD and Mental Health Services FY 95 DSH Total Computable. This column contains the total computable FFY 1995 mental health facility DSH expenditures as reported on the Form CMS-64 as of January 1, 1997.
Column D	Total Inpatient & IMD & Mental Health FY 95 DSH Total Computable, Col B + C. This column contains the total computation of all inpatient hospital DSH expenditures and mental health facility DSH expenditures for FFY 1995 as reported on the Form CMS-64 as of January 1, 1997 (representing the sum of Column B and Column C).
Column E	Applicable Percentage Col C/D. This column contains the "applicable percentage" representing the total computable FFY 1995 mental health facility DSH expenditures divided by total computable all inpatient hospital and mental health facility DSH expenditures for FFY 1995 (the amount in Column C divided by the amount in Column D) Per section 1923(h)(2)(A)(ii)(II) of the Act, for FFYs after FY 2002, the applicable percentage can be no greater than 33 percent.
Column F	FY 2005 Federal Share DSH Allotment. This column contains the States' final FFY 2005 DSH allotments.
Column G	FFY 2005 FMAP.
Column H	FY 2005 DSH Allotments in TC. Col. F/G. This column contains FFY 2005 total computable DSH allotment (determined as Column F/Column G).
Column I	Col E * Col H in TC. This column contains the applicable percent of FFY 2005 total computable DSH allotment (calculated as Column E x Column H).
Column J	FY 2005 IMD DSH Limit Total Computable. Lesser of Col. C or I. The column contains the lesser of the lesser of Column I or C.
Column K	FY 2005 IMD DSH Limit Federal Share, Col. G x J. This column contains the total computable IMD DSH Limit from Col. J and converts that amount into a Federal share (calculated as Col. G x Col. J).
Column L	LOW DSH Status. This column contains Low DSH status for each State.

**Chart 5.--Preliminary FFY 2006 IMD DSH Limits**  
**[Key to the Chart of the FFY 2006 IMD Limitations.--The preliminary FFY 2006 IMD DSH Limits for the regular States are presented in the top section of this chart and the preliminary FFY 2006 IMD DSH Limits for the Low-DSH States are presented in the bottom section of the chart**

<b>Column</b>	<b>Description</b>
Column A	State.
Column B	Inpatient Hospital Services FY 95 DSH Total Computable. This column contains the States' total computable FFY 1995 inpatient hospital DSH expenditures as reported on the Form CMS-64.
Column C	IMD and Mental Health Services FY 95 DSH Total Computable. This column contains the total computable FFY 1995 mental health facility DSH expenditures as reported on the Form CMS-64 as of January 1, 1997.
Column D	Total Inpatient & IMD & Mental Health FY 95 DSH Total Computable, Col. B + C. This column contains the total computation of all inpatient hospital DSH expenditures and mental health facility DSH expenditures for FFY 1995 as reported on the Form CMS-64 as of January 1, 1997 (representing the sum of Column B and Column C).
Column E	Applicable Percentage Col. C/D. This column contains the "applicable percentage" representing the total computable FFY 1995 mental health facility DSH expenditures divided by total computable all inpatient hospital and mental health facility DSH expenditures for FFY 1995 (the amount in Column C divided by the amount in Column D) Per section 1923(h)(2)(A)(ii)(II) of the Act, for FFYs after FY 2002, the applicable percentage can be no greater than 33 percent.
Column F	FY 2006 Federal Share DSH Allotment. This column contains the States' preliminary FFY 2006 DSH allotments.
Column G	FFY 2006 FMAP.
Column H	FY 2006 DSH Allotment Total Computable Col. F/G. This column contains FFY 2006 total computable DSH allotment (determined as Column F/Column G).
Column I	Col E * Col H in TC. This column contains the applicable percent of FFY 2006 total computable DSH allotment (calculated as Column E x Column H)
Column J	FY 2006 IMD DSH Limit Total Computable. Lesser of Col. C or I. The column contains the lesser of the lesser of Column I or C.
Column K	FY 2006 IMD DSH Limit Federal Share, Col. G x J. This column contains the total computable IMD DSH Limit from Col. J and converts that amount into a Federal share (calculated as Col. G x Col. J).
Column L	Low DSH Status. This column contains Low DSH status for each State.

**Chart 6.--Preliminary FFY 2007 IMD DSH Limits**  
**[Key to the Chart of the FFY 2007 IMD Limitations.--The preliminary FFY 2007 IMD DSH Limits for the regular States are presented in the top section of this chart and the preliminary FFY 2007 IMD DSH Limits for the Low-DSH States are presented in the bottom section of the chart]**

<b>Column</b>	<b>Description</b>
Column A	State.
Column B	Inpatient Hospital Services FY 95 DSH Total Computable. This column contains the States' total computable FFY 1995 inpatient hospital DSH expenditures as reported on the Form CMS-64.
Column C	IMD and Mental Health Services FY 95 DSH Total Computable. This column contains the total computable FFY 1995 mental health facility DSH expenditures as reported on the Form CMS-64 as of January 1, 1997.
Column D	Total Inpatient & IMD & Mental Health FY 95 DSH Total Computable, Col. B + C. This column contains the total computation of all inpatient hospital DSH expenditures and mental health facility DSH expenditures for FFY 1995 as reported on the Form CMS-64 as of January 1, 1997 (representing the sum of Column B and Column C).
Column E	Applicable Percentage Col. C/D. This column contains the "applicable percentage" representing the total computable FFY 1995 mental health facility DSH expenditures divided by total computable all inpatient hospital and mental health facility DSH expenditures for FFY 1995 (the amount in Column C divided by the amount in Column D) Per section 1923(h)(2)(A)(ii)(II) of the Act, for FFYs after FY 2002, the applicable percentage can be no greater than 33 percent.
Column F	FY 2007 Federal Share DSH Allotment. This column contains the States' preliminary FFY 2007 DSH allotments.
Column G	FFY 2007 FMAP.
Column H	FY 2007 DSH Allotment Total Computable Col. F/G. This column contains FFY 2007 total computable DSH allotment (determined as Column F/Column G).
Column I	Col E * Col H in TC. This column contains the applicable percent of FFY 2007 total computable DSH allotment (calculated as Column E x Column H)
Column J	FY 2007 IMD DSH Limit Total Computable. Lesser of Col. C or I. The column contains the lesser of the lesser of Column I or C.
Column K	FY 2007 IMD DSH Limit Federal Share, Col. G x J. This column contains the total computable IMD DSH Limit from Col. J and converts that amount into a Federal share (calculated as Col. G x Col. J).
Column L	Low DSH Status. This column contains Low DSH status for each State.

FINAL DSH ALLOTMENTS FOR FY:		2005		
A	B	C	D	
STATE	FINAL FY 2004 DSH ALLOTMENTS	FY 2005 DSH ALLOTMENTS	MMA LOW DSH STATUS	
ALABAMA	\$289,640,400	\$289,640,400	N/A	
ARIZONA	\$95,369,400	\$95,369,400	N/A	
CALIFORNIA	\$1,032,579,800	\$1,032,579,800	N/A	
COLORADO	\$87,127,600	\$87,127,600	N/A	
CONNECTICUT	\$188,384,000	\$188,384,000	N/A	
DISTRICT OF COLUMBIA	\$37,676,800	\$37,676,800	N/A	
FLORIDA	\$188,384,000	\$188,384,000	N/A	
GEORGIA	\$253,141,000	\$253,141,000	N/A	
HAWAII	\$0	\$0	N/A	
ILLINOIS	\$202,512,800	\$202,512,800	N/A	
INDIANA	\$201,335,400	\$201,335,400	N/A	
KANSAS	\$38,854,200	\$38,854,200	N/A	
KENTUCKY	\$136,578,400	\$136,578,400	N/A	
LOUISIANA	\$731,960,000	\$731,960,000	N/A	
MAINE	\$98,901,600	\$98,901,600	N/A	
MARYLAND	\$71,821,400	\$71,821,400	N/A	
MASSACHUSETTS	\$287,285,600	\$287,285,600	N/A	
MICHIGAN	\$249,608,800	\$249,608,800	N/A	
MISSISSIPPI	\$143,642,800	\$143,642,800	N/A	
MISSOURI	\$446,234,600	\$446,234,600	N/A	
NEVADA	\$43,563,800	\$43,563,800	N/A	
NEW HAMPSHIRE	\$150,800,000	\$150,800,000	N/A	
NEW JERSEY	\$606,361,000	\$606,361,000	N/A	
NEW YORK	\$1,512,959,000	\$1,512,959,000	N/A	
NORTH CAROLINA	\$277,866,400	\$277,866,400	N/A	
OHIO	\$382,655,000	\$382,655,000	N/A	
PENNSYLVANIA	\$528,652,600	\$528,652,600	N/A	
RHODE ISLAND	\$61,224,800	\$61,224,800	N/A	
SOUTH CAROLINA	\$308,478,800	\$308,478,800	N/A	
TENNESSEE	\$0	\$0	N/A	
TEXAS	\$900,711,000	\$900,711,000	N/A	
VERMONT	\$21,193,200	\$21,193,200	N/A	
VIRGINIA	\$82,519,327	\$82,519,327	N/A	
WASHINGTON	\$174,255,200	\$174,255,200	N/A	
WEST VIRGINIA	\$63,579,600	\$63,579,600	N/A	
<b>SUBTOTAL</b>	<b>\$9,895,858,327</b>	<b>\$9,895,858,327</b>		
<b>LOW DSH STATES</b>				
STATE	PRIOR FY ALLOTMENT (FY 2004)	PRIOR FY ALLOTMENT X FACTOR: 1.16		
ALASKA	\$10,596,600	\$12,292,056	LOW DSH	
ARKANSAS	\$22,440,879	\$26,031,420	LOW DSH	
DELAWARE	\$4,709,600	\$5,463,136	LOW DSH	
IDAHO	\$8,551,019	\$9,919,182	LOW DSH	
IOWA	\$20,486,621	\$23,764,480	LOW DSH	
MINNESOTA	\$38,854,200	\$45,070,872	LOW DSH	
MONTANA	\$5,904,833	\$6,849,606	LOW DSH	
NEBRASKA	\$14,721,132	\$17,076,513	LOW DSH	
NEW MEXICO	\$10,596,600	\$12,292,056	LOW DSH	
NORTH DAKOTA	\$4,969,075	\$5,764,127	LOW DSH	
OKLAHOMA	\$18,838,400	\$21,852,544	LOW DSH	
OREGON	\$23,548,000	\$27,315,680	LOW DSH	
SOUTH DAKOTA	\$5,745,580	\$6,664,873	LOW DSH	
UTAH	\$10,205,551	\$11,838,439	LOW DSH	
WISCONSIN	\$49,177,300	\$57,045,668	LOW DSH	
WYOMING	\$117,740	\$136,578	LOW DSH	
<b>TOTAL LOW DSH STATES</b>	<b>\$249,463,130</b>	<b>\$289,377,230</b>		
<b>NATIONAL TOTAL</b>	<b>\$10,145,321,457</b>	<b>\$10,185,235,557</b>		

PRELIMINARY DSH ALLOTMENTS FOR FY:		2006		
A	B	C	D	
STATE	FINAL FY 2004 DSH ALLOTMENTS	FY 2006 DSH ALLOTMENTS	MMA LOW DSH STATUS	
ALABAMA	\$289,640,400	\$289,640,400	N/A	
ARIZONA	\$95,369,400	\$95,369,400	N/A	
CALIFORNIA	\$1,032,579,800	\$1,032,579,800	N/A	
COLORADO	\$87,127,600	\$87,127,600	N/A	
CONNECTICUT	\$188,384,000	\$188,384,000	N/A	
DISTRICT OF COLUMBIA*	\$37,676,800	\$57,692,600	N/A	
FLORIDA	\$188,384,000	\$188,384,000	N/A	
GEORGIA	\$253,141,000	\$253,141,000	N/A	
HAWAII	\$0	\$0	N/A	
ILLINOIS	\$202,512,800	\$202,512,800	N/A	
INDIANA	\$201,335,400	\$201,335,400	N/A	
KANSAS	\$38,854,200	\$38,854,200	N/A	
KENTUCKY	\$136,578,400	\$136,578,400	N/A	
LOUISIANA	\$731,960,000	\$731,960,000	N/A	
MAINE	\$98,901,600	\$98,901,600	N/A	
MARYLAND	\$71,821,400	\$71,821,400	N/A	
MASSACHUSETTS	\$287,285,600	\$287,285,600	N/A	
MICHIGAN	\$249,608,800	\$249,608,800	N/A	
MISSISSIPPI	\$143,642,800	\$143,642,800	N/A	
MISSOURI	\$446,234,600	\$446,234,600	N/A	
NEVADA	\$43,563,800	\$43,563,800	N/A	
NEW HAMPSHIRE	\$150,800,000	\$150,800,000	N/A	
NEW JERSEY	\$606,361,000	\$606,361,000	N/A	
NEW YORK	\$1,512,959,000	\$1,512,959,000	N/A	
NORTH CAROLINA	\$277,866,400	\$277,866,400	N/A	
OHIO	\$382,655,000	\$382,655,000	N/A	
PENNSYLVANIA	\$528,652,600	\$528,652,600	N/A	
RHODE ISLAND	\$61,224,800	\$61,224,800	N/A	
SOUTH CAROLINA	\$308,478,800	\$308,478,800	N/A	
TENNESSEE	\$0	\$0	N/A	
TEXAS	\$900,711,000	\$900,711,000	N/A	
VERMONT	\$21,193,200	\$21,193,200	N/A	
VIRGINIA	\$82,519,327	\$82,519,327	N/A	
WASHINGTON	\$174,255,200	\$174,255,200	N/A	
WEST VIRGINIA	\$63,579,600	\$63,579,600	N/A	
SUBTOTAL	\$9,895,858,327	\$9,915,874,127		
<b>LOW DSH STATES</b>				
STATE	PRIOR FY ALLOTMENT (FY 2005)	PRIOR FY ALLOTMENT X FACTOR: 1.16		
ALASKA	\$12,292,056	\$14,258,785	LOW DSH	
ARKANSAS	\$26,031,420	\$30,196,447	LOW DSH	
DELAWARE	\$5,463,136	\$6,337,238	LOW DSH	
IDAHO	\$9,919,182	\$11,506,251	LOW DSH	
IOWA	\$23,764,480	\$27,566,797	LOW DSH	
MINNESOTA	\$45,070,872	\$52,282,212	LOW DSH	
MONTANA	\$6,849,606	\$7,945,543	LOW DSH	
NEBRASKA	\$17,076,513	\$19,808,755	LOW DSH	
NEW MEXICO	\$12,292,056	\$14,258,785	LOW DSH	
NORTH DAKOTA	\$5,764,127	\$6,686,387	LOW DSH	
OKLAHOMA	\$21,852,544	\$25,348,951	LOW DSH	
OREGON	\$27,315,680	\$31,686,189	LOW DSH	
SOUTH DAKOTA	\$6,664,873	\$7,731,253	LOW DSH	
UTAH	\$11,838,439	\$13,732,589	LOW DSH	
WISCONSIN	\$57,045,668	\$66,172,975	LOW DSH	
WYOMING	\$136,578	\$158,430	LOW DSH	
TOTAL LOW DSH STATES	\$289,377,230	\$335,677,587		
NATIONAL TOTAL	\$10,185,235,557	\$10,251,551,714		
<b>Footnotes</b>				
*DC FY 2006 allotment determined under section 6054 of the Deficit Reduction Act of 2005				

PRELIMINARY DSH ALLOTMENTS FOR FY:		2007	
A	B	C	D
STATE	FINAL FY 2004 DSH ALLOTMENTS	FY 2007 DSH ALLOTMENTS	MMA LOW DSH STATUS
ALABAMA	\$289,640,400	\$289,640,400	N/A
ARIZONA	\$95,369,400	\$95,369,400	N/A
CALIFORNIA	\$1,032,579,800	\$1,032,579,800	N/A
COLORADO	\$87,127,600	\$87,127,600	N/A
CONNECTICUT	\$188,384,000	\$188,384,000	N/A
DISTRICT OF COLUMBIA	\$37,676,800	\$57,692,600	N/A
FLORIDA	\$188,384,000	\$188,384,000	N/A
GEORGIA	\$253,141,000	\$253,141,000	N/A
HAWAII	\$0	\$0	N/A
ILLINOIS	\$202,512,800	\$202,512,800	N/A
INDIANA	\$201,335,400	\$201,335,400	N/A
KANSAS	\$38,854,200	\$38,854,200	N/A
KENTUCKY	\$136,578,400	\$136,578,400	N/A
LOUISIANA	\$731,960,000	\$731,960,000	N/A
MAINE	\$98,901,600	\$98,901,600	N/A
MARYLAND	\$71,821,400	\$71,821,400	N/A
MASSACHUSETTS	\$287,285,600	\$287,285,600	N/A
MICHIGAN	\$249,608,800	\$249,608,800	N/A
MISSISSIPPI	\$143,642,800	\$143,642,800	N/A
MISSOURI	\$446,234,600	\$446,234,600	N/A
NEVADA	\$43,563,800	\$43,563,800	N/A
NEW HAMPSHIRE	\$150,800,000	\$150,800,000	N/A
NEW JERSEY	\$606,361,000	\$606,361,000	N/A
NEW YORK	\$1,512,959,000	\$1,512,959,000	N/A
NORTH CAROLINA	\$277,866,400	\$277,866,400	N/A
OHIO	\$382,655,000	\$382,655,000	N/A
PENNSYLVANIA	\$528,652,600	\$528,652,600	N/A
RHODE ISLAND	\$61,224,800	\$61,224,800	N/A
SOUTH CAROLINA	\$308,478,800	\$308,478,800	N/A
TENNESSEE	\$0	\$0	N/A
TEXAS	\$900,711,000	\$900,711,000	N/A
VERMONT	\$21,193,200	\$21,193,200	N/A
VIRGINIA	\$82,519,327	\$82,519,327	N/A
WASHINGTON	\$174,255,200	\$174,255,200	N/A
WEST VIRGINIA	\$63,579,600	\$63,579,600	N/A
<b>SUBTOTAL</b>	<b>\$9,895,858,327</b>	<b>\$9,915,874,127</b>	
<b>LOW DSH STATES</b>			
STATE	PRIOR FY ALLOTMENT (FY 2006)	PRIOR FY ALLOTMENT	
		X FACTOR: 1.16	
ALASKA	\$14,258,785	\$16,540,191	LOW DSH
ARKANSAS	\$30,196,447	\$35,027,879	LOW DSH
DELAWARE	\$6,337,238	\$7,351,196	LOW DSH
IDAHO	\$11,506,251	\$13,347,251	LOW DSH
IOWA	\$27,566,797	\$31,977,485	LOW DSH
MINNESOTA	\$52,282,212	\$60,647,366	LOW DSH
MONTANA	\$7,945,543	\$9,216,830	LOW DSH
NEBRASKA	\$19,808,755	\$22,978,156	LOW DSH
NEW MEXICO	\$14,258,785	\$16,540,191	LOW DSH
NORTH DAKOTA	\$6,686,387	\$7,756,209	LOW DSH
OKLAHOMA	\$25,348,951	\$29,404,783	LOW DSH
OREGON	\$31,686,189	\$36,755,979	LOW DSH
SOUTH DAKOTA	\$7,731,253	\$8,968,253	LOW DSH
UTAH	\$13,732,589	\$15,929,803	LOW DSH
WISCONSIN	\$66,172,975	\$76,760,651	LOW DSH
WYOMING	\$158,430	\$183,779	LOW DSH
<b>TOTAL LOW DSH STATES</b>	<b>\$335,677,587</b>	<b>\$389,386,002</b>	
<b>NATIONAL TOTAL</b>	<b>\$10,231,535,914</b>	<b>\$10,305,260,129</b>	







STATE	PRELIMINARY IMD DSH LIMIT FOR FY:										IMMIA LOW DSH STATUS
	A	B	C	D	E	F	G	H	I	J	
	INPATIENT HOSPITAL SERVICES FY 95 DSH TOTAL COMPUTABLE	IMD AND MENTAL HEALTH SERVICES FY 95 DSH TOTAL COMPUTABLE	TOTAL INFANT & IMD MENTAL HEALTH FY 95 DSH TOTAL COMPUTABLE Col B + C	APPLICABLE PERCENT Col D	FY 2007 ALLOTMENT IN FFS	FY 2007 FMAP IN FFS	FY 2007 ALLOTMENTS IN TC Col F/G	COL E * COL H IN TC	TC IMD LIMIT (Leaver of Col I or Col J)	FY 2007 IMD LIMIT IN FFS Col G + J	
ALABAMA	\$413,006,229	\$4,457,999	\$417,464,228	1.07%	\$289,640,400	\$8,855	\$298,495,255	\$4,465,764	\$4,465,764	\$3,065,044	N/A
ALASKA	\$33,916,100	\$83,474,900	\$117,391,000	23.27%	\$95,369,400	\$6,476	\$101,845,876	\$13,472,368	\$13,472,368	\$1,927,750	N/A
ARIZONA	\$2,189,875,543	\$1,555,913	\$2,191,431,456	0.07%	\$1,032,579,800	\$0	\$1,032,579,800	\$1,665,263	\$1,665,263	\$733,132	N/A
CALIFORNIA	\$173,900,441	\$394,778	\$174,295,220	0.34%	\$189,384,000	\$0	\$189,384,000	\$93,959,959	\$93,959,959	\$436,979	N/A
COLORADO	\$303,359,275	\$105,573,725	\$408,933,000	25.87%	\$318,360,275	\$0	\$318,360,275	\$87,269,727	\$87,269,727	\$48,634,883	N/A
CONNECTICUT	\$39,632,234	\$6,545,136	\$46,177,370	14.20%	\$41,834,000	\$0	\$41,834,000	\$8,545,136	\$8,545,136	\$4,581,595	N/A
DISTRICT OF COLUMBIA	\$184,468,014	\$34,183,000	\$218,651,014	33.00%	\$184,384,000	\$0	\$184,384,000	\$105,797,666	\$105,797,666	\$62,166,720	N/A
FLORIDA	\$407,343,557	\$0	\$407,343,557	0.00%	\$253,141,000	\$0	\$253,141,000	\$0	\$0	\$0	N/A
GEORGIA	\$315,869,508	\$89,408,276	\$405,277,784	22.05%	\$302,612,800	\$0	\$302,612,800	\$89,462,862	\$89,462,862	\$44,676,031	N/A
ILLINOIS	\$79,960,783	\$153,666,302	\$233,627,085	33.00%	\$201,335,400	\$2,611	\$201,338,011	\$106,118,323	\$106,118,323	\$66,440,862	N/A
INDIANA	\$11,587,208	\$76,683,508	\$88,270,716	33.00%	\$88,270,716	\$0	\$88,270,716	\$21,281,139	\$21,281,139	\$12,821,888	N/A
KANSAS	\$15,804,908	\$37,443,073	\$53,247,981	19.08%	\$19,960,000	\$0	\$19,960,000	\$37,443,073	\$37,443,073	\$26,052,868	N/A
KENTUCKY	\$1,078,512,189	\$132,917,149	\$1,211,429,338	10.97%	\$1,078,512,189	\$0	\$1,078,512,189	\$115,239,090	\$115,239,090	\$80,310,122	N/A
LOUISIANA	\$89,957,958	\$69,958,342	\$159,916,300	33.00%	\$159,916,300	\$0	\$159,916,300	\$51,984,523	\$51,984,523	\$32,837,528	N/A
MARYLAND	\$22,226,457	\$120,873,531	\$143,099,988	33.00%	\$143,099,988	\$0	\$143,099,988	\$47,402,124	\$47,402,124	\$23,701,062	N/A
MASSACHUSETTS	\$469,653,946	\$105,635,054	\$575,289,000	18.36%	\$575,289,000	\$0	\$575,289,000	\$105,635,054	\$105,635,054	\$82,761,625	N/A
MICHIGAN	\$133,258,800	\$304,785,552	\$438,044,352	33.00%	\$438,044,352	\$0	\$438,044,352	\$146,039,510	\$146,039,510	\$82,370,984	N/A
MISSISSIPPI	\$182,606,033	\$0	\$182,606,033	0.00%	\$182,606,033	\$0	\$182,606,033	\$0	\$0	\$0	N/A
MISSOURI	\$521,946,524	\$207,234,618	\$729,181,142	28.42%	\$729,181,142	\$0	\$729,181,142	\$205,877,746	\$205,877,746	\$126,820,829	N/A
NEVADA	\$73,500,000	\$0	\$73,500,000	0.00%	\$73,500,000	\$0	\$73,500,000	\$0	\$0	\$0	N/A
NEW HAMPSHIRE	\$92,675,916	\$94,753,948	\$187,429,864	33.00%	\$187,429,864	\$0	\$187,429,864	\$94,753,948	\$94,753,948	\$47,376,974	N/A
NEW JERSEY	\$736,742,538	\$357,370,461	\$1,094,113,000	32.66%	\$1,094,113,000	\$0	\$1,094,113,000	\$357,370,461	\$357,370,461	\$178,685,231	N/A
NEW YORK	\$2,418,869,368	\$605,000,000	\$3,023,869,368	20.01%	\$3,023,869,368	\$0	\$3,023,869,368	\$605,000,000	\$605,000,000	\$302,500,000	N/A
NORTH CAROLINA	\$193,201,966	\$236,072,627	\$429,274,593	33.00%	\$429,274,593	\$0	\$429,274,593	\$142,120,136	\$142,120,136	\$91,686,912	N/A
OHIO	\$535,731,956	\$639,164,714	\$1,174,896,670	14.85%	\$1,174,896,670	\$0	\$1,174,896,670	\$639,164,714	\$639,164,714	\$355,741,983	N/A
PENNSYLVANIA	\$388,203,319	\$739,199,682	\$1,127,403,001	33.00%	\$1,127,403,001	\$0	\$1,127,403,001	\$388,203,319	\$388,203,319	\$174,455,358	N/A
RHODE ISLAND	\$108,503,167	\$2,987,833	\$111,490,999	2.16%	\$111,490,999	\$0	\$111,490,999	\$2,987,833	\$2,987,833	\$1,285,288	N/A
SOUTH CAROLINA	\$385,991,364	\$720,797,705	\$1,106,789,069	16.43%	\$1,106,789,069	\$0	\$1,106,789,069	\$720,797,705	\$720,797,705	\$501,721,888	N/A
TENNESSEE	\$0	\$0	\$0	0.00%	\$0	\$0	\$0	\$0	\$0	\$0	N/A
TEXAS	\$1,220,515,401	\$292,513,592	\$1,513,028,993	19.33%	\$1,513,028,993	\$0	\$1,513,028,993	\$292,513,592	\$292,513,592	\$141,134,277	N/A
VERMONT	\$19,979,292	\$9,071,297	\$29,050,589	31.23%	\$29,050,589	\$0	\$29,050,589	\$9,071,297	\$9,071,297	\$5,345,215	N/A
VIRGINIA	\$179,313,480	\$137,083,248	\$316,396,728	5.67%	\$316,396,728	\$0	\$316,396,728	\$137,083,248	\$137,083,248	\$68,651,134	N/A
WASHINGTON	\$171,725,815	\$335,562,260	\$507,288,075	33.00%	\$507,288,075	\$0	\$507,288,075	\$171,725,815	\$171,725,815	\$87,604,216	N/A
WEST VIRGINIA	\$66,862,626	\$18,887,043	\$85,749,669	22.00%	\$85,749,669	\$0	\$85,749,669	\$18,887,043	\$18,887,043	\$13,753,546	N/A
TOTAL	\$13,402,460,846	\$4,118,758,994	\$17,521,219,840		\$9,915,874,127	\$0	\$9,915,874,127	\$3,386,204,642	\$3,386,204,642	\$1,943,444,921	
LOW DSH STATES											
ALASKA	\$2,506,827	\$17,611,765	\$20,118,592	33.00%	\$16,540,191	\$7,584	\$24,125,775	\$9,479,443	\$9,479,443	\$5,458,263	LOW DSH
ARKANSAS	\$2,422,648	\$819,351	\$3,242,000	25.27%	\$3,242,000	\$0	\$3,242,000	\$12,865,694	\$12,865,694	\$601,158	LOW DSH
DELAWARE	\$0	\$7,069,000	\$7,069,000	33.00%	\$7,069,000	\$0	\$7,069,000	\$4,851,789	\$4,851,789	\$2,425,899	LOW DSH
IDaho	\$2,081,429	\$0	\$2,081,429	0.00%	\$2,081,429	\$0	\$2,081,429	\$0	\$0	\$0	LOW DSH
IOWA	\$12,011,250	\$0	\$12,011,250	0.00%	\$12,011,250	\$0	\$12,011,250	\$0	\$0	\$0	LOW DSH
MINNESOTA	\$24,240,000	\$5,257,214	\$29,497,214	17.82%	\$29,497,214	\$0	\$29,497,214	\$5,257,214	\$5,257,214	\$2,628,607	LOW DSH
MONTANA	\$237,048	\$237,048	\$474,096	0.00%	\$474,096	\$0	\$474,096	\$0	\$0	\$0	LOW DSH
NEBRASKA	\$6,449,102	\$181,337	\$6,630,439	2.19%	\$6,630,439	\$0	\$6,630,439	\$181,337	\$181,337	\$1,049,308	LOW DSH
NEW MEXICO	\$5,450,015	\$254,786	\$5,704,801	3.78%	\$5,704,801	\$0	\$5,704,801	\$254,786	\$254,786	\$183,268	LOW DSH
NORTH DAKOTA	\$214,523	\$988,478	\$1,202,999	33.00%	\$1,202,999	\$0	\$1,202,999	\$988,478	\$988,478	\$538,143	LOW DSH
OKLAHOMA	\$20,019,959	\$3,273,248	\$23,293,207	14.05%	\$23,293,207	\$0	\$23,293,207	\$3,273,248	\$3,273,248	\$2,230,391	LOW DSH
OREGON	\$11,437,908	\$19,975,092	\$31,413,000	33.00%	\$31,413,000	\$0	\$31,413,000	\$19,975,092	\$19,975,092	\$12,129,473	LOW DSH
SOUTH DAKOTA	\$321,120	\$1,072,419	\$1,393,539	33.00%	\$1,393,539	\$0	\$1,393,539	\$1,072,419	\$1,072,419	\$472,171	LOW DSH
UTAH	\$5,621,116	\$4,559,586	\$10,180,702	20.51%	\$10,180,702	\$0	\$10,180,702	\$4,559,586	\$4,559,586	\$655,819	LOW DSH
WISCONSIN	\$6,609,524	\$4,492,011	\$11,101,535	33.00%	\$11,101,535	\$0	\$11,101,535	\$4,492,011	\$4,492,011	\$2,981,558	LOW DSH
WYOMING	\$0	\$0	\$0	0.00%	\$0	\$0	\$0	\$0	\$0	\$0	LOW DSH
TOTAL LOW DSH STATES	\$88,662,480	\$63,238,161	\$151,900,641		\$98,346,002	\$0	\$98,346,002	\$140,901,595	\$140,901,595	\$52,715,132	
TOTAL	\$13,501,123,326	\$4,181,997,071	\$17,683,120,397		\$10,305,260,129	\$0	\$10,305,260,129	\$3,497,106,237	\$3,497,106,237	\$1,974,500,822	

**Authority:** Section 1923(a)(2), (f), and (h) of the Social Security Act (42 U.S.C. 1396r-4(a)(2), (f), and (h), and Pub. L. 105-33).

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: August 30, 2006.

**Mark B. McClellan,**

*Administrator, Centers for Medicare & Medicaid Services.*

Dated: September 14, 2006.

**Michael O. Leavitt,**

*Secretary.*

[FR Doc. 06-8421 Filed 9-29-06; 8:45 am]

BILLING CODE 4120-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[CMS-1535-CN, CMS-8030-CN2]

RIN 0938-AO26, 0938-AO23

#### Medicare Program; Hospice Wage Index for Fiscal Year 2007; Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible for Calendar Year 2007; Corrections

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

**ACTION:** Correction of notices.

**SUMMARY:** This document corrects technical errors that appeared in the notice published in the September 1, 2006 *Federal Register*, entitled "Hospice Wage Index for Fiscal Year 2007" and a technical error in the notice that appeared in the September 18, 2006 *Federal Register* entitled "Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible for Calendar Year 2007."

**DATES:** *Effective Date:* The corrections to the Hospice Wage Index for Fiscal Year 2007 notice are effective on October 1, 2006. The correction to the Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible for Calendar Year 2007 notice is effective January 1, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Terri Deutsch, (410) 786-9462, for issues related to the hospital wage index for fiscal year 2007. M. Kent Clemens, (410) 786-6391, for issues related to the Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible for Calendar Year 2007.

**SUPPLEMENTARY INFORMATION:**

#### I. Corrections to the Hospice Wage Index for Fiscal Year 2007 Notice

##### A. Background

In FR Doc 6-7293, of September 1, 2006 (71 FR 52080) entitled, "Hospice Wage Index for Fiscal Year 2007," there were errors that we identify in section I.B. and correct in section I.C of this notice.

##### B. Summary of Errors

In the September 1, 2006 notice, on page 52087, we published an Addendum that list the updated urban and rural wage index values for hospices utilizing the Core-Based Statistical Areas (CBSA) designations. To ensure that hospice providers were able to identify their current wage index, the table contains the CBSA codes, CBSA county name, and CBSA wage index. However, we inadvertently omitted the title of the table. In addition, for CBSA code 33460, we made a typographical error when we entered the wage index value.

This correction notice is consistent with the published hospice wage index values that will be used to make payment as of October 1, 2006. In section I.C. of this notice, we correct these errors.

##### C. Correction of Errors

Make the following corrections to the September 1, 2006 notice (71 FR 52080):

1. On page 52087, before the table, insert the heading "TABLE A—HOSPICE WAGE INDEX FOR URBAN AREAS."
2. On page 52106, in the third column, in line 4, for CBSA code 33460, the wage index value "0.1778" is corrected to read "1.1778."

##### D. Waiver of Proposed Rulemaking and Delay in Effective Date

We ordinarily publish a notice of proposed rulemaking in the *Federal Register* to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C.553(b)). However, we can waive this notice and comment procedure if the Secretary finds that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

The revisions contained in this document merely correct omissions and typographical errors in the addendum for Table A. These corrections are necessary to ensure that the notice accurately reflects the correct hospice wage index values. Since they are not

substantive, but merely technical, we find that public comments on these revisions are unnecessary. Therefore, we find good cause to waive notice and comment procedures.

In addition, the Administrative Procedure Act (APA) normally requires a 30-day delay in the effective date of a notice. Since this notice simply makes technical modifications to a notice that has previously gone through notice-and-comment rulemaking, we believe good cause also exists under the APA to waive the 30-day delay in the effective date and that a delay in the correction's effective date is also unnecessary. Thus, these corrections are effective October 1, 2006.

#### II. Corrections to the Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible for Calendar Year 2007 Notice

##### A. Background

In FR Doc. 06-7709 of September 18, 2006 (71 FR 54665), there was a technical error in the calculation of the income-related monthly adjustment amounts. This error is identified and corrected in section II.B. of this notice. The provisions of this correction notice are effective as if they had been included in the document that appeared in the *Federal Register* on September 18, 2006. Accordingly, the corrections are effective January 1, 2007.

Under section 5111 of the Deficit Reduction Act of 2005 (Pub. L. 109-171) (DRA), in 2007 beneficiaries will be responsible for 33 percent of any applicable income-related monthly adjustment to the Part B premium. In the September 18, 2006 notice, we inadvertently stated that beneficiaries would only be responsible for "one-third of any applicable income-related monthly adjustment amount," and we used a value of 33 $\frac{1}{3}$  percent to calculate the income-related monthly adjustment amounts. In the September 22, 2006 correction notice, we corrected the income-related adjustment amounts to reflect a value of "33 percent" as the basis for the calculation of these rates. In this correction notice, we are correcting a value that we inadvertently missed in the correction notice we published in the September 22, 2006 *Federal Register* (71 FR 55480).

##### B. Correction of Error

In FR Doc. 06-7709 of September 18, 2006 (71 FR 54665), make the following correction:

On page 54672, in the first table, in the third column, in the fourth row, the amount "\$49.90" is corrected to read "\$49.40."