

**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]

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## 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

interest, and incorporates a statement of the finding and the reasons therefore in the notice.

Since this correction document is simply correcting an applicability date for one provision, it is unnecessary to follow the notice and comment procedure in this instance. We therefore believe that we have good cause to forego notice and a period for comment.

#### IV. Correction of Errors

In FR Doc. 2014–26057 of November 6, 2014 (79 FR 66032), make the following correction:

1. On page 66104, in the third column, in the fifth paragraph beginning with “Final Decision”, in the third line of the first sentence, remove “ending” and add “beginning” in its place.

Dated: November 25, 2014.

**C'Reda Weeden,**

*Executive Secretary to the Department,  
Department of Health and Human Services.*

[FR Doc. 2014–28396 Filed 12–1–14; 8:45 am]

**BILLING CODE 4120–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 2 and 90

[PS Docket No. 13–87; PS Docket No. 06–229, WT Docket No. 96–86, RM–11433 and RM–11577, FCC 14–172]

### Service Rules Governing Narrowband Operations in the 769–775/799–805 MHz Bands

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document the Commission implements certain changes to the rules governing the 700 MHz public safety narrowband spectrum (769–775/799–805 MHz). We eliminate the requirement for licensees to narrowband to 6.25 kHz technology by December 2016, thereby enabling licensees to extend the life of existing systems and providing public safety with greater flexibility in determining the optimal future use of the band. In addition, we revise and update the technical rules for the band to enhance interoperability and open up certain channels to new uses, and we release reserve spectrum to provide additional capacity, particularly for public safety licensees relocating to the 700 MHz band from the T-Band (470–512 MHz). These rule changes enhance the ability of public safety licensees to use this spectrum to protect the safety of life and property.

**DATES:** Effective January 2, 2015, except for the amendments to 47 CFR 2.1033(c)(20), 90.531(b)(2), and 90.531(b)(7), containing new or modified information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995, which will be effective after such approval on the effective date specified in a notification the Commission will publish in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:**

Brian Marengo, Policy and Licensing Division, Public Safety and Homeland Security Bureau, (202) 418–0838.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order in PS Docket No. 13–87, FCC 14–172, released on October 24, 2014. The document is available for download at [http://fjallfoss.fcc.gov/edocs\\_public/](http://fjallfoss.fcc.gov/edocs_public/). The complete text of this document is also available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

In 2013, the Commission's Notice of Proposed Rulemaking (NPRM) sought comment on several proposals to amend the 700 MHz public safety narrowband rules. First, the Commission asked whether it should extend or eliminate the December 31, 2016 narrowbanding deadline for 700 MHz public safety narrowband licensees. Next, it sought comment on a 2010 National Public Safety Telecommunications Council (NPSTC) proposal to designate certain 700 MHz narrowband channels for low-altitude, low power, air-ground voice communications. Finally, it sought comment on other NPSTC proposals made in an earlier 2008 petition and matters raised on the Commission's own motion.

In the Report and Order the Commission eliminates the December 31, 2016 narrowbanding deadline for 700 MHz public safety narrowband licensees to transition from 12.5 kilohertz to 6.25 kilohertz channel bandwidth technology. The Commission also re-designates channels in the 700 MHz band that are currently licensed for secondary trunking operations for public safety aircraft voice operations, consistent with NPSTC's 2010 proposal. The Commission reallocates the Reserve Channels to General Use Channels and

affords T-Band public safety licensees priority for licensing of the former Reserve Channels in T-Band areas. The Commission also addresses NPSTC's proposals and technical matters raised in the NPRM. As a result of our decision to eliminate the 700 MHz narrowbanding deadline and designate the Reserve Spectrum for General Use, we dismiss as moot several requests for waiver filed prior to and during the pendency of this rulemaking.

#### Procedural Matters

##### A. Final Regulatory Flexibility Analysis

The Final Regulatory Flexibility Analysis required by section 604 of the Regulatory Flexibility Act, 5 U.S.C. 604, is included in Appendix A of the Report and Order.

##### B. Paperwork Reduction Act of 1995 Analysis

The Report and Order document contains new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the new information collection requirements contained in this proceeding.

#### Final Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act (RFA), an Initial Regulatory Flexibility Analysis (IRFA) was incorporated into the NPRM of this proceeding. The Commission sought written public comment on the IRFA. The RFA requires that an agency prepare a regulatory flexibility analysis for notice-and-comment rulemaking proceedings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.” The RFA generally defines “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.” In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act. A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA). The present Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.