

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Resources and Services Administration**

[OMB No. 0906-00XX-New]

Agency Information Collection**Activities: Proposed Collection: Public Comment Request Information
Collection Request Title: Application for Federally Supported Health Centers Assistance Act/Federal Tort Claims Act Particularized Determination of Coverage****AGENCY:** Health Resources and Services Administration (HRSA), Department of Health and Human Services.**ACTION:** Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR must be received no later than May 8, 2023.

ADDRESSES: Submit your comments to paperwork@hrsa.gov or by mail at: the HRSA Information Collection Clearance Officer, Room 10-29, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email paperwork@hrsa.gov or call Samantha Miller, the HRSA Information Collection Clearance Officer, at 301-594-4394.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the ICR title for reference.

Information Collection Request Title: Application for Federally Supported Health Centers Assistance Act/Federal Tort Claims Act Particularized Determination of Coverage. OMB No. 0906-00XX-New

Abstract: Section 224(g)-(n) of the Public Health Service (PHS) Act (42 U.S.C. 233(g)-(n)), as amended, authorizes the Secretary to “deem”

entities receiving funds under section 330 of the PHS Act (HRSA’s Health Center Program) as PHS employees for the purposes of establishing eligibility for liability protections under Federally Supported Health Centers Assistance Act (FSHCAA), including Federal Tort Claims Act (FTCA) coverage, for covered activities and individuals. Health centers submit deeming applications annually to HRSA’s Bureau of Primary Health Care, which administers the Health Center Program and the Health Center FTCA Program, in the prescribed form and manner to obtain deemed PHS employee status for this purpose.

FSHCAA and 42 CFR 6.6(d) authorize FTCA coverage for the provision of medical services to non-health center patients in certain situations. Section 224(g)(1)(C) of the PHS Act and 42 CFR 6.6(d) explain the criteria by which the Secretary will determine whether FSHCAA’s liability protections, including FTCA coverage, will extend to the provision of medical care to individuals who are not patients of the health center. 42 CFR 6.6(e) identifies examples that are approvable for FTCA coverage under 42 CFR 6.6(d) and section 224(g)(1)(B)(ii) of the PHS Act if there is compliance with all other coverage requirements under FSHCAA. 42 CFR 6.6(e)(4) provides examples of specific activities that the Department has determined are eligible for FSHCAA’s liability protections, including FTCA coverage, without the need for a specific application for a coverage determination. As indicated in 42 CFR 6.6(e)(4), if any element of an activity or arrangement does not fit squarely into the examples listed in 42 CFR 6.6(e), the covered entity should request a particularized determination of coverage. Acts and omissions related to services provided to individuals who are not patients of a covered entity that do not fit squarely within the examples in 42 CFR 6.6(e)(4) will be covered only if the Secretary makes a coverage determination under 42 CFR 6.6(d).

The FTCA Program uses a web-based application system within HRSA’s Electronic Handbooks (EHBs) system for deeming applications. These electronic application forms decrease the time and effort required to complete the older, paper-based approved deeming application forms. HRSA is proposing a new paper application that will be transitioned into an electronic

application within the EHB system for Particularized Determinations (PD). PDs extend liability protections under FSHCAA, including FTCA coverage, for certain medical services provided to individuals who are not patients of a covered entity. This application will help ensure health centers provide all the necessary information required to make determinations appropriately and efficiently in response to their requests. By including the application within the EHBs, health centers will have access to all information from prior applications and have that information readily available if making future requests. The paper form of the application is an interim solution to support health centers until the electronic application becomes available in the FTCA module of the EHBs. After the electronic application is available in the EHBs, all PD requests will be submitted electronically, and the paper application will no longer be used for submissions.

Need and Proposed Use of the Information: PDs of coverage applications are provided in compliance with 42 CFR 6.6 and must address certain specified criteria for coverage determinations to be issued. The application provides the Bureau of Primary Health Care with the information that is essential for evaluation of compliance with legal requirements and making a deeming determination of coverage under 42 CFR 6.6.

Likely Respondents: Respondents include recipients of Health Center Program funds with deemed PHS employee status under Section 224(g)-(n) of the PHS Act (42 U.S.C. 233(g)-(n)).

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, verifying, processing, maintaining, disclosing, and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR is summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Application for Federally Supported Health Center Assistance Act (FSHCAA)/Federal Tort Claims Act (FTCA) Particularized Determination	12	1	12	2	24
Total	12	1	12	2	24

HRSA specifically requests comments on: (1) the necessity and utility of the proposed information collection for the proper performance of the agency’s functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,
 Director, Executive Secretariat.
 [FR Doc. 2023-04711 Filed 3-7-23; 8:45 am]
 BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Public Comment Request; Nurse Faculty Loan Program—Program Specific Data Form, Annual Performance Report Financial Data Form and NFLP Due Diligence Form OMB No. 0915-0314 Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

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ADDRESSES: Submit your comments to paperwork@hrsa.gov or mail the HRSA Information Collection Clearance

Officer, Room 14N136B, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email paperwork@hrsa.gov or call Samantha Miller, the HRSA Information Collection Clearance Officer, at 301-594-4394.

SUPPLEMENTARY INFORMATION: Nurse Faculty Loan Program—Program Specific Data Form, Annual Performance Report Financial Data Form and Nurse Faculty Loan Program Due Diligence Form OMB No. 0915-0314 Revision.

Abstract: This clearance request is for approval of the Nurse Faculty Loan Program (NFLP)—Program Specific Data Form, NFLP—Annual Performance Report (APR) Financial Data Form, and the NFLP Due Diligence Form. The Program Specific Data Form and the NFLP—APR Financial Data Form are currently approved under OMB Approval No. 0915-0314, with the expiration date of August 31, 2023. The NFLP Due Diligence Form is a new form. HRSA seeks to use the NFLP Due Diligence Form for recipients to formally notify HRSA of any write-off amounts due to uncollectible debt and loan cancellation due to death and permanent/total disability. For program efficiency, HRSA is adding the new NFLP Due Diligence Form to the current NFLP ICR under OMB No. 0915-0314.

Need and Proposed Use of the Information: Section 846A of the Public Health Service Act provides the Secretary of HHS with the authority to enter into agreements with accredited schools of nursing for the establishment and operation of student loan funds to increase the number of qualified nurse faculty. Under the agreements, HRSA makes awards to accredited schools of nursing and the schools provide loans to students enrolled in advanced education nursing degree programs who are committed to becoming nurse faculty. Following graduation from the NFLP grant recipient school, NFLP borrowers may receive up to 85 percent

NFLP loan cancellation over a 4-year period in exchange for service as full-time faculty at a school of nursing. The NFLP grant recipient school collects any portion of the loan that is not cancelled and any loans that go into repayment and deposits these monies into the NFLP loan fund to make additional NFLP loans.

The NFLP—Program Specific Data Form is a required electronic attachment within the NFLP application materials. The data provided in the form is essential for the formula-based criteria used to determine the award amount to the applicant schools. The form collects application related data from applicants such as the amount requested, number of students to be funded, tuition information, and projected unused loan fund balance. This data collection assists HRSA in streamlining the application submission process, enabling an efficient award determination process, and facilitating reporting on the use of funds and analysis of program outcomes. There have been no changes to this form.

The NFLP—APR Financial Data Form is an online form that exists in the HRSA Electronic Handbooks Performance Report module. The NFLP—APR Financial Data Form collects outcome and financial data to capture the NFLP loan fund account activity related to financial receivables, disbursements, and borrower account data related to employment status, loan cancellation, loan repayment and collections. NFLP grant recipient schools will provide HHS with current and cumulative information on: (1) NFLP loan funds received, (2) number and amount of NFLP loans made, (3) number and amount of loans cancelled, (4) number and amount of loans in repayment, (5) loan default rate percent, (6) number of NFLP graduates employed as nurse faculty, and (7) other related loan fund costs and activities. NFLP grant recipient schools must keep records of all NFLP loan fund transactions. The NFLP—APR Financial Data Form is used to monitor grantee performance by collecting information