

Human Services, Attn: Mitchell Berger, SAMHSA, 5600 Fishers Lane, Room 18E89C, Rockville, Maryland 20852. Due to the anticipated high volume of comments, please note that receipt of comments will not be acknowledged. Comments must be received by 5:00 p.m. ET on Wednesday February 28, 2018.

Background: Title 42, section 290dd-2, of the United States Code, pertaining to Confidentiality of Records, provides that “[r]ecords of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any program or activity relating to substance abuse education, prevention, training, treatment, rehabilitation, or research, which is conducted, regulated, or directly or indirectly assisted by any department or agency of the United States shall [. . .] be confidential and be disclosed only for the purposes and under the circumstances expressly authorized” by the statute or as otherwise provided. The statute further provides that such records may not be “used to initiate or substantiate any criminal charges against a patient or to conduct any investigation of a patient” without an appropriate court order.

The implementing regulations, 42 CFR part 2, were first promulgated as a final rule on July 1, 1975 (40 FR 27802), and substantively updated in 1987 (52 FR 21796). On February 9, 2016, SAMHSA issued a notice of proposed rulemaking (NPRM) regarding substantive changes to part 2 (81 FR 6987) and on January 18, 2017, SAMHSA finalized changes to these regulations (82 FR 6052). The January 2017 final rule became effective on March 21, 2017 (see 82 FR 10863, Feb. 16, 2017). This final rule was intended to “ensure that patients with substance use disorders have the ability to participate in and benefit from health system delivery improvements, including from new integrated health care models while providing appropriate privacy safeguards.” The final rule made substantive changes to regulatory provisions regarding Definitions (§ 2.11), Applicability (§ 2.12), Confidentiality restrictions and safeguards (§ 2.13), Security for records (§ 2.16), Disposition of records by discontinued programs (§ 2.19), Consent requirements (§ 2.31), Re-disclosure (§ 2.32), Medical emergencies (§ 2.51), Research (§ 2.52), and Audit and evaluation (§ 2.53).

Concurrently with finalizing these changes, SAMHSA issued a supplemental notice of proposed rulemaking (SNPRM) on January 18, 2017, proposing additional changes to

facilitate disclosures by lawful holders to their contractors, subcontractors, and legal representative for the purposes of payment and health care operations and for carrying out an audit or evaluation and to permit disclosures by lawful holders to those conducting audits and evaluations on behalf of a governmental agency providing financial assistance to or regulatory oversight over the lawful holder. SAMHSA also sought comments on other topics, including an option for an abbreviated prohibition on re-disclosure notice. In January 2018, SAMHSA published a final rule implementing these changes.

In response to the 2016 NPRM and since publication of the January 2017 final rule and the SNPRM, SAMHSA has already heard from numerous stakeholders on a range of issues pertaining to part 2. For instance, some commenters asserted that part 2 has become a barrier to integration of care and research. Many commenters also have suggested that part 2 does not adequately align with the Health Insurance Portability and Accountability Act (HIPAA). SAMHSA also has received many comments emphasizing the continuing importance of part 2 in protecting patients who seek substance use disorder treatment from discrimination in housing, employment, education, and other settings as well as from criminal investigation and penalties. Some commenters also have urged SAMHSA to update part 2 penalty provisions and prevent what they believe to be misuse of patient identifying information.

On December 13, 2016, the 21st Century Cures Act was signed into law (Pub. L. 114-255). Section 11002 of this law requires that, within one year of the effective date of the final rule, “the Secretary [HHS] shall convene relevant stakeholders to determine the effect of such regulations on patient care, health outcomes, and patient privacy.” The listening session on January 31, 2018, will solicit input focused on how part 2 impacts patient care, health outcomes and patient privacy as well as potential regulatory changes and future subregulatory guidance. It is important to note that any recommendations of further changes to part 2 received during this meeting could, even if legally permissible and feasible, only be implemented after notice-and-comment as required by the Administrative Procedures Act.

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Dated: January 3, 2017.

Charles LoDico,
Chemist.

[FR Doc. 2018-00150 Filed 1-8-18; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Mental Health Services: Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given that the Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Mental Health Services (CMHS) National Advisory Council (NAC) will meet on February 14, 2018, from 8:30 a.m. to 5:00 p.m. E.D.T. The CMHS NAC will convene in both open and closed sessions on February 14, 2018.

The closed portion of the meeting will include discussion and evaluation of grant applications reviewed by SAMHSA’s Initial Review Groups, and involve an examination of confidential financial and business information as well as personal information concerning the applicants. Therefore, the meeting will be closed to the public from 8:30 a.m. to 10:00 a.m. as determined by the Assistant Secretary for Mental Health and Substance Use, SAMHSA in accordance with Title 5 U.S.C. 552b(c)(4) and (6) and Title 5 U.S.C. App. 2, 10(d).

The remainder of this meeting will be open to the public from 10:00 a.m. to 5:00 p.m., E.D.T., to include discussion of the Center’s policy issues, presentations on SAMHSA’s Policy Lab, Disaster Responses and a conversation with the Assistant Secretary for Mental Health and Substance Use.

Attendance by the public will be limited to available space. Interested persons may present data, information, or views, orally or in writing, on issues pending before the council. Written submissions should be forwarded to the contact person (below) on or before January 31, 2018. Oral presentations from the public will be scheduled at the conclusion of the meeting on Wednesday, February 14, 2018. Five minutes will be allotted for each presentation. Meeting information and a roster of Council members may be obtained either by accessing the SAMHSA Council website at <http://www.samhsa.gov/about-us/advisory-councils/cmhs-national-advisory->

council or by contacting Ms. Pamela Foote (see contact information below).

The meeting can be accessed via telephone. To obtain the conference call-in number and access code, submit written or brief oral comments, or request special accommodations for persons with disabilities, please register at the SAMHSA's Advisory Council website at <http://nac.samhsa.gov/Registration/meetingsRegistration.aspx>, or contact Pamela Foote (see contact information below).

Committee Name: Substance Abuse and Mental Health Services Administration Center for Mental Health Services National Advisory Council.

Dates/Time/Type: Wednesday, February 14, 2018, 8:30 a.m. to 10:00 a.m. EDT: CLOSED, Wednesday, February 14, 2018, 10:00 a.m. to 5:00 p.m. EDT: OPEN.

Place: SAMHSA, 5600 Fishers Lane, 5th Floor, Conference Room 5N76, Rockville, Maryland 20857.

Contact: Pamela Foote, Designated Federal Official, SAMHSA CMHS National Advisory Council, 5600 Fishers Lane, Room 14E53C, Rockville, Maryland 20857, Telephone: (240) 276-1279, Fax: (301) 480-8491, Email: pamela.foote@samhsa.hhs.gov.

Carlos Castillo,

Committee Management Officer, Substance Abuse and Mental Health Services Administration.

[FR Doc. 2018-00149 Filed 1-8-18; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This notice advises the public that the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties will remain the same from the previous quarter. For the calendar quarter beginning January 1, 2018, the interest rates for overpayments will be 3 percent for corporations and 4 percent for non-corporations, and the interest rate for underpayments will be 4 percent for both corporations and non-corporations. This notice is published for the convenience of the importing public and U.S. Customs and Border Protection personnel.

DATES: The rates announced in this notice are applicable as of January 1, 2018.

FOR FURTHER INFORMATION CONTACT: Shandy Plicka, Revenue Division, Collection and Refunds Branch, 6650 Telecom Drive, Suite #100, Indianapolis, Indiana 46278; telephone (317) 298-1717.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of customs duties must be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 provides different interest rates applicable to overpayments: one for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury

on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2017-25, the IRS determined the rates of interest for the calendar quarter beginning January 1, 2018, and ending on March 31, 2018. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (1%) plus three percentage points (3%) for a total of four percent (4%) for both corporations and non-corporations. For corporate overpayments, the rate is the Federal short-term rate (1%) plus two percentage points (2%) for a total of three percent (3%). For overpayments made by non-corporations, the rate is the Federal short-term rate (1%) plus three percentage points (3%) for a total of four percent (4%). These interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties are the same from the previous quarter. These interest rates are subject to change for the calendar quarter beginning April 1, 2018, and ending June 30, 2018.

For the convenience of the importing public and U.S. Customs and Border Protection personnel the following list of IRS interest rates used, covering the period from July of 1974 to date, to calculate interest on overdue accounts and refunds of customs duties, is published in summary format.

Beginning date	Ending date	Under payments (percent)	Over payments (percent)	Corporate overpayments (eff. 1-1-99) (percent)
070174	063075	6	6	
070175	013176	9	9	
020176	013178	7	7	
020178	013180	6	6	
020180	013182	12	12	
020182	123182	20	20	
010183	063083	16	16	
070183	123184	11	11	
010185	063085	13	13	
070185	123185	11	11	
010186	063086	10	10	
070186	123186	9	9	
010187	093087	9	8	
100187	123187	10	9	
010188	033188	11	10	