

the notice. The notice of initial determination under § 405.924(b)(16) must contain all of the following:

- (i) The reasons for the determination.
- (ii) The procedures for obtaining additional information concerning the contractor's determination, such as a specific provision of the policy, manual, law or regulation used in making the determination.
- (iii) Information on the right to a redetermination if the liability insurance (including self-insurance), no-fault insurance, or workers' compensation law or plan is dissatisfied with the outcome of the initial determination and instructions on how to request a redetermination.
- (iv) Any other requirements specified by CMS.

(2) [Reserved]

■ 6. Amend § 405.924 by:

- A. In paragraph (b) introductory text, removing the phrase "with respect to:" and add in its place the phrase "with respect to any of the following:"
- B. In paragraph (b)(1) through (b)(11) removing ";" and adding in its place "."
- D. In paragraph (b)(12) introductory text, removing the ":" and adding in its place "—".
- C. Adding paragraph (b)(16).

The addition reads as follows:

**§ 405.924 Actions that are initial determinations.**

\* \* \* \* \*

(b) \* \* \*

(16) Under the Medicare Secondary Payer provisions of section 1862(b) of the Act that Medicare has a recovery claim if Medicare is pursuing recovery directly from an applicable plan. That is, there is an initial determination with respect to the amount and existence of the recovery claim.

\* \* \* \* \*

■ 7. Amend § 405.926 by:

- A. In the introductory text, removing the phrase "not limited to—" and adding in its place the phrase "not limited to the following:"
- B. In the introductory text of paragraph (a), removing the phrase "for example—" and adding in its place the phrase "for example one of the following:"
- C. In paragraphs (a)(1) and (a)(2), removing ";" and adding in its place "."
- D. Adding paragraph (a)(3).
- E. In paragraphs (b) through (j), removing ";" and adding in its place "."
- F. Revising paragraph (k).
- G. In paragraphs (l) through (q), removing ";" and adding in its place "."
- H. In paragraph (r), removing ";" and adding in its place "."

The addition and revision read as follows:

**§ 405.926 Actions that are not initial determinations.**

\* \* \* \* \*

(a) \* \* \*

(3) Determination under the Medicare Secondary Payer provisions of section 1862(b) of the Act of the debtor for a particular recovery claim.

\* \* \* \* \*

(k) Except as specified in § 405.924(b)(16), determinations under the Medicare Secondary Payer provisions of section 1862(b) of the Act that Medicare has a recovery against an entity that was or is required or responsible (directly, as an insurer or self-insurer; as a third party administrator; as an employer that sponsors, contributes to or facilitates a group health plan or a large group health plan; or otherwise) to make payment for services or items that were already reimbursed by the Medicare program.

\* \* \* \* \*

■ 8. Add a new § 405.947 to read as follows:

**§ 405.947 Notice to the beneficiary of applicable plan's request for a redetermination.**

(a) A CMS contractor must send notice of the applicable plan's appeal to the beneficiary.

(b) Issuance and content of the notice must comply with CMS instructions.

■ 9. Amend § 405.980 by revising the section heading to read as follows:

**§ 405.980 Reopening of initial determinations, redeterminations, reconsiderations, hearings, and reviews.**

\* \* \* \* \*

Dated: November 20, 2014.

**Marilyn Tavenner,**

*Administrator, Centers for Medicare & Medicaid Services.*

Approved: January 15, 2015.

**Sylvia M. Burwell,**

*Secretary, Department of Health and Human Services.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 12**

[PS Docket Nos. 13-75 and 11-60; FCC 13-158]

**Improving 9-1-1 Reliability; Reliability and Continuity of Communications Networks, Including Broadband Technologies**

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendment.

**SUMMARY:** The Federal Communications Commission (Commission) published a document in the **Federal Register** at 79 FR 3123, January 17, 2014 announcing the effective dates of rules requiring 911 communications providers to take reasonable measures to provide reliable service, as evidenced by an annual certification. That document erroneously stated the date of an initial reliability certification for covered 911 service providers. This document corrects the date of the initial certification.

**DATES:** This correcting amendment is effective February 27, 2015. An initial certification will be due October 15, 2015.

**FOR FURTHER INFORMATION CONTACT:** Eric P. Schmidt, Attorney Advisor, Public Safety and Homeland Security Bureau, (202) 418-1214 or [eric.schmidt@fcc.gov](mailto:eric.schmidt@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The document published by the Commission in the **Federal Register** at 79 FR 3123, January 17, 2014, correctly noted that 47 CFR 12.4(c) and (d)(1), which pertain to annual and initial certifications, contain information collection requirements that had not been approved by the Office of Management and Budget (OMB) and would not take effect until such approval was announced in the **Federal Register**. However, the document erroneously stated that an initial certification pursuant to 47 CFR 12.4(d)(1) would be due "[o]ne year after February 18, 2014," rather than one year after OMB approval of the associated information collection. In the **Federal Register** at 79 FR 61785, October 15, 2014, the Commission announced that OMB has approved the information collection for a period of three years and issued Control Number 3060-1202. Accordingly, 47 CFR 12.4(d)(1) became effective October 15, 2014, and an initial certification will be due October 15, 2015.

**List of Subjects in 47 CFR Part 12**

Certification, Telecommunications.

Accordingly, 47 CFR part 12 is corrected by making the following correcting amendments:

**PART 12—RESILIENCY, REDUNDANCY AND RELIABILITY OF COMMUNICATIONS**

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

**Authority:** Sections 1, 4(i), 4(j), 4(o), 5(c), 218, 219, 301, 303(g), 303(j), 303(r), 332, 403, 621(b)(3), and 621(d) of the Communications Act of 1934, as amended, 47 U.S.C. 151,

154(i), 154(j), 154(o), 155(c), 218, 219, 301, 303(g), 303(j), 303(r), 332, 403, 621(b)(3), and 621(d), unless otherwise noted

■ 2. Amend § 12.4 by revising the first sentence in paragraph (d)(1) to read as follows:

**§ 12.4 Reliability of covered 911 service providers**

\* \* \* \* \*

(d) \* \* \*

(1) *Initial reliability certification.* One year after October 15, 2014, a certifying official of every covered 911 service provider shall certify to the Commission that it has made substantial progress toward meeting the standards of the annual reliability certification described in paragraph (c) of this section. \* \* \*

\* \* \* \* \*

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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**BILLING CODE 6712-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### 49 CFR Chapter VI

[Docket No. FTA-2014-0012]

RIN 2132-ZA02

#### Interim Safety Certification Training Program Provisions

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Final Interim Safety Certification Training Provisions.

**SUMMARY:** This document announces interim safety certification training provisions for Federal and State Safety Oversight Agency personnel and their contractor support who conduct safety audits and examinations of public transportation systems not otherwise regulated by another Federal agency. This document also announces interim safety certification training provisions for public transportation agency personnel who are directly responsible for safety oversight of public transportation systems that receive Federal transit funding. Additionally, the document outlines voluntary, scalable training available to personnel of State Departments of Transportation and personnel directly responsible for safety oversight of urban and rural bus transit systems.

**DATES:** The interim provisions are effective May 28, 2015.

**FOR FURTHER INFORMATION CONTACT:** For program issues, contact Ruth Lyons,

FTA, Office of Safety and Oversight, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: 202-366-2233 or email: [Ruth.Lyons@dot.gov](mailto:Ruth.Lyons@dot.gov)). For legal issues, contact Bruce Walker, FTA, Office of Chief Counsel, same address as above, (telephone: 202-366-9109 or email: [Bruce.Walker@dot.gov](mailto:Bruce.Walker@dot.gov)). Office hours are Monday through Friday from 8 a.m. to 6 p.m. (EST), except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

- I. Overview
- II. Public Comments to the Proposed Interim Safety Certification Training Provisions **Federal Register** Notice and FTA's Response to Public Comments
- III. Purpose
- IV. Applicability
- V. Interim Safety Certification and Training Components—Revised
  1. Safety Management System Training Component (all participants)
  2. Technical Training Component (FTA/SSOA/contractor support)
- VI. Paper Reduction Act
- VII. Next Steps

**I. Overview**

On October 1, 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Pub. L. 112-141) authorized the Federal Transit Administration (FTA) to develop interim safety certification training provisions (interim program) for: 1) FTA and State agency personnel and their contractor support who conduct safety audits and examinations of public transportation systems; and 2) public transportation agency personnel who are directly responsible for safety oversight. A notification announcing FTA's proposed implementation of the interim program and request for comments was published in the **Federal Register** on April 30, 2014. (See 79 FR 24363).

In that document, FTA stated that the focus of the interim program would be directed primarily towards requirements for Federal and State Safety Oversight Agency (SSOA) personnel and their contractor support while designated safety oversight personnel of both rail and non-rail transit agencies that receive FTA funding would be voluntary participants. FTA received comments from nineteen entities regarding its proposed implementation of the interim program. This document addresses comments received and explains changes FTA has made to implement the interim program in response to those comments.

*Summary of Changes to the Proposed Interim Program*

The primary focus for the interim program remains on the training

requirements for Federal personnel and their contractor support who conduct safety audits and examinations of public transportation systems, and SSOA personnel and their contractor support who conduct safety audits and examinations of rail transit systems. However, as recommended by commenters, FTA is expanding the interim program pursuant to 49 U.S.C. 5329(c)(2), to also require rail transit agency employees who are directly responsible for safety oversight as mandatory instead of voluntary participants. Compliance with the interim program will remain a grant condition for applicable recipients of Federal transit funding.

Additionally, as a result of comments received, FTA has revised the interim program to recognize the experience and training of those safety professionals who have already completed the curriculum for the Transit Safety Security Program (TSSP) certificate program. These participants will only be required to complete specific Safety Management System (SMS) courses and applicable technical training in accordance with section V of this document. For those who have not yet completed the TSSP program, FTA is updating the curriculum to include an emphasis on SMS tools and techniques to promote the development, implementation and oversight of SMS safety policies, risk management, safety assurance, and safety promotion programs and initiatives. The revised curriculum will continue to support the requirements of 49 CFR part 659, by also providing for organization-wide safety policy, formal methods of identifying hazards and controlling their potential consequences, continual assessment of safety risk, and an effective employee safety reporting system.

Recognizing that safety enhancement and promotion is of universal interest to the public transportation industry, FTA continues to encourage recipients with both bus and rail transit systems, as well as bus-only systems, to *voluntarily* participate in appropriate components of the interim provisions and to continue to avail themselves of FTA-sponsored voluntary bus safety training programs.

As a reminder, pursuant to 49 U.S.C. 5329(c)(1), FTA will establish the permanent Public Transportation Safety Certification Training Program (PTSCCTP) through the rulemaking process. To that end, FTA issued an Advance Notice of Proposed Rulemaking (ANPRM) on all aspects of FTA's safety authority, including the training program, which was published in the **Federal Register** on October 3,