

that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2305 What is not an initial determination regarding your income-related monthly adjustment amount?**

We will follow the rules in § 418.1305, except that any references in that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2310 When may you request that we make a new initial determination?**

We will follow the rules in § 418.1310, except that any references in that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2315 How will we notify you and what information will we provide about our initial determination?**

We will follow the rules in § 418.1315, except that any references in that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2320 What is the effect of an initial determination?**

We will follow the rules in § 418.1320, except that any references in that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2322 How will a Medicare Part B income-related monthly adjustment amount determination for the effective year affect your Medicare prescription drug coverage?**

If we make an income-related monthly adjustment amount determination for you for the effective year under subpart B of this part (Medicare Part B Income-Related Monthly Adjustment Amount), we will apply that income-related monthly adjustment amount determination under this subpart to determine your Part D income-related monthly adjustment amount for the same effective year. Therefore, if you obtain Medicare prescription drug coverage in the effective year after we make an income-related monthly adjustment amount determination about your Medicare Part B, the income-related monthly adjustment amount determination we made for your Medicare Part B will also apply to your Medicare prescription drug coverage. Any change in your net benefit due will be accompanied by a letter explaining the change in your net

benefit and your right to appeal the change.

**§ 418.2325 When may you request a reconsideration?**

We will follow the rules in § 418.1325, except that any references in that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2330 Can you request a reconsideration when you believe that the IRS information we used is incorrect?**

If you request a reconsideration solely because you believe that the information that the IRS gave us is incorrect, we will dismiss your request for a reconsideration and notify you to obtain proof of a correction from the IRS and request a new initial determination (§ 418.2335). Our dismissal of your request for reconsideration is not an initial determination subject to further administrative or judicial review.

**§ 418.2332 Can you request a reconsideration when you believe that the CMS information we used is incorrect?**

If you request a reconsideration solely because you believe that the information that CMS gave us about your participation in a Medicare prescription drug coverage plan is incorrect, we will dismiss your request for a reconsideration and notify you that you must contact CMS to get your records corrected. Our dismissal of your request for reconsideration is not an initial determination subject to further administrative or judicial review.

**§ 418.2335 What should you do if we base our initial determination on modified adjusted gross income information you believe to be incorrect?**

We will follow the rules in § 418.1335, except that any references in that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2340 What are the rules for our administrative review process?**

We will follow the rules in § 418.1340, except that any references in that section to regulations in subpart B of this part shall be treated as references to the corresponding regulation in this subpart.

**§ 418.2345 Is reopening of an initial or reconsidered determination made by us ever appropriate?**

We will follow the rules in § 418.1345, except that any references in that section to regulations in subpart B of this part shall be treated as references

to the corresponding regulation in this subpart.

**§ 418.2350 What are the rules for review of a reconsidered determination or an ALJ decision?**

You may request a hearing before an OMHA administrative law judge consistent with HHS' regulations at 42 CFR part 423. You may seek further review of the administrative law judge's decision by requesting MAC review and judicial review in accordance with HHS' regulations.

**§ 418.2355 What are the rules for reopening a decision by an ALJ of the Office of Medicare Hearings and Appeals (OMHA) or by the Medicare Appeals Council (MAC)?**

The rules in 42 CFR 423.1980 through 423.1986 govern reopenings of decisions by an administrative law judge of the OMHA and decisions by the MAC. A decision by an administrative law judge of the OMHA may be reopened by the administrative law judge or the MAC. A decision by the MAC may be reopened only by the MAC.

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR 1**

[TD 9504]

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**Basis Reporting by Securities Brokers and Basis Determination for Stock**

*Correction*

In rule document 2010-25504 beginning on page 64072 in the issue of Monday, October 18, 2010, make the following corrections:

**§ 1.6054-1 [Corrected]**

1. On page 64093, in the third column, in § 1.6045-1(d)(6)(i), in the first line "(i)" should read "(i)".
2. On the same page, in the same column, in § 1.604-1(d)(6)(ii)(A), in the first line "(A)" should read "(A)".
3. On page 64094, in the first column, in § 1.604-1(d)(6)(ii)(B)(2), in the first line "(2)"; should read "(2)".
4. On the same page, in the same column, in § 1.604-1(d)(6)(iii)(A), in the first line "(A)" should read "(A)".

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