

dating the certification portion of the applicable EDR form; or

(2) *EDR certification only.* A person submitting a completed EDR certification only must attest that they meet the conditions exempting them from submitting the entire EDR as described in the certification portion of the applicable EDR form and sign and date the certification portion of the form.

(e) *Verification of EDR data.* (1) NMFS, the DCA, or the DDCA will conduct verification of information with a person required to submit the applicable EDR, or if applicable, that person's designated representative.

(2) The person required to submit the applicable EDR or designated representative, if applicable, must respond to inquiries by NMFS, the designated DCA, or the DDCA within 20 days of the date of issuance of the inquiry.

(3) The person required to submit the applicable EDR or designated representative, if applicable, must provide copies of additional data to facilitate data verification. NMFS, the DCA, or the DDCA may review and request copies of additional data provided by the person required to submit the applicable EDR form or designated representative, if applicable, including but not limited to, previously audited or reviewed financial statements, worksheets, tax returns, invoices, receipts, and other original documents substantiating the data submitted in an EDR form.

(f) *DCA authorization.* Except for EDR data submitted as required under § 679.94(a), the DCA is authorized to release unaggregated EDR data to authorized data users in blind data format only.

[FR Doc. 2014-28093 Filed 12-1-14; 8:45 am]

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## LIBRARY OF CONGRESS

### Copyright Royalty Board

#### 37 CFR Part 381

[Docket No. 14—CRB-0009—NCEB (2015 COLA)]

### Cost of Living Adjustment for Performance of Musical Compositions by Colleges and Universities

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Final rule.

**SUMMARY:** The Copyright Royalty Judges announce a cost of living adjustment (COLA) of 2% in the royalty rates that

colleges, universities, and other educational institutions not affiliated with National Public Radio pay for the use of published nondramatic musical compositions in the SESAC repertory for the statutory license under the Copyright Act for noncommercial broadcasting.

**DATES:** *Effective:* January 2, 2015.

#### FOR FURTHER INFORMATION CONTACT:

LaKeshia Keys, CRB Program Specialist, by telephone at (202) 707-7658 or by email at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** Section 118 of the Copyright Act, title 17 of the United States Code, creates a statutory license for the use of published nondramatic musical works and published pictorial, graphic, and sculptural works in connection with noncommercial broadcasting.

On November 29, 2012, the Copyright Royalty Judges (Judges) adopted final regulations governing the rates and terms of copyright royalty payments under section 118 of the Copyright Act for the license period 2013–2017. *See* 77 FR 71104. Pursuant to these regulations, on or before December 1 of each year, the Judges shall publish in the **Federal Register** a notice of the change in the cost of living for the rate codified at § 381.5(c)(3) relating to compositions in the repertory of SESAC. The adjustment, fixed to the nearest dollar, shall be the greater of (1) “the change in the cost of living as determined by the Consumer Price Index (all consumers, all items) [CPI-U] . . . during the period from the most recent index published prior to the previous notice to the most recent index published prior to December 1, of that year,” 37 CFR 381.10(a), or (2) 2%. 37 CFR 381.10(b), (c).

The change in the cost of living as determined by the CPI-U during the period from the most recent index published before December 1, 2013, to the most recent index published before December 1, 2014, is 1.7%.<sup>1</sup> In accordance with 37 CFR 381.10(b), the Judges announce that the cost of living adjustment for calendar year 2015 shall be 2%. Application of the 2% COLA to the current rate for the performance of published nondramatic musical compositions in the repertory of SESAC—\$143 per station—results in an adjusted rate of \$146 per station.

#### List of Subjects in 37 CFR Part 381

Copyright, Music, Radio, Television, Rates.

<sup>1</sup> On November 20, 2014, the Bureau of Labor Statistics announced that the CPI-U increased 1.7% over the last 12 months.

## Final Regulations

In consideration of the foregoing, the Judges amend part 381 of title 37 of the Code of Federal Regulations as follows:

### PART 381—USE OF CERTAIN COPYRIGHTED WORKS IN CONNECTION WITH NONCOMMERCIAL EDUCATIONAL BROADCASTING

■ 1. The authority citation for part 381 continues to read as follows:

**Authority:** 17 U.S.C. 118, 801(b)(1), and 803.

■ 2. Section 381.5 is amended by revising paragraph (c)(3)(iii) to read as follows:

#### § 381.5 Performance of musical compositions by public broadcasting entities licensed to colleges and universities.

\* \* \* \* \*

(c) \* \* \*

(3) \* \* \*

(iii) 2015: \$146 per station.

\* \* \* \* \*

Dated: November 28, 2014.

**Jesse Feder,**

*Copyright Royalty Judge.*

[FR Doc. 2014-28457 Filed 11-28-14; 4:15 pm]

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## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 12

### Technical Amendment for Information Collection Regarding Designee for Patient Personal Property

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This final rule will add the Office of Management and Budget approval number for the new collection of information in the Department of Veterans Affairs (VA) regulation that governs a competent veteran's designation of a person to receive the veteran's funds and personal effects in the event that such veteran was to die while in a VA field facility.

**DATES:** This final rule is effective December 15, 2014.

#### FOR FURTHER INFORMATION CONTACT:

Kristin J. Cunningham, Director, Business Policy, Chief Business Office (10NB6), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 382-2508. This is not a toll free number.

**SUPPLEMENTARY INFORMATION:** In a document published in the **FEDERAL REGISTER** at 79 FR 68127 (November 14, 2014), VA amended its regulation concerning the disposition of a veteran's funds and effects. The Paperwork Reduction Act of 1995 (44 U.S.C. 3507) requires that VA consider the impact of paperwork and other information collection burdens imposed on the public. Under 44 U.S.C. 3507(a), an agency may not collect or sponsor the collection of information, nor may it impose an information collection requirement unless it displays a currently valid Office of Management and Budget (OMB) control number. See also 5 CFR 1320.8(b)(3)(vi). The rulemaking imposed a new information collection requirement in 38 CFR 12.1. If a veteran dies in a VA field facility, any funds or personal effects belonging to the veteran must be turned over to a person designated by the veteran. VA requests and encourages a veteran to name a person as a designee in order to facilitate the process of disposition of the veteran's funds and effects. VA also allows the veteran the opportunity to change or revoke such designee at any time. The information obtained through this collection eliminates some of the burden on the deceased veteran's survivors in the event of the veteran's death in a VA field facility.

Under 44 U.S.C. 3507(a), an agency may not collect or sponsor the collection of information, nor may it impose an information collection requirement unless it displays a currently valid Office of Management and Budget (OMB) control number. See also 5 CFR 1320.8(b)(3)(vi). As required by 44 U.S.C. 3507(d), VA submitted this information collection to OMB for its review. Therefore, in the final rule, we included language in § 12.1 indicating the information collection was pending Office of Management and Budget approval. OMB subsequently approved this new information collection on November 24, 2014, and assigned OMB control number 2900–0817. This final rule updates § 12.1 by adding the approved OMB control number.

#### List of Subjects in 38 CFR Part 12

Estates, Veterans.

For the reasons set out in the preamble, the Department of Veterans Affairs further amends 38 CFR part 12, as amended on November 14, 2014 (79 FR 68127), effective December 15, 2014, as follows:

## PART 12—DISPOSITION OF VETERAN'S PERSONAL FUNDS AND EFFECTS

- 1. The authority citation for part 12 continues to read as follows:

**Authority:** 38 U.S.C. 501, 8501–8528.

### § 12.1 [Amended]

- 2. Amend § 12.1 by removing “(The information collection is pending Office of Management and Budget approval.)” and adding in its place “(The Office of Management and Budget has approved the information collection requirement in this section under control number 2900–0817.)”

Dated: November 26, 2014.

**William F. Russo,**

*Acting Director, Office of Regulation Policy & Management, Office of the General Counsel, Department of Veterans Affairs.*

[FR Doc. 2014–28377 Filed 12–1–14; 8:45 am]

**BILLING CODE 8320–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 42 CFR Part 409

[CMS–1611–CN]

RIN 0938–AS14

#### Medicare and Medicaid Programs; CY 2015 Home Health Prospective Payment System Rate Update; Home Health Quality Reporting Requirements; and Survey and Enforcement Requirements for Home Health Agencies; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a technical error in the final rule that appeared in the **Federal Register** on November 6, 2014, entitled “Medicare and Medicaid Programs; CY 2015 Home Health Prospective Payment System Rate Update; Home Health Quality Reporting Requirements; and Survey and Enforcement Requirements for Home Health Agencies.”

**DATES:** *Effective Date:* This document is effective on January 1, 2015.

**FOR FURTHER INFORMATION:** Hillary Loeffler, (410) 786–0456.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

In FR Doc. 2014–26057 of November 6, 2014 (79 FR 66032), there was a

technical error identified and corrected in the Correction of Errors section below. The provisions in this correction document are effective as if they had been included in the document that appeared in the November 6, 2014 **Federal Register**. Accordingly, the correction is effective January 1, 2015.

#### II. Summary of Errors

On page 66104, in our discussion about our decision to finalize the proposed changes to the regulations at § 409.44, we inadvertently stated that the changes were effective for episodes “ending” on or after January 1, 2015. Consistent with the comment response prior to the final decision discussion on page 66104 stating that “[t]he new therapy reassessment requirement will apply to episodes that begin on or after January 1, 2015,” we meant to state that the therapy reassessment changes finalized in the regulations at § 409.44 are effective for episodes “beginning” on or after January 1, 2015. At least every 30 days a qualified therapist (instead of an assistant) must provide the needed therapy service and functional reassessment of the patient. Where more than one discipline of therapy is being provided, a qualified therapist from each of the disciplines must provide the needed therapy service and functionally reassess the patient at least every 30 days. Therapy reassessments are to be performed using a method that would include objective measurement, in accordance with accepted professional standards of clinical practice, which enables comparison of successive measurements to determine the effectiveness of therapy goals. Such objective measurements would be made by the qualified therapist using measurements which assess activities of daily living that may include but are not limited to eating, swallowing, bathing, dressing, toileting, walking, climbing stairs, or using assistive devices, and mental and cognitive factors. The measurement results and corresponding effectiveness of the therapy, or lack thereof, must be documented in the clinical record.

#### III. Waiver of Proposed Rulemaking

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, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public