

maintenance, and purchase of services to provide information.

Approved: December 6, 2011.

**Yvette Lawrence,**

*IRS Reports Clearance Officer.*

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## DEPARTMENT OF VETERANS AFFAIRS

### Allowance for Private Purchase of an Outer Burial Receptacle in Lieu of a Government-Furnished Graveliner for a Grave in a VA National Cemetery

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** Public Law 104-275 was enacted on October 9, 1996. It allows the Department of Veterans Affairs (VA) to provide a monetary allowance towards the private purchase of an outer burial receptacle for use in a VA national cemetery. Under VA regulation (38 CFR 38.629), the allowance is equal to the average cost of Government-furnished graveliners less any administrative costs to VA. The law provides a veteran's survivors with the option of selecting a Government-furnished graveliner for use in a VA national cemetery where such use is authorized.

The purpose of this Notice is to notify interested parties of the average cost of Government-furnished graveliners, administrative costs that relate to processing and paying the allowance and the amount of the allowance payable for qualifying interments that occur during calendar year 2012.

**FOR FURTHER INFORMATION CONTACT:** Tamula Jones, Budget Operations and Field Support Division, National Cemetery Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420. *Telephone:* (202) 461-6688 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Under 38 U.S.C. 2306(e)(3) and (4) and Public Law 104-275, Section 213, VA may provide a monetary allowance for the private purchase of an outer burial receptacle for use in a VA national cemetery where its use is authorized. The allowance for qualified interments that occur during calendar year 2012 is the average cost of Government-furnished graveliners in fiscal year 2011, less the administrative costs incurred by VA in processing and paying the allowance in lieu of the Government-furnished graveliner.

The average cost of Government-furnished graveliners is determined by taking VA's total cost during a fiscal year for single-depth graveliners that were procured for placement at the time of interment and dividing it by the total number of such graveliners procured by VA during that fiscal year. The calculation excludes both graveliners procured and pre-placed in gravesites as part of cemetery gravesite development projects and all double-depth graveliners. Using this method of computation, the average cost was determined to be \$271.00 for fiscal year 2011.

The administrative costs incurred by VA consist of those costs that relate to processing and paying an allowance in lieu of the Government-furnished graveliner. These costs have been determined to be \$9.00 for calendar year 2012.

The allowance payable for qualifying interments occurring during calendar year 2012, therefore, is \$262.00.

Approved: December 6, 2011.

**John R. Gingrich,**

*Chief of Staff, Department of Veterans Affairs.*

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## DEPARTMENT OF VETERANS AFFAIRS

### Disciplinary Appeals Board Panel

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Notice with request for comments.

**SUMMARY:** Section 203 of the Department of Veterans Affairs Health Care Personnel Act of 1991 (Pub. L. 102-40), dated May 7, 1991, revised the disciplinary grievance and appeal procedures for employees appointed under 38 U.S.C. 7401(1). It also required the periodic designation of employees of the Department who are qualified to serve on Disciplinary Appeals Boards. These employees constitute the Disciplinary Appeals Board Panel from which Board members in a case are appointed. This notice announces that the roster of employees on the Panel is available for review and comment. Employees, employee organizations, and other interested parties shall be provided, without charge, a list of the names of employees on the Panel upon request and may submit comments concerning the suitability for service on the Panel of any employee whose name is on the list.

**DATES:** Names that appear on the Panel may be selected to serve on a Board or

as a grievance examiner after January 11, 2012.

**ADDRESSES:** Requests for the list of names of employees on the Panel and written comments may be directed to: Secretary of Veterans Affairs (051), Department of Veterans Affairs, 810 Vermont Avenue NW., Mailstop 051, Washington, DC 20420. Requests and comments may also be faxed to (202) 772-3315.

**FOR FURTHER INFORMATION CONTACT:** Larry Ables, Employee Relations and Performance Management Service, Office of Human Resources Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Mailstop 051, Washington, DC 20420. Mr. Ables may be reached at (202) 772-1896.

**SUPPLEMENTARY INFORMATION:** Pub. L. 102-40 requires that the availability of the roster be posted in the **Federal Register** periodically, and not less than annually.

Dated: December 1, 2011.

**John R. Gingrich,**

*Chief of Staff, Department of Veterans Affairs.*

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## DEPARTMENT OF VETERANS AFFAIRS

### Reasonable Charges for Medical Care or Services; V3.9, 2012 Calendar Year Update

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** This Department of Veterans Affairs (VA) notice informs the public of updated data for calculating the "Reasonable Charges" collected or recovered by VA for medical care or services provided or furnished by VA to a veteran for: (1) A non service-connected disability for which the veteran is entitled to care or the payment of expenses for care under a health plan contract; (2) a non service-connected disability incurred incident to the veteran's employment and covered under a worker's compensation law or plan that provides reimbursement or indemnification for such care and services; or (3) a non service-connected disability incurred as a result of a motor vehicle accident in a state that requires automobile accident reparations insurance. The charge tables and supplemental tables that are applicable to this notice can be viewed on the Veterans Health Administration Chief Business Office's Internet Web

sites. These changes are effective January 1, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Romona Greene, Chief Business Office (10NB1A), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 461-1595. This is not a toll free number.

**SUPPLEMENTARY INFORMATION:** Section 17.101 of title 38, United States Code of Federal Regulations (CFR), sets forth the Department of Veterans Affairs (VA) medical regulations concerning “Reasonable Charges” for medical care or services provided or furnished by VA to a veteran for: (1) A non service-connected disability for which the veteran is entitled to care (or the payment of expenses for care) under a health plan contract; (2) a non service-connected disability incurred incident to the veteran’s employment and covered under a worker’s compensation law or plan that provides reimbursement or indemnification for such care and services; or (3) a non service-connected disability incurred as a result of a motor vehicle accident in a state that requires automobile accident reparations insurance.

The regulation includes methodologies for establishing billed amounts for the following types of charges: Acute inpatient facility charges; skilled nursing facility and sub-acute inpatient facility charges; partial hospitalization facility charges; outpatient facility charges; physician and other professional charges, including professional charges for anesthesia services and dental services; pathology and laboratory charges; observation care facility charges; ambulance and other emergency transportation charges; and charges for durable medical equipment, drugs, injectables, and other medical services, items, and supplies identified by Healthcare Common Procedure Coding System (HCPCS) Level II codes. In cases where charges for medical care or services provided or furnished at VA expense (by either VA or non-VA

providers) have not been established under other provisions or regulations, the method for determining VA’s charges is set forth at 38 CFR 17.101(a)(8).

The regulation provides that the actual charge amounts at individual VA facilities based on these methodologies and the data sources used for calculating those actual charge amounts will either be published as a notice in the **Federal Register** or will be posted on the Internet site of the Veterans Health Administration Chief Business Office. Certain charges are hereby updated as described below, effective January 1, 2012.

Based on the methodologies set forth in 38 CFR 17.101, this document provides an update to charges for 2012 HCPCS Level II and Current Procedural Technology (CPT) codes. Charges are also being updated based on more recent versions of data sources for the following charge types: Partial hospitalization facility charges; outpatient facility charges; physician and other professional charges, including professional charges for anesthesia services and dental services; pathology and laboratory charges; observation care facility charges; ambulance and other emergency transportation charges; and charges for durable medical equipment, drugs, injectables, and other medical services, items, and supplies identified by HCPCS Level II codes. These updated charges are effective January 1, 2012. As of the date of this notice, the actual charge amounts at individual VA facilities based on the methodologies in the regulation will be posted at <http://www1.va.gov/CBO/apps/rates/index.asp>, under the heading “Reasonable Charges Data Tables” and identified as “V3.9 Data Tables (Outpatient and Professional).”

The list of data sources used for calculating the actual charge amounts listed above also will be posted at <http://www1.va.gov/CBO/apps/rate/index.asp> under the heading “Reasonable Charges Data Sources” and

identified as “Reasonable Charges V3.9 Data Sources (Outpatient and Professional)(PDF).”

Acute inpatient facility charges and skilled nursing facility/sub-acute inpatient facility charges remain the same as set forth in the notice published in the **Federal Register** on September 28, 2011 (76 FR 60136). The effective date of those charges is October 1, 2011. The data tables containing those actual charges are posted at <http://www1.va.gov/CBO/apps/rates/index.asp>, under the heading “Reasonable Charges Data Tables” and identified as “V3.8 Data Tables (Inpatient).” The data sources used to calculate these charges are posted at <http://www1.va.gov/CBO/apps/rate/index.asp> under the heading “Reasonable Charges Data Sources” and identified as “Reasonable Charges V3.8 Data Sources (Inpatient) (PDF).”

The list of VA medical facility locations has also been updated. We set forth the list of VA medical facility locations, which includes the first three-digits of their zip codes and provider based/non-provider based designations. The updated VA medical facility locations will be posted on the Internet site of the Veterans Health Administration Chief Business Office, currently at <http://www1.va.gov/CBO/apps/rate/index.asp> under the heading “VA Medical Facility Locations,” and identified as “VA Medical Facility Locations V3.9 (Jan12).”

Consistent with the regulations, the updated data tables and supplementary tables containing the changes described in this notice will be posted online, as indicated above. The updated data tables and supplementary tables containing the changes described will be effective until changed by a subsequent **Federal Register** notice.

Approved: December 6, 2011.

**John R. Gingrich,**

*Chief of Staff, Department of Veterans Affairs.*

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