

which are changed periodically. All personnel whose official duties require access to the information are to have been trained in the proper safeguarding and use of the information, and are to have taken Information Assurance and Privacy Act training.

RETENTION AND DISPOSAL:

General files are destroyed three years after supersession or when no longer needed for reference whichever is later. These include agency-wide and departmental procedures for receiving, processing, and appealing requests for reasonable accommodation by employees and applicants. Files may include, but are not limited to, instructions, directives, notices, forms, timetables and guidelines for requesting, processing and approving requests and for appealing decisions for reasonable accommodation. Also included are records notifying the U.S. Equal Employment Opportunity Commission (EEOC), the agency's collective bargaining representative(s), and the agency's Equal Employment Opportunity office of the agency's reasonable accommodation request and processing procedures as well as modifications to established procedures.

Employee case files are destroyed three years after employee separation from the agency or when all appeals are concluded, whichever is later. These include individual employee files that are created, received, and maintained by the DLA Disability Program Manager, DLA Field Activity Disability Program Coordinators or employee relations coordinators, immediate supervisors, Computer/Electronic Accommodation Program (CAP) administrator, or Human Resource specialists containing records of requests by or for an employee or applicant for employment for reasonable accommodation and/or assistive technology devices and services through the agency or CAP. This series also includes, but is not limited to, request approvals and denials, notice of procedures for informal dispute resolution or appeal processes, forms, correspondence, emails, records of oral conversations, medical documentation, and notes.

Supplemental files are destroyed three years after end of fiscal year in which accommodation is decided or when all appeals are concluded, whichever is later. Supplemental files may include records created, received, and maintained by the DLA Disability Program Manager, DLA Field Activity Disability Program Coordinators or employee relations coordinators, while advising on, implementing or appealing requests for or from an individual

employee or applicant for employment for reasonable accommodation. Some requests may involve Human Resource matters, including but not limited to changes in duties, reassignments, leave usage, and performance issues. Files may include, but are not limited to, policy guidance, resource information about accommodation providers, forms, emails, notes.

Tracking system records and data created, received, and maintained for purposes of tracking agency compliance with Executive Order 13164 and U.S. Equal Employment Opportunity Commission (EEOC) guidance are deleted/destroyed three years after compliance report is filed or when no longer needed for reference.

SYSTEMS MANAGER(S) AND ADDRESS:

Director, Equal Employment Opportunity, Headquarters, Defense Logistics Agency, 8725 John J. Kingman Road, Fort Belvoir, VA 22060-6221.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060-6221 or to the Privacy Act Office of the DLA Field Activity where Reasonable Accommodation was requested. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

Written inquiry should contain the individual's full name and the date of the request for accommodation.

RECORD ACCESS PROCEDURES:

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060-6221 or to the Privacy Act Office of the DLA Field Activity where Reasonable Accommodation was requested. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

Written inquiry should contain the individual's full name and the date of the request for accommodation.

CONTESTING RECORD PROCEDURES:

The DLA rules for accessing records, for contesting contents, and appealing initial agency determinations are contained in 32 CFR part 323, or may

be obtained from the Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060-6221.

RECORD SOURCE CATEGORIES:

Individual requesting Reasonable Accommodation, input from individual's supervisor/manager, documentation from individual's medical practitioner, and/or agency medical representative.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

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DEPARTMENT OF DEFENSE

Office of the Secretary

TRICARE, Formerly Known as the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Fiscal Year (FY) 2009 Mental Health Rate Updates

AGENCY: Department of Defense.

ACTION: Notice of updated mental health rates for FY 2009.

SUMMARY: This notice provides the updated regional per diem rates for low volume mental health providers; the update factor for hospital-specific per diems; the updated cap per diem for high-volume providers; the beneficiary per diem cost share amount for low-volume providers; and, the updated per diem rates for both full-day and half-day TRICARE Partial Hospitalization Programs for FY 2009.

DATES: *Effective Date:* The FY 2009 rates contained in this notice are effective for services on or after October 1, 2008.

FOR FURTHER INFORMATION CONTACT: Ann N. Fazzini, Medical Benefits and Reimbursement Branch, TRICARE Management Activity, telephone (303) 676-3803.

SUPPLEMENTARY INFORMATION: The final rule published in the **Federal Register** on September 6, 1988, (53 FR 34285) set forth reimbursement changes that were effective for all inpatient hospital admissions in psychiatric hospitals and exempt psychiatric units occurring on or after January 1, 1989. The final rule published in the **Federal Register** on July 1, 1993 (58 FR 35-400), set forth maximum per diem rates for all partial hospitalization admissions on or after September 29, 1993. Included in these final rules were provisions for updating reimbursement rates for each federal fiscal year. As stated in the final rules,

each per diem shall be updated by the Medicare update factor for hospitals and units exempt from the Medicare Prospective Payment System (i.e., the update factor for inpatient psychiatric facilities). For FY 2009, Medicare has recommended a rate of increase of 3.2 percent. TRICARE will adopt this update factor for FY 2009 as the final update factor. Hospitals and units with hospital specific rates (hospitals and units with high TRICARE volume) and regional specific rates for psychiatric hospitals and units with low TRICARE volume will have their TRICARE rates for FY 2008 updated by 3.2 percent for FY 2009. Partial hospitalization rates for full-day and half-day programs will also be updated by 3.2 percent for FY 2009. The cap amount for high-volume hospitals and units will also be updated by the 3.2 percent for FY 2009. The beneficiary cost share for low volume hospitals and units will also be updated by 3.2 percent for FY 2009.

Per Title 32, Code of Federal Regulations (CFR), Part 199.14, the same area wage indexes used for the CHAMPUS DRG-based payment system shall be applied to the wage portion of the applicable regional per diem for

each day of the admission. The wage portion shall be the same as that used for the CHAMPUS DRG-based payment system. For wage index values greater than 1.0, the wage portion of the regional rate subject to the area wage adjustment is 69.7 percent for FY 2009. For wage index values less than or equal to 1.0, the wage portion of the regional rate subject to the area wage adjustment is 62 percent. Additionally, Title 32, CFR Part 199.14, requires that hospital specific and regional per diems shall be updated by the Medicare update factor for hospitals and units exempt from the Medicare prospective payment system.

The following reflect an update of 3.2 percent for FY 2009.

REGIONAL SPECIFIC RATES FOR PSYCHIATRIC HOSPITALS AND UNITS WITH LOW TRICARE VOLUME FOR FISCAL YEAR 2009

United States Census Region	Regional rate
Northeast:	
New England	\$730
Mid-Atlantic	703
Midwest:	

REGIONAL SPECIFIC RATES FOR PSYCHIATRIC HOSPITALS AND UNITS WITH LOW TRICARE VOLUME FOR FISCAL YEAR 2009—Continued

United States Census Region	Regional rate
East North Central	607
West North Central	573
South:	
South Atlantic	723
East South Central	774
West South Central	659
West:	
Mountain	658
Pacific	778
Puerto Rico	496

Beneficiary cost share: Beneficiary cost-share (other than dependents of Active Duty members) for care paid on the basis of a regional per diem rate is the lower of \$193 per day or 25 percent of the hospital billed charges effective for services rendered on or after October 1, 2008.

Cap Amount: Updated cap amount for hospitals and units with high TRICARE volume is \$917 per day for FY 2009.

The following reflect an update of 3.2 percent for FY 2009.

PARTIAL HOSPITALIZATION RATES FOR FULL-DAY AND HALF-DAY PROGRAMS

[Fiscal year 2009]

United States Census Region	Full-day rate (6 hours or more)	Half-day rate (3–5 hours)
Northeast:		
New England (Maine, N.H., Vt., Mass., R.I., Conn.)	\$293	\$221
Mid-Atlantic:		
(N.Y., N.J., Penn.)	318	239
Midwest:		
East North Central (Ohio, Ind., Ill., Mich., Wis.)	280	209
West North Central:		
(Minn., Iowa, Mo., N.D., S.D., Neb., Kan.)	280	209
South:		
South Atlantic (Del., Md., D.C., Va., W.Va., N.C., S.C., Ga., Fla.)	301	226
East South Central:		
(Ky., Tenn., Al., Miss.)	325	245
West South Central:		
(Ark., La., Texas, Okla.)	325	245
West:		
Mountain (Mon., Idaho, Wyo., Col., N.M., Ariz., Utah, Nev.)	328	248
Pacific (Wash., Ore., Calif., Alaska, Hawaii)	322	241
Puerto Rico	209	158

The above rates are effective for services rendered on or after October 1, 2008.

Dated: November 4, 2008.

Patricia L. Toppings,

*OSD Federal Register Liaison Officer,
Department of Defense.*

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DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF-2008-0033]

Privacy Act of 1974; System of Records

AGENCY: Department of the Air Force, DoD.

ACTION: Notice to delete a system of records.

SUMMARY: The Department of the Air Force is deleting a system of records in its existing inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

DATES: This proposed action will be effective without further notice on December 12, 2008, unless comments