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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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SOCIAL SECURITY ADMINISTRATION

20 CFR Parts 404, 405 and 416

[Docket No. SSA–2007–0045]

RIN 0960–AG53

Suspension of New Claims to the Federal Reviewing Official Review Level

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: We are modifying our disability administrative adjudication processes to suspend new claims to the Federal reviewing official (FedRO) level, now operating in the Boston region. Claims already transferred to the Office of the Federal Reviewing Official (OFedRO) for FedRO review will continue to be processed by the OFedRO and a related component of the disability determination process, the Medical and Vocational Expert System (MVES), commonly known as the Office of Medical and Vocational Expertise (OMVE). We are making these changes to ensure that we continually improve our disability adjudication process.

DATES: This final rule is effective on March 15, 2008.

FOR FURTHER INFORMATION CONTACT: Dean S. Landis, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–0520 for information about this notice. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at *http://www.socialsecurity.gov*.

SUPPLEMENTARY INFORMATION:

Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at *http://www.gpoaccess.gov/fr/index.html*.

Introduction

We are dedicated to providing high-quality service to the American public. In March 2006, we announced changes to our administrative review process for initial disability claims. We explained that the changes were expected to improve disability service. Our commitment to continuous improvement in the way we process disability claims did not end with the publication of those rules as we continually explore ways to improve service to some of the most vulnerable in our society. We face, now and in the foreseeable future, significant challenges to our ability to provide the level of service that disability benefit claimants deserve because of the increased complexity of and growth in claims for those benefits. Consequently, we are making modifications to our administrative review process that will further help us evaluate changes put in place in March 2006 and help us provide accurate and timely service to claimants for Social Security disability benefits and supplemental security income payments based on disability or blindness.

The importance of these disability benefits to the lives and subsistence of many Americans cannot be underestimated. Nearly 15 million disabled Social Security beneficiaries and supplemental security income recipients receive over $10 billion in Federal monthly payments. The adjudication of disability claims requires evaluating complex medical and vocational evidence.

The number of claims and requests for hearings that we receive has continued to expand. In 2004–2006, we received an annual average of 2.6 million disability claims that required decisions based on medical evidence, the most time- and labor-intensive basis for deciding such claims. Along with the large number of claims, there has been a concomitant increase in the number of hearing requests. Our hearing offices have received an average of over 564,000 titles II and XVI disability hearing requests each year from 2002 through 2006, a significant increase from the annual average of almost 472,000 hearing requests in 1997–2001. As these figures show, over the 5-year period from 2002 through 2006, we received each year over 90,000 more requests for titles II and XVI hearings than we annually received during the period from 1997 through 2001. The vast number of disability claims now filed each year, as well as other factors such as the expected increase in disability claims as the baby boomers move into their disability-prone years, probable limitations on our resources to process these claims, and the projected impending increase in filings for retirement and survivor benefits as baby boomers retire, will continue to place an even greater strain on our adjudicatory system.

We expected that the spring 2006 changes to the administrative review process for initial disability claims would ''improve the accuracy, consistency, and timeliness of decision-making throughout the disability determination process.'' 71 FR 16424 (March 31, 2006). We planned a gradual roll-out of the changes so that we could determine their effect on the disability process overall. As we explained then, ''[g]radual implementation will allow us to monitor the effects that our changes are having on the entire disability determination process. . . . We will carefully monitor the implementation process in the Boston region and quickly address any problems that may arise.'' 71 FR at 16440–41. Based on initial reviews of the quick disability determination (QDD) and FedRO elements of that process, and mindful of the workload challenges that we now face, especially at the hearing level, we need to modify some of the changes made last spring.

As we explain in our recently published final rule on the QDD process, 72 FR 51173 (September 6, 2007), we are extending the QDD process to all of the State disability determination services. In the current rule, we are suspending new claims going through the OFedRO and the MVES, organizationally known as the OMVE. However, claims already transferred to the OFedRO for FedRO review will continue through the OFedRO and MVES so we can continue to evaluate their effectiveness. These changes are based on our commitment to outstanding service and to continuously improving our service as we realign our resources to ensure that we are capable of processing the current and anticipated number of disability claims and reducing the number of pending hearings.

Suspending the OFedRO and MVES/OMVE Allows Reallocation of Resources to the Backlog at the Hearings Level

In the March 2006 final rule, we replaced the State agency reconsideration level with a Federal adjudicative level, called the FedRO. Attorneys staff the FedRO positions, and they, along with the managerial, support, and administrative staff, make up the OFedRO. The OFedRO uses the MVES/OMVE to develop the medical and vocational evidence in the claims. The goal of the OFedRO and OMVE is to ensure more accurate and consistent decision-making earlier in the process. We are continuing to evaluate the effect of these new components on our program and administrative functions. Our experience over the last year in the Boston region demonstrates that the administrative costs associated with the OFedRO and its use of the MVES/OMVE to develop medical and vocational evidence is greater over the foreseeable future than originally anticipated. We do not yet have sufficient results to fully evaluate the potential improvements in program efficacy that are the goals of the OFedRO and OMVE. Therefore, we are suspending new claims going through the OFedRO and OMVE, so that we can reallocate resources to reduce the backlog at the hearing level, while we evaluate the OFedRO and OMVE through the processing of claims already received. As part of this review, we will evaluate the merits of the FedRO process separately from the OMVE process and consider whether alternative approaches to the OMVE are warranted or should be tested. Once this evaluation is completed and alternative approaches analyzed, we will make a decision whether to reinstate the processing of new claims at the OFedRO or to pursue an alternative approach to improving the disability determination process.

We are amending part 405 with provisions that will suspend new claims to the OFedRO and MVES/OMVE. This change will allow us to continue to evaluate the OFedRO and OMVE through the processing of claims already received. We expect to have approximately 20,000 cases pending FedRO review when this rule becomes effective. We will complete the processing of those pending cases, but will not transfer to the OFedRO any more cases originally filed under the new process in the Boston region that otherwise would have been slated for FedRO review. Instead, if cases are at the initial level in the Boston region or not transferred to the OFedRO on the effective date of this rule, those cases will be assigned to State agencies for reconsidered determinations or to administrative law judges for hearing, whichever is applicable in that particular New England State. In other words, States in the Boston region, where the OFedRO and MVES/OMVE are currently functioning, will return to the same process they were following before August 2006, whether that process was reconsideration under 20 CFR 404.907 and 416.1407 or the testing procedures under 20 CFR 404.906 and 416.1406.

Public Comments

In the notice of proposed rulemaking we published at 72 FR 45701 (August 15, 2007), we provided the public with a 30-day period in which to comment on the proposed suspension of new claims to the OFedRO and MVES/OMVE. That comment period ended on September 14, 2007. We received timely comments from 10 individuals and organizations. We carefully considered all the comments. Because some of the comments were lengthy, we have summarized their content. Other comments were received that did not relate to the suspension of new claims to the OFedRO and MVES/OMVE. We have provided responses to each significant issue raised by commenters that was within the scope of this rule.

In the notice of proposed rulemaking published on August 15, 2007, we also provided the public with a 90-day period in which to comment on using the MVES/OMVE in a more limited role to develop and manage a national registry of medical, psychological, and vocational experts to assist disability adjudicators in developing and/or clarifying information within the record. That comment period remains open through November 13, 2007. We will not respond to comments on this more limited role for the MVES/OMVE until such time as we may publish a notice of proposed rulemaking setting out more detailed plans for such a registry.

Comment: All but one of the commenters specifically expressed support for the suspension of new claims to the FedRO and MVES/OMVE. Several of these commenters discussed concerns over the processing time for claims and the claimant's or the representative's ability to contact the FedRO. One commenter also discussed concerns over FedRO case development and the quality of FedRO decisions.

Response: The primary reason for the processing time and service issues raised in the comments is the staffing levels of the OFedRO and MVES/OMVE. The staffing levels for these organizations have been approximately 50% of the levels we believed would be needed to handle the Boston region workload. With the reduced staffing at the MVES/OMVE, OFedRO has experienced delays in getting required medical evidence, consultative exams, and medical expert input. Budget constraints precluded us from hiring a full staff. When we published the March 2006 final rule, we expected the changes it implemented to be budget neutral. However, as we implemented the changes, we found that the cost to the agency was much greater than expected. The agency does not have the resources to both fully staff the new OFedRO and MVES/OMVE and also resolve the growing disability hearing backlog. Accordingly, we staffed the OFedRO and MVES/OMVE to the greatest extent possible while also focusing our scarce resources on the backlog of disability hearings.

With respect to case development and quality of decisions, our Office of Quality Performance (OQP) evaluated 100% of all FedRO decisions through about April 2007, and it continues to evaluate a statistically valid sample of FedRO decisions after that date. This evaluation reviews both the manner in which the case was developed and the decision itself. OQP's cumulative agreement rate with OFedRO has been 97%, which is significantly better than its overall agreement rate with State agency reconsidered determinations in the Boston region.

We will consider these factors as we evaluate the OFedRO and MVES/OMVE through the processing of claims already transferred to the OFedRO.

Comment: Several commenters expressed concern over the continued use of the FedRO and MVES/OMVE for claims already assigned to FedRO on the effective date of this rule. Their concern also related to the processing time for claims, the claimant's or representative's ability to contact individual FedROs, and case development. One commenter suggested placing a 90-day time limit for FedRO review once this final rule becomes effective. This commenter suggested that any cases still pending FedRO review after 90 days be redirected to the State agency for reconsideration. Another commenter indicated support for the outright elimination of the FedRO and return of pending cases to the State agencies.

Response: We are not adopting the suggestions for returning cases now pending at OFedRO to the State agencies. We believe continued FedRO review for pending cases is appropriate. As we explained in the notice of

proposed rulemaking, we do not yet have sufficient results to fully evaluate the potential improvements in program efficacy that are the goals of the OFedRO and MVES/OMVE. By including the roughly 20,000 cases we expect to have pending FedRO review when this final rule becomes effective, we significantly increase the pool of cases available to assist in such evaluation.

Additionally, it will be more efficient to keep the pending cases with OFedRO than to transfer them to the State agencies. It would take considerable time for the State agency examiners to familiarize themselves with the cases, and the actual transfer would present significant challenges because the OFedRO processing system would have to communicate with six different State agency processing systems.

With respect to the processing time, we expect that once requests for FedRO review are suspended, OFedRO will be able to process the pending workload relatively quickly. Once the flow of cases is suspended, OFedRO will no longer need to review, develop, and monitor new cases. Accordingly, FedROs will have more time to devote to finalizing and writing decisions for the pending cases. Additionally, the FedROs are increasingly attaining the experience needed to process cases more quickly.

With respect to contacting individual FedROs, we have recently taken steps to address this issue. We now have additional staff assisting in handling telephone calls to OFedRO. In the event that a call goes to voice mail, updated voice mail messages ask callers to leave specific information that will facilitate the FedRO's ability to contact the caller. We also recently began sending compact disks (CDs) of the electronic folder with the copy of the acknowledgement letter to representatives in the Boston region who handle large numbers of claimants. This improvement eliminates the need for the representative to call to request the CD of the electronic folder. Once the flow of cases is suspended, support staff will no longer need to send acknowledgement letters and initial requests for evidence from the MVES/OMVE. Accordingly, we expect support staff to be able to devote more time to handling telephone calls.

In light of the comments, we are making one substantive change to proposed § 405.240 that will reduce slightly the number of cases that will continue to be processed through the OFedRO and MVES/OMVE. Proposed § 405.240 used the date an individual files a request for FedRO review to determine whether the claim would receive FedRO review. We are amending § 405.240 to use instead the date that we transfer such a request to the OFedRO. Some requests for FedRO review are transferred to the OFedRO on the same day that the request is filed, but others are not. Currently, the average time to transfer claims to OFedRO after a request is filed is over 14 days. Using the date we transfer a request to OFedRO will reduce somewhat the number of pending cases that will receive FedRO review but still provide us a significant pool of cases to help us evaluate the OFedRO and MVES/OMVE.

Comment: Several commenters supported careful evaluation of the FedRO and MVES/OMVE through the claims already received in conjunction with considering alternatives. Two commenters emphasized the importance of evaluating the ability of the OFedRO or its alternatives to achieve the underlying goal of getting the right decision earlier in the disability process.

Response: We are dedicated to providing high-quality service to the American public, and we are committed to continuously improving the way we process disability claims. Our goal is to improve the accuracy, consistency, and timeliness of decision-making throughout the disability determination process. We will keep this goal at the forefront of our efforts as we evaluate the OFedRO and MVES/OMVE and consider any possible alternatives. We plan to continue evaluating case development, the effect of the MVES/OMVE involvement on the FedRO decision, and the FedRO decision itself.

Comment: One commenter addressed the clarity of the proposed rule by suggesting that we include a Definitions section in this rule.

Response: We have not adopted this suggestion because part 405 of our rules, which this final rule amends, already contains a Definitions section.

In addition to the changes discussed above, we are making the following clarifying changes. We are making changes to §§ 405.10(d) and 405.240(d) to clarify what types of notices we intend to publish if we take further action pursuant to those provisions. We are also making changes to the appendix to subpart A of part 405. We are revising the language to clarify that if a claimant files a disability claim in one State but then moves to another State, adjudicators at subsequent levels of review will apply the regulations applicable at the time of such subsequent review in the State where the claimant filed the disability claim. We have removed the examples because we believe they could result in misunderstanding. We are making a change to § 405.240(a) to specify the date on which this final rule is effective and a change to § 405.240(b) to correct a typographical error. Finally, we are making a change to § 405.240(b), and conforming changes to subpart J of part 404, subpart D of part 405, and subpart N of part 416 of our rules, to clarify that we will follow the procedures in part 405 of our rules to process hearings before an administrative law judge and any subsequent administrative review in claims affected by suspension of the FedRO level.

Regulatory Procedures

Executive Order 12866, as Amended, and the Congressional Review Act

We have consulted with the Office of Management and Budget (OMB) and determined that this final rule meets the criteria for an economically significant regulatory action under Executive Order 12866, as amended, and thus meets the criteria for a major rule under the Congressional Review Act. Accordingly, this final rule was reviewed by OMB, and it will be effective 60 days after publication. We have also determined that these final rules meet the plain language requirement of Executive Order 12866, as amended.

The Office of the Chief Actuary (OCACT) estimates that this rule will result in program savings of roughly $1.0 billion in OASDI benefit payments and cost of $0.1 billion in Federal SSI payments over the next 10 years, as shown below (in millions of dollars):

TABLE 1.—ESTIMATED EFFECT ON OASDI AND FEDERAL SSI BENEFIT PAYMENTS OF A REGULATION SUSPENDING NEW CLAIMS TO THE FEDERAL REVIEWING OFFICIAL AND MODIFYING THE ROLE OF THE MEDICAL AND VOCATIONAL EXPERT SYSTEM, FISCAL YEARS 2008–17

[In millions]

Fiscal year	OASDI	SSI	Total
2008	−$14	−$3	−$18

TABLE 1.—ESTIMATED EFFECT ON OASDI AND FEDERAL SSI BENEFIT PAYMENTS OF A REGULATION SUSPENDING NEW CLAIMS TO THE FEDERAL REVIEWING OFFICIAL AND MODIFYING THE ROLE OF THE MEDICAL AND VOCATIONAL EXPERT SYSTEM, FISCAL YEARS 2008–17—Continued

[In millions]

Fiscal year	OASDI	SSI	Total
2009	−42	−9	−51
2010	−51	−8	−60
2011	−57	−15	−72
2012	−45	−6	−51
2013	−53	9	−44
2014	−122	22	−100
2015	−192	29	−163
2016	−248	40	−208
2017	−219	82	−137
Totals:			
2008–12	−209	−41	−251
2008–17	−1,042	140	−902

Notes:
1. The estimates are based on the assumptions underlying the President's FY 2008 Budget.
2. Federal SSI payments due on October 1st in fiscal years 2012, 2017 and 2018 are included with payments for the prior fiscal year.
3. Totals may not equal sum of components due to rounding.

Table 1 above presents the estimated short-range effects on OASDI benefit payments and Federal SSI payments that will result from implementation of this final rule, measured relative to the baseline used for the President's Fiscal Year 2008 Budget and assuming that the final rule will become effective for initial determinations made on or after April 1, 2008. The FY 2008 Budget assumed that DSI would be gradually implemented at the pace of one region per year and be fully implemented for new claims in all regions by the beginning of FY 2016. For the 10 States where the Prototype determination process has been or is being tested, the effect of this final rule will be to retain or restore the Prototype process so that the first level of appeal of an initial disability decision will be to an administrative law judge.

As required by OMB Circular A–4 (available at *http://www.whitehouse.gov/omb/circulars/a004/a0-4.pdf*), in Table 2, we have prepared an accounting statement showing the annualized economic impact of suspending new claims to the FedRO level. All estimated impacts are classified as transfers.

TABLE 2.—ACCOUNTING STATEMENT: ESTIMATED ECONOMIC IMPACT OF SUSPENDING NEW CLAIMS TO THE FEDRO LEVEL FROM 2008–2017 IN 2007 DOLLARS

Category	Transfers
Annualized Monetized Transfers	$70.4 million (7% discount rate). $74.3 million (3% discount rate).
From Whom To Whom?	From SSA beneficiaries to the Social Security trust fund and the general fund.

Suspending new claims going through the FedRO and OMVE will allow us to reallocate resources to reduce the backlog at the hearing level by holding more hearings and making system improvements to increase the efficiency of our hearings process.

We will also continue to evaluate the FedRO and OMVE through the processing of claims already received. This evaluation will include an assessment of DSI, as the pilot is currently implemented in the Boston region, with existing claims. In the analysis we will analyze DSI's impact on the timeliness of disability determinations, on overall program costs, as well as its impact on the administrative costs required to implement this new process. Once this evaluation is complete and alternative approaches analyzed, we will make a decision whether to reinstate the processing of new claims into the FedRO or pursue an alternative approach to improving the disability determination process.

Regulatory Flexibility Act

We certify that this rule will not have a significant economic impact on a substantial number of small entities as it affects only States and individuals. Therefore, a regulatory flexibility analysis as provided in the Regulatory Flexibility Act, as amended, is not required.

Paperwork Reduction Act

These rules impose no new reporting or recordkeeping requirements requiring OMB clearance.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income.)

List of Subjects

20 CFR Part 404

Administrative practice and procedure; Blind; Disability benefits; Old-Age, Survivors, and Disability Insurance; Reporting and recordkeeping requirements; Social Security.

20 CFR Part 405

Administrative practice and procedure; Blind, Disability benefits; Old-Age, Survivors, and Disability Insurance; Public assistance programs, Reporting and recordkeeping requirements; Social Security; Supplemental Security Income (SSI).

20 CFR Part 416

Administrative practice and procedure; Aged, Blind, Disability benefits, Public Assistance programs; Reporting and recordkeeping requirements; Supplemental Security Income (SSI).

Dated: October 31, 2007.

Michael J. Astrue,

Commissioner of Social Security.

■ For the reasons set out in the preamble, we are amending subpart J of part 404, subparts A, C and D of part 405, and subpart N of part 416 as set forth below:

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950–)

Subpart J—[Amended]

■ 1. The authority citation for subpart J of part 404 continues to read as follows:

Authority: Secs. 201(j), 204(f), 205(a), (b), (d)–(h), and (j), 221, 223(i), 225, and 702(a)(5) of the Social Security Act (42 U.S.C. 401(j), 404(f), 405(a), (b), (d)–(h), and (j), 421, 423(i), 425, and 902(a)(5)); sec. 5, Pub. L. 97–455, 96 Stat. 2500 (42 U.S.C. 405 note); secs. 5, 6(c)–(e), and 15, Pub. L. 98–460, 98 Stat. 1802 (42 U.S.C. 421 note); sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. Amend § 404.906 by adding a fourth sentence to paragraph (b)(4) to read as follows:

§ 404.906 Testing modifications to the disability determination procedures.

* * * * *

(b) * * *

(4) * * * If you requested review by a Federal reviewing official under part 405 of this chapter and we considered that request a request for review by an administrative law judge as a result of § 405.240(b) of this chapter, we will apply the procedures contained in subpart D of part 405 of this chapter.

■ 3. Amend § 404.930 by adding paragraph (c) to read as follows:

§ 404.930 Availability of a hearing before an administrative law judge.

* * * * *

(c) If you received a reconsidered determination instead of a decision by a Federal reviewing official as a result of § 405.240 of this chapter, we will apply the procedures contained in subpart D of part 405 of this chapter to your request for a hearing before an administrative law judge.

PART 405—ADMINISTRATIVE REVIEW PROCESS FOR ADJUDICATING INITIAL DISABILITY CLAIMS

■ 4. The authority citation for part 405 continues to read as follows:

Authority: Secs. 201(j), 205(a)–(b), (d)–(h), and (s), 221, 223(a)–(b), 702(a)(5), 1601, 1602, 1631, and 1633 of the Social Security Act (42 U.S.C. 401(j), 405(a)–(b), (d)–(h), and (s), 421, 423(a)–(b), 902(a)(5), 1381, 1381a, 1383, and 1383b).

Subpart A—[Amended]

■ 5. Amend § 405.10 by adding paragraph (d) to read as follows:

§ 405.10 Medical and Vocational Expert System.

* * * * *

(d) This section will no longer be effective on the same date as described in § 405.240(c) of this part unless the Commissioner decides that the Medical and Vocational Expert System should be continued and extends the sunset date as described in § 405.240(d) of this part by publishing a notice of proposed rulemaking and a final rule in the **Federal Register** before that date.

■ 6. Revise the appendix to subpart A of part 405 to read as follows:

Appendix to Subpart A of Part 405—Claims That Will Be Handled Under the Procedures in This Part

(a) We will apply the procedures in this part to disability claims (as defined in § 405.5) filed in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, or Connecticut.

(b) If you move from one State to another after your disability claim has been filed, adjudicators at subsequent levels of review will apply the regulations applicable at the time of such subsequent review in the State where you filed the disability claim.

Subpart C—[Amended]

■ 7. Add § 405.240 to read as follows:

§ 405.240 Sunset of this Subpart.

(a) If you filed a request for review by a Federal reviewing official and we transferred your claim to the Office of the Federal Reviewing Official on or before March 17, 2008, the Federal reviewing official will review and issue a decision on your claim.

(b) If you have received an initial determination under subpart B of this part, we will process any request for additional administrative review not described in paragraph (a) of this section as either a request for reconsideration by the State agency or a request for hearing before an administrative law judge if your State uses the testing procedures under §§ 404.906 and 416.1406 of this chapter. In any hearing before an administrative law judge on your claim, and in any further review of your claim, we will follow the procedures in this part.

(c) This subpart will no longer be effective the day after a Federal reviewing official issues a decision on the last of the claims accepted for review under paragraph (a) of this section.

(d) If compelling evidence shows that the Federal reviewing official process is efficient, effective, and sustainable given available Agency resources, the Commissioner may reinstate the Federal reviewing official process by publishing a notice of proposed rulemaking and final rule in the **Federal Register**.

Subpart D—[Amended]

■ 8. Amend § 405.301 by revising the first sentence of paragraph (a) and the first sentence of paragraph (c) to read as follows:

§ 405.301 Hearing before an administrative law judge—general.

(a) This subpart explains what to do if you are dissatisfied with a decision by a Federal reviewing official, a reconsidered determination you received as a result of § 405.240 of this part, or an initial determination subject to a hearing by an administrative law judge under the procedures in this part as a result of § 404.906(b)(4) or § 416.1406(b)(4) of this chapter. * * *

(b) * * *

(c) You may examine the evidence used in making the decision or determination under review, submit evidence, appear at the hearing, and present and question witnesses. * * *

■ 9. Revise § 405.305 to read as follows:

§ 405.305 Availability of a hearing before an administrative law judge.

You may request a hearing before an administrative law judge if you are dissatisfied with the Federal reviewing official's decision on your disability claim, the reconsidered determination you received as a result of § 405.240 of this part, or an initial determination subject to a hearing by an administrative law judge under the procedures in this part as a result of § 404.906(b)(4) or § 416.1406(b)(4) of this chapter.

■ 10. Amend § 405.310 by revising the first sentence of paragraph (b) to read as follows:

§ 405.310 How to request a hearing before an administrative law judge.

* * * * *

(b) * * * An administrative law judge will conduct a hearing if you request one in writing no later than 60 days

after the date you receive notice of the Federal reviewing official's decision, the reconsidered determination you received as a result of § 405.240 of this part, or the initial determination subject to a hearing by an administrative law judge under the procedures in this part as a result of § 404.906(b)(4) or § 416.1406(b)(4) of this chapter (or within the extended time period if we extend the time as provided in paragraph (d) of this section). * * *

* * * * *

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart N—[Amended]

■ 11. The authority citation for subpart N of part 416 continues to read as follows:

Authority: Secs. 702(a)(5), 1631, and 1633 of the Social Security Act (42 U.S.C. 902(a)(5), 1383, and 1383b); sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 12. Amend § 416.1406 by adding a fourth sentence to paragraph (b)(4) to read as follows:

§ 416.1406 Testing modifications to the disability determination procedures.

* * * * *

(b) * * *

(4) * * * If you requested review by a Federal reviewing official under part 405 of this chapter and we considered that request a request for review by an administrative law judge as a result of § 405.240(b) of this chapter, we will apply the procedures contained in subpart D of part 405 of this chapter.

■ 13. Amend § 416.1430 by adding paragraph (c) to read as follows:

§ 416.1430 Availability of a hearing before an administrative law judge.

* * * * *

(c) If you received a reconsidered determination instead of a decision by a Federal reviewing official as a result of § 405.240 of this chapter, we will apply the procedures contained in subpart D of part 405 of this chapter to your request for a hearing before an administrative law judge.

[FR Doc. E8–148 Filed 1–14–08; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9376]

RIN 1545–BD54

Guidance Under Section 1502; Miscellaneous Operating Rules for Successor Persons; Succession to Items of the Liquidating Corporation

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations under section 1502 of the Internal Revenue Code that provide guidance regarding the manner in which the items (including items described in section 381(c) but excluding intercompany items under § 1.1502–13) of a liquidating corporation are succeeded to and taken into account in cases in which multiple members acquire the assets of the liquidating corporation in a complete liquidation to which section 332 applies. These final regulations affect corporations filing consolidated returns.

DATES: *Effective Date:* These regulations are effective January 15, 2008.

Applicability Date: For the date of applicability, see § 1.1502–80(g)(7).

FOR FURTHER INFORMATION CONTACT: Amber C. Vogel or Marie C. Milnes-Vasquez, (202) 622–7530 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

On February 22, 2005, the IRS and Treasury Department published in the **Federal Register** (70 FR 8552) a notice of proposed rulemaking (REG–131128–04) under section 1502 proposing guidance as to how multiple consolidated group members (distributee members) that acquire assets in a liquidation to which section 332 applies succeed to and take into account the items of the liquidating corporation. The proposed regulations apply single-entity principles and allocate the items of the liquidating corporation that could be used to offset the income or tax liability of the group or any member to each distributee member to the extent that such items would have been reflected in investment adjustments to the stock of the liquidating corporation owned by such distributee member under the principles of § 1.1502–32(c) if, immediately before the liquidation, any stock of the liquidating corporation owned by nonmembers had been redeemed, and then such items had been taken into account.

The proposed regulations also provide allocation rules for the credits and earnings and profits of the liquidating corporation. Under the proposed regulations, each distributee member succeeds to the credits of the liquidating corporation to the extent that the items of income, gain, loss, or deduction attributable to the activities that gave rise to the credit would have been reflected in investment adjustments to the stock of the liquidating corporation owned by such distributee member under the principles of § 1.1502–32(c) if, immediately before the liquidation, any stock of the liquidating corporation owned by nonmembers had been redeemed, and then such items had been taken into account. The proposed regulations provide similar rules for allocating the liquidating corporation's earnings and profits to the distributee members.

Under the proposed regulations, a distributee member generally succeeds to any other items of the liquidating corporation if, immediately before the liquidation, such distributee owns stock in the liquidating corporation meeting the requirements of section 1504(a)(2) without regard to the application of § 1.1502–34. In contrast, a distributee member that does not meet the ownership requirements of section 1504(a)(2) without regard to the application of § 1.1502–34 (a non-80-percent distributee) succeeds to any remaining items of the liquidating corporation only to the extent that it would have succeeded to those items if it had purchased, in a taxable transaction, the assets or businesses of the liquidating corporation that it received in the liquidation and had assumed the liabilities that it assumed in the liquidation.

In addition, the proposed regulations also provide guidance regarding the method for allocating the intercompany items of a liquidating subsidiary in cases in which multiple members acquire the assets of a liquidating subsidiary in a complete liquidation to which section 332 applies. The IRS and Treasury Department continue to study those rules. Accordingly, that portion of the notice of proposed rulemaking is withdrawn, and the final regulations do not apply to the intercompany items of the liquidating corporation. For rules applicable to the treatment of those items, see § 1.1502–13(j)(2)(ii).

No public hearing was requested or held. Written and electronic comments responding to the notice of proposed rulemaking were received. After

consideration of all the comments, the proposed regulations are adopted as amended by this Treasury decision. The revisions are discussed in this preamble.

Explanation and Summary of Comments

The Complete Liquidation Rules

Section 332(a) provides that no gain or loss shall be recognized on the receipt by a corporation of property distributed in complete liquidation of another corporation. Section 332(b) provides, in part, that a distribution shall be considered to be in complete liquidation only if the corporation receiving such property was, on the date of the adoption of the plan of liquidation and at all times thereafter until the receipt of the property, the owner of stock meeting the requirements of section 1504(a)(2) and the distribution is made in complete cancellation or redemption of all of the stock of the liquidating corporation. Section 1.1502–34 provides that in determining the stock ownership of a member in another corporation (the issuing corporation) for purposes of determining the application of section 332(b)(1) there shall be included the stock of the issuing corporation owned by all other members of the group.

Section 337(a) provides that the liquidating corporation shall not recognize gain or loss on the distribution to the 80-percent distributee of any property in a complete liquidation to which section 332 applies. Section 337(c) provides that, for purposes of section 337, the term ''80-percent distributee'' means only the corporation that meets the 80-percent stock ownership requirements of section 332(b) without regard to the application of any consolidated return regulation. If section 337(a) does not apply, under section 336, the liquidating corporation will generally recognize gain or loss on the distribution of property in complete liquidation as if such property were sold to the distributee at its fair market value. Therefore, a complete liquidation to which section 332 applies may be taxable in whole or in part to the liquidating corporation but tax-free to the distributee members.

Deferred Income Items of the Liquidating Corporation

Section 1.451–5 generally allows accrual method taxpayers to defer the inclusion in gross income of advance payments for goods until the taxable year in which properly accruable under the taxpayer's method of accounting for tax purposes if such method results in gross income inclusion no later than when such items are included in gross income under the taxpayer's method of accounting for financial reporting purposes. However, if in a taxable year the taxpayer ceases to exist in a transaction other than one to which section 381(a) applies, or the liability under the agreement otherwise ends, then deferred income amounts are includable in the taxpayer's gross income for such taxable year.

Rev. Proc. 2004–34 (2004–1 CB 991) (see § 601.601(d)(2)(ii)*(b)* of this chapter) allows taxpayers a limited deferral beyond the taxable year of receipt for certain advance payments. However, inclusion of deferred income is accelerated to the taxable year of receipt if, in such taxable year, the taxpayer ceases to exist in a transaction other than a transaction to which section 381(a) applies or the taxpayer's obligation with respect to the advance payment is satisfied or otherwise ends other than in certain types of section 351(a) transfers or in a transaction to which section 381(a) applies.

Section 455 provides accrual method taxpayers with an election to include prepaid subscription income in gross income in the taxable year in which the liability exists to furnish or deliver a newspaper, magazine, or other periodical. However, if the liability to furnish or deliver the periodical ends or the taxpayer ceases to exist, then the amount of prepaid subscription income not previously included in the taxpayer's gross income is included in the taxpayer's gross income for the taxable year in which the liability ends. If the taxpayer's liability to furnish or deliver the periodical ends as a result of a transaction to which section 381(a) applies, the prepaid subscription income will generally not be included in the taxpayer's gross income, and the acquiring corporation must continue to defer the prepaid subscription income under section 455. Treas. Reg. § 1.455–4 (citing section 381(c)(4) and the regulations under that section).

Section 381(a) applies to a distribution to which section 332 applies. As described in this preamble, a complete liquidation to which section 332 applies is taxable to the liquidating corporation to the extent that it distributes property to a non-80-percent distributee. In particular, the liquidating corporation is treated as if it had sold the property distributed to the non-80-percent distributee at its fair market value. If the liquidating corporation had sold a business with regard to which income items had been deferred (for example, deferred prepaid subscription income under section 455) and the purchaser had assumed the liquidating corporation's obligation or liability to perform the services or provide the goods relating to the deferred income, then the liquidating corporation would have recognized the deferred income. However, the liquidating corporation would also have been entitled to a deduction under section 162 for any amount paid (or deemed paid) to the purchaser for its assumption of the obligation or liability related to the deferred income. See Rev. Rul. 68–112 (1968–1 CB 62) (see § 601.601(d)(2)(ii)*(b)* of this chapter). The amount paid (or deemed paid) by the liquidating corporation to the purchaser for its liability assumption would have been includible in the purchaser's gross income. See Rev. Rul. 71–450 (1971–2 CB 78) (see § 601.601(d)(2)(ii)*(b)* of this chapter).

The IRS and Treasury Department believe that it is appropriate for any deferred income items of a liquidating corporation attributable to assets and/or liabilities transferred to a non-80-percent distributee to be taken into account under applicable principles of law as a result of the liquidation despite the fact that the transaction is described in section 381(a). Likewise, section 332(a) does not apply in determining the recognition or nonrecognition of any income realized by the non-80-percent distributee attributable to its assumption of an obligation or liability related to the deferred income because such income is not gain or loss recognized with respect to the stock of the liquidating corporation. These final regulations include such rules.

Allocation of Items Specific to Property or a Business

The IRS and Treasury Department also believe that it is appropriate to allocate the full amount of deferred income items or deferred deductions of the liquidating corporation that are attributable to specific property or a specific business to the distributee member that receives such property or business in the liquidation. These final regulations include such a rule.

Succession to Credits of the Liquidating Corporation

As described in this preamble, the proposed regulations allocate credits to distributee members based on the items of income, gain, loss, or deduction attributable to the activities that gave rise to the credits. Comments were received indicating that it was unclear how to allocate credits that are not clearly associated with items of income, gain, loss, or deduction (for example, the section 53 minimum tax credit). The

IRS and Treasury Department agree with those comments. Accordingly, these final regulations revise the credit allocation rule and provide that credits will be allocated proportionally based on the value of the stock of the liquidating corporation owned by each distributee member. The IRS and Treasury Department believe that this rule represents a reasonable and administrable approach to allocating credits.

Special Analyses

It has been determined that this Treasury decision is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. Further, it is hereby certified that these regulations will not have a significant economic impact on a substantial number of small entities. This certification is based on the fact that these regulations will primarily affect affiliated groups of corporations that have elected to file a consolidated return, which tend to be larger businesses. Accordingly, a regulatory flexibility analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required. Pursuant to section 7805(f) of the Internal Revenue Code, the notice of proposed rulemaking preceding this regulation was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Drafting Information

The principal author of these regulations is Amber C. Vogel of the Office of Associate Chief Counsel (Corporate). However, other personnel from the IRS and Treasury Department participated in their development.

Partial Withdrawal of Proposed Regulations

Accordingly, we are not adopting the amendments to § 1.1502–13 as proposed in the notice of proposed rulemaking (REG–131128–04) that was published in the **Federal Register** on Tuesday, February 22, 2005 (70 FR 8552).

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

■ Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805. * * *

Section 1.1502–80 also issued under 26 U.S.C. 1502. * * *

■ **Par. 2.** Section 1.1502–80 is amended by:

■ 1. Removing the second sentence from paragraph (a).

■ 2. Revising the third sentence of paragraph (a).

■ 3. Adding paragraph (g).

The revision and addition read as follows:

§ 1.1502–80 Applicability of other provisions of law.

(a) * * * For example, sections 269 and 482 apply for any consolidated year. * * *

* * * * *

(g) *Special rules for liquidations to which section 332 applies.* Notwithstanding the general rule of section 381, if multiple members (distributee members) acquire assets of a corporation in a liquidation to which section 332 applies (regardless of whether any single member owns stock in the liquidating corporation meeting the requirements of section 1504(a)(2)), such members succeed to and take into account the items of the liquidating corporation (including items described in section 381(c), but excluding intercompany items under § 1.1502–13) as provided in this paragraph (g) to the extent not otherwise prohibited by any applicable provision of law. This paragraph (g) does not apply to the intercompany items of the liquidating corporation. See § 1.1502–13(j)(2)(ii).

(1) *Income offset items and deferred income.* Except as otherwise provided in this paragraph (g)(1), each distributee member succeeds to and takes into account the items of the liquidating corporation that could be used to offset the income of the group or any member (including deferred deductions, net operating loss carryovers, and capital loss carryovers) (income offset items) to the extent that such items would have been reflected in investment adjustments to the stock of the liquidating corporation owned by such distributee member under § 1.1502–32(c) if, immediately prior to the liquidation, any stock of the liquidating corporation owned by nonmembers had been redeemed and then such items had been taken into account. However, each distributee member succeeds to the full amount of any deferred deduction or deferred income item attributable to the particular property or business operations distributed to such distributee in the liquidation to the extent that such item is not taken into account in the determination of the income or loss of the liquidating corporation with regard to the liquidation under chapter 1 of the Internal Revenue Code (Code). If the liquidating corporation is not a member of the group at the time of the liquidation, the rules of this paragraph (g)(1) are applied as if the liquidating corporation had been a member of the group.

(2) *Accounting for deferred income items.* Solely for the purpose of determining whether deferred income items of a liquidating corporation are taken into account under applicable principles of law as a result of a liquidation to which section 332 applies, the transfer of property to, and the assumption of liabilities by, a distributee member that does not own stock in the liquidating corporation meeting the requirements of section 1504(a)(2) without regard to the application of § 1.1502–34 immediately prior to the liquidation is not treated as part of a transaction to which section 381(a) applies. In addition, section 332(a) does not apply in determining the recognition or nonrecognition of any income realized by the distributee member under applicable principles of law on account of consideration received (or deemed received) on the assumption of the liquidating corporation's obligation or liability attributable to any deferred income item.

(3) *Credits and earnings and profits.* Each distributee member succeeds to and takes into account a percentage of each credit of the liquidating corporation equal to the value of the stock of the liquidating corporation owned by such distributee at the time of the liquidation divided by the total value of all the stock of the liquidating corporation owned by members of the group at the time of the liquidation. Except to the extent that the distributee member's earnings and profits already reflect the liquidating corporation's earnings and profits, each distributee member succeeds to and takes into account under the principles of § 1.1502–32(c) the earnings and profits, or deficit in earnings and profits, of the liquidating corporation (determined after taking into account the amount of earnings and profits properly applicable to distributions to non-member shareholders under § 1.381(c)(2)–1(c)(2)). If the liquidating corporation is not a member of the group at the time of the liquidation, the rules of this

paragraph (g)(3) are applied as if the liquidating corporation had been a member of the group.

(4) *Other items.* With regard to items to which neither paragraph (g)(1) nor (g)(3) of this section applies, a distributee member that, immediately prior to the liquidation, owns stock in the liquidating corporation meeting the requirements of section 1504(a)(2) without regard to the application of § 1.1502–34 succeeds to the items of the liquidating corporation in accordance with section 381 and other applicable principles. A distributee member that, immediately prior to the liquidation, does not own stock in the liquidating corporation meeting the requirements of section 1504(a)(2) without regard to the application of § 1.1502–34 succeeds to the items of the liquidating corporation to the extent that it would have succeeded to those items if it had purchased, in a taxable transaction, the assets or businesses of the liquidating corporation that it received in the liquidation and had assumed the liabilities that it assumed in the liquidation.

(5) *Determination of the items of a liquidating subsidiary.* For purposes of this section, the items of a liquidating subsidiary include the amount of any consolidated tax attribute attributable to the liquidating subsidiary that is determined pursuant to the principles of § 1.1502–21(b)(2)(iv). In addition, if the liquidating subsidiary is a member of a separate return limitation year subgroup, the amount of a tax attribute that arose in a separate return limitation year that is attributable to that member shall also be determined pursuant to the principles of § 1.1502–21(b)(2)(iv).

(6) *Examples.* The following examples illustrate the application of this paragraph (g):

Example 1. Liquidation—80 percent distributee. (i) *Facts.* X has only common stock outstanding. On January 1 of year 1, X acquired equipment with a 10-year recovery period and elected to depreciate the equipment using the straight-line method of depreciation. On January 1 of year 7, M1 and M2 own 80 percent and 20 percent, respectively, of X's stock. X is a domestic corporation but is not a member of the group that includes M1 and M2. On that date, X distributes all of its assets to M1 and M2 in complete liquidation. The equipment is distributed to M1. Under section 334(b), M1's basis in the equipment is the same as it would be in X's hands. After computing its tax liability for the taxable year that includes the liquidation, X has net operating losses of $100, business credits of $40, and earnings and profits of $80.

(ii) *Succession to items described in section 381(c).* (A) *Losses.* Under paragraph (g)(1) of this section, each distributee member succeeds to X's items that could be used to offset the income of the group or any member to the extent that such items would have been reflected in investment adjustments to the stock of X it owned under § 1.1502–32(c) if, immediately prior to the liquidation, such items had been taken into account. Accordingly, M1 and M2 succeed to $80 and $20, respectively, of X's net operating loss.

(B) *Credits and earnings and profits.* Under paragraph (g)(3) of this section, because, immediately prior to the liquidation, M1 and M2 hold 80 percent and 20 percent, respectively, of the value of the stock of X, M1 and M2 succeed to $32 and $8, respectively, of X's $40 of business credits. In addition, because M1's and M2's earnings and profits do not reflect X's earnings and profits, X's earnings and profits are allocated to M1 and M2 under the principles of § 1.1502–32(c). Therefore, M1 and M2 succeed to $64 and $16, respectively, of X's earnings and profits.

(C) *Depreciation of equipment's basis.* Under paragraph (g)(4) of this section, because M1 owns stock in X meeting the requirements of section 1504(a)(2) without regard to the application of § 1.1502–34, M1 is required to continue to depreciate the equipment using the straight-line method of depreciation over the remaining recovery period of 4.5 years (assuming X used a half-year convention).

Example 2. Liquidation-no 80 percent distributee. (i) *Facts.* The facts are the same as in *Example 1* except that M1 and M2 own 60 percent and 40 percent, respectively, of X's stock. In addition, on January 1 of year 6, X entered into a long-term contract with Y, an unrelated party. The total contract price is $1000, and X estimates the total allocable contract costs to be $500. At the time of the liquidation, X had received $250 in progress payments under the contract and incurred costs of $125. X accounted for the contract under the percentage of completion method described in section 460(b). In the liquidation, M1 assumes X's contract obligations and rights.

(ii) *Succession to items described in section 381(c).* (A) *Losses.* Under paragraph (g)(1) of this section, each distributee member succeeds to X's items that could be used to offset the income of the group or any member to the extent that such items would have been reflected in investment adjustments to the stock of X it owned under § 1.1502–32(c) if, immediately prior to the liquidation, such items had been taken into account. Accordingly, M1 and M2 succeed to $60 and $40, respectively, of X's net operating loss.

(B) *Credits and earnings and profits.* Under paragraph (g)(3) of this section, because, immediately prior to the liquidation, M1 and M2 hold 60 percent and 40 percent, respectively, of the value of the stock of X, M1 and M2 succeed to $24 and $16, respectively, of X's $40 of business credits. In addition, because M1's and M2's earnings and profits do not reflect X's earnings and profits, X's earnings and profits are allocated to M1 and M2 under the principles of § 1.1502–32(c). Therefore, M1 and M2 succeed to $48 and $32, respectively, of X's earnings and profits.

(C) *Depreciation of equipment's basis.* Under section 334(a), M1's basis in the equipment is its fair market value at the time of the distribution. Pursuant to section 168(i)(7), to the extent that M1's basis in the equipment does not exceed X's adjusted basis in the equipment at the time of the transfer, M1 is required to continue to depreciate the equipment using the straight-line method of depreciation over the remaining recovery period of 4.5 years (assuming X used a half-year convention). Any portion of M1's basis in the equipment that exceeds X's adjusted basis in the equipment at the time of the transfer is treated as being placed in service by M1 in the year of the transfer. Thus, M1 may choose any applicable depreciation method, recovery period, and convention under section 168 for such excess basis.

(D) *Method of accounting for long-term contract.* Under paragraph (g)(4) of this section, M1 does not succeed to X's method of accounting for the contract. Rather, under § 1.460–4(k)(2), M1 is treated as having entered into a new contract on the date of the liquidation. Under § 1.460–4(k)(2)(iii), M1 must evaluate whether the new contract should be classified as a long-term contract within the meaning of § 1.460–1(b) and account for the contract under a permissible method of accounting.

Example 3. Liquidation—deferred items. (i) *Facts.* X has only common stock outstanding, and M1 and M2 (who are members of the same group) own 80 percent and 20 percent, respectively, of X's stock. X operates two divisions, each of which defers prepaid subscription income pursuant to an election under section 455. X distributes all of its assets in complete liquidation. M1 receives all of the assets of Division 1, including prepaid subscription income, and assumes X's liability to furnish or deliver the newspaper, magazine, or other periodical to which the prepaid subscription income received by M1 relates. M2 receives all of the assets of Division 2, including prepaid subscription income, and assumes X's liability to furnish or deliver the newspaper, magazine, or other periodical to which the prepaid subscription income received by M2 relates.

(ii) *Acceleration of deferred income items and succession to other deferred items.* Under paragraph (g)(1) of this section, M1 succeeds to the full amount of the deferred prepaid subscription income of X attributable to Division 1. Under applicable law, X does not recognize the deferred prepaid subscription income attributable to Division 1 because X's liability to furnish or deliver the newspaper, magazine, or other periodical ends as a result of a transaction to which section 381(a) applies. Under paragraph (g)(2) of this section, solely for purposes of determining whether the deferred income items of X attributable to Division 2 are taken into account as a result of the liquidation, the distribution of property to M2 is not treated as a transaction to which section 381(a) applies. Therefore, under applicable law, X's deferred prepaid subscription income attributable to Division 2 is taken into account in the determination of X's income or loss with regard to the liquidation. Further, under paragraph (g)(2) of this section, section 332(a) does not apply in determining the recognition or

nonrecognition of any income that M2 realizes on account of consideration received (or deemed received) on its assumption of X's liability to furnish or deliver the newspaper, magazine, or other periodical to which the prepaid subscription income relates.

(7) *Effective/applicability date.* This paragraph (g) applies to transactions occurring after April 14, 2008.

Linda E. Stiff,

Deputy Commissioner for Services and Enforcement.

Approved: January 8, 2008.

Eric Solomon,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. E8–575 Filed 1–14–08; 8:45 am]

BILLING CODE 4830–01–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Parts 4022 and 4044

Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: The Pension Benefit Guaranty Corporation's regulations on Benefits Payable in Terminated Single-Employer Plans and Allocation of Assets in Single-Employer Plans prescribe interest assumptions for valuing and paying benefits under terminating single-employer plans. This final rule amends the regulations to adopt interest assumptions for plans with valuation dates in February 2008. Interest assumptions are also published on the PBGC's Web site (*http://www.pbgc.gov*).

DATES: Effective February 1, 2008.

FOR FURTHER INFORMATION CONTACT: Catherine B. Klion, Manager, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202–326–4024. (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4024.)

SUPPLEMENTARY INFORMATION: The PBGC's regulations prescribe actuarial assumptions—including interest assumptions—for valuing and paying plan benefits of terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions are intended to reflect current conditions in the financial and annuity markets.

Three sets of interest assumptions are prescribed: (1) A set for the valuation of benefits for allocation purposes under section 4044 (found in Appendix B to Part 4044), (2) a set for the PBGC to use to determine whether a benefit is payable as a lump sum and to determine lump-sum amounts to be paid by the PBGC (found in Appendix B to Part 4022), and (3) a set for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology (found in Appendix C to Part 4022).

This amendment (1) adds to Appendix B to Part 4044 the interest assumptions for valuing benefits for allocation purposes in plans with valuation dates during February 2008, (2) adds to Appendix B to Part 4022 the interest assumptions for the PBGC to use for its own lump-sum payments in plans with valuation dates during February 2008, and (3) adds to Appendix C to Part 4022 the interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology for valuation dates during February 2008.

For valuation of benefits for allocation purposes, the interest assumptions that the PBGC will use (set forth in Appendix B to part 4044) will be 5.50 percent for the first 20 years following the valuation date and 4.57 percent thereafter. These interest assumptions represent an increase (from those in effect for January 2008) of 0.08 percent for the first 20 years following the valuation date and 0.08 percent for all years thereafter.

The interest assumptions that the PBGC will use for its own lump-sum payments (set forth in Appendix B to part 4022) will be 3.25 percent for the period during which a benefit is in pay status and 4.00 percent during any years preceding the benefit's placement in pay status. These interest assumptions represent an increase (from those in effect for January 2008) of 0.25% in the immediate rate and are otherwise unchanged. For private-sector payments, the interest assumptions (set forth in Appendix C to part 4022) will be the same as those used by the PBGC for determining and paying lump sums (set forth in Appendix B to part 4022).

The PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This finding is based on the need to determine and issue new interest assumptions promptly so that the assumptions can reflect current market conditions as accurately as possible.

Because of the need to provide immediate guidance for the valuation and payment of benefits in plans with valuation dates during February 2008, the PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication.

The PBGC has determined that this action is not a ''significant regulatory action'' under the criteria set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

List of Subjects

29 CFR Part 4022

Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements.

29 CFR Part 4044

Employee benefit plans, Pension insurance, Pensions.

■ In consideration of the foregoing, 29 CFR parts 4022 and 4044 are amended as follows:

PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE-EMPLOYER PLANS

■ 1. The authority citation for part 4022 continues to read as follows:

Authority: 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

■ 2. In appendix B to part 4022, Rate Set 172, as set forth below, is added to the table.

Appendix B to Part 4022—Lump Sum Interest Rates for PBGC Payments

* * * * *

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i_1	i_2	i_3	n_1	n_2
*	*		*	*	*	*	*	*
172	02–1–08	03–1–08	3.25	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, Rate Set 172, as set forth below, is added to the table.

Appendix C to Part 4022—Lump Sum Interest Rates for Private-Sector Payments

* * * * *

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i_1	i_2	i_3	n_1	n_2
*	*		*	*	*	*	*	*
172	02–1–08	03–1–08	3.25	4.00	4.00	4.00	7	8

PART 4044—ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS

■ 4. The authority citation for part 4044 continues to read as follows:

Authority: 29 U.S.C. 1301(a), 1302(b)(3), 1341, 1344, 1362.

■ 5. In appendix B to part 4044, a new entry for February 2008, as set forth below, is added to the table.

Appendix B to Part 4044—Interest Rates Used to Value Benefits

* * * * *

For valuation dates occurring in the month—	The values of i_t are:					
	i_t	for t =	i_t	for t =	i_t	for t =
* * *	*		*		*	*
February 2008	.0550	1–20	.0457	>20	N/A	N/A

Issued in Washington, DC, on this 9th day of January 2008.

Vincent K. Snowbarger,

Deputy Director, Pension Benefit Guaranty Corporation.

[FR Doc. E8–600 Filed 1–14–08; 8:45 am]

BILLING CODE 7709–01–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900–AL28

Veterans Education: Incorporation of Miscellaneous Statutory Provisions

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends regulations governing various aspects of the education programs administered by the Department of Veterans Affairs. These amendments reflect some of the provisions of the Veterans Education and Benefits Expansion Act of 2001, the Veterans Benefits Act of 2003, and the Veterans Benefits, Health Care, and Information Technology Act of 2006. The changes include: Restoration of certain education benefits for individuals being ordered to active duty; restoration of Survivors' and Dependents' Educational Assistance to certain full-time National Guard members; an opportunity for certain Vietnam-era veterans to qualify for Montgomery GI Bill education benefits; an increase in the maximum amount an individual can receive under the Senior Reserve Officer Training Corps educational assistance program and still qualify for the Montgomery GI Bill—Active Duty program; establishment of an ending date of the eligibility period for spouses under the Survivors' and Dependents' Educational Assistance program; expansion of special restorative training benefits to certain disabled spouses or disabled surviving spouses; and providing educational benefits for an independent study course that leads to a certificate reflecting educational attainment offered by an institution of higher learning. The document also amends the education regulations by making changes to reflect current agency organization and nonsubstantive changes for the purpose of readability or clarity.

DATES: *Effective Date:* This final rule is effective January 15, 2008.

Applicability Dates. Amendments in this final rule are applied retroactively to conform to the effective date of statutory provisions. For more information concerning the dates of applicability, see the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Lynn M. Nelson, Assistant Director, Policy and Program Administration (225), Education Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 461–9827.

SUPPLEMENTARY INFORMATION: The Veterans Education and Benefits Expansion Act of 2001 (Pub. L. 107–103) (''Act'') provides eligibility under the Montgomery GI Bill—Active Duty (MGIB) program to some additional Vietnam-era veterans. Previously, only

certain Vietnam-era veterans who were eligible for benefits under the Vietnam-era GI Bill (38 U.S.C. chapter 34) on December 31, 1989, and who met specific active-duty requirements were eligible to convert to the MGIB program. The Act extends an opportunity to gain MGIB eligibility to additional veterans by modifying certain active-duty requirements. The eligibility period for veterans who became eligible under Public Law 107–103 began December 27, 2001. We are amending the regulations to reflect the changes in eligibility requirements.

The Act raised the maximum amount individuals entitled to educational assistance under the Senior Reserve Officer Training Corps (SROTC) program may receive and still remain eligible to elect the MGIB program. Before January 1, 2002, officers commissioned directly from a SROTC program who entered on active duty after September 30, 1996, and who received more than $2,000 in SROTC scholarship funds for each year of the program, were not eligible for the MGIB program. Under the Act, individuals who entered active duty after September 30, 1996, may become eligible for the MGIB program beginning January 1, 2002, if they received $3,400 or less in any year they participated in the SROTC scholarship program. We are amending the pertinent regulation to reflect the statutory change.

Section 103 of Public Law 107–103 restored education benefits under 38 U.S.C. chapters 30, 32, and 35 to certain individuals ordered to active duty. This provision applies to individuals ordered, by orders dated on or after September 11, 2001, to active duty under 10 U.S.C. 688, 12301(a), 12301(d), 12301(g), 12302, or 12304. In addition, the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Pub. L. 109–461) permitted restoration of Survivors' and Dependents' Educational Assistance (DEA) entitlement under 38 U.S.C. chapter 35 to certain full-time National Guard members who were involuntarily ordered to full-time duty on or after September 11, 2001. Generally, most individuals are eligible for 36 months of full-time benefits (45 months under the DEA program). We refer to the 36 months of benefits as 36 months of ''entitlement''. For each day of full-time benefits that we pay, we deduct 1 day of entitlement. If an individual is ordered to duty as indicated above, and has to withdraw from his or her course(s), VA will pay benefits up to the date of withdrawal. Although under these circumstances we pay benefits, the individual's entitlement will not reflect this, provided the veteran received no credit for the course-work completed up to the point of withdrawal. For example, if someone started a course with 36 months of benefits available, and we paid for 2 months of benefits before he or she dropped the course, we would charge 2 months of entitlement. That individual would have 34 months of benefits remaining. Under the restoration-of-entitlement provisions, we will restore the 2 months of entitlement. So, although an individual received benefits for 2 months, his or her entitlement will not be reduced. We are amending the pertinent regulations to reflect these provisions of Public Law 107–103 and Public Law 109–461.

Section 103 of Public Law 107–103 permits VA to extend the DEA eligibility period for an eligible person who is ordered, by orders dated on or after September 11, 2001, to active duty under 10 U.S.C. 688, 12301(a), 12301(d), 12301(g), 12302, or 12304. The extension is equal to the time served on active duty, plus an additional four months. In addition, section 303 of the Veterans Benefits Act of 2003 (Pub. L. 108–183) permitted a similar extension for eligible persons who are National Guard members and who were involuntarily ordered to full-time duty on or after September 11, 2001.

Before enactment of Public Law 107–103, the U.S. Court of Appeals for Veterans Claims, in *Ozer* v. *Principi*, 14 Vet. App. 257, 262–264 (2001), decided that 38 U.S.C. 3512 did not contain or authorize a fixed or limited eligibility period for spouses who are entitled to DEA benefits. Section 108 of Public Law 107–103 amended section 3512 to provide that spouses who are entitled to DEA have a 10-year eligibility period to use DEA benefits. Beginning with eligibility determinations (whether administrative or judicial) made on or after December 27, 2001, spouses found eligible for DEA benefits will have 10 years to use those benefits. Under section 108 of Public Law 107–103, spouses whose eligibility determinations were made before December 27, 2001, are subject to this 10-year eligibility period if they are required to reapply for benefits, resulting in a determination on or after December 27, 2001. (Spouses are required to reapply for DEA benefits when they change their educational objective.) We are amending the rules to conform to these provisions of Public Law 107–103.

Section 109 of Public Law 107–103 permits payment of special restorative training (SRT) benefits to disabled spouses and disabled surviving spouses beginning December 27, 2001. The spouses and surviving spouses must be eligible for DEA benefits in order to qualify for SRT. Prior to the enactment of section 109, only disabled children eligible for DEA were eligible for this benefit. SRT is training that helps to overcome or lessen the effects of a physical or mental disability for the purposes of enabling an eligible person to pursue a program of education, special vocational program, or other appropriate goal. We are amending the pertinent regulations to make them conform to this statutory provision.

The Act also allows VA to pay veterans, servicemembers, and reservists educational assistance benefits for an independent study course that leads to a certificate that reflects educational attainment offered by an institution of higher learning. The independent study provisions in the Act amended 38 U.S.C. 3680A(a)(4). The provision applies to enrollment in courses on or after December 27, 2001. Prior to enactment, VA could provide education benefits only for independent study courses that were part of a standard college degree program. We are amending the pertinent regulations to reflect this change and to show that the new provision does not apply to DEA benefits for survivors and dependents. (Provisions concerning payment and non-payment of DEA for courses taken by independent study are in 38 U.S.C. 3523(a)(4), which was not amended by Pub. L. 107–103.)

In addition, we are amending provisions in the DEA regulations relating to definitions, SRT, and enrollment at the secondary school level for special assistance for the educationally disadvantaged, to reflect current agency organization, including by making changes in the designations of staff handling various functions.

Nonsubstantive changes are also made for the purpose of readability or clarity.

Administrative Procedure Act

Substantive changes made by this final rule merely reflect statutory requirements. Accordingly, there is a basis for dispensing with prior notice and comment and a delayed effective date under the provisions of 5 U.S.C. 553. Use of those procedures would be impracticable, unnecessary, and contrary to the public interest.

Paperwork Reduction Act of 1995

This document contains no provisions constituting a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

The Office of Management and Budget (OMB) assigns a control number for

each collection of information it approves. VA may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

In § 21.3302 (concerning special restorative training), this final rule amends provisions concerning information collection requirements that are currently approved by OMB. The amended provisions remain within the scope of the approved collections of information. We are adding at the end of § 21.3302 an information collection approval parenthetical containing the OMB control numbers for the collections of information in that section, OMB control numbers 2900–0014 (Authorization and Certification of Entrance or Reentrance into Rehabilitation and Certification of Status), 2900–0073 (Enrollment Certification), and 2900–0156 (Notice of Change in Student Status).

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any given year. This final rule will have no such effect on State, local, and tribal governments, or on the private sector.

Executive Order 12866

Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The Executive Order classifies a ''significant regulatory action,'' requiring review by the Office of Management and Budget (OMB) unless OMB waives such review, as any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The economic, interagency, budgetary, legal, and policy implications of this rule have been examined, and it has been determined to be a significant regulatory action under the Executive Order because it may raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Regulatory Flexibility Act

The Secretary of Veterans Affairs hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This final rule primarily affects only individuals. This rule reflects the statutory expansion to add certain disabled spouses and disabled surviving spouses to the categories of persons who may be eligible for training from small entities that choose to provide it. Although some small entities may provide special restorative training, any direct effect of this rule on such entities would be minuscule. This statutory change resulted in only 24 additional individuals receiving such training in the most recent year with available data. Pursuant to 5 U.S.C. 605(b), this final rule, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604. Pursuant to 5 U.S.C. 603 and 604, an additional reason that those regulatory flexibility analyses requirements are not applicable to this final rule is that no notice of proposed rulemaking was required by law for this rulemaking.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance numbers and titles for the programs affected by this final rule are 64.117, Survivors and Dependents Educational Assistance; 64.120, Post-Vietnam Era Veterans' Educational Assistance; and 64.124, All-Volunteer Force Educational Assistance. This final rule also affects the Montgomery GI Bill—Selected Reserve program, for which there is no Catalog of Federal Domestic Assistance number.

List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Education, Employment, Grant programs—education, Grant programs—veterans, Health care, Loan programs—education, Loan programs—veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: October 5, 2007.

Gordon H. Mansfield,

Deputy Secretary of Veterans Affairs.

■ For the reasons set out in the preamble, the Department of Veterans Affairs amends 38 CFR part 21 (subparts C, D, G, and K) as follows:

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart C—Survivors' and Dependents' Educational Assistance Under 38 U.S.C. Chapter 35

■ 1. Revise the authority citation for part 21, subpart C to read as follows:

Authority: 38 U.S.C. 501(a), 512, 3500–3566, and as noted in specific sections.

■ 2. Amend § 21.3021 by redesignating paragraph (m) as paragraph (v), adding and reserving paragraphs (m) through (s), and adding paragraphs (t) and (u).

The additions read as follows:

§ 21.3021 Definitions.

* * * * *

(t) *Counseling psychologist* means the same as provided in § 21.35(k)(1).

(Authority: 38 U.S.C. 501, 3118(c), 3541, 3543)

(u) *Vocational rehabilitation counselor* means the same as provided in § 21.35(k)(7).

(Authority: 38 U.S.C. 501, 3118(c), 3541, 3543)

* * * * *

■ 3. Amend § 21.3045 by:

■ a. In paragraph (d)(1) introductory text, removing ''VA finds'' and adding, in its place, ''the requirements of paragraphs (d)(1)(i) and (ii) of this section are met, by VA finding''.

■ b. Revising paragraph (d)(1)(i) and the authority citation after paragraph (d).

■ c. In paragraph (d)(1)(ii), removing ''as described'' and adding, in its place, ''for a reason described''.

The revisions read as follows:

§ 21.3045 Entitlement charges.

* * * * *

(d) * * *

(1) * * *

(i) Had to discontinue pursuit of the course or courses as a result of being—

(A) Ordered, in connection with the Persian Gulf War by orders dated before September 11, 2001, to serve on active

duty under 10 U.S.C. 688, 12301(a), 12301(d), 12301(g), 12302, or 12304, or under former 10 U.S.C. 672(a), 672(d), 672(g), 673, or 673(b) (redesignated effective December 1, 1994, as 10 U.S.C. 12301(a), 12301(d), 12301(g), 12302, and 12304, respectively);

(B) Ordered, by orders dated after September 10, 2001, to serve on active duty under 10 U.S.C. 688, 12301(a), 12301(d), 12301(g), 12302, or 12304; or

(C) Involuntarily ordered, by orders dated after September 10, 2001, to full-time National Guard duty under 32 U.S.C. 502(f).

* * * * *

(Authority: 38 U.S.C. 3511(a)(2); sec. 103(e), Pub. L. 107–103, 115 Stat. 980)

* * * * *

■ 4. Amend § 21.3046 by revising paragraph (c) to read as follows:

§ 21.3046 Periods of eligibility; spouses and surviving spouses.

* * * * *

(c) *Ending date of eligibility period*—(1) *Spouses.* (i) If on or after December 27, 2001, VA makes a determination of eligibility for a spouse, the period of eligibility cannot exceed 10 years. The eligibility period can be extended only as provided in paragraph (c)(3) of this section and § 21.3047.

(ii) If before December 27, 2001, VA made a determination of eligibility for a spouse, the eligibility period has no ending date unless the spouse changes his or her program of education. If on or after December 27, 2001, the spouse changes his or her program of education, the eligibility period cannot exceed 10 years. The beginning date of the eligibility period is determined as provided in paragraph (a) of this section. The 10-year eligibility period can be extended only as provided in paragraph (c)(3) of this section and § 21.3047.

(iii) Notwithstanding the provisions of paragraph (c)(1)(i) of this section, if eligibility arises before October 24, 1972, educational assistance will not be afforded later than October 23, 1982, based on a course or program of correspondence, apprentice, or other on-the-job training, approved under the provisions of § 21.4256, § 21.4261, or § 21.4262, except that VA may award educational assistance beyond October 23, 1982, if the eligible spouse qualifies for the extended period of eligibility as provided in paragraph (c)(3) of this section and § 21.3047.

(2) *Surviving spouses.* (i) For surviving spouses, the period of eligibility cannot exceed 10 years and can be extended only as provided in paragraph (c)(3) of this section and § 21.3047.

(ii) If eligibility arises before October 24, 1972, educational assistance will not be afforded later than October 23, 1982, based on a course or program of correspondence, apprentice, or other on-the-job training approved under the provisions of § 21.4256, § 21.4261, or § 21.4262, except that VA may award educational assistance beyond October 23, 1982, if the eligible surviving spouse qualifies for an extended period of eligibility as provided in paragraph (c)(3) of this section and § 21.3047.

(iii) The eligibility period for a surviving spouse is not reduced by any earlier period during which the surviving spouse was eligible for educational assistance under this chapter as a spouse.

(Authority: 38 U.S.C. 3512; sec. 108(c)(4), Pub. L. 107–103, 115 Stat. 985)

(3) *Extensions due to certain orders dated after September 10, 2001.* Notwithstanding any other provisions of this section, if a spouse or surviving spouse, during the eligibility period otherwise applicable to such individual under this section, serves on active duty pursuant to an order to active duty dated after September 10, 2001, issued under 10 U.S.C. 688, 12301(a), 12301(d), 12301(g), 12302, or 12304, or is involuntarily ordered by an order dated after September 10, 2001, to full-time National Guard duty under 32 U.S.C. 502(f), VA will grant the individual an extension of the ending date of his or her eligibility period. The extension will equal the length of the period of such active duty plus four months.

(Authority: 38 U.S.C. 3512; sec. 303(b), Pub. L. 108–183, 117 Stat. 2659)

* * * * *

■ 5. Amend § 21.3104 by:

■ a. After ''psychologist'' each time that it appears, adding ''or vocational rehabilitation counselor''.

■ b. In paragraph (a), removing ''a disabled'' and adding, in its place, ''an eligible person with a disability who is a'', removing ''the child's need for'', removing ''if the disabled'' and adding, in its place, ''if the'', and removing ''the disabled child needs''.

■ c. In paragraph (b), removing ''eligible child'' and adding, in its place, ''eligible person'' and removing ''the child'' and adding, in its place, ''him or her''.

■ 6. Amend § 21.3130 by:

■ a. At the end of paragraph (d)(2), removing the word ''or''.

■ b. At the end of paragraph (d)(3), removing the period and adding, in its place, ''; or''.

■ c. Adding paragraph (d)(4) prior to the authority citation at the end of paragraph (d).

The addition reads as follows:

§ 21.3130 Educational assistance.

* * * * *

(d) * * *

(4) For pursuit of a course offered by independent study, unless the course is accredited, meets the requirements of § 21.4253, and leads to a standard college degree.

* * * * *

■ 7. Amend § 21.3300 by:

■ a. In paragraph (a), removing ''child'' and adding, in its place, ''person'' and adding an authority citation.

■ b. Redesignating paragraphs (b) through (d) as paragraphs (c) through (e), respectively.

■ c. Adding a new paragraph (b).

■ d. In newly redesignated paragraph (c), adding ''or vocational rehabilitation counselor'' after ''psychologist'' and revising its authority citation.

The additions and revision read as follows:

§ 21.3300 Special restorative training.

(a) * * *

(Authority: 38 U.S.C. 3540 through 3543)

(b) *Eligible persons.* VA may prescribe special restorative training for an eligible person who is a child, spouse, or surviving spouse except for a spouse whose qualification as an eligible person is under § 21.3021(a)(3)(ii). The special restorative training must begin after December 26, 2001, for a spouse or surviving spouse.

(Authority: 38 U.S.C. 3501, 3540, 3541, 3543; sec. 109, Pub. L. 107–103, 115 Stat. 986)

(c) * * *

(Authority: 38 U.S.C. 3540, 3541, 3543)

* * * * *

■ 8. Amend § 21.3301 by:

■ a. In paragraph (a) introductory text, removing ''a handicapped child'' and adding, in its place, ''an eligible person with a disability who is a child, spouse, or surviving spouse'', and adding ''or vocational rehabilitation counselor'' after ''psychologist'' both places that it appears.

■ b. Redesignating paragraphs (a)(2), (a)(3), (a)(4), and (a)(5) as paragraphs (a)(5), (a)(2), (a)(3), and (a)(4), respectively.

■ c. In newly redesignated paragraph (a)(2), in the introductory text removing ''eligible child's'' and adding, in its place, ''child's, spouse's, or surviving spouse's'' and removing the authority citation at the end of the paragraph.

■ d. In newly redesignated paragraph (a)(3), removing ''and'' from the end of the paragraph.
■ e. In newly redesignated paragraph (a)(4), after ''child's'', adding '', spouse's, or surviving spouse's''.
■ f. In newly redesignated paragraph (a)(5), removing ''It'' and adding, in its place, ''In the case of a child, whether it''; removing ''interests of an eligible'' and adding, in its place, ''interest of the''; and adding ''and'' after the semicolon.
■ g. In paragraph (a)(6)(i), removing ''handicapped children,'' and adding, in its place, ''individuals with disabilities;''.
■ h. In paragraph (a)(6)(ii), removing ''child's'' and adding, in its place, ''eligible person's'' and removing ''Chapter 35,'' and adding, in its place, ''38 U.S.C. chapter 35.'', and revising the authority citation at the end of paragraph (a)(6).
■ i. In paragraph (b), adding ''or vocational rehabilitation counselor'' after ''psychologist''.
■ j. Revising paragraphs (c) and (d).
■ k. In paragraph (e), removing ''child'' each time that it appears and adding, in its place, ''person'', and revising the authority citation at the end of the paragraph.

The revisions read as follows:

§ 21.3301 Need.

(a) * * *

(6) * * *

(Authority: 38 U.S.C. 3501, 3540, 3541(a), 3543)

* * * * *

(c) *Development and implementation.* Following consultation with the panel and receipt of the panel's report, the counseling psychologist or vocational rehabilitation counselor will determine the need for and feasibility of special restorative training. If this determination is affirmative, the counseling psychologist or vocational rehabilitation counselor will prepare an individualized written plan comparable to a plan for an extended evaluation under 38 U.S.C. chapter 31. In the case of an eligible person who is a spouse or surviving spouse, or a child who has attained majority under laws applicable in his or her State of residence, the plan will be developed jointly with the spouse or surviving spouse, or the child, respectively. In the case of an eligible person who has a guardian or has not attained majority under laws applicable in his or her State of residence, the plan will be developed jointly with the eligible person and his or her parent or guardian (see § 21.3021(d)).

(Authority: 38 U.S.C. 3501, 3541(a))

(d) *Notification of disallowance.* When an eligible person, or a parent or guardian on behalf of an eligible person, has requested special restorative training, and the counseling psychologist or vocational rehabilitation counselor finds that this training is not needed or will not materially improve the eligible person's condition, VA will inform the eligible person, except that VA will inform his or her parent or guardian (see § 21.3021(d)) if the eligible person has a guardian or has not attained majority under laws applicable in his or her State of residence, in writing of the finding and of his or her appeal rights.

(Authority: 38 U.S.C. 3501, 3540, 3543, 5104)

(e) * * *

(Authority: 38 U.S.C. 3501, 3540, 3543)

■ 9. Amend § 21.3302 by:
■ a. In paragraph (a), removing ''child'' and adding, in its place, ''person''.
■ b. In paragraph (b), removing ''which may be charged the parent or guardian'' and adding, in its place, ''charged'' and removing ''an eligible child'' and adding, in its place, ''to the eligible person''.
■ c. Revising the section heading and paragraph (c).
■ d. Adding, at the end of the section, an information collection approval parenthetical.

The revisions and addition read as follows:

§ 21.3302 Special restorative training agreements and reports.

* * * * *

(c) *Reports.* Each educational institution or other provider of a course of special restorative training must report promptly the eligible person's enrollment in, interruption of, or termination of the course of special restorative training.

(Authority: 38 U.S.C. 501(a), 3543, 3680, 3684)

(The Office of Management and Budget has approved the information collection provisions in this section under control numbers 2900–0014, 2900–0073, and 2900–0156.)

■ 10. Amend § 21.3303 by:
■ a. In paragraph (a), adding ''or vocational rehabilitation counselor'' after ''psychologist''.
■ b. Revising paragraph (b).
■ c. In paragraph (c) introductory text, removing ''child'' and adding, in its place, ''person''.
■ d. In paragraph (c)(1)(i), removing ''child's'' and adding, in its place, ''person's''.
■ e. In paragraph (c)(1)(ii), removing ''child's'' and adding, in its place, ''eligible person's''.
■ f. Revising the authority citation at the end of paragraph (c).

The revisions read as follows:

§ 21.3303 Extent of training.

* * * * *

(b) *Ending dates of eligibility.* (1) No child may receive special restorative training after reaching the end of his or her eligibility period as determined under § 21.3041.

(2) No spouse or surviving spouse may receive special restorative training after reaching the end of his or her eligibility period as determined under §§ 21.3046 and 21.3047.

(Authority: 38 U.S.C. 3512)

(c) * * *

(Authority: 38 U.S.C. 3542, 3543)

■ 11. Amend § 21.3304 by:
■ a. Removing ''child'' each place that it appears and adding, in its place, ''person'' and removing ''vocational rehabilitation specialist'' each place that it appears and adding, in its place, ''counseling psychologist or vocational rehabilitation counselor''.
■ b. In paragraphs (b) introductory text, (b)(3) introductory text, and (b)(3)(ii), removing ''child's'' and adding, in its place, ''person's''.
■ c. In paragraph (b)(2), removing ''by the counseling psychologist''.
■ d. Revising the authority citation at the end of the section.

The revision reads as follows:

§ 21.3304 Assistance during training.

* * * * *

(Authority: 38 U.S.C. 3520, 3541, 3543, 3561)

■ 12. Amend § 21.3305 by:
■ a. Removing ''child'' each place that it appears and adding, in its place, ''person''.
■ b. In paragraph (a), removing ''his or her handicap'' and adding, in its place, ''the effects of his or her disability(ies)''.
■ c. In paragraph (b)(6), removing ''child's'' and adding, in its place, ''person's''.

■ 13. Amend § 21.3306 by:
■ a. In the introductory text, removing ''child'' and adding, in its place, ''person''.
■ b. In paragraph (a) introductory text, removing ''A vocational rehabilitation specialist'' and adding, in its place, ''A counseling psychologist or vocational rehabilitation counselor'', and revising the paragraph heading.
■ c. Revising the heading of paragraph (b) and paragraph (b)(1) introductory text.

■ d. In paragraph (b)(2), removing the first sentence, and removing ''If he or she'' and adding, in its place, ''If the counseling psychologist or vocational rehabilitation counselor''.
■ e. In paragraph (b)(3) introductory text, adding ''or vocational rehabilitation counselor'' after ''psychologist''.
■ f. In paragraph (b)(3)(ii), removing ''child'' and adding, in its place, ''eligible person''.

The revisions read as follows:

§ 21.3306 Reentrance after interruption.

* * * * *

(a) *Reentrance without corrective action.* * * *

* * * * *

(b) *Consultation with Vocational Rehabilitation Panel.* (1) A counseling psychologist or vocational rehabilitation counselor will consult with the Vocational Rehabilitation Panel when special restorative training was interrupted—

* * * * *

■ 14. Amend § 21.3307 by:
■ a. In paragraph (a), removing ''by a counseling psychologist'' and removing ''the vocational rehabilitation specialist'' and adding, in its place, ''a counseling psychologist or vocational rehabilitation counselor''.
■ b. Revising paragraphs (b)(1) and (2).
■ c. In paragraph (c), removing ''child'' and adding, in its place, ''person'' and adding ''or vocational rehabilitation counselor'' after ''psychologist''.

The revisions read as follows:

§ 21.3307 ''Discontinued'' status.

* * * * *

(b) * * *

(1) Notify the eligible person of the action taken, except that if the eligible person has a guardian or has not attained majority under laws applicable in his or her State of residence, VA will notify his or her parent or guardian (see § 21.3021(d)) of the action taken.

(2) Inform the eligible person of his or her potential right to a program of education, except that if the eligible person has a guardian or has not attained majority under laws applicable in his or her State of residence, VA will inform his or her parent or guardian (see § 21.3021(d)) of the eligible person's potential right to a program of education.

(Authority: 38 U.S.C. 3501, 3543(b))

* * * * *

■ 15. Amend § 21.3330 by:
■ a. In the introductory text of paragraph (b), removing ''child's'' and adding, in its place, ''person's'' and removing ''vocational rehabilitation specialist'' and adding, in its place, ''counseling psychologist or vocational rehabilitation counselor''.
■ b. In paragraph (b)(1), removing ''child'' and adding, in its place, ''person'' and removing the period and adding, in its place, ''; or''.

■ 16. Amend § 21.3331 by removing ''child'' and adding, in its place, ''person,'', adding ''or vocational rehabilitation counselor'' after ''psychologist'', and removing ''§ 21.3130(c)'' and adding, in its place, ''§ 21.4131''.
■ 17. Amend § 21.3332 by:
■ a. In paragraphs (b) and (e), removing ''vocational rehabilitation specialist'' and adding, in its place, ''counseling psychologist or vocational rehabilitation counselor''.
■ b. In paragraph (d), removing ''child's'' and adding, in its place, ''person's''.
■ c. In paragraph (f), removing ''§ 21.3130(d).'' and adding, in its place, ''§ 21.4135.''
■ 18. In § 21.3333, amend paragraph (b)(1) introductory text by removing ''parent or guardian concurs in having the eligible child's'' and adding, in its place, ''eligible person, or his or her parent or guardian (see § 21.3021(d)) if the eligible person has a guardian or has not attained majority under laws applicable in his or her State of residence, concurs in having his or her''.

■ 19. In § 21.3344, amend paragraph (e)(1)(i) by adding ''or vocational rehabilitation counselor'' after ''psychologist''.

Subpart D—Administration of Educational Assistance Programs

■ 20. Revise the authority citation for part 21, subpart D to read as follows:

Authority: 10 U.S.C. 2141 note, ch. 1606; 38 U.S.C. 501(a), chs. 30, 32, 34, 35, 36, and as noted in specific sections.

■ 21. Amend § 21.4267 by:
■ a. In paragraph (a), removing ''21.7120(c)'' and adding, in its place, ''21.7120(d)''.
■ b. Removing paragraph (b)(2)(i).
■ c. Redesignating paragraphs (b)(2)(ii) through (b)(2)(iv) as paragraphs (b)(2)(i) through (b)(2)(iii), respectively.
■ d. Revising paragraph (f).
■ e. Adding paragraph (g) preceding the authority citation at the end of the section.

The revision and addition read as follows:

§ 21.4267 Approval of independent study.

* * * * *

(f) *Course approval.* A State approving agency may approve a course offered by independent study or a combination of independent study and resident training only if the course—

(1) Is accredited;

(2) Meets the requirements of § 21.4253; and

(3) Either—

(i) Leads to a standard college degree; or

(ii) For courses approved on or after December 27, 2001, leads to a certificate that reflects educational attainment offered by an institution of higher learning.

(Authority: 38 U.S.C. 3672, 3675, 3680A(a)(4))

(g) *Remedial and deficiency courses.* Remedial and deficiency courses offered by independent study cannot be approved.

* * * * *

Subpart G—Post-Vietnam Era Veterans' Educational Assistance Under 38 U.S.C. Chapter 32

■ 22. The authority citation for part 21, subpart G, continues to read as follows:

Authority: 38 U.S.C. 501(a), chs. 32, 36, and as noted in specific sections.

■ 23. Amend § 21.5072 by:
■ a. In paragraph (d)(3) introductory text, removing ''if'' and adding, in its place, ''if—''.
■ b. In paragraph (d)(3)(i), removing ''veteran'' and adding, in its place, ''veteran's''.
■ c. Revising paragraph (i).

The revision reads as follows:

§ 21.5072 Entitlement charge.

* * * * *

(i) *Entitlement charge may be omitted for course discontinuance due to orders to, or changing, active duty in certain instances.* VA will make no charge against the entitlement of a servicemember or veteran for a payment of educational assistance when—

(1)(i) A veteran not serving on active duty had to discontinue course pursuit as a result of being ordered, in connection with the Persian Gulf War by orders dated before September 11, 2001, to serve on active duty under 10 U.S.C. 688, 12301(a), 12301(d), 12301(g), 12302, or 12304, or former 10 U.S.C. 672(a), 672(d), 672(g), 673, or 673b (redesignated effective December 1, 1994, as 10 U.S.C. 12301(a), 12301(d), 12301(g), 12302, and 12304, respectively); or

(ii) A veteran not serving on active duty had to discontinue course pursuit as a result of being ordered, by orders dated after September 10, 2001, to serve

on active duty under 10 U.S.C. 688, 12301(a), 12301(d), 12301(g), 12302, or 12304; or

(iii) A servicemember serving on active duty had to discontinue course pursuit as a result of being ordered, in connection with the Persian Gulf War by orders dated before September 11, 2001, to a new duty location or assignment or to perform an increased amount of work; or

(iv) A servicemember serving on active duty had to discontinue course pursuit as a result of being ordered, by orders dated after September 10, 2001, to a new duty location or assignment or to perform an increased amount of work; and

(2) The veteran or servicemember failed to receive credit or lost training time toward completion of his or her educational, professional, or vocational objective as a result of having to discontinue course pursuit as described in paragraph (i)(1) of this section.

(Authority: 38 U.S.C. 3231(a)(5)(B)(i); sec. 2, Pub. L. 102–127, 105 Stat. 619–620; sec. 103, Pub. L. 107–103, 115 Stat. 979–980)

Subpart K—All Volunteer Force Educational Assistance Program (Montgomery GI Bill—Active Duty)

■ 24. The authority citation for part 21, subpart K, continues to read as follows:

Authority: 38 U.S.C. 501(a), chs. 30, 36, and as noted in specific sections.

■ 25. In § 21.7042, revise paragraph (f)(3) to read as follows:

§ 21.7042 Basic eligibility requirements.

* * * * *

(f) * * *

(3) Except as provided in this paragraph and in paragraph (f)(4) of this section, an individual who after December 31, 1976, receives a commission as an officer in the Armed Forces upon completion of a program of educational assistance under 10 U.S.C. 2107 (the Senior Reserve Officers' Training Corps program) is not eligible for educational assistance under 38 U.S.C. chapter 30. This bar to eligibility under 38 U.S.C. chapter 30 does not apply to an individual who entered active duty after September 30, 1996, and received—

(i) $2,000 or less in educational assistance under 10 U.S.C. 2107 for at least one year of the individual's participation in that program of educational assistance; or

(ii) $3,400 or less in educational assistance under 10 U.S.C. 2107 for at least one year of the individual's participation in that program of educational assistance. This provision applies to payment of educational assistance under 38 U.S.C. chapter 30 for months after December 31, 2001.

(Authority: 38 U.S.C. 3011(c), 3012(d))

* * * * *

■ 26. Amend § 21.7044 by:

■ a. In paragraph (a)(6), removing the period at the end and adding, in its place ''; or''.

■ b. Adding paragraph (a)(7), immediately following the authority citation at the end of paragraph (a)(6).

■ c. Revising paragraph (b)(4).

■ d. Removing paragraph (b)(5).

■ e. Redesignating paragraphs (b)(6) through (b)(12) as paragraphs (b)(5) through (b)(11), respectively.

■ f. In newly redesignated paragraph (b)(7), removing ''(b)(5)'' each place that it appears and adding, in its place, ''(b)(4)''.

■ g. In newly redesignated paragraph (b)(10), removing ''(b)(9) or (10)'' and adding, in its place, ''(b)(8) or (9)''.

The revision and addition read as follows:

§ 21.7044 Persons with eligibility under 38 U.S.C. chapter 34.

* * * * *

(a) * * *

(7) Effective December 27, 2001, an individual must meet the following requirements. He or she—

(i) Was not on active duty on October 19, 1984;

(ii) Reenlists or reenters on a period of active duty after October 19, 1984; and

(iii) Serves at least three years of continuous active duty in the Armed Forces after June 30, 1985. The individual is not required to serve three years if he or she is honorably discharged or released from active duty for one of the reasons shown in paragraphs (a)(4)(ii)(A) through (a)(4)(ii)(F) of this section.

(Authority: 38 U.S.C. 3011(a)(1))

(b) * * *

(4) The individual either—

(i) Must have been on active duty on October 19, 1984, must have served without a break in service from October 19, 1984, through June 30, 1985, and after June 30, 1985—

(A) Except as provided in paragraph (b)(5) of this section, must serve at least two years of continuous active duty in the Armed Forces characterized by the Secretary concerned as honorable service, and

(B) Except as provided in paragraph (b)(6) of this section, after completion of this active duty service, must serve at least four continuous years service in the Selected Reserve, during which the individual must participate satisfactorily in training as prescribed by the Secretary concerned; or

(ii) Effective December 27, 2001, must not have been on active duty on October 19, 1984, must reenlist or reenter on a period of active duty after October 19, 1984, and after June 30, 1985—

(A) Except as provided in paragraph (b)(5) of this section, must serve at least two years of continuous active duty in the Armed Forces characterized by the Secretary concerned as honorable service, and

(B) Except as provided in paragraph (b)(6) of this section, after completion of this active duty service, must serve at least four continuous years service in the Selected Reserve, during which the individual must participate satisfactorily in training as prescribed by the Secretary concerned.

(Authority: 38 U.S.C. 3012(a)(1))

* * * * *

■ 27. Amend § 21.7050 by:

■ a. In paragraph (a)(1) introductory text, removing ''service member'' and adding, in its place, ''servicemember''.

■ b. In paragraph (a)(1)(ii)(D), at the end, removing ''or''.

■ c. In paragraph (a)(1)(iii), removing ''§ 21.7042(b) and § 21.7044(b).'' and adding, in its place, ''§§ 21.7042(b) and 21.7044(b); or''.

■ d. Adding paragraph (a)(1)(iv).

The addition reads as follows:

§ 21.7050 Ending dates of eligibility.

* * * * *

(a) * * *

(1) * * *

(iv) December 27, 2001, for individuals who become eligible for educational assistance under § 21.7044(a)(7) or (b)(4)(ii).

(Authority: 38 U.S.C. 3031(a), (e), (g))

* * * * *

■ 28. Amend § 21.7222 by revising paragraph (e) to read as follows:

§ 21.7222 Courses and enrollments which may not be approved.

* * * * *

(e) Any independent study program except—

(1) An accredited independent study program (including open circuit television) leading to a standard college degree;

(2) Enrollments in an independent study course after December 26, 2001, in a program leading to a certificate that reflects educational attainment offered by an institution of higher learning; or

(3) As provided for in § 21.7120(d).

(Authority: 38 U.S.C. 3676, 3680A)

[FR Doc. E8–330 Filed 1–14–08; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2006–0276; FRL–8508–8]

Approval and Promulgation of Air Quality Implementation Plans; Indiana; Amendments to Lead Rules, Quemetco

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On February 7, 2002, Indiana submitted revisions to its State Implementation Plan (SIP) for lead (Pb) as part of the State's incorporation of a Federal standard for secondary lead smelters. On October 3, 2006, and November 27, 2007, Indiana supplemented its request as it pertained to Quemetco, Incorporated (Quemetco), in Marion County. The requested SIP revision replaces the Pb emission limits for Quemetco with new, stringent limits. EPA has determined that the new limits will be protective of the Pb air quality standards, and is therefore approving them.

DATES: This direct final rule will be effective March 17, 2008, unless EPA receives adverse comments by February 14, 2008. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2006–0276, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *E-mail: mooney.john@epa.gov.*
3. *Fax:* (312)886–5824.
4. *Mail:* John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
5. *Hand Delivery:* John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R05–OAR–2006–0276. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or e-mail. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *www.regulations.gov* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. We recommend that you telephone Mary Portanova, Environmental Engineer, at (312) 353–5954 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Mary Portanova, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–5954, *portanova.mary@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This supplementary information section is arranged as follows:

I. Background: Pb SIP and NESHAP Rules
II. What are the new limits for secondary lead smelters?
III. How does removing Quemetco from Article 15 affect the Pb SIP?
IV. Demonstration of Pb NAAQS Attainment
V. What action is EPA taking?
VI. Statutory and Executive Order Reviews

I. Background: Pb SIP and NESHAP Rules

Indiana's SIP rules for Pb are currently codified at 326 Indiana Administrative Code (IAC) 15, which is also referred to as Article 15. Article 15 covers lead-bearing emissions and fugitive dust from several facilities in Indiana, including secondary lead smelters. The SIP rules applicable to sources in Marion County, Indiana, were developed to ensure that Marion County would attain and maintain the Pb National Ambient Air Quality Standards (NAAQS).

EPA promulgated the National Emission Standards for Hazardous Air Pollutants (NESHAP) for secondary lead smelting on June 23, 1995 (60 FR 32587); amended on June 13, 1997 (62 FR 32209). Codified at 40 CFR part 63, subpart X, this NESHAP is a technology-based regulation intended to bring certain sources at secondary lead smelters to a specified level of air pollution control. Indiana incorporated the Maximum Achievable Control Technology (MACT) standard of the secondary lead smelter NESHAP, with certain adjustments, in 326 IAC 20–13. On August 22, 2006 (71 FR 48923), EPA approved Indiana's request for delegation of authority to implement and enforce the NESHAP for secondary lead smelting through 326 IAC 20–13.

The Federal NESHAP in Subpart X is expected to result in air quality benefits where it affects secondary lead smelters which were previously unregulated or which were previously subject to less stringent controls. In Indiana, however, the existing Marion County Pb SIP limits were already more stringent than the NESHAP's limits. Indiana believed that the Federal secondary lead smelter NESHAP would not fully protect the Pb NAAQS in Marion County. Therefore, when Indiana adopted the NESHAP into 326 IAC 20–13, the State adjusted it to make the rule's emission limits at least

as stringent as the Marion County Pb SIP limits had been.

There are two secondary lead smelters in Marion County, Indiana, Quemetco and Refined Metals of Indianapolis (Refined Metals). Quemetco, located in Indianapolis, recycles lead-acid batteries and other lead-bearing materials. It is currently operating and is affected by both the Marion County Pb SIP and the NESHAP rules for secondary lead smelters. Indiana chose to remove the paragraph that addressed Quemetco from the Pb SIP at Article 15, so that the facility's Pb emission regulations would all reside in one State rule, 326 IAC 20–13. The Refined Metals facility has closed.

II. What are the new limits for secondary lead smelters?

The emission limits for Quemetco in 326 IAC 20–13 differ from the last Federally approved Pb SIP limits in Article 15. The SIP previously approved by EPA contained Pb emission limits for specific processes and process fugitive emissions. Later, the Quemetco facility enclosed its Pb emission sources. Indiana subsequently revised Quemetco's Pb rules to apply Pb emission limits on individual numbered vent stacks under the facility's new configuration. The Pb limits in 326 IAC 20–13, which were submitted to EPA on February 7, 2002, correspond to Quemetco's current stack configuration. In addition, the limits in 326 IAC 15–1–2(a)(8) were given in units of pounds per hour, but the numerical Pb emission limits for Quemetco in 326 IAC 20–13–2(a) are given in units of milligrams per dry standard cubic meter (mg/dscm) to match the Federal NESHAP's emission limit units.

The process source limits in 326 IAC 20–13–2(a) are 1.0 mg/dscm, compared to the corresponding NESHAP limits of 2.0 mg/dscm. This limit applies to Quemetco's Stacks 100 and 111. The process fugitive source limits are 0.5 mg/dscm, compared to the NESHAP limits of 2.0 mg/dscm, and the emission limits for stacks venting fugitive dust sources are also 0.5 mg/dscm, compared to the NESHAP limits of 2.0 mg/dscm. These limits apply to Quemetco's Stacks 101–109. Quemetco has already shown that it can meet these limits.

The regulation at 326 IAC 20–13–2(a) also requires the use of High Efficiency Particulate Air (HEPA) filters, as defined in 40 CFR 63.542, on process fugitive emissions and stacks venting fugitive dust sources. The Quemetco facility already uses HEPA filters on its baghouses.

Indiana's secondary lead smelter rules include a partial incorporation by reference of 40 CFR part 63, subpart X, at 326 IAC 20–13–1(c). This specifies standards for process and fugitive sources at secondary lead smelters, test methods, fugitive dust control, standard operating procedures for baghouses, and monitoring and recordkeeping requirements. The regulation at 326 IAC 20–13–1(c) does not include certain portions of 40 CFR part 63, subpart X, which are already covered by other portions of 326 IAC 20–13. The numerical emission limits for process, fugitive, and process fugitive sources found in 40 CFR part 63, subpart X are not included in the incorporation because Indiana's rule replaces them with more stringent limits, as in 326 IAC 20–13–2(a), for Quemetco. Certain requirements for baghouse bag leak detection systems are also not included in 326 IAC 20–13–1(c). These requirements do not apply to Quemetco, which has HEPA filters and is therefore not required to have a bag leak detection system.

III. How does removing Quemetco from Article 15 affect the Pb SIP?

Because 326 IAC 20–13 now contains Pb emission limits for Quemetco, Indiana chose to delete the portion of Article 15 that contains Pb emission limits for Quemetco under the Marion County SIP, rather than retain duplicate or conflicting emission limits. The final State rule removing 326 IAC 15–1–2(a)(8) was published in the Indiana Register on January 1, 2001 (24 *Ind. Reg.* 954).

Simply deleting Quemetco's limits from Article 15 would be an unacceptable relaxation of the Marion County Pb SIP, even though Quemetco's Pb air emissions are still regulated by the NESHAP at 326 IAC 20–13. State Pb SIP limits must be directly linked to local air quality effects. The levels of the Pb SIP limits in Article 15 have been shown, through dispersion modeling, to assure attainment and maintenance of the Pb NAAQS in Marion County. The SIP may not be subsequently relaxed without review and rulemaking action by EPA, to assure continued maintenance of the NAAQS. EPA can bring enforcement action against a facility based on noncompliance with the Federally approved SIP limits. The NESHAP sets emission control requirements for secondary lead smelters as a group. Its emission limits are based on nationally available emission control technology. The NESHAP can be changed as a broad national measure, without requiring an analysis of the effects on local air quality.

Therefore, in an October 3, 2006 letter, Indiana requested that portions of 326 IAC 20–13 be approved into the Marion County Pb SIP in place of 326 IAC 15–1–2(a)(8). This request was clarified in a second letter from Indiana to EPA dated November 27, 2007. Incorporating those provisions of 326 IAC 20–13 into the Marion County Pb SIP ensures that the Pb emission limits for Quemetco cannot be changed without proper State rulemaking procedures, a demonstration of attainment of the Pb NAAQS, and review and rulemaking action by EPA. The portions of Article 15 which Indiana requested as SIP revisions are 326 IAC 20–13–2(a) (Quemetco's emission limits and filter requirements); 326 IAC 20–13–1(c) (incorporation of 40 CFR part 63, subpart X); and 326 IAC 20–13–6 (compliance testing).

IV. Demonstration of Pb NAAQS Attainment

The State performed dispersion modeling in 2005 using the ISCST3 model to demonstrate that the new limits would protect the Pb NAAQS in Marion County. ISCST3 was the appropriate regulatory dispersion model at the time. The modeling used the regulatory default options and five years of surface meteorological data from the Indianapolis, Indiana airport, with upper-air meteorological data from Dayton, Ohio. Building dimensions were included to account for downwash effects. The State included both Quemetco's Pb emissions and the allowable Pb emissions for the Refined Metals secondary smelter under Article 15. The Refined Metals facility is currently not operating; but because Indiana has maintained the SIP rule addressing Refined Metals in Article 15, its allowable emissions must be included in the Marion County attainment demonstration. The model showed that the limits in 326 IAC 20–13 will maintain the Pb NAAQS of 1.5 micrograms per cubic meter, quarterly. The maximum modeled quarterly impact of the Marion County Pb sources was 0.16 micrograms per cubic meter. This value includes a background Pb concentration taken from locally monitored air quality data.

V. What action is EPA taking?

EPA is approving Indiana's February 7, 2002, SIP revision request, as supplemented in a letter dated October 3, 2006, and another letter dated November 27, 2007. EPA is approving the removal of 326 IAC 15–1–2(a)(8) from the Indiana Pb SIP. EPA is also approving as part of the SIP: (1) Corresponding minor editorial changes

in two sections of 326 IAC 15–1 that refer to Quemetco; (2) the addition of 326 IAC 20–13–2(a); (3) the addition of 326 IAC 20–13–1(c); and (4) the addition of 326 IAC 20–13–6. This SIP revision retains emission limits adequate to protect the Pb NAAQS in Marion County, Indiana, and places the regulations affecting Indiana's active secondary lead smelters in one section of Indiana's pollution control regulations. It should be noted that this action in no way affects the continued enforceability of the Federal NESHAP at 40 CFR Part 63, Subpart X.

We are publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the proposed rules section of this **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the state plan if relevant adverse written comments are filed. The proposed rule will be effective March 17, 2008 without further notice unless we receive relevant adverse written comments by February 14, 2008. If we receive such comments, we will withdraw this action before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on the proposed action. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. If we do not receive any comments, this action will be effective March 17, 2008.

VI. Statutory and Executive Order Reviews

Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and, therefore, is not subject to review by the Office of Management and Budget.

Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

Because it is not a ''significant regulatory action'' under Executive Order 12866 or a ''significant energy action,'' this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001).

Regulatory Flexibility Act

This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*).

Unfunded Mandates Reform Act

Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (59 FR 22951, November 9, 2000).

Executive Order 13132: Federalism

This action also does not have Federalism implications because it does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act (CAA).

Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it approves a state rule implementing a Federal Standard.

National Technology Transfer Advancement Act

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the state to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply.

Paperwork Reduction Act

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 17, 2008. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Reporting and recordkeeping requirements.

Dated: December 7, 2007.

Bharat Mathur,

Acting Regional Administrator, Region 5.

■ For the reasons stated in the preamble, part 52, chapter I, of title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart P—Indiana

■ 2. Section 52.770 is amended by adding paragraph (c)(183) to read as follows:

§ 52.770 Identification of plan.

* * * * *

(c) * * *

(183) On February 7, 2002, Indiana submitted revisions to its State Implementation Plan (SIP) for lead (Pb) as part of the State's incorporation of a Federal standard for secondary lead smelters. On October 3, 2006, and November 27, 2007, Indiana supplemented its request as it pertained to Quemetco, Incorporated, in Marion County. This revision removes from the Indiana SIP the source-specific provisions for Quemetco found in article 326 IAC 15, previously approved in paragraph (c)(95) of this section, and replaces them with the corresponding provisions of article 326 IAC 20–13.

(i) *Incorporation by reference.* The following sections of Title 326 of the Indiana Administrative Code (IAC) are incorporated by reference:

(A) 326 IAC 15–1–2(c) ''Source-specific provisions'' and 326 IAC 15–1–3 ''Control of fugitive lead dust''. Filed with the Secretary of State on December 1, 2000, effective December 30, 2000. Published in the Indiana Register on January 1, 2001 (24 IR 954).

(B) 326 IAC 20–13–1(c) ''Applicability; incorporation by reference of federal standards'', 326 IAC 20–13–2(a) ''Emission limitations lead standards for Quemetco, Incorporated'', and 326 IAC 20–13–6 ''Compliance testing''. Filed with the Secretary of State on December 1, 2000, effective December 30, 2000. Published in the Indiana Register on January 1, 2001 (24 IR 958).

* * * * *

[FR Doc. E8–440 Filed 1–14–08; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 410, 414, 424, and 484

[CMS–1385–F3]

RIN 0938–AO65

Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule, and Other Part B Payment Policies for CY 2008; Revisions to the Payment Policies of Ambulance Services Under the Ambulance Fee Schedule for CY 2008; and the Amendment of the E-Prescribing Exemption for Computer-Generated Facsimile Transmissions; Correcting Amendment

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

ACTION: Correcting amendment.

SUMMARY: This correcting amendment corrects several technical and typographical errors in the regulations text of the final rule with comment period that appeared in the November 27, 2007 **Federal Register** (72 FR 66222). The final rule with comment period addressed performance standards for diagnostic testing facilities and standards and requirements related to therapy services under Medicare Parts A and B.

DATES: *Effective Date:* This correcting amendment is effective January 15, 2008.

FOR FURTHER INFORMATION CONTACT: Diane Milstead, (410) 786–3355.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 07–5506 of November 27, 2007 (72 FR 66222) (hereinafter referred to as the CY 2008 PFS final rule with comment period), there were a number of technical and typographical errors that are identified and corrected in regulation text of this correcting amendment. The provisions of this correcting amendment are effective January 15, 2008.

II. Summary of Errors in the Regulation Text

1. On page 66398, 3rd column, 8th full paragraph, line 3, the phrase ''IDTF does not include the following'' is corrected to read ''IDTF is prohibited from the following.''

2. On page 66401,

a. First column, 1st full paragraph, line 1, the phrase ''(1) The services'' is corrected to read ''(1) For services.''

b. Third column, last partial paragraph, line 4, the phrase ''members of public may comment'' is corrected to read ''members of the public may comment.''

3. On page 66402, 1st column, 5th full paragraph, line 4, the phrase ''members of public may comment'' is corrected to read ''members of the public may comment.''

4. On page 66406, 2nd column, 1st full paragraph, line 1, the phrase ''(2) The requested information'' is corrected to read ''(2) The required information''.

5. On page 66407,

a. First column,

(1) The 8th paragraph ''(e) If educated outside the United States—'' is corrected to read ''(e) If educated outside the United States, must meet all of the following:''

(2) The 9th paragraph ''(1) Must meet both of the following:'' is deleted.

(3) Tenth paragraph,

(a) Line 1, the phrase ''(i) Graduated'' is corrected to read ''(1) Graduated''.

(b) Lines 4 and 5, the phrase ''occupational therapy assistant entry level education'' is corrected to read ''occupational therapy entry-level education''.

(4) Eleventh paragraph, line 1, the phrase ''(A) The Accreditation'' is corrected to read ''(i) The Accreditation''.

(5) Twelfth paragraph, line 1, the phrase ''(B) Successor'' is corrected to read ''(ii) Successor''.

(6) Thirteenth paragraph, line 1, the phrase ''(C) The World'' is corrected to read ''(iii) The World''.

(7) Fourteenth paragraph, line 1, the phrase ''(D) A credentialing body'' is corrected to read ''(iv) A credentialing body''.

(8) Fifteenth paragraph, line 1, the phrase ''(ii) Successfully completed'' is corrected to read ''(2) Successfully completed''.

(9) Sixteenth paragraph, line 1, the phrase ''(2) On or before December 31, 2009'' is corrected to read ''(3) Effective January 1, 2010''.

(10) The last full paragraph, ''(1) Is licensed or otherwise regulated, if applicable, as an occupational therapy assistant by the State in which practicing, unless licensure does not apply.'' is corrected to read ''(1) Is licensed, unless licensure does not apply, or otherwise regulated, if applicable, as an occupational therapy assistant by the State in which practicing.''

b. Third column,

(1) The 2nd full paragraph, ''(a)(1) Graduated after successful completion of one of a physical therapist education program approved by one of the

following:'' is corrected to read ''(a)(1) Graduated after successful completion of a physical therapist education program approved by one of the following:''

(2) Fifth full paragraph, line 10, the phrase ''therapists.'' is corrected to read as ''therapists; and''.

6. On page 66408,

a. First column,

(1) Fourth paragraph, line 3, the phrase ''Association;'' is corrected to read ''Association; or''.

(2) Fifth paragraph, line 3, the phrase ''Therapists; and'' is corrected to read ''Therapists; or''.

(3) Sixth paragraph, line 1, the phrase ''Graduated from'' is corrected to read ''Has graduated from''.

(4) The 11th paragraph, ''*Physical therapist assistant.* A person who is licensed, registered or certified as a physical therapist assistant, if applicable, by the State in which practicing, unless licensure does not apply and meets one of the following requirements:'' is corrected to read ''*Physical therapist assistant.* A person who is licensed, unless licensure does not apply, registered, or certified as a physical therapist assistant, if applicable, by the State in which practicing, and meets one of the following requirements:''

(5) Twelfth paragraph, line 1, the phrase ''(a)(1)(i) Graduated'' is corrected to read ''(a)(1) Graduated''.

(6) Thirteenth paragraph, line 1, the phrase ''(ii) Passed'' is corrected to read ''(2) Passed''.

b. Second column, 1st partial paragraph, lines 1 through 4, the phrase ''before December 31, 2009, from a 2-year college-level program approved by the American Physical Therapy Association and after January 1, 2010'' is corrected to read ''on or before December 31, 2009, from a 2-year college-level program approved by the American Physical Therapy Association and, effective January 1, 2010''.

III. Waiver of Proposed Rulemaking and Delay in Effective Date

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 the notice and comment procedures 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 rule.

Section 553(d) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

This correcting amendment addresses typographical and technical errors made in FR Doc. 07–5506, the CY 2008 PFS final rule with comment period, which appeared in the November 27, 2007 **Federal Register** (72 FR 66222) and is, with limited exceptions as noted in that rule, effective January 1, 2008. The provisions of the final rule with comment period have been subjected previously to notice and comment procedures. These corrections contained in this correcting amendment are consistent with, and do not make substantive changes to, the payment methodologies and policies adopted in the CY 2008 PFS final rule with comment period. As such, this correcting amendment is intended to ensure the CY 2008 PFS final rule with comment period accurately reflects the policies adopted in that rule. We find, therefore, for good cause that it is unnecessary and would be contrary to the public interest to undertake further notice and comment procedures to incorporate these corrections into the final rule with comment period.

For the same reasons, we are also waiving the 30-day delay in effective date for this correcting amendment. We believe that it is in the public interest to ensure that the CY 2008 PFS final rule with comment period accurately states our policies. Therefore, we find that delaying the effective date of these corrections would be contrary to the public interest. In so doing, we find good cause to waive the 30-day delay in the effective date.

List of Subjects

42 CFR Part 410

Health facilities, Health professions, Kidney diseases, Laboratories, Medicare, Reporting and recordkeeping requirements, Rural areas, X-rays.

42 CFR Part 414

Administrative practice and procedure, Health facilities, Health professions, Kidney diseases, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 424

Emergency medical services, Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 484

Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

■ Accordingly, 42 CFR chapter IV is corrected by making the following correcting amendments:

PART 410—SUPPLEMENTARY MEDICAL INSURANCE (SMI) BENEFITS

■ 1. The authority citation for part 410 continues to read as follows:

Authority: Secs. 1102, 1834, 1871, and 1893 of the Social Security Act (42 U.S.C. 1302, 1395m, 1395hh, and 1395ddd).

§ 410.33 [Corrected]

■ 2. In § 410.33, amend paragraph (g)(15) by removing the phrase ''IDTF does not include the following'' and adding in its place ''IDTF is prohibited from the following''.

PART 414—PAYMENT FOR PART B MEDICAL AND OTHER HEALTH SERVICES

■ 3. The authority citation for part 414 continues to read as follows:

Authority: Secs. 1102, 1871, and 1881(b)(l) of the Social Security Act (42 U.S.C. 1302, 1395hh, and 1395rr(b)(l)).

§ 414.50 [Corrected]

■ 4. In § 414.50, amend paragraph (a)(1) by removing the phrase ''The services'' and adding in its place ''For services''.

§ 414.509 [Corrected]

■ 5. In § 414.509, amend paragraphs (a)(2)(ii) and (b)(1)(ii)(B) by removing the phrase ''members of public'' and adding in its place ''members of the public''.

PART 424—CONDITIONS FOR MEDICARE PAYMENT

■ 6. The authority citation for part 424 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

§ 424.36 [Corrected]

■ 7. In § 424.36, amend paragraph (b)(6)(ii)(C)(2) by removing the phrase ''The requested information'' and adding in its place ''The required information''.

PART 484—HOME HEALTH SERVICES

■ 8. The authority citation for part 484 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395(hh)) unless otherwise indicated.

§ 484.4 [Amended]

■ 9. Amend § 484.4 by—
■ A. Revising paragraph (e) of the definition of ''Occupational therapist''.
■ B. Revising paragraph (a)(1) of the definition of ''Occupational therapy assistant.''
■ C. Revising paragraphs (a)(1) introductory text, (a)(1)(iii), and (e) of the definition of ''Physical therapist.''
■ D. Revising the introductory text of the definition of ''Physical therapist assistant.''
■ E. Redesignating paragraphs (a)(1)(i) and (a)(1)(ii) as paragraphs (a)(1) and (a)(2) of the definition of ''Physical therapist assistant.''
■ F. Revising paragraph (b)(2) of the definition of ''Physical therapist assistant.''

The revisions read as follows:

§ 484.4 Personnel qualifications.

* * * * *

Occupational therapist.

* * * * *

(e) If educated outside the United States, must meet all of the following:

(1) Graduated after successful completion of an occupational therapist education program accredited as substantially equivalent to occupational therapist entry level education in the United States by one of the following:

(i) The Accreditation Council for Occupational Therapy Education (ACOTE).

(ii) Successor organizations of ACOTE.

(iii) The World Federation of Occupational Therapists.

(iv) A credentialing body approved by the American Occupational Therapy Association.

(2) Successfully completed the entry-level certification examination for occupational therapists developed and administered by the National Board for Certification in Occupational Therapy, Inc. (NBCOT).

(3) On or before December 31, 2009, is licensed or otherwise regulated, if applicable, as an occupational therapist by the State in which practicing.

Occupational therapy assistant.

* * *

(a) * * *

(1) Is licensed, unless licensure does not apply, or otherwise regulated, if applicable, as an occupational therapy assistant by the State in which practicing.

* * * * *

Physical therapist. * * *

(a)(1) Graduated after successful completion of a physical therapist education program approved by one of the following:

* * * * *

(iii) An education program outside the United States determined to be substantially equivalent to physical therapist entry-level education in the United States by a credentials evaluation organization approved by the American Physical Therapy Association or an organization identified in 8 CFR 212.15(e) as it relates to physical therapists; and

* * * * *

(e) Before January 1, 1966—

(1) Was admitted to membership by the American Physical Therapy Association; or

(2) Was admitted to registration by the American Registry of Physical Therapists; or

(3) Has graduated from a physical therapy curriculum in a 4-year college or university approved by a State department of education.

* * * * *

Physical therapist assistant. A person who is licensed, unless licensure does not apply, registered, or certified as a physical therapist assistant, if applicable, by the State in which practicing, and meets one of the following requirements:

* * * * *

(b) * * *

(2) In States where licensure or other regulations do not apply, graduated on or before December 31, 2009, from a 2-year college-level program approved by the American Physical Therapy Association and, effective January 1, 2010 meets the requirements of paragraph (a) of this definition.

* * * * *

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: January 10, 2008.

Ann C. Agnew,

Executive Secretary to the Department.

[FR Doc. E8–576 Filed 1–14–08; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 414

[CMS–1385–CN3]

RIN 0938–AO65

Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule, and Other Part B Payment Policies for CY 2008; Delay of the Date of Applicability of the Revised Anti-Markup Provisions for Certain Services Furnished in Certain Locations (§ 414.50); Correction

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

ACTION: Final rule; correction.

SUMMARY: This document corrects typographical errors identified in the final rule that appeared in the January 3, 2008 **Federal Register** (73 FR 404). The final rule delayed until January 1, 2009 the applicability of the anti-markup provisions in § 414.50, as revised at 72 FR 66222, except with respect to the technical component of a purchased diagnostic test and with respect to any anatomic pathology diagnostic testing services furnished in space that is utilized by a physician group practice as a ''centralized building'' (as defined at § 411.351) for purposes of complying with the physician self-referral rules and does not qualify as a ''same building'' under § 411.355(b)(2)(i) of this chapter.

DATES: *Effective Date:* This correction notice is effective January 1, 2008.

FOR FURTHER INFORMATION CONTACT: Donald Romano, (410) 786–1401.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 07–6280 (73 FR 404), the final rule entitled ''Revisions to Payment Policies Under the Physician Fee Schedule, and Other Part B Payment Policies for CY 2008; Delay of the Date of Applicability of the Revised Anti-Markup Provisions for Certain Services Furnished in Certain Locations (§ 414.50),'' there were typographical errors in the preamble that are identified and corrected in this correction notice. The provisions of this correction notice are effective January 1, 2008.

II. Summary of Errors

On page 406, we are correcting a typographical error in section III., Waiver of Proposed Rulemaking, to clarify that the delay of the applicability

date for revised § 414.50 excludes any anatomic pathology diagnostic testing services furnished in space that is utilized by a physician group practice as a ''centralized building'' (as defined at § 411.351) for purposes of complying with the physician self-referral rules and does not qualify as a ''same building'' under § 411.355(b)(2)(i). We are also correcting a typographical error in section IV., Collection of Information Requirements, by correcting the U.S.C. citation of the Paperwork Reduction Act of 1995.

III. Correction of Errors

On page 406, in the 1st column;

a. The 1st partial paragraph, line 2, the phrase ''revised § 414.50 with respect to'' is corrected to read ''revised § 414.50 except with respect to.''

b. The 1st full paragraph, line 8, the phrase ''(44 U.S.C. 35)'' is corrected read ''(44 U.S.C. 3501)''

IV. Waiver of Proposed Rulemaking

We ordinarily publish a notice of proposed rulemaking and invite public comment on the proposed rule. The notice and comment rulemaking procedure is not required, however, if the rule is interpretive or procedural in nature, and it may be waived if there is good cause that it is impracticable, unnecessary, or contrary to the public interest and we incorporate in the rule a statement of such a finding and the reasons supporting that finding. Likewise, we ordinarily provide for a delayed effective date of a final rule, but we are not required to do so if the rule is procedural or interpretive. Where a delayed effective date is required, this requirement may be waived for good cause. We set forth below our finding of good cause for the waiver of notice and comment rulemaking and the waiver of a delayed effective date.

Our implementation of this action without opportunity for public comment and without a delayed effective date is based on the good cause exceptions in 5 U.S.C. 553(b)(3)(B) and (d), respectively. We find that seeking public comment on this action is impracticable and contrary to the public interest. We issued the delay in applicability notice as a result of our review of the informal comments on the final rule with comment period from various stakeholders. We are correcting typographical errors from that notice, and therefore, do not believe that further notice and comment is necessary at this time.

Authority: (Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: January 10, 2008.

Ann C. Agnew,

Executive Secretary to the Department.

[FR Doc. E8–561 Filed 1–14–08; 8:45 am]

BILLING CODE 4120–01–P

Proposed Rules

Federal Register
Vol. 73, No. 10
Tuesday, January 15, 2008

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 73

Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities; Issuance of Draft Regulatory Guide

AGENCY: Nuclear Regulatory Commission.

ACTION: Issuance, Availability of Draft Regulatory Guide (DG).

SUMMARY: The Nuclear Regulatory Commission (NRC) has issued for public comment a draft guide in the agency's ''Regulatory Guide'' series (DG–5015).

DATES: The comment period closes on February 25, 2008. Comments received after that date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

FOR FURTHER INFORMATION CONTACT: Dennis Gordon, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, phone: (301) 415–6671 or e-mail *DXG@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC has issued for public comment a draft guide in the agency's ''Regulatory Guide'' series. This series was developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

The draft regulatory guide, entitled, ''Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities,'' is temporarily identified by its task number, DG–5015, which should be mentioned in all related correspondence. DG–5015 provides an approach acceptable to the NRC for the training and qualification of security personnel at nuclear power reactor facilities. Title 10 of the *Code of Federal Regulations* Part 73 (10 CFR part 73), ''Physical Protection of Plants and Materials,'' § 73.55, ''Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage,'' paragraph (c)(4), requires NRC nuclear power reactor licensees to establish, maintain and follow a Commission-approved training and qualification plan that describes how the criteria set forth in Appendix B to 10 CFR part 73, ''General Criteria for Security Personnel,'' Section VI, ''Nuclear Power Reactor Training and Qualification Plan'' will be implemented. Consistent with the requirements of 10 CFR 73.55(d)(5)(i) and Appendix B to 10 CFR part 73, Section VI, paragraph A.2, the licensee is responsible for ensuring that security personnel are adequately trained, equipped, and qualified to effectively perform their assignments and implement the site physical protection program through site-specific security measures, management controls, and protective strategies in a manner that satisfies Commission requirements and provides high assurance of public health and safety, protection of the environment, and common defense and security.

DG–5015 contains draft guidance on how licensees should select, train, equip, test, qualify, and re-qualify armed and unarmed security personnel, watchpersons, and other members of the security organization to ensure that these individuals possess and maintain the knowledge, skills, and abilities required to carry out their assigned duties and responsibilities effectively. The approaches and examples described in DG–5015 would provide one methodology for satisfying the Commission requirements in Appendix B, Section VI, for the training and qualification of security personnel at nuclear power reactor facilities to include: (1) Minimum requirements for employment suitability and qualification; (2) minimum physical qualifications; (3) minimum psychological qualifications; (4) re-qualification of personnel; (5) duty and on-the-job training; (6) weapons and tactical response training and exercises; (7) demonstration of individual capabilities and qualifications; (8) readiness of security personnel to perform assignments; (9) maintenance of equipment and program records; and (10) the conduct of self audits and reviews.

DG–5015 would be applicable to operating reactors licensed in accordance with 10 CFR parts 50 and 52. Power reactor licensees and applicants subject to the requirements of 10 CFR 73.55 must comply only with the requirements in Appendix B to 10 CFR part 73, Section VI, and should consider the draft guidance in developing and implementing a site-specific training and qualification program. Applicants for an operating license should also consider this guidance in preparing an application for a combined license (COL) under 10 CFR part 52.

DG–5015 is based on the proposed rule, ''Power Reactor Security Requirements,'' which was published in the **Federal Register**, 71 FR 62664, on Thursday, October 26, 2006. The proposed rule should be considered during review of the draft guide.

II. Further Information

The NRC staff is soliciting comments on DG–5015. Comments may be accompanied by relevant information or supporting data, and should mention DG–5015 in the subject line. Comments submitted in writing or in electronic form will be made available to the public in their entirety through the NRC's Agencywide Documents Access and Management System (ADAMS). Personal information will not be removed from your comments. You may submit comments by any of the following methods:

1. *Mail comments to:* Rulemaking, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

2. *E-mail comments to: NRCREP@nrc.gov*.

3. *Hand-deliver comments to:* Rulemaking, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

4. *Fax comments to:* Rulemaking, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 415–5144.

Requests for technical information about DG–5015 may be directed to the NRC Senior Program Manager, Dennis Gordon at (301) 415–6671 or e-mail at *DXG@nrc.gov*.

Electronic copies of DG–5015 are available through the NRC's public Web site under Draft Regulatory Guides in the ''Regulatory Guides'' collection of the NRC's Electronic Reading Room at *http://www.nrc.gov/reading-rm/doc-collections/*. Electronic copies are also available in ADAMS (*http://www.nrc.gov/reading-rm/adams.html*), under Accession No. ML073550020. In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at 11555 Rockville Pike, Rockville, Maryland. The PDR's mailing address is USNRC PDR, Washington, DC 20555–0001. The PDR can also be reached by telephone at (301) 415–4737 or (800) 397–4205, by fax at (301) 415–3548, and by e-mail to *PDR@nrc.gov*.

Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

Dated at Rockville, Maryland, this 3rd day of January, 2008.

For the Nuclear Regulatory Commisison.

Andrea Valentin,

Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. E8–535 Filed 1–14–08; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–114126–07]

RIN 1545–BG54

Reduction of Foreign Tax Credit Limitation Categories Under Section 904(d); Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing.

SUMMARY: This document contains a correction to a notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing that was published in the **Federal Register** on Friday, December 21, 2007 (72 FR 72645) providing guidance relating to the reduction of the number of separate foreign tax credit limitation categories under section 904(d) of the Internal Revenue Code.

FOR FURTHER INFORMATION CONTACT: Jeffrey L. Parry, 202–622–3070 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG–114126–07) that is the subject of this correction is under section 904 of the Internal Revenue Code.

Need for Correction

As published, the notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG–114126–07) contains an error that may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG–114126–07) that was the subject of FR Doc. E7–24783 is corrected as follows:

On page 72645, column 3, in the preamble, under the paragraph heading ''Comments and Public Hearing'' paragraph 2, line 2, the language ''for April 26, 2008, in the auditorium,'' is corrected to read ''for April 22, 2008 in the auditorium,''.

La Nita VanDyke,

Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).

[FR Doc. E8–578 Filed 1–14–08; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Establishment of Negotiated Rulemaking Advisory Committee for Off-Road Vehicle Management, Cape Hatteras National Seashore; Correction

AGENCY: National Park Service.

ACTION: Proposed rule; correction.

SUMMARY: The National Park Service published a document in the **Federal Register** of December 20, 2007, concerning the establishment of the Negotiated Rulemaking Advisory Committee for Off-Road Vehicle Management, Cape Hatteras National Seashore. The document contained an incorrect organizational affiliation for Ronald Bounds.

FOR FURTHER INFORMATION CONTACT: Mike Murray, Superintendent, Outer Banks Group, 1401 National Park Drive, Manteo, North Carolina 27952, (252) 473–2111, ext. 148.

Correction

In the **Federal Register** of December 20, 2007, in FR Doc. 07–6152, on page 72318, in the third column, correct the first paragraph to read:

30. Recreational Fishing Alliance, member Patrick Paquette, alternate Ronald Bounds (United Mobile Sportfishermen).

Dated: January 7, 2008.

Daniel N. Wenk,

Deputy Director.

[FR Doc. E8–529 Filed 1–14–08; 8:45 am]

BILLING CODE 4310–X6–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2006–0276; FRL–8408–9]

Approval and Promulgation of Air Quality Implementation Plans; Indiana; Amendments to Lead Rules, Quemetco

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revised lead (Pb) emission limits for Quemetco, Incorporated, in Marion County, Indiana. On February 7, 2002, Indiana submitted revisions to its State Implementation Plan (SIP) for lead as part of the State's incorporation of a Federal standard for secondary lead smelters. On October 3, 2006, and November 27, 2007, Indiana supplemented its request as it pertained to Quemetco, Incorporated, in Marion County. The requested SIP revision replaces the Pb emission limits for Quemetco, Incorporated with similarly stringent limits. The new limits were found to be protective of the national ambient air quality standards.

DATES: Comments must be received on or before February 14, 2008.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2006–0276, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *E-mail: mooney.john@epa.gov.*

3. *Fax:* (312) 886–5824.

4. *Mail:* John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery:* John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT: Mary Portanova, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–5954, *portanova.mary@epa.gov.*

SUPPLEMENTARY INFORMATION: In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: December 7, 2007.

Bharat Mathur,

Acting Regional Administrator, Region 5.

[FR Doc. E8–441 Filed 1–14–08; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 25 and 27

[WT Docket No. 07–293, IB Docket No. 95–91; FCC 07–215]

The Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310–2360 MHz Frequency Band

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Communications Commission (FCC) seeks comment on service rules for the Wireless Communications Service (WCS) and for terrestrial repeaters used in conjunction with the Satellite Digital Audio Radio Service (SDARS). The intended purpose of this proceeding is to determine whether the Commission can develop adequate limits on out-of-band emissions for these two services that would permit them coexist in adjacent frequency bands.

DATES: Comments are due on or before February 14, 2008 and reply comments are due on or before March 17, 2008.

ADDRESSES: You may submit comment, identified by WT Docket No. 07–293 and IB Docket No. 95–91, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Federal Communications Commission's Web Site: http:///www.fcc.gov/cgb/ecfs.* Follow the instructions for submitting comments.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by *e-mail: FCC504@fcc.gov* or phone 202–418–0530 or TTY: 202–418–0432.

For detail instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Steven Spaeth (202) 418–1539, or Stephen Duall, (202) 418–1103, Satellite Division, International Bureau, Federal Communications Commission, Washington, DC 20554.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking (NPRM) in WT Docket No. 07–293 and Second Further Notice of Proposed Rulemaking in IB Docket No. 95–91, adopted December 17, 2007 and released on December 18, 2007. The full text of the Notice of Proposed Rulemaking is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone (202) 488–5300, facsimile (202) 488–5563, or via *e-mail FCC@BCPIWEB.com.*

The NPRM does not contain any proposed new or modified information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, the NPRM does not contain any proposed new or modified ''information collection burden for small business concerns with fewer than 25 employees'' subject to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

Summary of Notice of Proposed Rulemaking

SDARS licensees operate in the 2320–2345 MHz band. This band is divided evenly between the two SDARS licensees, Sirius (2320–2332.5 MHz) and XM (2332.5–2345 MHz). The WCS service occupies frequencies on either side of the SDARS allocation and consists of six blocks of five megahertz each in the 2305–2320 MHz and 2345–2360 MHz bands.

The Commission has previously invited comment on service rules for SDARS terrestrial repeaters, used in conjunction with the SDARS operators' satellite systems in urban canyons and other areas where satellite signal reception is difficult. In this proceeding, the Commission seeks to update that record, and to invite comment on WCS service rules, that would allow both services to coexist in adjacent frequency bands.

First, the Commission invites comment on power limits for SDARS terrestrial repeaters and WCS service transmitters, to limit the potential for harmful interference resulting from out-of-band emissions. One proposal is an average ''ground-level emission limit'' of -44 dBm, which would be applicable

to both SDARS and WCS stations. Another proposal is an EIRP limit of 2 kW, based on peak rather than average power, and a 6 dB peak-to-average ratio. The Commission invites parties to suggest other proposals.

Second, the Commission seeks comment on whether it is necessary to restrict the collocation of SDARS and WCS stations, either with stations within the same service or with stations of the other service.

Third, the Commission invites commenters to recommend coordination and recordkeeping requirements.

Fourth, the NPRM notes that the Commission has authorized several SDARS terrestrial repeaters granted pursuant to Special Temporary Authority (STA). The SDARS licensees support grandfathering those repeaters, so that those existing repeaters will not be required to comply with any rules adopted in this proceeding. The WCS licensees propose requiring existing SDARS terrestrial repeaters to come into compliance with any rules adopted in this proceeding within a year. The Commission asks commenters to discuss whether we should adopt the one-year transition advocated by the WCS Coalition, apply a different transition period, or permit SDARS repeaters to continue existing operations until a request is made by a WCS licensee for the SDARS licensee to come into compliance with final rules.

Fifth, the NPRM seeks comment on several miscellaneous issues. For example, parties are invited to discuss whether SDARS operators should be required to comply with international agreements as a condition on any SDARS terrestrial repeater license. The NPRM also considers whether to adopt revision to the radiation hazard rules for SDARS terrestrial repeaters. The NPRM further considers allowing blanket licensing of SDARS terrestrial repeaters.

Finally, the NPRM solicits comments on a number of possible restrictions on the operation of SDARS terrestrial repeaters. One such possible restriction could be to prohibit operation of SDARS terrestrial repeaters except in conjunction with SDARS satellites, both in the Continental United States, and in Alaska and Hawaii. The NPRM also seeks comment on requiring SDARS terrestrial repeaters to use the same spectrum as their associated satellites. Finally, the NPRM invites comment on prohibiting use of repeaters to retransmit the regional spot beams of SDARS satellites, and on prohibiting use of repeaters to transmit original programming.

Initial Regulatory Flexibility Analysis: With respect to WCS licensees subject to part 27 of the Commission's rules, 47 CFR part 27, as required by the Regulatory Flexibility Act of 1980, as amended (RFA),[1] the Commission has prepared this present Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on a substantial number of small entities by the policies and rules proposed in the NPRM. Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the NPRM provided above. The Commission will send a copy of the NPRM, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).[2] In addition, the NPRM and IRFA (or summaries thereof) will be published in the **Federal Register**.[3]

A. Need for, and Objectives of, the Proposed Rules

The primary objective of this proceeding is to consider changes to the rules governing Wireless Communications Service (WCS) which may be necessary to facilitate the coexistence of those licensees with licensees in the SDARS and satellite digital audio radio service (SDARS). Such rule changes are needed because SDARS terrestrial repeaters and WCS operate in adjacent frequency bands. SDARS licensees rely on terrestrial repeaters to provide a nationwide service. Thus, without appropriate service rules for WCS and SDARS operations, the out-of-band emissions caused by each service could cause harmful interference into the other, which in turn would limit the development of these services and thereby be detrimental to the public interest.

The NPRM is intended to refresh the record on any necessary regulatory requirements that would allow SDARS terrestrial repeaters and WCS operation to coexist in adjacent bands. Specifically, the NPRM specifically invites comments on two options for power and emission limits for WCS operations and SDARS repeaters, including a peak ground-level emission limit of −44 dBm, or an average EIRP limit of two kilowatts (kW) EIRP, with a 6 dB peak-to-average ratio.[4]

In the NPRM, the Commission discusses recordkeeping and coordination proposals to ensure towers are deployed in a fashion to avoid interference. In particular, the Commission is considering whether to adopt a proposal to require licensees to provide notice to all licensed radio stations potentially affected by SDARS repeater and WCS station deployments.

B. Legal Basis for Proposed Rules

The proposed action is authorized under sections 4(i), 303(r), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), and 403.

C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the rules adopted. The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.''[5] In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act.[6] 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).[7] A small organization is generally ''any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.''[8] Below, we further describe and estimate the number of small entity licensees and regulatees that may be affected by the rules changes explored in the NPRM.

WCS Licensees. Wireless Communication Services have flexible rules that allow licensees to either operate commercial fixed or mobile radio services or use the spectrum for private use. The SBA rules establish a size standard for ''Wireless Telecommunications Carriers,'' which encompasses business entities engaged

[1] *See* 5 U.S.C. 603. The RFA, *see* 5 U.S.C. 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104–121, Title II, 110 Stat. 857 (1996).

[2] *See* 5 U.S.C. 603(a).

[3] *See* 5 U.S.C. 603(a).

[4] These proposals are discussed in more detail in Section III.A. of the NPRM.

[5] *See* 5 U.S.C. 601(6).

[6] *See* 5 U.S.C. 601(3) (incorporating by reference the definition of ''small business concern'' in 15 U.S.C. 632). Pursuant to the RFA, the statutory definition of a small business applies unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.

[7] *See* Small Business Act, 5 U.S.C. 632 (1996).

[8] *See* 5 U.S.C. 601(4).

in radiotelephone communications employing no more that 1,500 persons.[9] There are currently 158 active WCS licenses held by 13 licensees. Of these, 6 licensees qualify as small entities and hold a total of 32 licenses.

RF Equipment Manufacturers. The Census Bureau defines this category as follows: ''This industry comprises establishments primarily engaged in manufacturing radio and television broadcast and wireless communications equipment. Examples of products made by these establishments are: transmitting and receiving antennas, cable television equipment, GPS equipment, pagers, cellular phones, mobile communications equipment, and radio and television studio and broadcasting equipment.'' [10] The SBA has developed a small business size standard for Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing, which is: all such firms having 750 or fewer employees.[11] According to Census Bureau data for 2002, there were a total of 1,041 establishments in this category that operated for the entire year.[12] Of this total, 1,010 had employment of under 500, and an additional 13 had employment of 500 to 999.[13] Thus, under this size standard, the majority of firms can be considered small.

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

There are no specific reporting or recordkeeping requirements proposed in the NPRM, other than the recordkeeping and coordination requirements discussed in Section A, supra.

E. Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives: (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.[14]

As stated in Section A, supra, the NPRM specifically invites comments on two options for power and emission limits for WCS operations and SDARS repeaters, including a peak ground-level emission limit of −44 dBm, or an average EIRP limit of two kilowatts (kW) EIRP, with a 6 dB peak-to-average ratio. The NPRM also invites interested parties to suggest alternative proposals.

At this time, the Commission has not excluded any alternative proposal concerning ground-level emission limits and average EIRP limits from its consideration, but it would do so in this proceeding if the record indicates that a particular proposal would have a significant and unjustifiable adverse economic impact on small entities.

However, the Commission has also invited interested parties to propose any other alternative form of coordination if it would be more efficient or effective. However, the Commission will not consider any alternative proposal that would have a significant and unjustifiable adverse economic impact on small entities.

In the NPRM, the Commission discusses recordkeeping and coordination proposals to ensure towers are deployed in a fashion to avoid interference. In particular, the Commission is considering a proposal to require licensees to provide notice to all licensed radio stations potentially affected by SDARS repeater and WCS station deployments. However, as noted *supra* in Section A, the Commission has also invited interested parties to propose any other alternative form of coordination if it would be more efficient or effective. However, the Commission will not consider any alternative that would have a significant and unjustifiable adverse economic impact on small entities.

In the NPRM, the Commission seeks comment on grandfathering and transition proposals for existing SDARS repeaters. One proposal is to grandfather all existing SDARS terrestrial repeaters, thereby exempting those repeaters from any out-of-band power limits adopted in this rulemaking proceeding. Another is to require the operators of those repeaters to come into compliance with any such limits within a year from the adoption of such rules. The Commission invites comments on both of these grandfathering-related and transition-related proposals, and invites commenters to recommend other transition periods. The Commission solicits any alternative proposals that would not incur significant and unjustifiable adverse impact on small entities.

F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

None.

Initial Regulatory Flexibility Certification: With respect to SDARS licensees subject to part 25 of the Commission's rules, 47 CFR part 25, the Regulatory Flexibility Act (RFA) [15] 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.'' [16] The RFA generally defines ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' [17] In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act.[18] 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

[9] *See* 13 CFR 121.201, NAICS code 517110.

[10] U.S. Census Bureau, 2002 NAICS Definitions, ''334220 Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing''; *http://www.census.gov/epcd/naics02/def/NDEF334.HTM#N3342.*

[11] *See* 13 CFR 121.201, NAICS code 334220.

[12] U.S. Census Bureau, American FactFinder, 2002 Economic Census, Industry Series, Industry Statistics by Employment Size, NAICS code 334220 (released May 26, 2005)*; http://factfinder.census.gov.* The number of ''establishments'' is a less helpful indicator of small business prevalence in this context than would be the number of ''firms'' or ''companies,'' because the latter take into account the concept of common ownership or control. Any single physical location for an entity is an establishment, even though that location may be owned by a different establishment. Thus, the numbers given may reflect inflated numbers of businesses in this category, including the numbers of small businesses. In this category, the Census breaks out data for firms or companies only to give the total number of such entities for 2002, which was 929.

[13] *Id.* An additional 18 establishments had employment of 1,000 or more.

[14] *See* 5 U.S.C. 603(c).

[15] *See* 5 U.S.C. 603. The RFA, see 5 U.S.C. 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104–121, 110 Stat. 857 (1996).

[16] *See* 5 U.S.C. 605(b).

[17] 5 U.S.C. 601(6).

[18] 5 U.S.C. 601(3) (incorporating by reference the definition of '' small business concern'' in Small Business Act, 15 U.S.C. 632). Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies ''unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.''

additional criteria established by the Small Business Administration (SBA).[19]

With respect to the DARS licensees, only two operators hold licenses to provide SDARS service, XM and Sirius. Both of these licensees are dominant in their field and neither qualify as small entities. SDARS provides nationally distributed subscription radio service, which requires a great investment of capital for operation. Because SDARS service requires significant capital, we believe it is unlikely that a small entity as defined by the Small Business Administration would have the financial wherewithal to become an SDARS licensee.[20]

The Commission therefore certifies, pursuant to the RFA, that the proposals in the *Second Further Notice* in IB Docket No. 95–91, if adopted, will not have a significant economic impact on a substantial number of small entities. If commenters believe that the proposals discussed in the NPRM require additional RFA analysis, they should include a discussion of these issues in their comments and additionally label them as RFA comments. The Commission will send a copy of the NPRM, including a copy of this initial certification, to the Chief Counsel for Advocacy of the SBA. In addition, a copy of the NPRM and this initial certification will be published in the **Federal Register**.[21]

[19] 15 U.S.C. 632.

[20] The small business size standard for the census category, ''Radio Networks,'' which includes radio satellite broadcasting is $6.5 million or less in receipts, per year. See 13 CFR 121.201, NAICS code 515111.

[21] *See* 5 U.S.C. 605(b).

Ordering Clauses

Accordingly, *it is ordered* that, pursuant to the authority contained in sections 1, 4(i), 4(j), 7(a), 301, 303(c), 303(f), 303(g), 303(r), 303(y), and 308 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 157(a), 301, 303(c), 303(f), 303(g), 303(r), 303(y), 308, the Second Further Notice of Proposed Rulemaking in IB Docket No. 95–91 and Notice of Proposed Rulemaking in WT Docket No. 07–293 *is adopted.*

It is further ordered that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center *shall send* a copy of the Second Further Notice of Proposed Rulemaking in IB Docket No. 95–91 and Notice of Proposed Rulemaking in WT Docket No. 07–293, including the Initial Regulatory Flexibility Certification and Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with section 603(a) of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* (1981).

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. E8–598 Filed 1–14–08; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register

Vol. 73, No. 10

Tuesday, January 15, 2008

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2007–0050]

Codex Alimentarius Commission: Meeting on the Ad Hoc Codex Intergovernmental Task Force on the Processing and Handling of Quick Frozen Foods

AGENCY: Office of the Under Secretary for Food Safety, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The Office of the Under Secretary for Food Safety, U.S. Department of Agriculture (USDA), and the Food and Drug Administration (FDA), U.S. Department of Health and Human Services (HHS), are sponsoring a public meeting on February 5, 2008. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States positions that will be discussed at the First Session of Ad Hoc Codex Intergovernmental Task Force on the Processing and Handling of Quick Frozen Foods (TFQFF) of the Codex Alimentarius Commission (Codex), which will be held in Bangkok, Thailand on February 25–29, 2008.

The Under Secretary for Food Safety and FDA recognize the importance of providing interested parties the opportunity to obtain background information on the First Session of TFQFF and to address items that will be on the agenda.

DATES: The public meeting is scheduled for Tuesday, February 5, 2008 from 1 p.m. to 3 p.m.

ADDRESSES: The public meeting will be held in Room 1B–042, Food and Drug Administration, Center for Food Safety and Applied Nutrition, Harvey Wiley Federal Building, 5100 Paint Branch Parkway, College Park, MD 20740. The following call-in number will be provided for the meeting: 1–866–859–5767, passcode 3258684. Codex documents related to the First Session of the TFQFF will be accessible via the World Wide Web at the following address: *http://www.codexalimentarius.net/current.asp*.

The U.S. Delegate to the First Session of TFQFF, Dr. Donald Zink, FDA, invites interested U.S. parties to submit their comments electronically to the following e-mail address: *donald.zink@fda.hhs.gov*.

Registration: You may register electronically to the same e-mail address above. Early registration is encouraged because it will expedite entry into the building and its parking area. If you require parking, please include the vehicle make and tag number, if known, when you register. Because the meeting will be held in a Federal building, you should also bring photo identification (ID) and plan for adequate time to pass through security screening systems.

FOR FURTHER INFORMATION ABOUT THE FIRST SESSION OF THE TFQFF CONTACT: Donald Zink, U.S. Delegate to the TFQFF, Office of Food Safety, Center for Food Safety and Applied Nutrition, FDA, 5100 Paint Branch Parkway (HFS–317), College Park, MD 20740, *Phone:* (301)436–1692, *Fax:* (301) 436–1692, *E-mail: donald.zink@fda.hhs.gov*.

FOR FURTHER INFORMATION ABOUT THE PUBLIC MEETING CONTACT: Syed Ali, Staff Officer, U.S. Codex Office, Food Safety and Inspection Service (FSIS), Room 4861, South Building, 1400 Independence Avenue SW., Washington, DC 20250, *Phone:* (202) 720–0574, *Fax:* (202) 720–3157, *E-mail: syed.ali@fsis.usda.gov*.

SUPPLEMENTARY INFORMATION:

Background

The Codex Alimentarius (Codex) was established in 1963 by two United Nations organizations, the Food and Agriculture Organization and the World Health Organization. Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to protect the health of consumers and ensure that fair practices are used in trade.

Issues To Be Discussed at the Public Meeting

The items to be discussed during the public meeting will include the Proposed Draft Recommended for the International Code of Practice for the Processing and Handling of Quick Frozen Foods, with attention to outstanding quality and safety provisions, such as the Defect Action Point Analysis concept and the retention of an annex with specific information on temperature monitoring and control in the food chain. These issues will be fully described in documents distributed, or to be distributed, by the Thai Secretariat prior to the meeting. Members of the public may access copies of these documents at *http://www.codexalimentarius.net/current.asp*.

Public Meeting

At the February 5, 2008, public meeting, draft U.S. positions on the agenda items will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Written comments may be offered at the meeting or sent to the U.S. Delegate for the First Session of TFQFF, Dr. Donald Zink, at *Donald.Zink@fda.hhs.gov*. Written comments should state that they relate to activities of the First Session of the TFQFF.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that minorities, women, and persons with disabilities are aware of this notice, FSIS will announce it online through the FSIS Web page located at *http://www.fsis.usda.gov/regulations/2008_Notices_Index/*. FSIS will also make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to constituents and stakeholders. The Update is communicated via Listserv, a free electronic mail subscription service for industry, trade groups, consumer interest groups, health professionals, and other individuals who have asked to be included. The Update is also

available on the FSIS Web page. Through the Listserv and Web page, FSIS is able to provide information to a much broader and more diverse audience. In addition, FSIS offers an electronic mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at *http://www.fsis.usda.gov/news_and_events/email_subscription/*. Options range from recalls to export information to regulations, directives and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.

Done at Washington, DC, on January 9, 2008.

Paulo Almeida,

Acting U.S. Manager for Codex Alimentarius.

[FR Doc. E8–533 Filed 1–14–08; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the emergency provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Telecommunications and Information Administration (NTIA).

Title: Converter Box Coupon Program-Consumer and Retailer Pilot Test Surveys.

OMB Control Number: None.

Agency Form Number: None.

Type of Request: Emergency.

Burden Hours: 150.

Average Time per Response: 15 minutes.

Number of Respondents: 1,100.

Needs and Uses: Congress directed the National Telecommunications and Information Administration (NTIA) to create and implement a program to provide coupons for consumers to purchase digital-to-analog converter boxes (See Title III of the Deficit Reduction Act of 2005, Pub. L. No. 109–171, 120 Stat. 4, 21, February 8, 2006).

The converter boxes are necessary for consumers who wish to continue receiving broadcast programming over the air using analog-only television sets after February 18, 2009—the date that television stations are required by law to cease analog broadcasting. On March 15, 2007, NTIA published a Final Rule establishing the parameters of the Coupon Program and describing the rights and responsibilities of interested parties (See Rules to Implement and Administer a Coupon Program for Digital-to-Analog Converter Boxes, 72 FR 12097 (codified at 47 CFR 301)). Among other things, the regulations permit consumers to submit applications to NTIA for coupons beginning January 1, 2008. *See* 47 CFR 301.3(b).

One critical aspect of testing the coupon program, prior to full launch in all markets in early February 2008, is a ''live pilot'' test in which a limited number of volunteers will apply for the coupon, receive the coupon through the U.S. mail, and attempt to redeem the coupon at a local retailer for an ''eligible'' converter box. A material part of the pilot test is that the volunteers (consumers) will be asked to complete a survey regarding their experience in applying for and receiving the coupon and purchasing the converter box at a participating retail outlet. The retailers will be asked to complete a survey to provide feedback on such matters as their experience in redeeming the coupons, inventory issues, and employee training support. The information gathered from the surveys is intended to resolve potential problems in the system at the earliest stage possible. Only the data supplied by actual consumers and retailers through the surveys can accurately identify flaws in the process.

Affected Public: Individuals or households; business or other for-profit organizations.

Frequency: One-time only.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Jasmeet K. Seehra, (202) 395–5167.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482–0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC, 20230, or via the Internet at *dHynek@doc.gov.*

Written comments and recommendations for the proposed information collection should be sent by January 25, 2008 to Jasmeet Seehra, OMB Desk Officer, FAX number (202) 395–5167 or via the Internet at *Jasmeet_K._Seehra@omb.eop.gov*.

Dated: January 9, 2008.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E8–488 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–60–P

U.S. DEPARTMENT OF COMMERCE

Foreign–Trade Zones Board

Order No. 1538

Expansion of Foreign–Trade Zone 221, Mesa, Arizona

Pursuant to its authority under the Foreign–Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign–Trade Zones Board (the Board) adopts the following Order:

Whereas, the City of Mesa, Arizona, grantee of Foreign–Trade Zone 221, submitted an application to the Board for authority to reorganize and expand its existing site at the Williams Gateway Airport in Mesa, Arizona, within and adjacent to the Williams Gateway Airport Customs and Border Protection user–fee airport (FTZ Docket 34–2007, filed 8/8/07);

Whereas, notice inviting public comment was given in the **Federal Register** (72 FR 46602, 8/21/07) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to reorganize and expand FTZ 221 is approved, subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 7th day of January 2008.

David M. Spooner,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign–Trade Zones Board

Attest:

Andrew McGilvray,

Executive Secretary.

[FR Doc. E8–555 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–DS–S

U.S. DEPARTMENT OF COMMERCE

Foreign–Trade Zones Board

[Docket 1–2008]

Foreign–Trade Zone 22—Chicago, Illinois, Application for Subzone Euromarket Designs, Inc. d/b/a/ Crate & Barrel (Home Furnishings)

An application has been submitted to the Foreign–Trade Zones Board (the

Board) by the Illinois International Port District, grantee of FTZ 22, requesting special–purpose subzone status for the home furnishings distribution and processing facilities of Euromarket Designs, Inc. d/b/a Crate and Barrel (Crate & Barrel), located in Naperville, Illinois. The application was submitted pursuant to the provisions of the Foreign–Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on January 1, 2008.

The proposed subzone would include Crate & Barrel's facilities at two adjacent sites in Naperville, Illinois: *Site 1* (one building/827,268 sq.ft./36 acres)—1860 West Jefferson Avenue; and *Site 2* (one building/365,000 sq.ft./16 acres)—443 Fort Hill Drive. The facilities are used for warehousing, distribution and processing of both foreign-origin and domestic home furnishing goods for both the U.S. market and export. FTZ procedures would be used to support Crate & Barrel's Illinois-based distribution activity that competes with facilities abroad.

FTZ procedures would exempt Crate & Barrel from customs duty payments on foreign products that are re-exported. On domestic sales, duty payments would be deferred until the foreign merchandise is shipped from the facilities and entered for U.S. consumption. The company would also realize significant logistical benefits related to the use of direct delivery and weekly customs entry procedures. The application indicates that the savings from FTZ procedures would help improve the company's international competitiveness and help facilitate the company's plans to grow their export market.

In accordance with the Board's regulations, a member of the FTZ staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is March 17, 2008. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15–day periodMarch 31, 2008.

A copy of the application and accompanying exhibits will be available at each of the following addresses: U.S. Department of Commerce Export Assistance Center, 200 West Adams Street, Suite 2450, Chicago, IL 60606; and, Office of the Executive Secretary, Foreign–Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Ave, NW, Washington, D.C. 20230. For further information contact Christopher Kemp at christopher—kemp@ita.doc.gov or (202) 482–0862.

Dated: January 8, 2008.

Andrew McGilvray,

Executive Secretary.

[FR Doc. E8–552 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Sensors and Instrumentation Technical Advisory Committee; Notice of Open Meeting

The Sensors and Instrumentation Technical Advisory Committee will meet on January 29, 2008, 9:30 a.m., in the Herbert C. Hoover Building, Room 3884, 14th Street between Pennsylvania and Constitution Avenues, NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to sensors and instrumentation equipment and technology.

Agenda

1. Welcome and Introductions.
2. Remarks from Bureau of Industry and Security Management.
3. Industry Presentations.
4. New Business.

The open session will be accessible via teleconference to 20 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at *Yspringer@bis.doc.gov* no later than January 22, 2008.

The meeting will be open to the public and a limited number of seats will be available. Reservations are not accepted. To the extent that time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting. However, to facilitate distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials two weeks prior to the meeting date to Yvette Springer at *Yspringer@bis.doc.gov*.

FOR MORE INFORMATION CONTACT: Yvette Springer on (202) 482–2813.

Dated: January 10, 2008.

Yvette Springer,

Committee Liaison Officer.

[FR Doc. E8–549 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–833]

Certain Polyester Staple Fiber From Taiwan; Notice of Extension of Time Limits for Preliminary Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

DATES: *Effective Date:* January 15, 2008.

FOR FURTHER INFORMATION CONTACT: Thomas Schauer, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–0410.

SUPPLEMENTARY INFORMATION:

Background

On June 29, 2007, the Department of Commerce (the Department) published a notice of initiation of administrative review of the antidumping duty order on certain polyester stable fiber from Taiwan. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 72 FR 35690 (June 29, 2007). The period of review is May 1, 2006, through April 30, 2007, and the preliminary results are currently due no later than January 31, 2008. The review covers one producer/exporter of the subject merchandise to the United States.

Extension of Time Limit for Preliminary Results

Pursuant to section 751(a)(3)(A) of Tariff Act of 1930, as amended (the Act), the Department shall make a preliminary determination in an administrative review of an antidumping order within 245 days after the last day of the anniversary month of the date of publication of the order. Section 751(a)(3)(A) of the Act provides further that the Department may extend the 245-day period to 365 days if it determines that it is not practicable to complete the review within the foregoing time period. For this administrative review of the antidumping duty order on polyester staple fiber from Taiwan, the

Department requires additional time to analyze a number of complex cost-accounting issues such as determining how to value affiliated-party inputs.

Therefore, we are extending the deadline for completing the preliminary results until April 15, 2008, which is 320 days from the last day of the anniversary month of the date of publication of the order. The deadline for the final results of the review continues to be 120 days after the publication of the preliminary results.

This extension notice is published in accordance with sections 751(a)(3)(A) and 777(i)(I) of the Act.

Dated: January 9, 2008.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E8–550 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–580–818]

Corrosion–Resistant Carbon Steel Flat Products from the Republic of Korea: Final Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On September 10, 2007, the U.S. Department of Commerce (''the Department'') published in the **Federal Register** its preliminary results of the administrative review of the countervailing duty (''CVD'') order on corrosion–resistant carbon steel flat products (''corrosion–resistant carbon steel plate'') from the Republic of Korea (''Korea'') for the period of review (''POR'') January 1, 2005, through December 31, 2005. *See Certain Corrosion–Resistant Carbon Steel Flat Products from the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review:* 72 FR 51602 (September 10, 2007) (''*Preliminary Results*''). We preliminarily found that Pohang Iron and Steel Co. Ltd. (''POSCO'') and Dongbu Steel Co., Ltd. (''Dongbu'') received *de minimis* countervailable subsidies during the POR. We received comments on our preliminary results from POSCO, a respondent company. The final results are listed in the section ''Final Results of Review'' below.

EFFECTIVE DATE: January 15, 2008.

FOR FURTHER INFORMATION CONTACT: Robert Copyak or Gayle Longest, AD/CVD Operations, Office 3, Import Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–2209 or (202) 482–3338, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 17, 1993, the Department published in the **Federal Register** the CVD order on corrosion–resistant carbon steel flat products from Korea. *See Countervailing Duty Orders and Amendments to Final Affirmative Countervailing Duty Determinations: Certain Steel Products from Korea*, 58 FR 43752 (August 17, 1993). On September 10, 2007, the Department published in the **Federal Register** its preliminary results of the administrative review of this order for the period January 1, 2005, through December 31, 2005. *See Preliminary Results*, 72 FR 51602. In accordance with 19 CFR 351.213(b), this administrative review covers POSCO and Dongbu, producers and exporters of subject merchandise.

In the *Preliminary Results*, we invited interested parties to submit briefs or request a hearing. We received comments from POSCO, a respondent. We received no comments from United States Steel Corporation and Nucor Corporation, the petitioners, or Dongbu. The Department did not conduct a hearing in this review because none was requested.

Scope of Order

Products covered by this order are certain corrosion–resistant carbon steel flat products from Korea. These products include flat–rolled carbon steel products, of rectangular shape, either clad, plated, or coated with corrosion–resistant metals such as zinc, aluminum, or zinc–, aluminum–, nickel– or iron–based alloys, whether or not corrugated or painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150 millimeters and measures at least twice the thickness. The merchandise subject to this order is currently classifiable in the *Harmonized Tariff Schedule of the United States* (''HTSUS'') at subheadings: 7210.30.0000, 7210.31.0000, 7210.39.0000, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.60.0000, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.21.0000, 7212.29.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.9030, 7215.90.5000, 7217.12.1000, 7217.13.1000, 7217.19.1000, 7217.19.5000, 7217.20.1500, 7217.22.5000, 7217.23.5000, 7217.29.1000, 7217.29.5000, 7217.30.15.0000, 7217.32.5000, 7217.33.5000, 7217.39.1000, 7217.39.5000, 7217.90.1000 and 7217.90.5000. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise is dispositive.

Period of Review

The POR for which we are measuring subsidies is from January 1, 2005, through December 31, 2005.

Analysis of Comments

On October 10, 2007, POSCO filed comments. Neither Dongbu nor petitioners filed a case brief or a rebuttal brief. All issues in POSCO's case brief by are addressed in the accompanying *Issues and Decision Memorandum for the Countervailing Duty Administrative Review on Corrosion–Resistant Carbon Steel Flat Products from Korea* (''Decision Memorandum''), which is hereby adopted by this notice. A listing of the issues that parties raised and to which we have responded is attached to this notice as Appendix I. Parties can find a complete discussion of the issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit (''CRU''), room B–099 of the main Commerce building. In addition, a complete version of the Decision Memorandum, can be accessed directly on the World Wide Web at *http://ia.ita.doc.gov.frn*. The paper copy and the electronic version of the Decision Memorandum are identical in content.

Final Results of Review

After reviewing POSCO's comments, we have made adjustments to our calculations as explained in our Decision Memorandum. Consistent with the *Preliminary Results*, we find that POSCO and Dongbu received *de minimis* countervailable subsidies during the POR.

Company	Net subsidy rate
Pohang Iron and Steel Co. Ltd. (POSCO)	0.09 percent *ad valorem* (*de minimis*)
Dongbu Steel Co. Ltd. (Dongbu)	0.27 percent *ad valorem* (*de minimis*)

Assessment Rates/Cash Deposits

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (''CBP'') 15 days after the date of publication of these final results of review to liquidate shipments of subject merchandise by POSCO and Dongbu entered, or withdrawn from warehouse, for consumption on or after January 1, 2005, through December 31, 2005, without regard to countervailing duties. We will also instruct CBP not to collect cash deposits of estimated countervailing duties on shipments of the subject merchandise by POSCO and Dongbu entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review.

For all non–reviewed companies, the Department has instructed CBP to assess countervailing duties at the cash deposit rates in effect at the time of entry, for entries between January 1, 2005, and December 31, 2005. The cash deposit rates for all companies not covered by this review are not changed by the results of this review.

Return of Destruction of Proprietary Information

This notice serves as a reminder to parties subject to administrative protective order (''APO'') of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: January 8, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

Appendix I – Issues in Decision Memorandum

Company–Specific Issues

1. Whether Certain Research and Development (''R&D'') Grants Under the Industrial Development Act (''IDA'') Provide Countervailable Benefits
2. Calculation of R&D Benefits to POSCO

[FR Doc. E8–564 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

[A–602–806, A–570–919]

Postponement of Preliminary Determinations of Antidumping Duty Investigations:Electrolytic Manganese Dioxide from Australia and the People's Republic of China

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: January 15, 2008.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla (Australia) or Eugene Degnan (the People's Republic of China), AD/CVD Operations, Office 5 or Office 8, respectively, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–3477 or (202) 482–0414, respectively.

SUPPLEMENTARY INFORMATION:

Postponement of Preliminary Determinations

On September 17, 2007, the Department of Commerce (the Department) initiated the antidumping duty investigations of electrolytic manganese dioxide from Australia and the People's Republic of China. *See Notice of Initiation of Antidumping Duty Investigations: Electrolytic Manganese Dioxide from Australia and the People's Republic of China*, 72 FR 52850 (September 17, 2007). The notice of initiation stated that the Department would issue its preliminary determinations for these investigations no later than 140 days after the date of issuance of the initiation, in accordance with section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act).

On December 31, 2007, the petitioner, Tronox, LLC, made a timely request pursuant to 19 CFR 351.205(b)(2) and (e) for a 50-day postponement of the preliminary determinations. The petitioner requested postponement of the preliminary determinations in order to allow the Department additional time to do a thorough investigation of the respondents in these investigations.

For the reason identified by the petitioner and because there are no compelling reasons to deny the request, the Department is postponing the deadline for the preliminary determinations under section 733(c)(1)(A) of the Act by 50 days to March 19, 2008. The deadline for the final determinations will continue to be 75 days after the date of the preliminary determinations, unless extended.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: January 8, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E8–544 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–910]

Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: January 15, 2008.

SUMMARY: We preliminarily determine that circular welded carbon quality steel pipe (''CWP'') from the People's Republic of China (''PRC'') is being, or is likely to be, sold in the United States at less than fair value (''LTFV''), as provided in section 733 of the Tariff Act of 1930, as amended (the ''Act''). The estimated margins of sales at less than fair value (''LTFV'') are shown in the ''Preliminary Determination'' section of this notice. Pursuant to requests from interested parties, we are postponing for 60 days the final determination and extending provisional measures from a four-month period to not more than six months. Accordingly, we will make our final determination not later than 135 days after publication of the preliminary determination.

FOR FURTHER INFORMATION CONTACT: Thomas Martin or Maisha Cryor, AD/

CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230; telephone: (202) 482–3936 and (202) 482–5831, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 7, 2007, the Department of Commerce (the ''Department'') received a petition on imports of CWP from the PRC filed in proper form by Allied Tube & Conduit, Sharon Tube Company, IPSCO Tubulars, Inc., Western Tube & Conduit Corporation, Northwest Pipe Company, Wheatland Tube Co., *i.e.*, the Ad Hoc Coalition For Fair Pipe Imports From China, and the United Steelworkers (collectively, the ''petitioners'') on behalf of the domestic industry producing CWP. The Department initiated this investigation on June 27, 2007. *See Initiation of Antidumping Duty Investigation: Circular Welded Carbon Quality Steel Pipe from the People's Republic of China*, 72 FR 36663 (July 5, 2007) (''*Initiation Notice*''). Additionally, in the Initiation Notice, the Department notified parties of the application process by which exporters and producers may obtain separate-rate status in non-market economy (''NME'') investigations. *See Initiation Notice* 72 FR at 36666. The process requires exporters and producers to submit a separate-rate status application. *See Policy Bulletin 05.1: Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries*, (April 5, 2005), (''*Policy Bulletin 05.1*'') available at *http://ia.ita.doc.gov.* However, the standard for eligibility for a separate rate (which is whether a firm can demonstrate an absence of both *de jure* and *de facto* governmental control over its export activities) has not changed.

On July 31, 2007, the International Trade Commission (''ITC'') issued its affirmative preliminary determination that there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury by reason of imports of CWP from the PRC. *See Circular Welded Carbon-Quality Steel Pipe from the PRC*, Investigation Nos. 701–TA–447 and 731–TA–1116, 72 FR 43295 (Preliminary) (August 3, 2007). On October 2, 2007, the petitioners filed a timely request that the Department postpone the preliminary determination pursuant to section 733(c)(1)(B)(i) of the Act. We did so on October 31, 2007. *See Postponement of Preliminary Determination of Antidumping Duty Investigation: Circular Welded Carbon Quality Steel Pipe from the People's Republic of China*, 72 FR 62626 (November 6, 2007).

Postponement of Final Determination and Extension of Provisional Measures

Pursuant to section 735(a)(2) of the Act, on December 18, 2007, respondent Jiangsu Yulong Steel Pipe Co., Ltd. (''Yulong'') requested that in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination by 60 days. In addition, Yulong requested that the Department extend the application of the provisional measures prescribed under 19 CFR 351.210(e)(2) from a four-month period to not more than six-months. In accordance with section 733(d) of the Act and 19 CFR 351.210(b), because (1) our preliminary determination is affirmative, (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise, and (3) no compelling reasons for denial exist, we are granting this request and are postponing the final determination until no later than 135 days after the publication of this notice in the **Federal Register**. Suspension of liquidation will be extended accordingly.

Scope Comments

In accordance with the preamble to the Department's regulations, we set aside a period of time in our *Initiation Notice* for parties to raise issues regarding product coverage, and encouraged all parties to submit comments within 20 calendar days of publication of that notice. *See Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323, (May 19, 1997) and *Initiation Notice*, 72 FR at 36669.On July 19, 2007, the petitioners submitted timely comments concerning the scope of the CWP antidumping and countervailing duty investigations. Man Ferrostaal Inc., Macsteel Service Centers USA, and Sunbelt Group L.P. (collectively, ''Ferrostaal''), U.S. interested parties, also submitted timely comments concerning the scope of these investigations on July 19, 2007. The petitioners and Ferrostaal both submitted rebuttal comments on July 26, 2007.

We analyzed the comments of the interested parties regarding the scope of this investigation and, based upon those comments, revised the scope language. See Memorandum to Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, Re: Scope of the Antidumping and Countervailing Duty Investigations of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China, ''Analysis of Comments and Recommendation for Scope of Investigations'' (November 5, 2007) (''Scope Memorandum'').

In addition, on December 18, 2007, the petitioners submitted additional comments concerning the scope of the CWP antidumping and countervailing duty investigations. In their comments, the petitioners requested that the Department revise the scope of the investigations to define product coverage by end-use application. The petitioners also requested that the Department explicitly state that single-stenciled line pipe meeting certain product characteristics is covered by the scope of this investigation, to eliminate reference to the grade ''X–42'' when referring to API stenciled pipe, and to define the length criterion for ''single random length'' CWP.

Regarding end-use application, the petitioners provided an affidavit which states that substitutions of API 5L stenciled products for subject ASTM pipe have occurred. See the petitioners' December 18, 2007, comments at Exhibit 2. The petitioners argue that the inclusion of end-use application to determine product coverage is necessary to distinguish between single-stenciled API 5L imports that are not intended to be covered by this investigation and pipe products that are intended to be covered. Next, the petitioners argue that the Department should revise the scope language to eliminate the reference to grade ''X–42'' when referring to API stenciled pipe because they view this reference as unnecessary given that the grade is subsumed within the API 5L specification. In addition, to prevent evasion of any antidumping order issued in this proceeding, the petitioners urge the Department to define the length criterion for inclusion of imported API specification CWP to include any such pipe of 32 feet or less. Lastly, the petitioners urge the Department to state in the scope that imports of single-stenciled API 5L line pipe are covered by the scope if such imports have one or more of the following physical characteristics: (1) a length of 32 feet or less; (2) an outer diameter less than 2 inches; (3) a galvanized and/or painted surface; or (4) a threaded and/or coupled end finish.

Upon review of the petitioner's December 18, 2007, submission, we have preliminarily adopted two of the petitioners' proposed changes. Specifically, we have preliminarily accepted the petitioners' request that single random length be defined as 32 feet in length or less. In addition, we

preliminarily accepted the petitioners' request to eliminate the reference to grade ''X–42'' when referring to API 5L stenciled pipe. These two changes are reflected in the ''Scope of Investigation'' section below.

Period of Investigation

The period of investigation (''POI'') is October 1, 2006, through March 31, 2007. This period corresponds to the two most recent fiscal quarters prior to the month of the filing of the petition, *i.e.*, June 2007. *See* 19 CFR 351.204(b)(1).

Scope of Investigation

The scope of this investigation covers certain welded carbon quality steel pipes and tubes, of circular cross-section, and with an outside diameter of 0.372 inches (9.45 mm) or more, but not more than 16 inches (406.4 mm), whether or not stenciled, regardless of wall thickness, surface finish (*e.g.*, black, galvanized, or painted), end finish (*e.g.*, plain end, beveled end, grooved, threaded, or threaded and coupled), or industry specification (*e.g.*, ASTM, proprietary, or other), generally known as standard pipe and structural pipe (they may also be referred to as circular, structural, or mechanical tubing).

Specifically, the term ''carbon quality'' includes products in which (a) iron predominates, by weight, over each of the other contained elements; (b) the carbon content is 2 percent or less, by weight; and (c) none of the elements listed below exceeds the quantity, by weight, as indicated:
(i) 1.80 percent of manganese;
(ii) 2.25 percent of silicon;
(iii) 1.00 percent of copper;
(iv) 0.50 percent of aluminum;
(v) 1.25 percent of chromium;
(vi) 0.30 percent of cobalt;
(vii) 0.40 percent of lead;
(viii) 1.25 percent of nickel;
(ix) 0.30 percent of tungsten;
(x) 0.15 percent of molybdenum;
(xi) 0.10 percent of niobium;
(xii) 0.41 percent of titanium;
(xiii) 0.15 percent of vanadium; or
(xiv) 0.15 percent of zirconium.

Standard pipe is made primarily to American Society for Testing and Materials (''ASTM'') specifications, but can be made to other specifications. Standard pipe is made primarily to ASTM specifications A–53, A–135, and A–795. Structural pipe is made primarily to ASTM specifications A–252 and A–500. Standard and structural pipe may also be produced to proprietary specifications rather than to industry specifications. This is often the case, for example, with fence tubing. Pipe multiple-stenciled to a standard and/or structural specification and to any other specification, such as the American Petroleum Institute (''API'') API–5L specification, is also covered by the scope of this investigation when it meets the physical description set forth above and also has one or more of the following characteristics: is 32 feet in length or less; is less than 2.0 inches (50 mm) in outside diameter; has a galvanized and/or painted surface finish; or has a threaded and/or coupled end finish.

The scope of this investigation does not include: (a) pipe suitable for use in boilers, superheaters, heat exchangers, condensers, refining furnaces and feedwater heaters, whether or not cold drawn; (b) mechanical tubing, whether or not cold-drawn; (c) finished electrical conduit; (d) finished scaffolding; (e) tube and pipe hollows for redrawing; (f) oil country tubular goods produced to API specifications; and (g) line pipe produced to only API specifications.

The pipe products that are the subject of this investigation are currently classifiable in HTSUS statistical reporting numbers 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90, 7306.50.10.00, 7306.50.50.50, 7306.50.50.70, 7306.19.10.10, 7306.19.10.50, 7306.19.51.10, and 7306.19.51.50. However, the product description, and not the harmonized tariff schedule of the United States (''HTSUS'') classification, is dispositive of whether merchandise imported into the United States falls within the scope of the investigation.

Respondent Selection

On June 28 and 29, 2007, and July 2, 2007, the Department requested quantity and value (''Q&V'') information from a total of 53 companies identified by the petitioners as potential producers or exporters of CWP from the PRC. *See* Memorandum to The File, from Maisha Cryor, Analyst, Office 4, Regarding ''Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Summary of Issuance of Quantity and Value Questionnaires,'' dated July 2, 2007 (''Q&V Memorandum''). Also, on June 29, 2007, the Department sent a letter requesting Q&V information to the Ministry of Commerce (''MOFCOM'') and requested that MOFCOM transmit the letter to all companies who export subject merchandise to the United States, or produce the subject merchandise for the companies who were engaged in exporting the subject merchandise to the United States during the POI. *Id.* For a complete list of all parties from which the Department requested Q&V information, *see* Q&V Memorandum. The Department received timely Q&V responses from 32 interested parties. *See* Memorandum from Abdelali Elouaradia, Director, Office 4, to Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, ''Selection of Respondents for the Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China,'' dated August 2, 2007 (''Respondent Selection Memorandum''). The Department did not receive any communication from MOFCOM regarding its request for Q&V information. In August and September 2007, the Department returned untimely Q&V responses submitted by Bazhou Dongsheng Hot Dip Galvanizing Steel Pipe Co., Ltd. (''Bazhou''); Shanxi Tianli Industries Co., Ltd. (''Shanxi''); and Zhejiang Kingland Pipeline and Technologies Co., Ltd. (''Kingland'').

On August 2, 2007, the Department selected Tianjin Shuangjie Group (''Shuangjie'') and Yulong as mandatory respondents in this investigation. *See* Respondent Selection Memorandum at 4. On August 8 and 15, 2007, Weifang East Steel Pipe Co., Ltd. (''Weifang''), submitted letters requesting that the Department select it as a mandatory respondent. In addition, in its August 15, 2007, letter, Weifang requested that, in the event it was not selected as a mandatory respondent, it be permitted to participate in the investigation as a voluntary respondent. On August 24, 2007, the Department informed Weifang that it would not be selected as a mandatory respondent. *See* Letter from Stephen J. Claeys, Deputy Assistant Secretary, to Weifang, Regarding ''Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China; Respondent Selection,'' dated August 24, 2007. In addition, on November 17, 2007, the Department informed Weifang that it would not be selected as a voluntary respondent. *See* Letter from Stephen J. Claeys, Deputy Assistant Secretary, to Weifang, Regarding ''Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China; Respondent Selection,'' dated November 17, 2007.

On December 26, 2007, Weifang again requested that it be selected as a mandatory respondent. If it is not selected as a mandatory respondent, Weifang also provided recommended methodologies that the Department should use in determining its separate rate. In addition, Weifang noted that the

Department calculated countervailing duty margins in the companion countervailing duty investigation on CWP from the PRC. According to Weifang, application of the NME methodology in conjunction with countervailing duty margins will result in double-remedy. Weifang argues that the Department is legally obligated to avoid such double-remedy. As these comments were submitted five business days prior to this preliminary determination, the Department did not consider Weifang's arguments. However, the Department will consider them for the final determination.

Separate Rates Applications

Between August 2, 2007, and August 26, 2007, we received timely separate-rate applications from 27 non-mandatory respondent companies: Weifang; Shijiazhuang Zhongqing Imp & Exp Co., Ltd. (''Shijiazhuang''); Tianjin Baolai Int'l Trade Co., Ltd. (''Baolai''); Wai Ming (Tianjin) Int'l Trading Co., Ltd. (''Wai Ming''); Kunshan Lets Win Steel Machinery Co., Ltd. (''Kunshan Lets Win''); Shenyang BOYU M/E Co., Ltd. (''BOYU''); Dalian Brollo Steel Tubes Ltd. (''Dalian''); Benxi Northern Pipes Co., Ltd. (''Benxi''); Shanghai Metals & Minerals Import & Export Corp. (''Shanghai Metals''); Huludao Steel Pipe Industrial Co., Ltd. (''Huludao''); Tianjin Xingyuda Import & Export Co. Ltd. (''Xingyuda''); Jiangyin Jianye Metal Products Co., Ltd. (''Jianye''); Rizhao Xingye Import & Export Co., Ltd. (''Rizhao''); Tianjin No. 1 Steel Rolled Co., Ltd. (''Tianjin No. 1''); Kunshan Hongyuan Machinery Manufacture Co., Ltd. (''Kunshan''); Qingdao Yongjie Import & Export Co., Ltd. (''Yongjie'');Wuxi Fastube Industry Co., Ltd. (''Fastube''); Jiangsu Guoqiang Zinc-Plating Company, Ltd. (''Jiangsu''); Wuxi Eric Steel Pipe Co., Ltd. (''Wuxi Eric''); Beijing Sai Lin Ke Hardware Co., Ltd. (''SLK''); Qingdao Xiangxing Steel Pipe Co., Ltd. (''Qingdao''); Wah Cit Enterprises (''Wah Cit''); Guangdong Walsall Steel Pipe Industrial Co., Ltd. (''Guangdong''); Hengshui Jinghua Steel Pipe Co., Ltd. (''Hengshui''); Zhangjiagang Zhongyuan Pipe-Making Co., Ltd. (''Zhongyuan''); Shandong Fubo Group Co. (''Fubo'') and Tianjin Youcheng Galvanized Steel Pipe Co., Ltd. (''Youcheng'').

In August and September 2007, the Department informed Kingland and Bazhou that it would not consider their separate-rate applications because their Q&V submissions were untimely filed and returned. *See* Letter from Abdelali Elouaradia, Office Director, to Kingland, Regarding ''Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe From the People's Republic of China Submissions by Zhejiang Kingland Pipeline and Technologies Co., Ltd.,'' dated August 24, 2007; *see also* Letter from Abdelali Elouaradia, Office Director, to Bazhou, Regarding ''Quantity and Value Information and Separate Rate Application,'' dated September 14, 2007.

Questionnaires

On August 3, 2007, the Department issued to Shuangjie and Yulong sections A, C, D, and E [1] of the antidumping duty questionnaire, which included draft product characteristics used in the designation of control numbers (''CONNUMs'') and assigned to the merchandise under consideration. On August 3, 2007, the Department also requested comments from all interested parties on the draft product characteristics included in the Department's questionnaire. The Department received comments from the petitioners and rebuttal comments from Shuangjie. On September 13, 2007, the Department issued the final product characteristics used in the designation of CONNUMs and assigned to the merchandise under consideration.

On September 4, 2007, Yulong submitted its response to Section A of the Department's questionnaire, and on September 10, 2007, Shuangjie submitted its response to section A of the Department's questionnaire. On September 24, 2007, Shuangjie submitted its responses to sections C and D of the Department's questionnaire. On September 24, 2007, Yulong submitted its responses to sections C and D of the Department's questionnaire. Weifang voluntarily submitted responses to section A of the Department's questionnaire on September 10, 2007, and to sections C and D of the Department's questionnaire on September 24, 2007.

The Department issued supplemental questionnaires to Shuangjie in September and October 2007. However, Shuangjie did not submit responses to the Department's supplemental questionnaires because it withdrew from the investigation and requested that the Department return all of its proprietary filings. *See* Letter from Shuangjie, dated October 31, 2007. On November 15, 2007, the Department returned Shuangjie's business proprietary information. *See* Letter from Abdelali Elouaradia, Office Director, to Shuangjie, Regarding ''Antidumping Duty Investigation: Circular Welded Carbon Quality Steel Pipe from the People's Republic of China,'' dated November 15, 2007.

The Department issued supplemental questionnaires to Yulong between September 21, 2007, and November 28, 2007, and received responses between October 15, 2007, and December 10, 2007. On October 9, 2007 and November 13, 2007, the petitioners submitted comments on Shuangjie and Yulong's questionnaire responses.

On October 10, 2007, the Department issued supplemental questionnaires to separate rate applicants Shanghai Metals and Huludao and received responses on October 19, 2007. On October 15, 2007, the Department issued supplemental questionnaires to separate rate applicants Benxi and Xingyuda and received responses on October 25, 2007. On October 17, 2007, the Department issued a supplemental questionnaire to separate rate applicant Jianye and received a response on October 29, 2007. On October 25, 2007, the Department issued a supplemental questionnaire to separate rate applicant Weifang and received a response on November 8, 2007. On November 8, 2007, the Department issued supplemental questionnaires to separate rate applicants Fastube, Jiangsu, Wuxi Eric, SLK, Qingdao, Guangdong, Hengshui and Zhongyuan. Qingdao submitted its response on November 19, 2007. Hengshui and SLK submitted their responses on November 21, 2007. Wuxi Eric, Jiangsu, Fastube, Guangdong, and Zhongyuan submitted their responses on November 26, 2007. On November 15, 2007, the Department issued a supplemental questionnaire to the separate rate applicants Fubo, Shijiazhuang, Baolai, Wai Ming, Kunshan Lets Win, BOYU, and Dalian, and received responses from Shijiazhuang on November 29, 2007, and from Baoli, Dalian, and Fubo from December 3–4, 2007. Wai Ming, Kunshan Lets Win, and BOYU submitted their responses on December 27, 2007.

Critical Circumstances

On September 17, 2007, the petitioners requested that the Department make an expedited finding that critical circumstances exist with respect to imports of CWP from the PRC. Shuangjie submitted comments responding to the petitioners' allegations of critical circumstances on

[1] Section A of the questionnaire requests general information concerning a company's corporate structure and business practices, the merchandise under investigation that it sells, and the manner in which it sells that merchandise in all of its markets. Section C requests a complete listing of U.S. sales. Section D requests information on factors of production, and Section E requests information on further manufacturing.

September 24, 2007. The petitioners responded to Shuangjie's comments on September 27, 2007. The Department issued questionnaires to Shuangjie and Yulong regarding the critical circumstances allegation on October 29, 2007. Yulong submitted its response on November 5, 2007. As explained further above, Shuangjie did not respond to the Department's request because it withdrew from the investigation on October 31, 2007.

On December 11, 2007, the Department preliminarily found that there is reason to believe or suspect that critical circumstances exist for imports of subject merchandise from Yulong, the separate-rate companies, and the PRC-wide entity (including Shuangjie) because, A) in accordance with section 733(e)(1)(A)(i) of the Act, there is a history of dumped imports of subject merchandise and of material injury caused by such dumped imports, and B) in accordance with section 733(e)(1)(B) of the Act, Yulong, the separate-rate companies, and the PRC-wide entity had massive imports during a relatively short period. *See* Memorandum from Abdelali Elouaradia, Director, Office 4, ''Preliminary Affirmative Determination of Critical Circumstances,'' dated December 11, 2007.

Non-Market Economy Country

For purposes of initiation, the petitioners submitted LTFV analyses for the PRC as a non-market economy (''NME''). *See Initiation Notice*, 72 FR at 36665. The Department considers the PRC to be a NME country. In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by the administering authority. On December 26, 2007, Weifang argued that the PRC should be treated as a market economy. As these comments were submitted five business days prior to this preliminary determination, the Department did not consider Weifang's comments. However, the Department will consider them for the final determination. Therefore, we have treated the PRC as an NME country for purposes of this preliminary determination.

Separate Rates

In proceedings involving NME countries, the Department has a rebuttable presumption that all companies within the NME country are subject to government control and thus should be assessed a single antidumping duty rate. It is the Department's standard policy to assign all exporters of the merchandise subject to review in NME countries a single rate unless an exporter can affirmatively demonstrate an absence of government control, both in law (*de jure*) and in fact (*de facto*), with respect to exports.

We have considered whether each PRC company that submitted a complete and timely separate-rate application is eligible for a separate rate. The Department's separate-rate test is not concerned, in general, with macroeconomic/border-type controls, *e.g.*, export licenses, quotas, and minimum export prices (''EPs''), particularly if these controls are imposed to prevent dumping. *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Preserved Mushrooms from the People's Republic of China*, 63 FR 72255, 72256 (December 31, 1998). The test focuses, rather, on controls over the investment, pricing, and output decision-making process at the individual firm level. *See Certain Cut-to-Length Carbon Steel Plate from Ukraine: Final Determination of Sales at Less than Fair Value*, 62 FR 61754, 61758 (November 19, 1997), and *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 62 FR 61276, 61279 (November 17, 1997).

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, the Department analyzes each entity exporting the subject merchandise under a test arising from the *Notice of Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) (''*Sparklers*''), as further developed in *Notice of Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994) (''*Silicon Carbide*''). In accordance with the separate-rate criteria, the Department assigns separate rates in NME cases only if respondents can demonstrate the absence of both *de jure* and *de facto* governmental control over export activities.

In this case, Shuangjie did not provide information we requested that is necessary to determine whether it is eligible for a separate rate. Specifically, on October 31, 2007, Shuangjie notified the Department of its decision to no longer participate in this investigation and withdrew all of its proprietary information from the record. As Shuangjie has decided to no longer participate in this investigation, and has withdrawn all of its responses from the record, the Department has no basis upon which to grant Shuangjie a separate rate. Although Shuangjie remains a mandatory respondent, the Department considers Shuangjie part of the PRC-wide entity because it failed to demonstrate that it qualifies for a separate rate.

Wai Ming, Fastube, Wuxi Eric, SLK, Wah Cit, and Guangdong provided company-specific separate-rate information and stated that the standards for the assignment of separate rates have been met because they are privately owned trading companies incorporated and held by foreign ownership. Because each of these companies is foreign owned, it is not necessary to undertake additional separate-rates analysis for the Department to determine that the export activities of Wai Ming, Fastube, Wuxi Eric, SLK, Wah Cit, and Guangdong are independent from the PRC government's control. Accordingly, Wai Ming, Fastube, Wuxi Eric, SLK, Wah Cit, and Guangdong are eligible for separate rates. *See, e.g., Brake Rotors From the People's Republic of China: Preliminary Results of the Tenth New Shipper Review*, 69 FR 30875, 30876 (June 1, 2004) (unchanged in the final results, *Brake Rotors From the People's Republic of China: Final Results of the Tenth New Shipper Review*, 69 FR 52228 (August 25, 2004)) (''Brake Rotors 10th NSR''); *Notice of Final Determination of Sales at Less Than Fair Value: Creatine Monohydrate From the People's Republic of China*, 64 FR 71104 (December 20, 1999); and *Notice of Final Determination of Sales at Less Than Fair Value: Bicycles From the People's Republic of China*, 61 FR 19026, 19027 (April 30, 1996). As a result, for the purposes of this preliminary determination, we have granted separate company-specific rates to Wai Ming, Fastube, Wuxi Eric, SLK, Wah Cit, and Guangdong. *See* Memorandum to Abdelali Elouaradia, Director, AD/CVD Operations, Office 4, through Mark Manning, Program Manager, AD/CVD Operations, Office 4, from Maisha Cryor, Senior International Trade Analyst, AD/CVD Operations, Office 4, Regarding ''Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Separate Rates Memorandum,'' dated January 3, 2008 (''Separate Rates Memorandum'').

Youcheng stated in its August 27, 2007, separate-rate application that it sold subject merchandise to a U.S. customer during the POI and, as evidence, presented a sales contract dated within the POI. This contract covers multiple sizes and types of subject merchandise. Section 351.401(i) of the Department's regulations states

that, ''in identifying the date of sale of the subject merchandise or foreign like product, the Secretary normally will use the date of invoice, as recorded in the exporter or producer's records kept in the normal course of business.'' However, the Secretary may use a date other than the date of invoice if the Secretary is satisfied that a different date better reflects the date on which the exporter or producer establishes the material terms of sale. *See* 19 CFR 351.401(i); *see also Allied Tube and Conduit Corp. v. United States*, 132 F. Supp. 2d 1087, 1090–1093 (CIT 2001) (''*Allied Tube*''). In other words, the date of the invoice is the presumptive date of sale, although this presumption may be overcome. The date of sale is generally the date on which the parties finalize the substantive terms of the sale, such as the price, quantity, delivery terms, and payment terms.

Youcheng claims that the appropriate date of sale should be the contract date. However, Youcheng acknowledges that the first shipment of subject merchandise pursuant to this contract did not take place until well after the POI. Because this contract covers multiple sizes and types of subject merchandise, and each different product is considered separately by the Department for purposes of its dumping analysis, the Department preliminarily finds that the contract does not include product-specific prices. Instead, it provides only the total value and total quantity of all products that will be shipped pursuant to this contract. In addition, Youcheng provided a memorandum between itself and the U.S. customer, dated well after the POI, in which Youcheng provided the customer a price reduction for all products shipped pursuant to the contract due to a change in the terms of delivery. Thus, even if the contract had product-specific prices, which it did not, such prices were not final, as they were reduced after the POI at time of shipment. For these reasons, the Department determines that the terms of sale were not finalized until the final commercial invoice was issued, after the POI. Therefore, the appropriate date of sale to use in analyzing Youcheng's separate-rate application is the invoice date. As the invoice date is outside the POI, the Department finds that Youcheng did not have a sale within the POI and is, therefore, not eligible to receive a separate rate.

1. Absence of De Jure Control

The Department considers the following *de jure* criteria in determining whether an individual company may be granted a separate rate: (1) an absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) other formal measures by the government decentralizing control of companies. *See Sparklers*, 56 FR at 20588.

The evidence provided by Yulong, Weifang, Shijiazhuang, Baolai, Dalian, Benxi, Shanghai Metals, Huludao, Xingyuda, Jianye, Rizhao, Tianjin No. 1, Yongjie, Hengshui, Zhongyuan, Kunshan Lets Win, and BOYU indicates that there are no restrictive stipulations associated with their exporter and/or business licenses and that there are legislative enactments decentralizing control of the companies. The Department's analysis of the record evidence supports a preliminary finding of absence of *de jure* control. *See* Separate Rates Memorandum.

In its August 26, 2007, separate-rate application, Fubo reported that it was established and is completely owned by the Fushan Village Committee (''Fushan Committee''), and the Fushan Committee operates under the Village Committee Law. In *Brake Rotors*, the Department examined a village committee, which operated under the Village Committee Law, and found that the committee was a PRC government entity. *See Brake Rotors From the People's Republic of China: Final Results and Partial Rescission of the Seventh Administrative Review; Final Results of the Eleventh New Shipper Review*, 70 FR 69937 (November 18, 2005) and accompanying Issues and Decision Memorandum at Comment 7 (''*Brake Rotors*''). In analyzing the village committee, the Department found the Village Committee Law demonstrates that village committees are part of the PRC government. Specifically, the Department stated that ''Article 2 of the Village Committee Law indicates that a Village Committee is not an independent entity but operates under the leadership of the Chinese Communist Party. The party branch is in effect the core of the village power structure.'' *Id.* Fubo's description of the role of the Fushan Committee supports this analysis, as the Fushan Committee ''has an active role in implementing policy directives, expanding local commerce, and overseeing social welfare matters such as education, healthcare, and sanitation.'' *See* Fubo's December 4, 2007, supplemental questionnaire response at 1. Accordingly, we examined whether there is sufficient evidence of *de facto* absence of government control of Fubo's export activities.

2. Absence of De Facto Control

Typically the Department considers four factors in evaluating whether each respondent is subject to *de facto* governmental control of its export functions: (1) whether the export prices are set by or are subject to the approval of a governmental agency; (2) whether the exporter has authority to negotiate and sign contracts and other agreements; (3) whether the exporter has autonomy from the government in making decisions regarding the selection of management; and (4) whether the exporter retains the proceeds of its export sales and makes independent decisions regarding disposition of profits or financing of losses. *See Silicon Carbide*, 59 FR at 22586–87; *see also Notice of Final Determination of Sales at Less Than Fair Value: Furfuryl Alcohol From the People's Republic of China*, 60 FR 22544, 22545 (May 8, 1995). The Department has determined that an analysis of *de facto* control is critical in determining whether respondents are, in fact, subject to a degree of governmental control which would preclude the Department from assigning separate rates.

We determine that, for Yulong, Weifang, Shijiazhuang, Baolai, Dalian, Benxi, Shanghai Metals, Huludao, Xingyuda, Jianye, Rizhao, Tianjin No. 1, Kunshan, Yongjie, Jiangsu, Qingdao, Hengshui, Zhongyuan, Kunshan Lets Win, and BOYU, the evidence on the record supports a preliminary finding of an absence of *de facto* governmental control based on record statements and supporting documentation showing the following: 1) each exporter sets its own export prices independent of the government and without the approval of a government authority; 2) each exporter retains the proceeds from its sales and makes independent decisions regarding disposition of profits or financing of losses; 3) each exporter has the authority to negotiate and sign contracts and other agreements; and 4) each exporter has autonomy from the government regarding the selection of management. *See* Separate Rates Memorandum. Therefore, the Department has preliminarily found an absence of *de facto* government control over these companies' export activities.

Regarding Fubo, the Fushan Committee appoints Fubo's board of directors and managers. During the POI, Fubo's directors and managers were also members of the Fushan Committee. In particular, Fubo reported that its general manager, chief financial supervisor, and sales manager were members of the Fushan Committee. Since these

managers control the day-to-day operations of the company, it is clear that the Fushan Committee directly controls Fubo's sales negotiation and export pricing. In addition, Fubo acknowledges that its profits are distributed to the Fushan Committee. For these reasons, the Department preliminarily finds that Fubo has not demonstrated that there is an absence of *de facto* control by the PRC government.

As stated above, because Wai Ming, Fastube, Wuxi Eric, SLK, Wah Cit, and Guangdong are wholly foreign-owned, we have determined that they are independent of the PRC government's control and are eligible for a separate rate. In addition, the evidence placed on the record of this investigation by Yulong, Weifang, Shijiazhuang, Baolai, Dalian, Benxi, Shanghai Metals, Huludao, Xingyuda, Jianye, Rizhao, Tianjin No. 1, Kunshan, Yongjie, Jiangsu, Qingdao, Hengshui, Zhongyuan, Kunshan Lets Win, and BOYU demonstrates an absence of *de jure* and *de facto* government control with respect to each of the exporters' exports of the merchandise under investigation, in accordance with the criteria identified in *Sparklers* and *Silicon Carbide*. As a result, for the purposes of this preliminary determination, we have granted a separate company-specific rate to Wai Ming, Fastube, Wuxi Eric, SLK, Wah Cit, Guangdong, Yulong, Weifang, Shijiazhuang, Baolai, Dalian, Benxi, Shanghai Metals, Huludao, Xingyuda, Jianye, Rizhao, Tianjin No. 1, Kunshan, Yongjie, Jiangsu, Qingdao, Hengshui, Zhongyuan, Kunshan Lets Win, and BOYU.

In determining what rate to assign companies receiving separate rates, the Department's normal practice is to weight-average the individually calculated margins from the mandatory respondents. In this investigation, Yulong is the only mandatory respondent receiving an individually calculated margin, and its margin is zero percent. Shuangjie, the other mandatory respondent, is receiving a rate based entirely on adverse facts available (''AFA'') as part of the PRC-wide entity for its failure to cooperate. *See* ''Adverse Facts Available'' section below. Therefore, in this case, we have assigned to the companies receiving separate rates the simple average of Yulong's zero percent margin and the AFA margin assigned to Shuangjie as part of the PRC-wide entity. Since the Department has selected 51.34 percent as the AFA rate (*see* ''Adverse Facts Available'' section below), the simple average of this rate and zero percent is 25.67 percent. Therefore, we have assigned 25.67 percent as the rate applicable to Wai Ming, Fastube, Wuxi Eric, SLK, Wah Cit, Guangdong, Weifang, Shijiazhuang, Baolai, Dalian, Benxi, Shanghai Metals, Huludao, Xingyuda, Jianye, Rizhao, Tianjin No. 1, Kunshan, Yongjie, Jiangsu, Qingdao, Hengshui, Zhongyuan, Kunshan Lets Win, and BOYU. *See* Separate Rates Memorandum.

Adverse Facts Available

Sections 776(a)(1) and (2) of the Act provide that the Department shall apply ''facts otherwise available'' if, *inter alia*, necessary information is not on the record or an interested party or any other person: (A) withholds information that has been requested; (B) fails to provide information within the deadlines established, or in the form and manner requested by the Department, subject to subsections (c)(1) and (e) of section 782 of the Act; (C) significantly impedes a proceeding; or (D) provides information that cannot be verified as provided by section 782(i) of the Act.

Where the Department determines that a response to a request for information does not comply with the request, section 782(d) of the Act provides that the Department will so inform the party submitting the response and will, to the extent practicable, provide that party the opportunity to remedy or explain the deficiency. If the party fails to remedy the deficiency within the applicable time limits and subject to section 782(e) of the Act, the Department may disregard all or part of the original and subsequent responses, as appropriate. Section 782(e) of the Act provides that the Department ''shall not decline to consider information that is submitted by an interested party and is necessary to the determination but does not meet all applicable requirements established by the administering authority'' if the information is timely, can be verified, is not so incomplete that it cannot be used, and if the interested party acted to the best of its ability in providing the information. Where all of these conditions are met, the statute requires the Department to use the information if it can do so without undue difficulties.

In this case, all PRC exporters of subject merchandise to the United States were given an opportunity to provide Q&V information to the Department. However, not all exporters responded to the Department's request for Q&V information.[2] Based upon our knowledge of the volume of imports of subject merchandise, we have concluded that the companies that responded to the Q&V questionnaire do not account for all U.S. imports during the POI of subject merchandise. We have treated the non-responsive PRC producers/exporters (including Shuangjie) as part of the PRC-wide entity because they did not qualify for a separate rate.

Since the PRC-wide entity (including Shuangjie) withheld information requested by the Department, we find that the use of facts available is appropriate to determine the PRC-wide rate, pursuant to section 776(a)(2)(A) of the Act. *See Preliminary Determination of Sales at Less Than Fair Value, Affirmative Preliminary Determination of Critical Circumstances and Postponement of Final Determination: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR 4986 (January 31, 2003), unchanged in *Final Determination of Sales at Less Than Fair Value and Affirmative Critical Circumstances: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR 37116 (June 23, 2003).

Section 776(b) of the Act provides that, in selecting from among the facts otherwise available, the Department may employ an adverse inference if an interested party fails to cooperate by not acting to the best of its ability to comply with requests for information. *See Final Determination of Sales at Less Than Fair Value: Certain Cold-Rolled Flat-Rolled Carbon-Quality Steel Products from the Russian Federation*, 65 FR 5510, 5518 (February 4, 2000); *Certain Welded Carbon Steel Pipes and Tubes From Thailand: Final Results of Antidumping Duty Administrative Review*, 62 FR 53808, 53819–20 (October 16, 1997); *Crawfish Processors Alliance v. United States*, 343 F. Supp.2d 1242 (CIT 2004) (approving use of AFA when respondent refused to participate in verification); *see also Statement of Administrative Action*, accompanying the Uruguay Round Agreements Act (''URAA''), H.R. Rep. No. 103–316, 870 (1994) (''*SAA*''). Because the PRC-wide entity (including Shuangjie) did not respond to the Department's request for information, the Department has concluded it has failed to cooperate to the best of its ability. Therefore, the Department preliminarily finds that, in selecting from among the facts available, an adverse inference is appropriate.

[2] The Department received only 32 timely responses to the requests for Q&V information that it sent to the 53 potential exporters identified in the petition. *See* Q&V Memorandum; *see also* Respondent Selection Memorandum.

Section 776(b) of the Act authorizes the Department to use, as AFA, information derived from the petition, the final determination from the LTFV investigation, a previous administrative review, or any other information placed on the record. In selecting a rate for AFA, the Department selects one that is sufficiently adverse ''as to effectuate the purpose of the facts available rule to induce respondents to provide the Department with complete and accurate information in a timely manner.'' *See Notice of Final Determination of Sales at Less Than Fair Value: Static Random Access Memory Semiconductors From Taiwan*, 63 FR 8909, 8932 (February 23, 1998). It is the Department's practice to select, as AFA, the higher of the (a) highest margin alleged in the petition, or (b) the highest calculated rate for any respondent in the investigation. *See Final Determination of Sales at Less Than Fair Value: Certain Cold-Rolled Flat-Rolled Carbon Quality Steel Products From the People's Republic of China*, 65 FR 34660 (May 21, 2000) and accompanying Issues and Decision Memorandum, at ''Facts Available''. Because the dumping margin derived from the petition is higher than the calculated weighted-average margin for the mandatory respondents, we examined whether it was appropriate to base the PRC-wide dumping margin on the secondary information in the petition.

When the Department relies on secondary information, rather than information obtained in the course of an investigation, section 776(c) of the Act requires it to corroborate that information, to the extent practicable, from independent sources reasonably at its disposal.[3] The *SAA* also states that the independent sources may include published price lists, official import statistics and customs data, and information obtained from interested parties during the particular investigation. *See SAA* at 870.

The *SAA* also clarifies that ''corroborate'' means that the Department will satisfy itself that the secondary information to be used has probative value. *See SAA* at 870. To corroborate secondary information, the Department will, to the extent practicable, examine the reliability and relevance of the information used. *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Preliminary Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews*, 61 FR 57391, 57392 (November 6, 1996), unchanged in *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan: Final Results of Antidumping Duty Administrative Reviews and Termination in Part*, 62 FR 11825 (March 13, 1997).

To corroborate the dumping margin alleged in the petition (as adjusted by the Department in initiating the instant investigation), we compared sales-specific dumping margins calculated for the preliminary determination to the dumping margins alleged in the petition. We found that Yulong's highest sales-specific dumping margin corroborates, to the extent practicable, the petition margin of 51.34 percent. *See Initiation Notice, see also* Memorandum from Maisha Cryor, Senior International Trade Compliance Analyst, to Abdelali Elouaradia, Office Director, ''Corroboration of the Facts Available Rate for the Preliminary Determination,'' dated January 3, 2008. We are assigning this rate, 51.34 percent, as AFA to the PRC-wide entity (including Shuangjie).

Fair Value Comparisons

To determine whether sales of CWP to the United States by Yulong were made at less than fair value, we compared the export price (''EP'') to normal value (''NV''), as described in the ''U.S. Price,'' and ''Normal Value'' sections of this notice. We compared NV to weighted-average EPs in accordance with section 777A(d)(1) of the Act.

U.S. Price

For Yulong, we based U.S. price on EP in accordance with section 772(a) of the Act, because the first sale to an unaffiliated purchaser was made prior to importation, and CEP was not otherwise warranted by the facts on the record. We calculated EP based on the packed price from the exporter to the first unaffiliated customer in the United States. Where appropriate, we made deductions from the starting price (gross unit price) for foreign inland freight, brokerage and handling, international freight, and marine insurance, in accordance with section 772(c) of the Act.

Where foreign inland freight, brokerage and handling, or international ocean freight was provided by PRC service providers, or paid for in Renminbi (''RMB''), we analyzed the amount of service provided by PRC entities to determine the appropriate method of valuing the services. Yulong received foreign inland freight services, and brokerage and handling services, from PRC service providers. Yulong paid for international ocean freight services through a PRC freight forwarder. *See* Yulong's October 31, 2007, questionnaire response at 9. For a complete discussion of the calculations of the U.S. price for Yulong, *see* Memorandum to the File, through Mark Manning, Program Manager, AD/CVD Operations, Office 4, from Thomas Martin, Senior International Trade Analyst, AD/CVD Operations, Office 4, Regarding ''Program Analysis for the Preliminary Determination of Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Yulong,'' dated January 3, 2007 (''Yulong Analysis Memorandum''). *See* also the ''Factors of Production'' section below.

Yulong reported that all of its U.S. sales had foreign inland freight provided by NME freight providers. Therefore, we valued foreign inland freight using a surrogate value obtained from the web site of an Indian transportation company, InFreight Technologies India Limited. *See http://www.infreight.com/*. This average rate was used by the Department in the antidumping duty administrative review of *Saccharin from the PRC. See Saccharin from the People's Republic of China; Preliminary Results of the 2005–2006 Antidumping Duty Administrative Review*, 72 FR 25247 (May 4, 2007) (''*Saccharin from the PRC*''). Because this value is not contemporaneous with the POI, we adjusted it to account for inflation using the Indian Wholesale Price Index (''WPI''). *See* Memorandum to the File, from Thomas Martin, Senior International Trade Compliance Analyst, Office 4, AD/CVD Operations, Regarding ''Less-Than-Fair-Value (''LTFV'') Investigation of Circular Welded Carbon Quality Steel Pipe (''CWP'') from the People's Republic of China (''PRC''): Surrogate Values for the Preliminary Determination - Jiangsu Yulong Steel Pipe Co., Ltd. (''Yulong''),'' dated January 3, 2008 (''Factor Value Memorandum''), at Exhibit 7.

For brokerage and handling, Yulong reported that all of its U.S. sales had foreign brokerage and handling provided by NME companies. We valued Yulong's use of foreign brokerage and handling using a simple average of the public version of the brokerage and handling expenses reported in an

[3] Secondary information is described in the *SAA* as ''information derived from the petition that gave rise to the investigation or review, the final determination concerning subject merchandise, or any previous review under section 751 concerning the subject merchandise.'' *See SAA* at 870.

administrative review of preserved mushrooms from India by Agro Dutch Industries Ltd., in its section A–D submission, dated May 24, 2005, at Exhibit B–1, (*see Certain Preserved Mushrooms From India: Final Results of Antidumping Duty Administrative Review*, 71 FR 10646 (March 2, 2006)), and the section C submission from Kejriwal Paper Ltd., dated January 9, 2006, at Exhibit C–2, used in *Notice of Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Affirmative Preliminary Determination of Critical Circumstances in Part: Certain Lined Paper Products From India*, 71 FR 19706 (April 17, 2006) (unchanged in *Notice of Final Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India*, 71 FR 45012 (August 8, 2006)). Because these data were not contemporaneous to the POI, we adjusted them for inflation using the Indian WPI. *See* Factor Value Memorandum at Exhibit 8.

Yulong also reported that all of its U.S. sales had international freight provided by NME companies. We valued international freight expenses using U.S. dollar freight quotes that the Department obtained from Maersk Sealand (''Maersk''), a market-economy shipper. We obtained quotes from Maersk for shipments from the PRC port of export and the U.S. port of import reported by Yulong for its U.S. sales. Because these data were not contemporaneous to the POI, we adjusted them for inflation using the U.S. WPI. *See* Factor Value Memorandum at Exhibit 9.

Normal Value

Section 773(c)(1) of the Act provides that the Department shall determine the NV using a factors-of-production (''FOP'') methodology if the merchandise is exported from an NME country and the information does not permit the calculation of NV using home-market prices, third-country prices, or constructed value under section 773(a) of the Act. The Department bases NV on the FOP because the presence of government controls on various aspects of non-market economies renders price comparisons and the calculation of production costs invalid under the Department's normal methodologies.

1. Factors of Production

Yulong reported that it does not have complete, product-specific POI records that track the consumption of hot-rolled steel in coils on a product-specific basis, and, therefore, it allocated the same quantity of steel to all subject merchandise products. However, the Department finds that a single steel consumption rate for all products is not reasonable. Therefore, on the basis of the production data submitted by Yulong, which the Department intends to verify, the Department has adjusted Yulong's reported consumption rate for hot-rolled steel in coils to be product-specific on the basis of steel coil and pipe thickness. See Yulong Analysis Memorandum. An amount for yield loss was added to the reported consumption rate per metric ton of CWP produced.

2. Surrogate Country Selection

In antidumping proceedings involving NME countries, the Department, pursuant to section 773(c)(1) of the Act, will generally base NV on the value of the NME producer's factors of production. In accordance with section 773(c)(4) of the Act, in valuing the factors of production, the Department shall utilize, to the extent possible, the prices or costs of factors of production in one or more market-economy countries that are at a level of economic development comparable to that of the NME country and are significant producers of merchandise comparable to the subject merchandise.

On November 5, 2007, the Department determined that India, Indonesia, Sri Lanka, the Philippines, and Egypt are countries comparable to the PRC in terms of economic development. *See* Letter to All Interested Parties, from Mark Manning, Program Manager, Office 4, AD/CVD Operations, Regarding ''Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China (''PRC''),'' dated November 5, 2007, attaching Memorandum to Mark Manning, Program Manager, Office 4, AD/CVD Operations, from Ron Lorentzen, Director, Office of Policy, Regarding ''Investigation of Circular Welded Carbon Quality Steel Pipe (''Pipe'') from the People's Republic of China from the People's Republic of China (PRC): Request for List of Surrogate Countries,'' dated October 29, 2007.

On November 5, 2007, the Department requested comments on surrogate country selection, and on surrogate values, from the interested parties in this investigation. No interested party commented on the selection of a surrogate country. However, on November 15, 2007, Yulong submitted surrogate value information, *i.e.*, surrogate financial statements, for use in this investigation.[4]

As detailed in the Surrogate Country Memorandum, the Department has preliminarily selected India as the surrogate country because: (1) it is a significant producer of comparable merchandise; (2) it is at a similar level of economic development pursuant to 773(c)(4) of the Act; and (3) we have reliable data from India that we can use to value the factors of production. For a detailed discussion of the selection of the surrogate country, see Memorandum to the File, through Abdelali Elouaradia, Director, Office 4, AD/CVD Operations, from Maisha Cryor, Analyst, Office 4, AD/CVD Operations, Regarding ''Antidumping Duty Investigation of Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Selection of a Surrogate Country,'' dated December 14, 2007 (''Surrogate Country Memorandum''). Thus, we have calculated NV using Indian prices when available and appropriate to value Yulong's factors of production. *See* Factor Value Memorandum.

In accordance with 19 CFR 351.301(c)(3)(i), for the final determination in an antidumping investigation, interested parties may submit publicly available information to value the factors of production within 40 days after the date of publication of the preliminary determination.

3. Factor Value Methodology

In accordance with section 773(c) of the Act, we calculated NV based on FOP data reported by Yulong for the POI. The FOPs for subject merchandise include: (1) quantities of raw materials consumed; (2) hours of labor required; (3) amounts of energy and other utilities consumed; (4) representative capital and selling costs; and (5) packing materials. We valued the reported FOPs by multiplying the reported per-unit factor-consumption rates by publicly available prices and financial statements from the surrogate country, India, or, where appropriate, the market economy prices paid for the factor (*see* further discussion below).

In selecting the surrogate values, we considered the quality of the source of surrogate information, the specificity of the surrogate value to the FOP being valued, and contemporaneity of the data to the POI. To the extent practicable, we selected values that are non-export average values and tax-exclusive. *See, e.g., Notice of Preliminary*

[4]The petitioners submitted surrogate value information, including surrogate financial statements, in their June 7, 2007, petition.

Determination of Sales at Less Than Fair Value, Negative Preliminary Determination of Critical Circumstances and Postponement of Final Determination: Certain Frozen and Canned Warmwater Shrimp From the Socialist Republic of Vietnam, 69 FR 42672, 42682 (July 16, 2004), unchanged in *Final Determination of Sales at Less Than Fair Value: Certain Frozen and Canned Warmwater Shrimp from the Socialist Republic of Vietnam*, 69 FR 71005 (December 8, 2004) (''*Shrimp from Vietnam*'').

We valued material inputs and packing by multiplying the amount of the factor consumed in producing subject merchandise by the average unit value of the factor. We derived the average unit value of the factors from Indian import statistics. As appropriate, we added to the surrogate values a cost for inland freight to make them delivered prices. Specifically, we calculated the inland freight cost by multiplying a surrogate freight rate by the shorter of the reported distance from the PRC domestic supplier to the respondent's factory or the distance from the nearest seaport to the respondent's factory, where appropriate. This adjustment is in accordance with the Court of Appeals for the Federal Circuit's decision in *Sigma Corp. v. United States*, 117 F. 3d 1401, 1407–1408 (Fed. Cir. 1997). A detailed description of all surrogate values used for respondents can be found in the Factor Value Memorandum.

Where we could not obtain publicly available information contemporaneous to the POI with which to value factors, we adjusted the surrogate values, where appropriate, using the WPI as published in the International Financial Statistics of the International Monetary Fund. *See* Factor Value Memorandum at Exhibit 2.

Furthermore, with regard to the Indian import-based surrogate values, we disregarded import prices that we have reason to believe or suspect may be subsidized. We have reason to believe or suspect that prices of inputs from Indonesia, South Korea, and Thailand may have been subsidized. We have found in other proceedings that these countries maintain broadly available, non-industry-specific export subsidies and, therefore, it is reasonable to infer that all exports to all markets from these countries may be subsidized. *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value and Negative Final Determination of Critical Circumstances: Certain Color Television Receivers From the People's Republic of China*, 69 FR 20594 (April 16, 2004) and accompanying Issues and Decision Memorandum at Comment 7 (''*CTVs from the PRC*''). We are also directed by legislative history not to conduct a formal investigation to ensure that such prices are not subsidized. *See* H.R. Rep. 100–576 at 590 (1988). Rather, Congress directed the Department to base its decision on information that is available to it at the time it makes its determination. Therefore, we have not used prices from these countries either in calculating the Indian import-based surrogate values or in calculating market-economy input values. In instances where a market-economy input was obtained solely from suppliers located in these countries, we used Indian import-based surrogate values to value the input. *See Final Determination of Sales at Less Than Fair Value: Certain Automotive Replacement Glass Windshields From The People's Republic of China*, 67 FR 6482 (February 12, 2002), and accompanying Issues and Decision Memorandum at Comment 1.

Yulong purchased certain inputs into the production of the merchandise under investigation from market economy suppliers and paid for such purchases in market economy currencies. The Department has instituted a rebuttable presumption that market economy input prices are the best available information for valuing an input when the total volume of the input purchased from all market economy sources during the POI or period of review is 33 percent or greater of the total volume of the input purchased from all sources during the period.[5] In these cases, unless case-specific facts provide adequate grounds to rebut the Department's presumption, the Department will use the weighted-average market economy purchase price to value the input. Alternatively, when the volume of an NME firm's purchases of an input from market economy suppliers during the period is below 33 percent of its total volume of purchases of the input during the period, but where these purchases are otherwise valid and there is no reason to disregard the prices, the Department will weight-average the weighted-average market economy purchase price with an appropriate surrogate value according to their respective shares of the total volume of purchases, unless case-specific facts provide adequate grounds to rebut the presumption. When a firm has made market economy input purchases that may have been dumped or subsidized, are not *bona fide*, or are otherwise not acceptable for use in a dumping calculation, the Department will exclude them from the numerator of the ratio to ensure a fair determination of whether valid market economy purchases meet the 33 percent threshold. *See Antidumping Methodologies: Market Economy Inputs, Expected Non-Market Economy Wages, Duty Drawback; and Request for Comments*, 71 FR 61716 (October 19, 2006) (''*Notice for Antidumping Methodologies*'').

In accordance with this policy, we valued Yulong's inputs using the market economy prices paid for in market economy currencies where appropriate. Alternatively, when the volume of Yulong's purchases of an input from market economy suppliers during the POI was below 33 percent of the company's total volume of purchases of the input during the POI, we weight-averaged the weighted-average market economy purchase price with an appropriate surrogate value according to their respective shares of the total volume of purchases. *See* Yulong's September 24, 2007, section D response at Exhibit D–3.

4. Surrogate Values

The Department valued direct materials and packing materials using publicly available import prices reported in the *Monthly Statistics of the Foreign Trade of India* for the POI, as published by the Directorate General of Commercial Intelligence and Statistics of the Ministry of Commerce and Industry, Government of India. The same import prices are also available from the *World Trade Atlas (''WTA'')*, published by Global Trade Information Services, Inc., which is a secondary electronic source based upon the publication *Monthly Statistics of the Foreign Trade of India. Volume II: Imports. See http://www.gtis.com/wta.htm.*

To value electricity, we used the 2000 electricity price in India of 3.602 Rs. per kilowatt hour from *Energy Prices & Taxes, Second Quarter 2003* published by the International Energy Agency. Because these data were not contemporaneous to the POI, we adjusted for inflation using WPI. *See* Factor Value Memorandum at Exhibit 5.

To value water, the Department used data from the Maharastra Industrial Development Corporation (www.midcindia.org) to be the best

[5] Notwithstanding the determination the Department reached in *Shrimp from Vietnam*, at Comment 8, the Department will examine if and when the inputs were used in the production process when case-specific conditions demand it. Unless there are case-specific reasons to examine other criteria, the Department will base its decision on whether to accept market economy input purchases to value the input on the relative share of market economy purchases during the POI or period of review to total purchases during that period.

available information since it includes a wide range of industrial water rates. This source provides 386 industrial water rates within the Maharashtra province from June 2003: 193 for the ''inside industrial areas'' usage category and 193 for the ''outside industrial areas'' usage category. The data was averaged accordingly. Because these data were not contemporaneous to the POI, we adjusted for inflation using WPI. *See* Factor Value Memorandum at Exhibit 6.

Consistent with 19 CFR 351.408(c)(3), we valued direct, indirect, and packing labor using the most recently calculated regression-based wage rate, which relies on 2004 data. This wage rate can currently be found on the Department's website on Import Administration's home page, Import Library, Expected Wages of Selected NME Countries, revised in January 2007, *http://ia.ita.doc.gov/wages/index.html.* The source of these wage-rate data on the Import Administration's web site is the Yearbook of Labour Statistics 2002, ILO (Geneva: 2002), Chapter 5B: Wages in Manufacturing. Because this regression-based wage rate does not separate the labor rates into different skill levels or types of labor, we have applied the same wage rate to all skill levels and types of labor reported by Yulong.

As we did in valuing foreign inland freight for U.S. sales, we valued truck freight expenses using a per kilometer per kilogram average rate from data obtained from the web site of an Indian transportation company, InFreight Technologies India Limited. *See http://www.infreight.com/.* Because this value is not contemporaneous with the POI, we adjusted to account for inflation using the WPI. *See* Factor Value Memorandum at Exhibit 7.

To value factory overhead, selling, general and administrative (''SG&A'') expenses, and profit values, we used the financial statements from the following Indian companies for the fiscal year ending March 31, 2006: Zenith Birla (India) Limited; Surya Roshni Limited; Bhawani Industries Limited; and Bihar Tubes Limited. From this information, we were able to determine factory overhead as a percentage of the total raw materials, labor, and energy (''ML&E'') costs; SG&A as a percentage of ML&E plus overhead (*i.e.*, cost of manufacture); and profit as a percentage of the cost of manufacture plus SG&A. *See* Factor Value Memorandum at Exhibit 10.

Currency Conversion

We made currency conversions into U.S. dollars, in accordance with section 773A(a) of the Act, based on the exchange rates in effect on the dates of the U.S. sales as certified by the Federal Reserve Bank.

Verification

As provided in section 782(i)(1) of the Act, we intend to verify all information relied upon in making our final determination.

Combination Rates

In the *Initiation Notice*, the Department stated that it would calculate combination rates for respondents that are eligible for a separate rate in this investigation. *See Initiation Notice*. This change in practice is described in *Policy Bulletin 05.1*, available at *http://ia.ita.doc.gov/.* Policy Bulletin 05.1, states:

> {w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that the Department will now assign in its NME investigations will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the weighted-average of the individually calculated rates. This practice is referred to as the application of ''combination rates'' because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question and produced by a firm that supplied the exporter during the period of investigation.

See Policy Bulletin 05.1, ''Separate Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries.''

Preliminary Determination

The Department has determined that the following preliminary weighted-average dumping margins exist:

Exporter	Producer	Weighted-Average Margin
Beijing Sai Lin Ke Hardware Co., Ltd.	Xuzhou Guang Huan Steel Tube Products Co, Ltd.	25.67
Wuxi Fastube Industry Co., Ltd	Wuxi Fastube Industry Co., Ltd.	25.67
Jiangsu Guoqiang Zinc-Plating Co., Ltd.	Jiangsu Guoqiang Zinc-Plating Co., Ltd.	25.67
Wuxi Eric Steel Pipe Co., Ltd.	Wuxi Eric Steel Pipe Co., Ltd.	25.67
Qingdao Xiangxing Steel Pipe Co., Ltd.	Qingdao Xiangxing Steel Pipe Co., Ltd.	25.67
Wah Cit Enterprises	Guangdong Walsall Steel Pipe Industrial Co., Ltd.	25.67
Guangdong Walsall Steel Pipe Industrial Co., Ltd.	Guangdong Walsall Steel Pipe Industrial Co., Ltd.	25.67
Hengshui Jinghua Steel Pipe Co., Ltd.	Hengshui Jinghua Steel Pipe Co., Ltd.	25.67
Zhangjiagang Zhongyuan Pipe-Making Co., Ltd.	Zhangjiagang Zhongyuan Pipe-Making Co, Ltd.	25.67
Weifang East Steel Pipe Co., Ltd.	Weifang East Steel Pipe Co., Ltd.	25.67
Shijiazhuang Zhongqing Imp & Exp Co., Ltd.	Bazhou Zhuofa Steel Pipe Co., Ltd.	25.67
Tianjin Baolai Int'l Trade Co., Ltd.	Tianjin Jinghai County Baolai Business and Industry Co., Ltd.	25.67
Wai Ming (Tianjin) Int'l Trading Co., Ltd.	Bazhou Dong Sheng Hot-dipped Galvanized Steel Pipes Co., Ltd.	25.67
Kunshan Lets Win Steel MachineryCo., Ltd.	Kunshan Lets Win Steel Machinery Co., Ltd.	25.67
Shenyang Boyu M/E Co., Ltd.	Bazhou Dong Sheng Hot-dipped Galvanized Steel Pipes Co., Ltd.	25.67
Dalian Brollo Steel Tubes Ltd.	Dalian Brollo Steel Tubes Ltd.	25.67
Benxi Northern Pipes Co., Ltd.	Benxi Northern Pipes Co., Ltd.	25.67
Shanghai Metals & Minerals Import & Export Corp.	Huludao Steel Pipe Industrial Co.	25.67
Shanghai Metals & Minerals Import & Export Corp.	Benxi Northern Pipes Co., Ltd.	25.67
Huludao Steel Pipe Industrial Co.	Huludao Steel Pipe Industrial Co.	25.67
Tianjin Xingyuda Import & Export Co., Ltd.	Tianjin Lifengyuanda Steel Group	25.67

Exporter	Producer	Weighted-Average Margin
Tianjin Xingyuda Import & Export Co., Ltd.	Tianjin Xingyunda Steel Pipe Co.	25.67
Tianjin Xingyuda Import & Export Co., Ltd.	Tianjin Lituo Steel Products Co.	25.67
Tianjin Xingyuda Import & Export Co., Ltd.	Tangshan Fengnan District Xinlida Steel Pipe Co., Ltd.	25.6
Jiangyin Jianye Metal Products Co., Ltd.	Jiangyin Jianye Metal Products Co., Ltd.	25.67
Rizhao Xingye Import & Export Co., Ltd.	Shandong Xinyuan Group Co., Ltd.	25.67
Tianjin No. 1 Steel Rolled Co., Ltd.	Tianjin Hexing Steel Co., Ltd.	25.67
Tianjin No. 1 Steel Rolled Co., Ltd.	Tianjin Ruitong Steel Co., Ltd.	25.67
Tianjin No. 1 Steel Rolled Co., Ltd.	Tianjin Yayi Industrial Co.	25.67
Kunshan Hongyuan Machinery Manufacture Co., Ltd.	Kunshan Hongyuan Machinery Manufacture Co., Ltd.	25.67
Qingdao Yongjie Import & Export Co., Ltd.	Shandong Xinyuan Group Co., Ltd.	25.67
Jiangsu Yulong Steel Pipe Co. Ltd.	Jiangsu Yulong Steel Pipe Co. Ltd.	0.00
PRC-Wide Entity (Including Shuangjie)		51.34

Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

Suspension of Liquidation

As noted above, the Department has found that critical circumstances exist with respect to imports of subject merchandise from the PRC. Therefore, in accordance with section 733(d) of the Act, we will instruct U.S. Customs and Border Protection (''CBP'') to suspend liquidation of all entries of CWP from the PRC as described in the ''Scope of Investigation'' section, entered, or withdrawn from warehouse, for consumption from the separate rate companies and the PRC-wide entity (including Shuangjie) on or after 90 days prior to the date of publication in the **Federal Register** of our preliminary determination. We will instruct CBP to require a cash deposit or the posting of a bond equal to the weighted-average amount by which the NV exceeds U.S. price, as indicated above. The suspension of liquidation will remain in effect until further notice.

In accordance with section 733(d)(2) of the Act, we are directing CBP not to suspend liquidation of imports of certain CWP from the PRC produced and exported by Yulong, and entered, or withdrawn from warehouse, for consumption on or after the date of publication of this preliminary determination in the **Federal Register**. CBP shall not require a cash deposit or the posting of a bond, as indicated above, because we have calculated a margin of zero percent for Yulong.

International Trade Commission Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our preliminary affirmative determination of sales at less than fair value. Section 735(b)(2) of the Act requires the ITC to make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of CWP, or sales (or the likelihood of sales) for importation, of the subject merchandise within 45 days of our final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Import Administration no later than seven days after the date of the final verification report is issued in this proceeding and rebuttal briefs limited to issues raised in case briefs no later than five days after the deadline date for case briefs. A list of authorities used and an executive summary of issues should accompany any briefs submitted to the Department. This summary should be limited to five pages total, including footnotes.

In accordance with section 774 of the Act, we will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. If a request for a hearing is made, we intend to hold the hearing three days after the deadline of submission of rebuttal briefs at the U.S. Department of Commerce, 14th Street and Constitution Ave, NW, Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days after the date of publication of this notice. See 19 CFR 351.310(c). Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. At the hearing, each party may make an affirmative presentation only on issues raised in that party's case brief and may make rebuttal presentations only on arguments included in that party's rebuttal brief.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act.

Dated: January 3, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E8–494 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

(C–580–835)

Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Final Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

Background: On September 10, 2007, the Department of Commerce (''the Department'') published in the **Federal Register** its preliminary results of administrative review of the countervailing duty (''CVD'') order on stainless steel sheet and strip in coils from the Republic of Korea (''Korea'') for the period January 1, 2005, through December 31, 2005. *See Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review*, 72 FR 51615 (September 10, 2007) (''*Preliminary Results*''). The Department preliminarily found that Dai Yang Metal Co., Ltd. (''DMC''), the producer/exporter of subject merchandise covered by this review, had a *de minimis* net subsidy rate during the period of review (''POR'').

We did not receive any comments on our preliminary results and have made no revisions to those results.

EFFECTIVE DATE: January 15, 2008

FOR FURTHER INFORMATION CONTACT: Eric Greynolds, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–6071.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The products subject to this order are certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat–rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness and that is annealed or otherwise heat treated and pickled or otherwise descaled. The subject sheet and strip may also be further processed (*e.g.*, cold–rolled, polished, aluminized, coated), provided that it maintains the specific dimensions of sheet and strip following such processing.

The merchandise subject to this order is currently classifiable in the *Harmonized Tariff Schedule of the United States* (''HTSUS'') at subheadings: 7219.13.00.30, 7219.13.00.50, 7219.13.00.70, 7219.13.00.80, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise is dispositive.

Excluded from the scope of this order are the following: (1) sheet and strip that is not annealed or otherwise heat treated and pickled or otherwise descaled, (2) sheet and strip that is cut to length, (3) plate (*i.e.*, flat–rolled stainless steel products of a thickness of 4.75 mm or more), (4) flat wire (*i.e.*, cold–rolled sections, with a prepared edge, rectangular in shape, of a width of not more than 9.5 mm), and (5) razor blade steel. Razor blade steel is a flat rolled product of stainless steel, not further worked than cold–rolled (cold–reduced), in coils, of a width of not more than 23 mm and a thickness of 0.266 mm or less, containing, by weight, 12.5 to 14.5 percent chromium, and certified at the time of entry to be used in the manufacture of razor blades. *See* Chapter 72 of the HTSUS, ''Additional U.S. Note'' 1(d).

The Department has determined that certain specialty stainless steel products are also excluded from the scope of this order. These excluded products are described below:

Flapper valve steel is defined as stainless steel strip in coils containing, by weight, between 0.37 and 0.43 percent carbon, between 1.15 and 1.35 percent molybdenum, and between 0.20 and 0.80 percent manganese. This steel also contains, by weight, phosphorus of 0.025 percent or less, silicon of between 0.20 and 0.50 percent, and sulfur of 0.020 percent or less. The product is manufactured by means of vacuum arc remelting, with inclusion controls for sulphide of no more than 0.04 percent and for oxide of no more than 0.05 percent. Flapper valve steel has a tensile strength of between 210 and 300 ksi, yield strength of between 170 and 270 ksi, plus or minus 8 ksi, and a hardness (Hv) of between 460 and 590. Flapper valve steel is most commonly used to produce specialty flapper valves in compressors.

Also excluded is a product referred to as suspension foil, a specialty steel product used in the manufacture of suspension assemblies for computer disk drives. Suspension foil is described as 302/304 grade or 202 grade stainless steel of a thickness between 14 and 127 microns, with a thickness tolerance of plus–or-minus 2.01 microns, and surface glossiness of 200 to 700 percent Gs. Suspension foil must be supplied in coil widths of not more than 407 mm, and with a mass of 225 kg or less. Roll marks may only be visible on one side, with no scratches of measurable depth. The material must exhibit residual stresses of 2 mm maximum deflection, and flatness of 1.6 mm over 685 mm length.

Certain stainless steel foil for automotive catalytic converters is also excluded from the scope of this order. This stainless steel strip in coils is a specialty foil with a thickness of between 20 and 110 microns used to produce a metallic substrate with a honeycomb structure for use in automotive catalytic converters. The steel contains, by weight, carbon of no more than 0.030 percent, silicon of no more than 1.0 percent, manganese of no more than 1.0 percent, chromium of between 19 and 22 percent, aluminum of no less than 5.0 percent, phosphorus of no more than 0.045 percent, sulfur of no more than 0.03 percent, lanthanum of between 0.002 and 0.05 percent, and total rare earth elements of more than 0.06 percent, with the balance iron.

Permanent magnet iron–chromium-cobalt alloy stainless strip is also excluded from the scope of this order. This ductile stainless steel strip contains, by weight, 26 to 30 percent chromium, and 7 to 10 percent cobalt, with the remainder of iron, in widths 228.6 mm or less, and a thickness between 0.127 and 1.270 mm. It exhibits magnetic remanence between 9,000 and 12,000 gauss, and a coercivity of between 50 and 300 oersteds. This product is most commonly used in electronic sensors and is currently available under proprietary trade names such as ''Arnokrome III.''[1]

Certain electrical resistance alloy steel is also excluded from the scope of this order. This product is defined as a non–magnetic stainless steel manufactured to American Society of Testing and Materials (''ASTM'') specification B344 and containing, by weight, 36 percent nickel, 18 percent chromium, and 46 percent iron, and is most notable for its resistance to high temperature corrosion. It has a melting point of 1390 degrees Celsius and displays a creep rupture limit of 4 kilograms per square millimeter at 1000 degrees Celsius. This steel is most commonly used in the production of heating ribbons for circuit breakers and industrial furnaces, and in rheostats for railway locomotives. The product is currently available under proprietary trade names such as ''Gilphy 36.''[2]

Certain martensitic precipitation–hardenable stainless steel is also excluded from the scope of this order. This high–strength, ductile stainless steel product is designated under the Unified Numbering System (''UNS'') as

[1] ''Arnokrome III'' is a trademark of the Arnold Engineering Company.

[2] ''Gilphy 36'' is a trademark of Imphy, S.A.

S45500–grade steel, and contains, by weight, 11 to 13 percent chromium and 7 to 10 percent nickel. Carbon, manganese, silicon and molybdenum each comprise, by weight, 0.05 percent or less, with phosphorus and sulfur each comprising, by weight, 0.03 percent or less. This steel has copper, niobium, and titanium added to achieve aging, and will exhibit yield strengths as high as 1700 Mpa and ultimate tensile strengths as high as 1750 Mpa after aging, with elongation percentages of 3 percent or less in 50 mm. It is generally provided in thicknesses between 0.635 and 0.787 mm, and in widths of 25.4 mm. This product is most commonly used in the manufacture of television tubes and is currently available under proprietary trade names such as ''Durphynox 17.''[3]

Finally, three specialty stainless steels typically used in certain industrial blades and surgical and medical instruments are also excluded from the scope of this order. These include stainless steel strip in coils used in the production of textile cutting tools (*e.g.*, carpet knives).[4] This steel is similar to ASTM grade 440F, but containing, by weight, 0.5 to 0.7 percent of molybdenum. The steel also contains, by weight, carbon of between 1.0 and 1.1 percent, sulfur of 0.020 percent or less and includes between 0.20 and 0.30 percent copper and between 0.20 and 0.50 percent cobalt. This steel is sold under proprietary names such as ''GIN4 HI–C.'' The second excluded stainless steel strip in coils is similar to AISI 420–J2 and contains, by weight, carbon of between 0.62 and 0.70 percent, silicon of between 0.20 and 0.50 percent, manganese of between 0.45 and 0.80 percent, phosphorus of no more than 0.025 percent and sulfur of no more than 0.020 percent. This steel has a carbide density on average of 100 carbide particles per square micron. An example of this product is ''GIN5'' steel. The third specialty steel has a chemical composition similar to AISI 420 F, with carbon of between 0.37 and 0.43 percent, molybdenum of between 1.15 and 1.35 percent, but lower manganese of between 0.20 and 0.80 percent, phosphorus of no mor than 0.025 percent, silicon of between 0.20 and 0.50 percent, and sulfur of no more than 0.020 percent. This product is supplied with a hardness of more than Hv 500 guaranteed after customer processing, and is supplied as, for example, ''GIN6.''

[3] ''Durphynox 17'' is a trademark of Imphy, S.A.

[4] This list of uses is illustrative and provided for descriptive purposes only.

Final Results of Review

As noted above, the Department received no comments concerning the Preliminary Results. Therefore, consistent with the *Preliminary Results*, we continue to find the net subsidy for DMC to be 0.03 percent *ad valorem*, which is *de minimis*. *See* 19 CFR 351.106(c)(1). As there have been no changes to or comments on the *Preliminary Results*, we are not attaching a decision memorandum to this **Federal Register** notice. For further details of the programs included in this proceeding, see the *Preliminary Results*.

Assessment Rates/Cash Deposits

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (''CBP'') 15 days after the date of publication of these final results of this review, to liquidate shipments of subject merchandise by DMC entered, or withdrawn from warehouse, for consumption on or after January 1, 2005, through December 31, 2005, without regard to countervailing duties. We will also instruct CBP not to collect cash deposits of estimated countervailing duties on shipments of the subject merchandise by DMC entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review.

For all non–reviewed companies, we will instruct CBP to continue to collect cash deposits at the most recent company–specific or country–wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to non–reviewed companies covered by this order are those established in the most recently completed administrative proceeding. *See Final Results of Countervailing Duty Administrative Review: Stainless Steel Sheet and Strip in Coils from the Republic of Korea*, 72 FR 120 (January 3, 2007). These rates shall apply to all non–reviewed companies until a review of a company assigned these rates is completed.

Return of Destruction of Proprietary Information

This notice also serves as a reminder to parties subject to administrative protective order (''APO'') of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: January 8, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E8–558 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Visiting Committee on Advanced Technology

AGENCY: National Institute of Standards and Technology Department of Commerce.

ACTION: Notice of Public Meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that the Visiting Committee on Advanced Technology (VCAT), National Institute of Standards and Technology (NIST), will meet Tuesday, February 5, 2008, from 8:30 a.m. to 5 p.m. and Wednesday, February 6, 2008, from 8 a.m. to 12 p.m. The Visiting Committee on Advanced Technology is composed of fifteen members appointed by the Director of NIST who are eminent in such fields as business, research, new product development, engineering, labor, education, management consulting, environment, and international relations.

The purpose of this meeting is to review and make recommendations regarding general policy for the Institute, its organization, its budget, and its programs within the framework of applicable national policies as set forth by the President and the Congress. Agenda items will include preparation of the VCAT annual report, with break-out sessions for the three sub-committee groups on Information Technology, Nanotechnology, and Biosciences to discuss recommendations made to NIST throughout the year, with input back to the full committee. The agenda may change to accommodate Committee business. The final agenda will be posted on the NIST Web site at *http://www.nist.gov/director/vcat/agenda.htm*.

Anyone wishing to attend this meeting must submit name, e-mail address and phone number to Denise Herbert (*denise.herbert@nist.gov* or 301–975–5607) no later than February 1, 2008.

DATES: The meeting will convene on February 5, 2008, at 8:30 a.m. and will adjourn on February 6, 2008, at 12 p.m.

ADDRESSES: The meeting will be held in the Employees Lounge, Administration Building, at NIST, Gaithersburg, Maryland. All visitors to the NIST site will have to pre-register to be admitted. Please submit your name, time of arrival, e-mail address and phone number to Denise Herbert no later than Friday, February 1, 2008, and she will provide you with instructions for admittance. Ms. Herbert's e-mail address is *denise.herbert@nist.gov* and her phone number is (301) 975–5607.

FOR FURTHER INFORMATION CONTACT: Denise Herbert, Visiting Committee on Advanced Technology, National Institute of Standards and Technology, Gaithersburg, Maryland 20899–1000, telephone number (301) 975–5607.

Dated: January 9, 2008.

Richard Kayser,

Acting Deputy Director.

[FR Doc. E8–537 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XE97

Endangered and Threatened Species; Take of Anadromous Fish

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of a scientific research permit.

SUMMARY: Notice is hereby given that NMFS has issued Permit 10017 to California Department of Parks and Recreation (CDPR) in Half Moon Bay, California.

ADDRESSES: The application, permit, and related documents are available for review by appointment at: Protected Resources Division, NMFS, 777 Sonoma Avenue, Room 315, Santa Rosa, CA 95404 (ph: 707–575–6097, fax: 707–578–3435, e-mail at: *Jeffrey.Jahn@noaa.gov*)

FOR FURTHER INFORMATION CONTACT: Jeffrey Jahn at 707–575–6097, or e-mail: *Jeffrey.Jahn@noaa.gov*.

SUPPLEMENTARY INFORMATION:

Authority

The issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531–1543) (ESA), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations (50 CFR parts 222–226) governing listed fish and wildlife permits.

Species Covered in This Notice

This notice is relevant to federally endangered Central California Coast coho salmon (*Oncorhynchus kisutch*) and threatened Central California Coast steelhead (*O. mykiss*).

Permit Issued

A notice of the receipt of an application for a scientific research permit (10017) was published in the **Federal Register** on July 23, 2007 (72 FR 40119). Permit 10017 was issued to CDPR on November 27, 2007.

Permit 10017 authorizes: (1) unintentional non-lethal capture (by beach seine and dipnet), and release of adult Central California Coast coho salmon and adult Central California Coast steelhead; (2) capture (by backpack electrofishing, beach seine, dip-net, and fyke-net trap), handling, and release of juvenile Central California Coast coho salmon; (3) capture (by backpack electrofishing, beach seine, dip-net, and fyke-net trap), handling, marking (using fin-clips, PIT tags, or VIE tags), and release of juvenile Central California Coast steelhead; (4) capture (by beach seine or dip-net), lethal sacrifice, and collection of sick or injured juvenile Central California Coast steelhead; and (5) capture (by beach seine or dip-net) and collection of previously dead juvenile Central California Coast steelhead.

Permit 10017 authorizes unintentional lethal take of: juvenile Central California Coast steelhead not to exceed 2 percent of juvenile Central California Coast steelhead captured. Permit 10017 does not authorize any lethal take of adult Central California Coast coho salmon and adult Central California Coast steelhead. Permit 10017 authorizes intentional lethal take of five juvenile Central California Coast steelhead that appear to be sick or injured (appear lethargic, are unresponsive to disturbance, or swim rapidly in a circular or erratic manner) as a result of fish die-off events in Pescadero Lagoon, San Mateo County, California.

Permit 10017 is for research to be conducted in the lagoons and streams of San Gregorio Creek, Pomponio Creek, and Pescadero Creek in San Mateo County, California. The purpose of the research is to provide ESA-listed salmonid population, distribution, and habitat assessment data which will: (1) contribute to the general body of scientific knowledge pertaining to ESA-listed salmonids; (2) assess the effects of chronic hypoxia and annual fish die-off events on the status of juvenile ESA-listed salmonid populations and habitat use in Pescadero Lagoon; (3) guide habitat restoration and management actions to prevent future fish die-off events in Pescadero Lagoon; and (4) evaluate the effects of wetland restoration and altered sandbar regimes on juvenile ESA-listed salmonid populations and lagoon habitat to guide future restoration and management activities. Permit 10017 expires on November 30, 2012.

Dated: January 10, 2008.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E8–553 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF00

Marine Mammals; File No. 642–1536–03

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; withdrawal of application.

SUMMARY: Notice is hereby given that Joseph R. Mobley, Ph.D., University of Hawaii at Manoa, 2528 McCarthy Mall, Webster 404, Honolulu, HI 96822 has withdrawn his application for an amendment to his existing scientific research permit.

ADDRESSES: The documents related to this action are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713–2289; fax (301)427–2521; and

Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI

96814–4700; phone (808)973–2935; fax (808)973–2941.

FOR FURTHER INFORMATION CONTACT: Kate Swails or Amy Hapeman, (301)713–2289.

SUPPLEMENTARY INFORMATION: On June 4, 2007 a notice was published in the **Federal Register** (72 FR 30775) that an application had been filed by Dr. Mobley for an amendment to Permit No. 642–1536.

Permit No. 642–1536 authorizes the permit holder to conduct aerial and vessel-based research, including surface and underwater photography/videography for identification and sex verification, on North Pacific humpback whales (*Megaptera novaeangliae*) and several other species of cetaceans in Hawaiian waters.

The withdrawn amendment request was for authorization to use sound playback on up to 250 humpback whales annually in the waters off West Maui and possibly other inshore areas among the main Hawaiian Islands. After completing revisions the applicant plans to resubmit the application at a later date.

Dated: January 9, 2008.

P. Michael Payne,

Chief, Permits, Conservation and Education Division,Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E8–556 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648–XF02

South Atlantic Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of public scoping meetings.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a series of public scoping meetings regarding a proposed Comprehensive Allocation Amendment, Amendment 17 to the Snapper Grouper Fishery Management Plan (FMP) for the South Atlantic, Amendment 18 to the Snapper Grouper FMP for the South Atlantic, and commercial allocation of the South Atlantic king mackerel quota. See **SUPPLEMENTARY INFORMATION**.

DATES: The series of 5 public scoping meetings will be held February 4 - 7, 2008 and February 20, 2008. All scoping meetings will be open from 2 p.m. - 5 p.m. and from 6 p.m. - 8 p.m. Council staff and area Council members will be available for informal round table discussions and to answer questions. Members of the public will have an opportunity to go on record at any time during the meeting hours to record their comments on the scoping issues for Council consideration. Written comments must be received in the South Atlantic Council's office by 5 p.m. on February 22, 2008. See **SUPPLEMENTARY INFORMATION**.

ADDRESSES: Written comments should be sent to Bob Mahood, Executive Director, South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405, or via email to: *CompAllocScoping@safmc.net* for the Comprehensive Allocation Amendment; *SGAm17Scoping@safmc.net* for Amendment 17 to the Snapper Grouper FMP; *SGAm18Scoping@safmc.net* for Amendment 18 to the Snapper Grouper FMP; and *Mack16Scoping@safmc.net* for the commercial king mackerel quota allocation comments. Copies of the scoping documents are available from Kim Iverson, South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571–4366 or toll free at (866) SAFMC–10. Copies will also be available online at *www.safmc.net* as they become available.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571–4366; fax: (843) 769–4520; email address: *kim.iverson@safmc.net*

SUPPLEMENTARY INFORMATION:

Meeting Dates and Locations:

The scoping meetings will be held at the following locations:

1. *February 4, 2008* - The Mutiny Hotel, 2951 South Bayshore Drive, Coconut Grove, FL 33133, telephone: (305) 441–2100;

2. *February 5, 2008* - Radisson Resort at the Port, 8701 Astronaut Boulevard, Cape Canaveral, FL 32920, telephone: (321) 784–0000;

3. *February 6, 2008* - Quality Inn, 125 Venure Drive, Brunswick, GA 31525, telephone: (912) 265–4600;

4. *February 7, 2008* - Sheraton New Bern, 100 Middle Street, New Bern, NC 28560, telephone: (252) 638–3585;

5. *February 20, 2008* - Hilton Garden Inn, 5265 International Blvd., North Charleston, South CA 29418, telephone: (843) 308–9331.

The public scoping meetings will address overlapping fisheries issues for the South Atlantic region. These include: (1) A Comprehensive Allocation Amendment - the Council is considering this amendment to address commercial and recreational sector allocations of species under its jurisdiction in order to meet the Annual Catch Limit requirements; (2) Amendment 17 to the Snapper Grouper FMP - addressing requirements to establish Annual Catch Limits and Accountability Measures for overfished species by 2010 as specified in the Reauthorized Magnuson Stevens Fishery Conservation and Management Act, reduction of bycatch for deepwater snapper grouper species, options for the black sea bass pot and longline gear snapper grouper fisheries, changes to the golden tilefish fishing year, a 6-month winter closure for the snowy grouper fishery, extension of the management unit (and regulations) through the Mid-Atlantic Council's area of jurisdiction, golden tilefish allocations, and possible removal of some species from the snapper grouper fishery management unit; (3) Amendment 18 to the Snapper Grouper FMP - addressing possible Limited Access Privilege Programs for the commercial snapper grouper fishery; and (4) Commercial allocation of the commercial king mackerel fishery. With possible reductions in the Total Allowable Catch (TAC) for South Atlantic king mackerel, the Council is looking at options to ensure allocations of the commercial quota are fairly distributed from North Carolina to Florida.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) by 3 days prior to the start of each meeting.

Dated: January 10, 2008.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. E8–541 Filed 1–14–08; 8:45 am]

BILLING CODE 3510–22–S

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Information Collection; Submission for OMB Review, Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (hereinafter the ''Corporation''), has submitted a public information collection request (ICR) entitled the AmeriCorps NCCC Team Leader Application to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, (44 U.S.C. Chapter 35). Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Mr. Nicholas Zefran (202) 606–6703. Individuals who use a telecommunications device for the deaf (TTY–TDD) may call (202) 565–2799 between 8:30 a.m. and 5 p.m. eastern time, Monday through Friday.

ADDRESSES: Comments may be submitted, identified by the title of the information collection activity, to the Office of Information and Regulatory Affairs, Attn: Ms. Katherine Astrich, OMB Desk Officer for the Corporation for National and Community Service, by any of the following two methods within 30 days from the date of publication in this **Federal Register**:

(1) *By fax to:* (202) 395–6974, *Attention:* Ms. Katherine Astrich, OMB Desk Officer for the Corporation for National and Community Service; and

(2) Electronically by e-mail to: *Katherine_T._Astrich@omb.eop.gov*.

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Comments

A 60-day public comment Notice was published in the **Federal Register** on November 1, 2007. This comment period ended December 31, 2007. No public comments were received from this notice.

Description: The Corporation is seeking approval of the AmeriCorps NCCC Team Leader Application. The AmeriCorps NCCC Team Leader Application must be completed as part of the application process for acceptance into the program. This form is used to determine eligibility of applicants to successfully serve in the Team Leader role of the program.

Type of Review: Renewal.

Agency: Corporation for National and Community Service.

Title: AmeriCorps NCCC Team Leader Application.

OMB Number: 3045–0005.

Agency Number: None.

Affected Public: Citizens interested in serving as team leaders.

Total Respondents: 300 annually.

Frequency: One-time.

Average Time per Response: 1 hour.

Estimated Total Burden Hours: 300 hours.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Dated: January 8, 2008.

Merlene Mazyck,

Director, AmeriCorps NCCC.

[FR Doc. E8–532 Filed 1–14–08; 8:45 am]

BILLING CODE 6050–$$–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Grant Partially Exclusive Patent License; Soil Information Systems, Inc.

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Department of the Navy herby gives notice of its intent to grant to Soil Information Systems, Inc., a revocable, nonassignable, partially exclusive license in the United States to practice the Government-Owned invention(s) described in U.S. Patent Number 5,316,950 entitled ''Method for quantitative calibration of in situ optical chemical measurements in soils using soil class and characteristics'', issue date May 31, 1994.

DATES: Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than January 30, 2008.

ADDRESSES: Written objections are to be filed with the Office of Research and Technology Applications, Space and Naval Warfare Systems Center, Code 73120, 53560 Hull St., San Diego, CA 92152–5048.

FOR FURTHER INFORMATION CONTACT: Stephen H. Lieberman, Ph.D., Head, Office of Research and Technology Applications, Space and Naval Warfare Systems Center, Code 73120, 53560 Hull St., San Diego, CA 92152–5048, telephone 619–553–2778, *E-Mail: stephen.lieberman@navy.mil*.

(Authority: 35 U.S.C. 207, 37 CFR Part 404)

Dated: January 9, 2008.

T.M. Cruz,

Lieutenant, Office of the Judge Advocate General, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. E8–517 Filed 1–14–08; 8:45 am]

BILLING CODE 3810–FF–P

DENALI COMMISSION

Fiscal Year 2008 Draft Work Plan

AGENCY: Denali Commission.

ACTION: Denali Commission Fiscal Year 2008 Draft Work Plan request for comments.

SUMMARY: The Denali Commission (Commission) is an independent federal agency based on an innovative federal-state partnership designed to provide critical utilities, infrastructure and support for economic development and in-training in Alaska by delivering federal services in the most cost-effective manner possible. The Commission was created in 1998 with passage of the October 21, 1998 Denali Commission Act (Act) (Title III of Pub. L. 105–277, 42 U.S.C. 3121). The Denali Commission Act requires that the Commission develop proposed work plans for future spending and that the annual Work Plan be published in the **Federal Register**, providing an opportunity for a 30-day period of public review and written comment.

This **Federal Register** notice serves to announce the 30-day opportunity for public comment on the Denali Commission Draft Work Plan for Federal Fiscal Year 2008.

DATES: Comments and related material must be received by *February 14, 2008.*

ADDRESSES: Submit comments to the Denali Commission, Attention:

Automme Circosta, 510 L Street, Suite 410, Anchorage, AK 99501.

FOR FURTHER INFORMATION CONTACT: Ms. Automme Circosta, Denali Commission, 510 L Street, Suite 410, Anchorage, AK 99501. Telephone: (907) 271–1414. E-mail: *acircosta@denali.gov.*

Background: The Commission's mission is to partner with tribal, federal, state, and local governments and collaborate with all Alaskans to improve the effectiveness and efficiency of government services, to develop a well-trained labor force employed in a diversified and sustainable economy, and to build and ensure the operation and maintenance of Alaska's basic infrastructure.

By creating the Commission, Congress mandated that all parties involved partner together to find new and innovative solutions to the unique infrastructure and economic development challenges in America's most remote communities.

Pursuant to the Denali Commission Act, as amended, the Commission determines its own basic operating principles and funding criteria on an annual federal fiscal year (October 1 to September 30) basis. The Commission outlines these priorities and funding recommendations in an annual Work Plan.

Pursuant to the Act, the Work Plan is first provided in draft by the Commission for publication in the **Federal Register** providing an opportunity for a 30-day period of public review and written comment. The Work Plan is also disseminated widely to Commission program partners including, but not limited to the Bureau of Indian Affairs (BIA), the Economic Development Administration (EDA), and the United States Department of Agriculture—Rural Development (USDA–RD). Commission staff are responsible for compiling written public comment and forwarding it to the Commission's Federal Co-Chair (Mr. George J. Cannelos).

The Federal Co-Chair then adopts a final version of the Work Plan, which includes, to the degree the Federal Co-Chair deems appropriate, modifications, additions and deletions based on the policy and program recommendations of the full Commission and public comment. The final version of the Work Plan is forwarded to the Secretary of Commerce for approval on behalf of the Federal Co-Chair.

The Work Plan authorizes the Federal Co-Chair to enter into grant agreements, award grants and contracts and obligate the federal funds identified by appropriation below.

FY 08 Appropriations Summary

The FY 08 Draft Work Plan has been developed based on the appropriations approved by Congress for Fiscal Year 2008 (FY08), as detailed in the FY08 Denali Commission Funding Summary Table below. Some appropriations have been identified as ''Estimates.'' These figures will be updated in the final Work Plan upon receipt of FY08 appropriations by the Commission.

The Denali Commission has historically received several federal funding sources (identified by the varying colors in the table below). These fund sources, commonly referred to as ''appropriations,'' are governed by the following general principles:

- In FY 08 no project specific earmarks were provided in any appropriations;
- Energy and Water Appropriations (commonly referred to as Commission ''Base'' funding) is eligible for use in all programs, but has historically been used substantively to fund the Energy Program.
- The Energy Policy Act of 2005 established new authorities for the Commission's Energy Program, with an emphasis on renewable and alternative energy projects. No new funding accompanied the Energy Policy Act, and prior fiscal year Congressional direction has indicated that the Commission should fund renewable and alternative Energy Program activities from the available ''Base'' appropriation.
- All other appropriations outlined below may be used only for the specific program area and may not be used across programs. For instance, Health Resources and Services Administration (HRSA) funding, which is appropriated for the Health Facilities Program, may not be moved to the Economic Development Program.

The figures appearing in the table below include an administrative deduction of 5%, which constitutes the Commission's 5% overhead. In instances where the overhead differs from the 5% it is due to the requirements related to that appropriation. For example, USDA-Rural Utilities Services (RUS) funding is limited to 4% overhead.

Final transportation appropriations received are typically slightly reduced due to agency modifications, reductions and fees determined by the U.S. Department of Transportation.

The table below provides the following information, by appropriation:

- Total FY 08 Appropriations:

These are the figures that appear in the rows entitled ''FY 08 Appropriation'' and are the original appropriation amounts which do not include Commission overhead deductions. These appropriations are identified by their source name (i.e., ''Energy and Water Appropriation; USDA, Rural Utilities Service, etc.)

- Total FY 08 Program Available Funding:

These are the figures that appear in the rows entitled ''FY 08 Appropriations—Program Available'' and are the amounts of funding available for program(s) activities after Commission overhead has been deducted.

- Program Funding:

These are the figures that appear in the rows entitled with the specific Program and Sub-Program area, and are the amounts of funding the Draft FY 08 Work Plan recommends, within each appropriation.

- Subtotal of Program Funding

These are the figures that appear in the rows entitled ''subtotal'' and are the subtotals of all program funding within a given appropriation. The subtotal must always equal the Total FY 08 Program Available Funding.

DENALI COMMISSION FY 08 APPROPRIATIONS FUNDING TABLE

FY 08 Energy & Water Appropriation	$21,800,000
FY 08 Energy & Water Appropriations (''Base'')—Program Available (less 5% Commission overhead)	20,511,620
Energy Program: bulk fuel, RPSU, etc.	10,000,000
Energy Program: alternative & renewable energy	9,000,000 (up to)
Teacher Housing Program: design & construction	1,000,000
Economic Development Program: various	511,620
Sub-total $	20,511,620
FY 08 USDA, Rural Utilities Service (RUS)	15,000,000

DENALI COMMISSION FY 08 APPROPRIATIONS FUNDING TABLE—Continued

FY 08 USDA—Rural Utilities Service (RUS)—Program Available (less 4% overhead)	14,400,000
Energy Program: high energy cost communities	14,400,000
Sub-total $	14,400,000
FY 08 Trans Alaska Pipeline Liability (TAPL) Trust	4,201,398
FY 08 Trans Alaska Pipeline Liability (TAPL)—Program Available (less 5% overhead) ESTIMATE	3,991,328
Energy Program: bulk fuel	3,991,328
Sub-total $	3,991,328
FY 08 DHHS—Health Resources & Services Administration (HRSA)	39,283,200
FY 08 DHHS—Health Resources & Services Administration (HRSA)—Program Available (less 5% Commission overhead)	37,319,040
Health Program: Primary Care Clinic Design, Planning, and Construction	23,319,040
Health Program: Behavioral Health	5,000,000
Health Program: Primary Care in Hospitals	4,000,000
Health Program: Domestic Violence Facilities	1,000,000
Health Program: Hospital Designs	4,000,000
Sub-total $	37,319,040
FY 08 Department of Labor (DOL)	6,875,000
FY 08 Department of Labor (DOL)—Program Available (less 5% Commission overhead)	6,531,250
Training Program: Various	6,531,250
Sub-total $	6,531,250
FY 08 Federal Transportation Administration (FTA)—Estimate	5,000,000
FY 08 Federal Highway Administration (FHWA)—Estimate	19,000,000
FY 08 Transportation (less 5% Commission overhead)—Estimate	22,800,000
Transportation Program: Docks & Harbors	9,000,000
Transportation Program: Roads	13,800,000
Sub-total $	22,800,000
FY 08 USDA, Solid Waste	437,000
FY 08 USDA—Solid Waste—Program Available (less 5% Commission overhead)	415,150
Solid Waste Program: planning, design and construction	415,150
Sub-total $	415,150
TOTAL FY 08 Appropriations—Estimate	$111,596,598
TOTAL FY 08 Program Available—Estimate	$105,968,388

FY 08 Program Details & General Information

The following section provides narrative discussion, by each of the Commission Programs identified for FY 08 funding in the table above, in the following categories:

- Program History and Approach
- Applicant/Grant Process
- Program Project Selection Process
- Program Policy Issues (as applicable)

In addition to the FY 08 funded program activities; the last section of the narrative provides an update on the Commission's Government Coordination Program. The Program is not funded by Commission appropriations, but is an integral component of the Commission's mission, the success of other programs, and the legacy of the Commission's work in Alaska.

The final section also includes a general summary of the Commission's potential role in erosion and relocation in Alaska, as well as a summary of the Commission's goals regarding agency-wide program evaluation in FY 08.

Energy Program

The Energy Program is the Commission's oldest program and is often identified, along with the Health Program, as a ''legacy'' program. The Program focuses on bulk fuel (BFU) and rural power system upgrades/power generation (RPSU) across Alaska. The purpose of this program is to provide code-compliant bulk fuel storage and electrification throughout rural Alaska, especially for communities ''off the grid'' and not reachable by road or rail.

The needs in the bulk fuel and power generation projects are presently estimated at $198 million and $211 million, respectively, in 2004 construction costs. At FY 06 funding rates, it will take another eight to nine years for BFU and ten to eleven years for RPSU before these programs are completed. The Commission has also funded a very successful program of competitively selected energy cost reduction-alternative energy projects. In three completed rounds of funding, approximately $6 million in grant funds have leveraged $8.1 million in participant funding, with estimated life-cycle cost savings (generally diesel fuel avoided over the life of the project) of $29 million.

The Energy Policy Act of 2005 established new authorities for the Commission's Energy Program, with an emphasis on alternative and renewable energy projects, energy transmission, including interties, and fuel transportation systems. Although the 2005 Energy Policy Act did not include specific appropriations, the Commission is expected to carry out the intent of the Act through a portion of its ''Base'' funding. To date, the Commission has co-funded a number of renewable projects, including hydroelectric facilities, a geothermal power plant, a biomass boiler, and a number of diesel-

wind power generation systems. In FY 07 the Commission issued a request for proposals for alternative and renewable energy projects. The FY 08 Work Plan outlines a strategy to rebalance the Energy Program in both legacy and renewable systems, providing up to $9,000,000 for alternative and renewable projects. About 94% of electricity in rural communities which receive Power Cost Equalization (PCE) payments is produced by diesel and about half the fuel storage in most villages is used for the power plants. Any alternative means of generating power can reduce the capacity needed for fuel storage. This reduces capital costs and operations and maintenance (O&M) and repair and renovation (R&R) costs for fuel storage facilities and may reduce the cost of power to the community.

The Energy Program has historically used a ''universe of need'' model to determine project and program funding. Specifically, the Program is focused on using the existing statewide deficiency lists of bulk fuel facilities and power generation/distribution systems to prioritize project funding decisions. A program partnership model is utilized for project management and partners are actively involved in the design and construction of projects. Partners coordinate project funding requests with the Commission to balance the relative priority or urgency of bulk fuel and power generation needs against available funding, readiness of individual communities and project participants for the project(s), and capacity of the partners to carry out the work. Communities are identified by partners and through the deficiency list process. Legacy program (RPSU, bulk fuel and intertie) Projects are selected and reviewed by Commission staff and program partners. Thus, a renewable project sometimes is proposed in conjunction with a deficiency list project to reduce the dependence on diesel fuel, and the concomitant fuel storage requirements. So too, an intertie, can remove the need for a new power plant, and reduce fuel storage requirements in the intertied communities. Therefore, the legacy Program may include these types of energy infrastructure also. Each community and project must be evaluated holistically. Program partners also perform initial due diligence and Investment Policy screenings, as well as assisting in development of the business plans for the participants as the designs are underway. The Program is dynamic: priorities fluctuate throughout the year, based on design decisions, due diligence and investment policy considerations, site availability, the timing of funding decisions, etc.

It is anticipated that alternative/renewable projects will be selected via a Request for Proposal (RFP) process, similar to the RFP utilized in FY 07. Commission staff and an independent body will review and select projects submitted via RFP. The Energy Advisory Committee, provides policy guidance to the Program. The Energy Advisory Committee does not select or prioritize individual projects.

Health Facilities Program

The Denali Commission Act was amended in 1999 to provide for the, ''planning, constructing and equipping of health facilities.'' Since 1999, the Health Facilities Program has been methodically investing in the planning, design and construction of primary care clinics across Alaska.

Primary care clinics have remained the ''legacy'' priority for the Program. However, in 2003 the ''Other Than'' primary care component of the Program was adopted in response to Congressional direction to fund a mix of other health and social service related facility needs. Over time, the Program has developed Program sub-areas such as Behavioral Health Facilities, Domestic Violence Facilities, Elder Housing, Primary Care in Hospitals, Emergency Medical Services Equipment and Hospital Designs.

The Program utilizes a ''universe of need'' model for primary care and a competitive selection process for other sub-program areas. In 1999 the Program created a deficiency list for primary care clinics, which totaled 288 communities statewide in need of clinic replacement, expansion and/or renovation. Currently, 70 clinics have been completed (either new construction or renovation), 33 are in construction and 62 are in planning/design.

The Program is guided by the Health Steering Committee, an advisory body comprised of the following membership organizations: the State of Alaska, Alaska Primary Care Association, the Alaska Native Tribal Health Consortium, the Alaska Mental Health Trust Authority, the Alaska Native Health Board, the Indian Health Service, the Alaska State Hospital and Nursing Home Association, and the University of Alaska.

Projects are recommended for funding by Commission staff if they demonstrate project readiness, which includes the completion of all due diligence requirements. This includes an approved business plan, community plan, site plan checklist, completed 100% design, documentation of cost share match, and realistic ability to move the project forward in a given construction season.

The Health Facilities Program anticipates two major policy changes in FY 08, 1) the development of size guidelines for large clinics, as well as potential changes to the existing size guidelines for medium and large clinics, and 2) issuance of an RFP for the design of a multipurpose clinic/facility for communities with less than 100 year round residents.

Training Program

In a majority of rural communities unemployment rates exceed 50% and per capita income rates are over 50% below the national average. When job opportunities in rural Alaska do become available, rural residents often lack the skills necessary to compete and often lose those jobs to people from outside the community, region or even state. With the limited number of jobs available, the Commission believes it is imperative to ensure that local residents have the skills and knowledge necessary to work on the construction of projects funded by the Denali Commission. In addition the Commission builds sustainability into the development of infrastructure by providing training for the long term management, operations and maintenance of facilities and thus increasing local employment at the same time.

The Program's mission is to increase the employment and wages of unemployed or underemployed Alaskans through training for careers in construction, operations and maintenance of public facilities.

The Program is also guided by the following principles:

- Priority on training for construction, operations and maintenance of public infrastructure.
- Training will be tied to a job.
- Training will encourage careers not short term employment.
- Funding will support a ''Training System''.

To date the Commission has dedicated training funds to the careers associated with infrastructure development and long-term sustainability in rural Alaska. The Commission has funded construction, operations and maintenance training in communities statewide with large success.

The Training Program's primary purpose is to support the Commission's investment in infrastructure development by providing training for the careers related to the Commission

infrastructure programs (such as Energy and Health Facilities).

The Commission anticipates that the general priority areas of construction, operations and maintenance of Commission Projects; management training for Commission Projects; youth initiatives in support of Commission projects; and construction, operations and maintenance training of ''other public infrastructure'' will continue to be funded in FY 08. Projects are selected through various RFP processes with partners, and at the recommendation of Commission staff, and policy guidance and priority areas for funding are set by the Training Advisory Committee.

Historically the Commission has provided funding directly to organizations that are able to deliver results in the priority areas as described above. These organizations have typically been selected by the Commission directly or through competitive requests for proposals managed by partner organizations.

Transportation

On August 10, 2005, the President signed into law new highway program reauthorization legislation titled Safe, Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU). This Act provides the Commission with $15 million annually for fiscal years 2005–2009 for a Denali Access System program. The Act also provides the Commission $10 million annually for Fiscal Years 2005–2009 for docks, harbors and related waterfront development projects. The Act also outlined the array of road projects Denali Access System is designed to target, rural community streets and roads, roads between rural communities, state highway system; and roads to access resource development.

The Act requires the formation of the Denali Access System Transportation Advisory Committee (TAC) to advise the Commission with members appointed by the Governor of Alaska. The nine member committee includes by law, four members who represent existing regional Native corporations, native non-profit entities, tribal governments and four members who represent rural Alaska regions or villages. The committee chair is Denali Commission Federal Co-Chair, George J. Cannelos.

The TAC is a central feature of the amendments to the Denali Commission Act of 1998 that defines the Denali Access System. Section 309 defines key committee responsibilities that include: recommend transportation priorities and funding strategies; develop public involvement and coordinating planning programs; develop annual capital budget recommendations; and coordinate multi-region projects.

As a result of a TAC-directed public outreach and agency coordination effort, the program has now begun to focus attention on two important transportation needs: roads and boardwalks, and barge landing moorage systems. Village connector roads and roads to local and regional resources will continue to receive significant attention, but to the extent practical each year, local roads and boardwalks in small rural communities will receive primary attention. The program will also maintain its focus on dust control in villages. In the waterfront development program, docks and harbors in small coastal communities will continue to receive attention, but there is a significant need for barge landings in coastal and riverine communities to improve operational safety and efficiencies. This class of project will receive primary consideration each year to the extent funding and construction schedules allow.

Another evolution in Program development, especially in the road Program, has been a shift from maximizing financial leveraging opportunities with other transportation agencies, to fully fund, as necessary, the program's highest priority projects. In FY 06, the $23 million transportation program leveraged almost $100 million in projects. In coming years, while striving to leverage funding opportunities, an emphasis on priorities over funding partnerships will likely reduce the overall program joint-fund total. This has been critical because of the nature of the projects the Commission is able to fund. These projects are typically very important, but may not rise to prioritization for funding on State or other Federal transportation systems.

The TAC reviews project nominations on a semi-annual basis, once in December for project selections and once during the summer to monitor project development.

In addition to meeting transportation-specific criteria and processes, the Program fully incorporates Denali Commission policies including a commitment to sustainable community projects, and a commitment to the Commission's Investment Policy.

Solid Waste

The Commission began receiving solid waste funding in FY 06. The Commission partners with USDA Rural Development to address deficiencies in solid waste disposal sites which threaten to contaminate rural drinking water supplies.

Proper solid waste collection, processing and disposal are an essential public service that often presents a difficult challenge in rural Alaska. Due to several factors, including limited rural Alaska local government budgets, community remoteness, limited transportation infrastructure and obstacles posed by Alaska's severe climate, solid waste service is a prominent widespread deficiency in the context of Alaska's wide array of environmental issues and public health and quality of life issues.

The program relies on a competitive RFP process to select and identify projects, and utilizes a multidiscipline review panel to ensure that projects meet all Commission due diligence and policy requirements. Program partners administer individual grant awards on behalf of the Commission. Typically this RFP process occurs once or twice in a given year depending on need and project eligibility.

Teacher Housing

Teaching in rural Alaska can be one of the most rewarding and challenging professions. A critical issue for rural teachers is finding safe, affordable housing during the school year. Housing availability varies by community from newer adequate homes, to old housing units with multiple safety and structural problems, to a lack of enough available housing, requiring teachers to double-up or even live in the school.

Teacher turnover rates are high in rural Alaska, with many teachers citing unavailable or inadequate housing as a factor in their decision to move. The quality of education received by students is impacted by teacher retention. By improving the availability and quality of housing for teachers, the Commission strives to also increase the quality of education received by the next generation of Alaskans.

In FY 04, Congress directed the Commission to address the teacher housing needs in rural Alaska. The Commission launched a statewide survey of 51 school districts and rural education attendance areas to identify and prioritize the teacher housing needs throughout the state. Urban districts in Anchorage, Fairbanks, Mat-Su and Juneau were not included in the survey.

The Commission utilizes a program partnership model to implement the teacher housing program. An annual RFP process identifies eligible projects and other funding sources, such as debt service, available to fill the gap between the project's capacity to carry debt and the total development cost of the

project. Acquisition, rehabilitation, new construction, and multi-site rehabilitation are eligible development activities under this program.

Economic Development

Since its earliest days as a territory of the United States, Alaska has contributed to the economy of America, largely through supply of raw materials or partially processed products. Now Alaska's abundant natural resources, from fossil fuel and mineral products to timber and fish, must compete in the global marketplace. Innovation and entrepreneurship have become critical to business success.

One of the purposes of the Commission is economic development. The Commission firmly believes that sustainable economic development for Alaska's rural communities, like that of the rest of America, will be generated in the private, commercial sector, not within government. To that end, the Commission supports the development of public infrastructure upon which the private sector creates jobs and wealth, and helps ensure that good businesses and business ideas have a chance to become long-term, self-sustaining enterprises.

Over the history of the Program, the Commission has supported and advanced a wide array of economic development program activities ranging from community profile mapping to supporting innovative models for lending, and equity investment in Alaska.

The Program is guided by Commission staff and the Economic Development Advisory Committee, which provides general policy guidance and funding recommendations in broad categories. It is anticipated that FY 08 funds will be made available via an RFP process.

Government Coordination

The Commission is charged with the special role of increasing the effectiveness of government programs by acting as a catalyst to coordinate the many Federal and State programs that serve Alaska. In FY 08 the Commission will continue its role of coordinating State and Federal agencies and other partner organizations to accomplish its overall mission of developing Alaska's communities.

Other Emerging Issues

The Commission anticipates an active role in the emerging issues and challenges related to erosion and relocation in Alaska in the future. The Commission is committed to partnering with other Federal, State and tribal entities to ensure that public policy solutions are developed in the most expedient, responsive and culturally-appropriate manner. While no funds are appropriated for the Commission for this purpose in FY 08, Commission staff are working diligently to ensure that communities that may experience erosion or relocation issues are being vetted and reviewed appropriately prior to infrastructure development occurring.

The Commission is committed to innovative, cost-effective and creative design and construction solutions. To that end, the Commission anticipates engaging in more diverse and experimental partnerships in FY 08, and will be seeking innovative design, construction and program and project management practices.

In FY 08 the Commission will be creating an ongoing, agency wide evaluation system to measure the outcomes of Commission programs. It is anticipated that this work will begin in late spring or early summer, and would be designed to provide by empirical and qualitative data regarding Commission programs, projects and overall goal accomplishments in a broad set of evaluation criteria. It is the Commission's intent to maintain high-level measures that are correlated to the Commission's goals related to improving access, reducing cost and improving the quality of services and facilities across Alaska. Program Advisory Committees, staff and Commissioners will play a critical role in shaping this evaluation methodology.

Dated: January 9, 2008.

George J. Cannelos,

Federal Co-Chair.

[FR Doc. E8–519 Filed 1–14–08; 8:45 am]

BILLING CODE 3300–01–P

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

ACTION: Correction Notice.

SUMMARY: On December 21, 2007, the Department of Education published a comment period notice in the **Federal Register** (Page 72682, Column 3) for the information collection, ''Understanding Science Professional Development and the Science Achievement of English Learners.'' The burden hours are hereby corrected to 680.

The IC Clearance Official, Regulatory Information Management Services, Office of Management, hereby issues a correction notice as required by the Paperwork Reduction Act of 1995.

Dated: January 9, 2008.

Angela C. Arrington,

IC Clearance Official, Regulatory Information Management Services, Office of Management.

[FR Doc. E8–548 Filed 1–14–08; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Energy Information Administration (EIA), Department of Energy (DOE).

ACTION: Agency Information Collection Activities: Submission for OMB Review; Comment Request.

SUMMARY: The EIA has submitted the ''Natural Gas Processing Plant Survey,'' Form EIA–757 to the Office of Management and Budget (OMB) for review and a three-year approval under section 3507(h)(1) of the Paperwork Reduction Act of 1995 (Pub. L. 104–13) (44 U.S.C. 3501 et seq., at 3507(h)(1)).

DATES: Comments must be filed by February 14, 2008. If you anticipate that you will be submitting comments but find it difficult to do so within that period, you should contact the OMB Desk Officer for DOE listed below as soon as possible.

ADDRESSES: Send comments to OMB Desk Officer for DOE, Office of Information and Regulatory Affairs, Office of Management and Budget. To ensure receipt of the comments by the due date, submission by FAX at 202–395–7285 or e-mail to *Nathan_J._Frey@omb.eop.gov* is recommended. The mailing address is 726 Jackson Place, NW., Washington, DC 20503. The OMB DOE Desk Officer may be telephoned at (202) 395–7345. (A copy of your comments should also be provided to EIA's Statistics and Methods Group at the address below.)

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Grace Sutherland. To ensure receipt of the comments by the due date, submission by FAX (202–586–5271) or e-mail (*grace.sutherland@eia.doe.gov*) is also recommended. The mailing address is Statistics and Methods Group (EI–70), Forrestal Building, U.S. Department of Energy, Washington, DC 20585–0670. Ms. Sutherland may be contacted by telephone at (202) 586–6264.

SUPPLEMENTARY INFORMATION: This section contains the following

information about the energy information collection submitted to OMB for review: (1) The collection numbers and title; (2) the sponsor (i.e., the Department of Energy component); (3) the current OMB docket number (if applicable); (4) the type of request (i.e., new, revision, extension, or reinstatement); (5) response obligation (i.e., mandatory, voluntary, or required to obtain or retain benefits); (6) a description of the need for and proposed use of the information; (7) a categorical description of the likely respondents; and (8) an estimate of the total annual reporting burden (i.e., the estimated number of likely respondents times the proposed frequency of response per year times the average hours per response).

1. ''Natural Gas Processing Plant Survey'' Form EIA–757.

2. Energy Information Administration.

3. OMB Number 1905–NEW.

4. NEW.

5. Mandatory.

6. The purposes of the survey are to collect information and produce periodic reports about the operational status of U.S. natural gas processing plants to improve public understanding of their production capacities and operating levels as well as to monitor constraints resulting from natural gas supply emergencies. The survey consists of Schedule A ''Baseline Report,'' a census which will be used to collect baseline operational information on all U.S. natural gas processing plants. Schedule A will collect information as frequently as every three years and the information will be used for periodic reports on the plants as well as to develop the survey frame for Schedule B ''Emergency Status Report''. In the event of a natural gas supply emergency, Schedule B will collect information about operating levels, damage and recovery of operations.

7. Operators of natural gas processing plants.

8. 84 hours annually.

Please refer to the supporting statement as well as the proposed forms and instructions for more information about the purpose, who must report, when to report, where to submit, the elements to be reported, detailed instructions, provisions for confidentiality, and uses (including possible nonstatistical uses) of the information. For instructions on obtaining materials, see the **FOR FURTHER INFORMATION CONTACT** section.

Statutory Authority: Section 3507(h)(1) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104–13) (44 U.S.C. 3501 et seq., at 3507(h)(1))

Issued in Washington, DC, January 8, 2008.

Jay H. Casselberry,

Agency Clearance Officer, Energy Information Administration.

[FR Doc. E8–523 Filed 1–14–08; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13015–000]

Town of Edgartown; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

December 18, 2007.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 13015–000.

c. *Date Filed:* September 12, 2007.

d. *Applicant:* Town of Edgartown.

e. *Name of Project:* Nantucket Tidal Energy Plant Water Power Project.

f. *Location:* The project would be located in Nantucket Sound and Muskeget Channel, between Nantucket Island and Martha's Vineyard, in Nantucket and Dukes Counties, Massachusetts. The project uses no dam or impoundment.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Ms. Pamela Dolby, Town Administrator, Town of Edgartown, 70 Main Street, P.O. Box 5158, Edgartown, MA 02539, phone (508) 627–6180.

i. *FERC Contact:* Ms. Kelly Houff, (202) 502–6393.

j. *Deadline for filing motions to intervene, protests and comments:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the ''e-Filing'' link. The Commission strongly encourages electronic filings. Please include the project number (P–13015–000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Competing Application:* Project No. 12802–000, Date Filed: May 21, 2007, Date Public Notice Issued: June 13, 2007, Due Date: August 13, 2007.

l. *Description of Project:* The proposed project consists of: (1) 50 OCGen™ horizontal hydrokinetic cross flow turbine generation units from Ocean and Renewable Power Company, LLC, or a similar technology, having a total installed capacity of 20 megawatts, (2) a proposed 3-mile-long transmission line connected to a 4.8 kV circuit, and (3) appurtenant facilities. The Town of Edgartown's project would have an average annual generation of 50.48 gigawatt-hours, which would be sold to a local utility.

m. *Locations of Applications:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call toll-free 1–866–208–3676 or e-mail *FERCOnlineSupport@ferc.gov.* For TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item h above.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Proposed Scope of Studies under Permit:* A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214.

In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Responsive Documents:* Any filings must bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'', as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

r. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–499 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

December 18, 2007.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG08–23–000.
Applicants: Beech Ridge Energy LLC.
Description: Beech Ridge Energy LLC submits a notice of self-certification of its status as an exempt wholesale generator.
Filed Date: 12/12/2007.
Accession Number: 20071214–0017.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: EG08–24–000.
Applicants: Las Vegas Cogeneration LP.
Description: Notice of Self-Certification for exempt wholesale generator status.
Filed Date: 12/14/2007.
Accession Number: 20071214–5094.
Comment Date: 5 p.m. Eastern Time on Friday, January 4, 2008.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER03–478–017; ER06–200–010; ER07–254–002; ER03–1326–010; ER07–460–001; ER05–534–011; ER05–365–011; ER05–1262–009; ER06–1093–005; ER03–296–013; ER01–3121–012; ER02–418–011; ER03–416–014; ER05–332–011; ER07–287–004; ER07–242–004; ER03–951–013; ER04–94–011; ER02–417–011; ER07–1378–001; ER05–1146–011; ER05–481–011; ER07–240–005; ER07–195–002; ER02–2085–006.
Applicants: PPM Energy Inc.; Big Horn Wind Project LLC; Casselman Windpower, LLC; Colorado Green Holdings, LLC; Dillon Wind LLC; Eastern Desert Power LLC; Elk River Windfarm LLC; Flat Rock Windpower LLC; Flat Rock Windpower II LLC; Flying Cloud Power Partners, LLC; Klamath Energy LLC; Klamath Generation LLC; Klondike Wind Power LLC; Klondike Wind Power II LLC; Klondike Wind Power III LLC; MinnDakota Wind LLC; Moraine Wind LLC; Mountain View Power Partners III, LLC; Phoenix Wind Power LLC; Providence Heights Wind, LLC; Shiloh I Wind Project LLC; Trimont Wind I LLC; Twin Buttes Wind LLC; Locust Ridge Wind Farm, LLC; Northern Iowa Windpower LLC.
Description: The Iberdrola Companies informs FERC that they have not erected barriers to entry and will not erect barriers to entry re PPM Energy Inc *et al.*
Filed Date: 12/11/2007.
Accession Number: 20071213–0040.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER03–765–006.
Applicants: Calpine Oneta Power, L.P.
Description: Calpine Oneta Power, LP's compliance filing of its revised Rate Schedule FERC 2.
Filed Date: 12/12/2007.
Accession Number: 20071213–0157.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER03–1331–005.
Applicants: Williams Power Company, Inc.
Description: Williams Gas Marketing, Inc. f/k/a Williams Power Company, Inc. submits Notice of Change in Status.
Filed Date: 12/11/2007.
Accession Number: 20071214–0009.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER05–349–004.
Applicants: Georgia Energy Cooperative.
Description: Georgia Energy Cooperative submits notice of non-material change in status, in compliance with Order 697.
Filed Date: 12/14/2007.
Accession Number: 20071217–0062.
Comment Date: 5 p.m. Eastern Time on Friday, January 4, 2008.

Docket Numbers: ER06–629–002.
Applicants: California Independent System Operator Corporation.
Description: California Independent System Operator Corp. submits its Small Generator Interconnection Procedures and on 12/17/07 submit a supplement to this filing.
Filed Date: 12/13/2007; 12/17/07.
Accession Number: 20071217–0058.
Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008.

Docket Numbers: ER06–630–001.
Applicants: Pacific Gas and Electric Company.
Description: California Independent System Operator Corp. & Pacific Gas and Electric Co. *et al.* submits a Small Generator Interconnection Agreement.
Filed Date: 12/13/2007.
Accession Number: 20071217–0059.
Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008.

Docket Numbers: ER07–357–002.
Applicants: Fenton Power Partners I, LLC.
Description: Fenton Power Partners I, LLC submits notice of non-material change in status related to a change in its upstream ownership.
Filed Date: 12/12/2007.
Accession Number: 20071213–0158.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER07–943–001.
Applicants: Black Hills Power, Inc.
Description: Black Hills Power, Inc and Cheyenne Light, Fuel and Power Co submits additional information as a supplement to their 5/29/07 filing of a Generator Dispatch and Energy Management Agreement.
Filed Date: 12/13/2007.
Accession Number: 20071214–0086.
Comment Date: 5 p.m. Eastern Time on Wednesday, December 26, 2007.

Docket Numbers: ER07–1071–003; ER07–1072–003.
Applicants: PJM Interconnection, LLC; Virginia Electric and Power Company.
Description: Virgina Electric and Power Company submits executed

amended service agreement containing the terms and conditions of wholesale distribution service to Emporia Hydropower Limited Partnership.

Filed Date: 12/12/2007.

Accession Number: 20071214–0008.

Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER07–1317–002.

Applicants: Citizens Electric Co. of Lewisburg.

Description: Citizens' Electric Company of Lewisburg, PA submits Exhibit A—revised FERC Electric Tariff, Original Volume 1.

Filed Date: 12/13/2007.

Accession Number: 20071217–0065.

Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008.

Docket Numbers: ER07–1318–002.

Applicants: Wellsboro Electric Company.

Description: Wellsboro Electric Company submits Exhibit A—Revised FERC Electric Tariff, Original Volume 1.

Filed Date: 12/13/2007.

Accession Number: 20071217–0068.

Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008

Docket Numbers: ER07–1330–002.

Applicants: Twin Cities Hydro LLC.

Description: Twin Cities Hydro, LLC submits a response to questions posed by the Commission Staff on 11/13/07.

Filed Date: 12/13/2007.

Accession Number: 20071217–0060.

Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008.

Docket Numbers: ER07–1335–002.

Applicants: Santa Rosa Energy Center, LLC.

Description: Santa Rosa Energy Center, LLC submits Substitute First Revised Sheet 2 to its FERC Electric Tariff 1.

Filed Date: 12/12/2007.

Accession Number: 20071214–0002.

Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER07–1375–001.

Applicants: Midwest Independent Transmission System Operator, Inc.

Description: Midwest Independent Transmission System Operator, Inc submits five copies of the information requested in the FERC 11/13/07 deficiency letter.

Filed Date: 12/13/2007.

Accession Number: 20071217–0099.

Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008.

Docket Numbers: ER07–1387–001.

Applicants: Maine Electric Power Company, Inc.

Description: Maine Electric Power Company Inc. *et al.* submits a revised version of Attachment H—MEPCO Grandfathered Transmission Service Agreements of the ISO New England Open Access Transmission Tariff.

Filed Date: 12/13/2007.

Accession Number: 20071217–0067.

Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008.

Docket Numbers: ER07–1419–001; ER07–1423–001.

Applicants: PacifiCorp.

Description: PacifiCorp's response to FERC's questions & request for additional details & clarification regarding the notice of cancellation of a firm point-to-point transmission service agreement w/Black Hills Power, Inc.

Filed Date: 12/12/2007.

Accession Number: 20071213–0156.

Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER08–38–003.

Applicants: Northern Renewable Energy (USA) Ltd.

Description: Northern Renewable Energy (USA) Ltd submits a change in status.

Filed Date: 12/07/2007.

Accession Number: 20071214–0003.

Comment Date: 5 p.m. Eastern Time on Friday, December 28, 2007.

Docket Numbers: ER08–68–001.

Applicants: Virginia Electric and Power Company

Description: Virginia Electric & Power Co. dba Dominion Virginia Power submits amendment to amended filing of 10/17/07 agreement for the purchase of electricity for resale with Virginia Municipal Electric Association 1.

Filed Date: 12/12/2007.

Accession Number: 20071213–0159.

Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER08–293–001.

Applicants: Forward Windpower, LLC.

Description: Forward WindPower LLC submits revised pivotal supplier and market share screen analyses based on 2006 data for PJM Interconnection LLC.

Filed Date: 12/14/2007.

Accession Number: 20071217–0064.

Comment Date: 5 p.m. Eastern Time on Friday, January 4, 2008.

Docket Numbers: ER08–297–001.

Applicants: Lookout Windpower, LLC.

Description: Lookout Windpower LLC submits its revised pivotal supplier and market share screen analyses based on 2006 data for PJM Interconnection LLC.

Filed Date: 12/14/2007.

Accession Number: 20071217–0063.

Comment Date: 5 p.m. Eastern Time on Friday, January 4, 2008.

Docket Numbers: ER08–326–000.

Applicants: Lehigh Capital, LLC.

Description: Lehigh Capital, LLC submits petition for acceptance of initial rate schedule, waivers and blanket authority.

Filed Date: 12/12/2007.

Accession Number: 20071213–0161.

Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER08–327–000.

Applicants: Niagara Mohawk Power Corporation.

Description: Niagara Mohawk Power Corp. submits the executed Electric Support Services Agreement w/Empire Generating Co., LLC.

Filed Date: 12/12/2007.

Accession Number: 20071213–0160.

Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ER08–328–000.

Applicants: BE KJ LLC.

Description: BE KJ LLC submits Notification of Succession informing that they have succeeded Williams Gas Marketing, Inc formerly known as Williams Power Company, Inc as owner of its Rate Schedule FERC No. 3.

Filed Date: 12/10/2007.

Accession Number: 20071214–0007.

Comment Date: 5 p.m. Eastern Time on Monday, December 31, 2007.

Docket Numbers: ER08–329–000.

Applicants: BE Red Oak LLC.

Description: BE Red Oak LLC notifies FERC that with the closing of a transfer approved by FERC it is owner of Rate Schedule 2.

Filed Date: 12/10/2007.

Accession Number: 20071214–0006.

Comment Date: 5 p.m. Eastern Time on Monday, December 31, 2007.

Docket Numbers: ER08–330–000.

Applicants: ISO New England Inc.

Description: ISO New England Inc. submits its proposed revisions to re-designate the Procedure to Protect for the Loss of Phase II Imports as Attachment G to the ISO Tariff.

Filed Date: 12/07/2007.

Accession Number: 20071214–0005.

Comment Date: 5 p.m. Eastern Time on Friday, December 28, 2007.

Docket Numbers: ER08–331–000.

Applicants: Southwest Power Pool, Inc.

Description: Southwest Power Pool, Inc. submits an executed Service Agreement for Network Integration Transmission Service Agreement with American Electric Power Services Corporation *et al.*

Filed Date: 12/13/2007.

Accession Number: 20071214–0004.

Comment Date: 5 p.m. Eastern Time on Thursday, January 3, 2008.

Docket Numbers: ER08–332–000.

Applicants: Northwestern Corp.

Description: Northwestern Corp. submits their First Revised Tariff Sheets 74 and 75, which amended Schedule 3 of its Montana Open Access Transmission Tariff, FERC Electric Tariff, Seventh Revised Volume 5.
Filed Date: 12/17/2007.
Accession Number: 20071217–0061.
Comment Date: 5 p.m. Eastern Time on Monday, January 7, 2008.

Take notice that the Commission received the following electric securities filings:
Docket Numbers: ES08–5–001.
Applicants: Progress Energy Service Company LLC.
Description: Progress Energy Service Co., LLC on behalf of Carolina Power & Light Co. submits an amended application.
Filed Date: 12/12/2007.
Accession Number: 20071214–0013.
Comment Date: 5 p.m. Eastern Time on Wednesday, December 26, 2007.

Docket Numbers: ES08–8–001.
Applicants: FirstEnergy Service Company.
Description: Supplement to Application of FirstEnergy Service Company, *et al.*, for Authorization to Issue Securities.
Filed Date: 12/14/2007.
Accession Number: 20071214–5056.
Comment Date: 5 p.m. Eastern Time on Wednesday, December 26, 2007.

Docket Numbers: ES08–14–000.
Applicants: New York State Electric & Gas Corp.
Description: Application of New York State Electric & Gas Corp for authorization to issue short-term debt under Section 204 of the Federal Power Act.
Filed Date: 12/12/2007.
Accession Number: 20071214–0011.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: ES08–15–000.
Applicants: Rochester Gas & Electric Corporation.
Description: Application of Rochester Gas & Electric Corp. for authorization to issue short-term debt under Section 204 of the Federal Power Act.
Filed Date: 12/12/2007.
Accession Number: 20071214–0010.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Take notice that the Commission received the following open access transmission tariff filings:
Docket Numbers: OA08–31–001.
Applicants: NorthWestern Corporation.
Description: Amended Order No. 890 OATT Attachment K Filing of NorthWestern Corporation.
Filed Date: 12/11/2007.
Accession Number: 20071211–5018.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 2, 2008.

Docket Numbers: OA08–54–000; OA08–55–000; OA08–56–000; OA08–57–000.
Applicants: Deseret Generation & Transmission Co-op.; Idaho Power Company; NorthWestern Corporation; PacifiCorp.
Description: Deseret Generation & Transmission Co-operative Inc, PacifiCorp *et al.* submits Agreements.
Filed Date: 11/30/2007.
Accession Number: 20071210–0041.
Comment Date: 5 p.m. Eastern Time on Friday, December 21, 2007.

Docket Numbers: OA08–59–000.
Applicants: Entergy Services, Inc.
Description: Entergy Operating Companies submits Attachment K to their Open Access Transmission Tariff, FERC Electric Tariff Third Revised Volume 3.
Filed Date: 12/07/2007.
Accession Number: 20071211–0050.
Comment Date: 5 p.m. Eastern Time on Friday, December 28, 2007.

Docket Numbers: OA08–60–000.
Applicants: Southwest Power Pool, Inc.
Description: Southwest Power Pool, Inc.'s Request for Waiver of Rollover Policy in Order No. 890 OATT.
Filed Date: 12/14/2007.
Accession Number: 20071214–5125.
Comment Date: 5 p.m. Eastern Time on Friday, January 4, 2008.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed dockets(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,
Deputy Direct.
[FR Doc. E8–482 Filed 1–14–08; 8:45 am]
BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

January 9, 2008.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:
Docket Numbers: RP99–176–149.
Applicants: Natural Gas Pipeline Company of America.
Description: Natural Gas Pipeline Company of America submits Third Revised Sheet 26K et al. to Amendment 14 with a negotiated rate exhibit, to Transportation Rate Schedule FTS Agreement with Reliant Energy Wholesale Generation, LLC.
Filed Date: 01/04/2008.
Accession Number: 20080107–0174.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 16, 2008.

Docket Numbers: RP00–305–035.
Applicants: CenterPoint Energy-Mississippi River Transmission.
Description: CenterPoint Energy-Mississippi River Transmission Corp submits a negotiated rate agreement with Laclede Energy Resources, Inc for the provision of natural gas transportation services under its Rate Schedule FTS Service Agreement.

Filed Date: 01/04/2008.
Accession Number: 20080107–0175.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 16, 2008.

Docket Numbers: RP08–154–000.
Applicants: National Fuel Gas Supply Corporation.
Description: National Fuel Gas Supply Corporation submits the 110th Revised Sheet 9 to its FERC Gas Tariff, Fourth Revised Volume 1, to become effective 1/1/08.
Filed Date: 01/02/2008.
Accession Number: 20080103–0024.
Comment Date: 5 p.m. Eastern Time on Monday, January 14, 2008.

Docket Numbers: RP08–155–000.
Applicants: Northern Natural Gas Company.
Description: Northern Natural Gas Company submits 14th Revised Sheet 66B et al. to FERC Gas Tariff, Fifth Revised Volume 1 to their non-conforming and negotiated rate service agreement with Intergrys Energy Services, Inc under RP08–155.
Filed Date: 01/04/2008.
Accession Number: 20080107–0173.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 16, 2008.

Docket Numbers: RP08–156–000.
Applicants: Saltville Gas Storage Company L.L.C.
Description: Saltville Gas Storage Company, LLC submits their Second Revised Sheet 2 et al. to FERC Gas Tariff, Original Volume 1, effective 2/7/08.
Filed Date: 01/07/2008.
Accession Number: 20080108–0239.
Comment Date: 5 p.m. Eastern Time on Tuesday, January 22, 2008.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed dockets(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,
Deputy Secretary.
[FR Doc. E8–485 Filed 1–14–08; 8:45 am]
BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings # 1

January 8, 2008.

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC08–31–000.
Applicants: Commonwealth Chesapeake Company LLC; TPF Chesapeake, LLC; Tyr Chesapeake, LLC.
Description: Application of Commonwealth Chesapeake Co, LLC *et al.* for approval of the sale of all of the membership interests in Commonwealth Chesapeake.
Filed Date: 12/28/2007.
Accession Number: 20080102–0112.
Comment Date: 5 p.m. Eastern Time on Friday, January 18, 2008.

Docket Numbers: EC08–32–000.
Applicants: Hillabee Energy Center, LLC; CER Generation, LLC.
Description: Joint application of Hillabee Energy Center, LLC and CER Generation, LLC for approval of transfer of certain facilities to be constructed in Alexander City, Alabama.
Filed Date: 12/28/2007.
Accession Number: 20080102–0103.
Comment Date: 5 p.m. Eastern Time on Friday, January 18, 2008.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER03–345–010.
Applicants: New England Power Pool Participants Committee.
Description: ISO New England Inc submits the semi-annual status report on the Load Response Program.
Filed Date: 12/28/2007.
Accession Number: 20071231–0110.
Comment Date: 5 p.m. Eastern Time on Friday, January 18, 2008.

Docket Numbers: ER03–478–019; ER06–200–012; ER07–254–004; ER03–1326–012; ER07–460–003; ER05–534–013; ER05–365–013; ER05–1262–011; ER06–1093–007; ER03–296–015; ER01–3121–014; ER02–418–013; ER05–332–013; ER03–416–016; ER07–287–006; ER07–242–006; ER03–951–015; ER04–94–013; ER02–417–013; ER07–1378–003; ER05–1146–013; ER07–240–007; ER07–195–004; ER02–2085–008; ER05–481–013.
Applicants: PPM Energy; Big Horn Wind Project LLC; Casselman Windpower, LLC; Colorado Green Holdings LLC; Dillion Wind LLC; Eastern Desert Power LLC; Elk River Windfarm LLC; Flat Rock Windpower LLC; Flat Rock Windpower II LLC; Flying Cloud Power Partners LLC; Klamath Energy LLC; Klondike Wind Power II LLC; Klondike Wind Power LLC; Klondike Wind Power III LLC; MinnDakota Wind LLC; Moraine Wind LLC; Mountain View Power Partners III, LLC; Phoenix Wind Power LLC; Providence Heights Wind, LLC; Shiloh I Wind Project LLC; Twin Buttes Wind LLC; Locust Ridge Wind Farm, LLC; Northern Iowa Windpower II LLC; Trimont Wind I LLC.
Description: Notification of Change in Status of Iberdrola Renewables Companies.
Filed Date: 01/07/2008.
Accession Number: 20080107–5014.
Comment Date: 5 p.m. Eastern Time on Monday, January 28, 2008.

Docket Numbers: ER07–1096–003.
Applicants: Niagara Mohawk Power Corporation.
Description: Niagara Mohawk Power Corp. submits Service Agreement 1155 with an updated effective date and with all amendments incorporated etc.
Filed Date: 01/03/2008.
Accession Number: 20080107–0008.
Comment Date: 5 p.m. Eastern Time on Thursday, January 24, 2008.

Docket Numbers: ER07–1137–001.
Applicants: Lockhart Power Company.
Description: Lockhart Power Co. submits a non-material change in status to reflect a change in its upstream ownership and Order 697 Compliance Filing.
Filed Date: 01/02/2008.
Accession Number: 20080103–0090.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 23, 2008.

Docket Numbers: ER07–1291–002; OA07–54–001.
Applicants: PacifiCorp.
Description: PacifiCorp submits First Revised Sheet 30 *et al.* to FERC Electric Tariff, Seventh Revised Volume 11 to their Open Access Transmission Tariff and a revised business practice—Exhibit A and Exhibit C.
Filed Date: 12/28/2007.
Accession Number: 20080102–0092.
Comment Date: 5 p.m. Eastern Time on Friday, January 18, 2008.

Docket Numbers: ER08–28–001.
Applicants: Puget Sound Energy, Inc.
Description: Puget Sound Energy, Inc submits FERC Electric Tariff Eighth Revised Volume 7, Original Sheets 3A, 5A, 22A, 49A, 54A and 61 A *et al.*
Filed Date: 01/03/2008.
Accession Number: 20080107–0006.
Comment Date: 5 p.m. Eastern Time on Thursday, January 24, 2008.

Docket Numbers: ER08–325–001.
Applicants: Patriot Partnership, LLC.
Description: Patriot Partnership, LLC submits Second Substitute Original Sheet 1 to FERC Electric Tariff, Original Volume 1.
Filed Date: 01/02/2008.
Accession Number: 20080103–0091.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 23, 2008.

Docket Numbers: ER08–371–000.
Applicants: Cooperative Energy Incorporated.
Description: Cooperative Energy Incorporated submits its Petition for Authority to Sell Power at Market-Based Rates, Acceptance of Initial Rate Schedule, Waivers, and Blanket Authority.
Filed Date: 12/21/2007.
Accession Number: 20071227–0022.
Comment Date: 5 p.m. Eastern Time on Friday, January 11, 2008.

Docket Numbers: ER08–394–000.
Applicants: Midwest Independent Transmission System.
Description: Midwest Independent Transmission System Operator, Inc submits proposed revisions to its Open Access Transmission and Energy Markets Tariff, to revise Module E to comprehensively address long-term Resource Adequacy Requirements.
Filed Date: 12/28/2007.
Accession Number: 20080107–0064.
Comment Date: 5 p.m. Eastern Time on Monday, January 28, 2008.

Docket Numbers: ER08–396–000.
Applicants: Westar Energy, Inc.; Kansas Gas and Electric Company
Description: Westar's revised tariff sheets to its Open Access Transmission Tariff for service in the Westar Zone.
Filed Date: 12/28/2007.
Accession Number: 20071228–4005.
Comment Date: 5 p.m. Eastern Time on Friday, January 18, 2008.

Docket Numbers: ER08–397–000.
Applicants: ALLETE, Inc.
Description: ALLETE, Inc hereby proposes an increase to the rates that it currently charges 16 customers and 2 private utilities.
Filed Date: 12/28/2007.
Accession Number: 20071228–4003.
Comment Date: 5 p.m. Eastern Time on Friday, January 18, 2008.

Docket Numbers: ER08–399–000.
Applicants: Portland General Electric Company.
Description: Portland General Electric Company submits a Network Operating Agreement with EPCOR Energy Marketing (US) Inc.
Filed Date: 12/31/2007.
Accession Number: 20080102–0245.
Comment Date: 5 p.m. Eastern Time on Tuesday, January 22, 2008.

Docket Numbers: ER08–400–000.
Applicants: CalPeak Power-El Cajon LLC.
Description: CalPeak Power LLC on behalf of CalPeak Power—El Cajon LLC submits revises the Reliability Must-Run Service Agreement with the California Independent System Operator Corporation.
Filed Date: 12/31/2007.
Accession Number: 20080102–0246.
Comment Date: 5 p.m. Eastern Time on Tuesday, January 22, 2008.

Docket Numbers: ER08–401–000.
Applicants: Cheyenne Light Fuel & Power Company.
Description: Application of Cheyenne Light, Fuel and Power Company for order accepting initial market-based rate tariff, waiving regulations, and granting blanket approvals.
Filed Date: 12/31/2007.
Accession Number: 20080102–0247.
Comment Date: 5 p.m. Eastern Time on Tuesday, January 22, 2008.

Docket Numbers: ER08–405–000.
Applicants: Indianapolis Power & Light Company.
Description: Indianapolis Power & Light Co. submits a letter agreement with Wabash Valley Power Association, Inc re extension of Rate Schedule FERC 21.
Filed Date: 01/02/2008.
Accession Number: 20080103–0088.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 23, 2008.

Docket Numbers: ER08–406–000.
Applicants: New England Power Pool.
Description: New England Power Pool (NEPOOL) Participants Committee submits the New England Power Pool Agreement re-member applications and termination.
Filed Date: 01/02/2008.
Accession Number: 20080103–0089.
Comment Date: 5 p.m. Eastern Time on Wednesday, January 23, 2008.

Docket Numbers: ER08–407–000.
Applicants: CMT Fund IX LLC.
Description: CMT Fund IX, LLC's request to terminate their market-based rate authority.
Filed Date: 01/03/2008.
Accession Number: 20080104–0012.
Comment Date: 5 p.m. Eastern Time on Thursday, January 24, 2008.

Docket Numbers: ER08–408–000.
Applicants: PacifiCorp.
Description: PacifiCorp submits Service Agreement 370 for Network Integration Transmission Service for Clark County Public Utility District dated 12/6/07 with Bonneville Power Administration.
Filed Date: 01/03/2008.
Accession Number: 20080107–0004.
Comment Date: 5 p.m. Eastern Time on Thursday, January 24, 2008.

Docket Numbers: ER08–409–000.
Applicants: PacifiCorp.
Description: PacifiCorp submits Service Agreement 379 dated 12/6/07 for the provisions of Long-Term Firm Point-to-Point Transmission Service with PacifiCorp Energy.
Filed Date: 01/03/2008.
Accession Number: 20080107–0005.
Comment Date: 5 p.m. Eastern Time on Thursday, January 24, 2008.

Docket Numbers: ER08–410–000.
Applicants: Power Hedging Dynamics, LLC.
Description: Power Hedging Dynamics, LLC requests that the Commission rescind authority since the company is not active and does not plan to be active.
Filed Date: 12/28/2007.
Accession Number: 20080107–0007.
Comment Date: 5 p.m. Eastern Time on Friday, January 18, 2008.

Docket Numbers: ER08–411–000.
Applicants: Tiger Natural Gas, Inc.
Description: Tiger Natural Gas Inc submits its Petition for Acceptance of Initial Tariff, Waivers and Blanket Authority designated as FERC Electric Tariff, Original Volume 1.
Filed Date: 01/04/2008.

Accession Number: 20080107–0043.
Comment Date: 5 p.m. Eastern Time on Friday, January 25, 2008.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES08–19–000.
Applicants: AEP Texas North Power Company.
Description: Form 523—Request for Permission to Issue Securities of AEP Texas North Power Company.
Filed Date: 01/03/2008.
Accession Number: 20080103–5003.
Comment Date: 5 p.m. Eastern Time on Thursday, January 24, 2008.

Docket Numbers: ES08–20–000.
Applicants: Wheeling Power Company.
Description: Form 523—Request for Permission to Issue Securities of Wheeling Power Company.
Filed Date: 01/03/2008.
Accession Number: 20080103–5004.
Comment Date: 5 p.m. Eastern Time on Thursday, January 24, 2008.

Docket Numbers: ES08–21–000; ES08–22–000; ES08–23–000.
Applicants: Kansas Gas and Electric Company; Westar Energy, Inc.
Description: Form 523—Request for Permission to Issue Securities, Form 523—Request for Permission to Guarantee Indebtedness of Westar Energy Inc and Issue Securities of Kansas Gas and Electric Company *et al.*
Filed Date: 01/07/2008.
Accession Number: 20080104–5126.
Comment Date: 5 p.m. Eastern Time on Monday, January 28, 2008.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov*. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. E8–538 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP08–45–000]

Dominion Transmission, Inc.; Notice of Application

January 8, 2008.

Take notice that on December 21, 2007, Dominion Transmission, Inc. (DTI), 120 Tredegar Street, Richmond, VA, filed in Docket No. CP08–45–000, an application pursuant to section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's Regulations seeking authorization to construct, install, own, operate, and maintain certain compression facilities located in Herkimer County, New York that comprise the Utica 7 Project. These facilities will provide increased transmission capacity, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing is accessible on-line at *http://www.ferc.gov*, using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 420–5589.

Specifically, DTI proposes to expand its existing Utica Compressor Station by installing an additional 2,250 HP compressor unit (Unit No. 7). Utica Station currently consists of 6 compressor engines with a total rating of 7,250 horsepower. DTI will provide firm transportation service for a Maximum Daily Transportation Quantity (MDTQ) of 15,000 Dt/day and up to a Maximum Annual Transportation Quantity (MATQ) of 5,475,000 Dt. The Project is fully subscribed by one customer for an initial term of fifteen years. The Project is designed to provide firm natural gas transportation service to Cornell University in connection with Cornell's project known as its Central Heating Project. Cornell is constructing a combined heat and power project using two gas turbine generators to ensure the necessary heat and electric capacity for the university's future while reducing greenhouse gas emissions by reducing its coal combustion. In addition, Cornell plans to construct and own an 8-inch diameter delivery line approximately 3 miles in length to connect the central heating plant on the university campus to a new interconnection with DTI. The DTI's total estimated cost for construction of the Project is $6,381,023.

Any questions regarding this application should be directed to Matthew R. Bley, Manager, Gas Transmission Certificates, Dominion Transmission, Inc., 120 Tredegar Street, Richmond, VA 23219, at (804) 819–2877.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and

the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the ''e-Filing'' link at *http://www.ferc.gov.* The Commission strongly encourages intervenors to file electronically. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Comment Date: January 29, 2008.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–505 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER08–19–000, ER08–19–001, ER08–19–002, ER08–19–003]

Energy Algorithms, LLC; Notice of Issuance of Order

January 7, 2008.

Energy Algorithms, LLC (EnAlgo) filed an application for market-based rate authority, with accompanying rate schedule. The proposed market-based rate schedule provide for the sale of energy and capacity at market-based rates. EnAlgo also requested waivers of various Commission regulations. In particular, EnAlgo requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by EnAlgo.

On January 4, 2008, pursuant to delegated authority, the Director, Division of Tariffs and Market Development-West, granted the requests for blanket approval under Part 34 (Director's Order). The Director's Order also stated that the Commission would publish a separate notice in the **Federal Register** establishing a period of time for the filing of protests. Accordingly, any person desiring to be heard concerning the blanket approvals of issuances of securities or assumptions of liability by EnAlgo, should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. 18 CFR 385.211, 385.214 (2004).

Notice is hereby given that the deadline for filing protests is February 4, 2008.

Absent a request to be heard in opposition to such blanket approvals by the deadline above, EnAlgo is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of EnAlgo, compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approvals of EnAlgo's issuance of securities or assumptions of liability.

Copies of the full text of the Director's Order are available from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Commission's Web site at *http://www.ferc.gov*, using the eLibrary link. Enter the docket number excluding the last three digits in the docket number filed to access the document. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a) (1) (iii) and the instructions on the Commission's Web site under the ''e-Filing'' link. The Commission strongly encourages electronic filings.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–512 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. NJ07–6–001; NJ08–6–000]

Orlando Utilities Commission; Notice of Filing

December 18, 2007.

Take notice that on December 7, 2007, Orlando Utilities Commission filed a supplement to its July 13, 2007, Petition for Declaratory Order.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to

the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov*, using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern Time on January 7, 2008.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–497 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos.: 12540–001, 12544–001, 12545–001, 12548–001, 12549–001]

Hydrodynamics Inc.; Notices of Intent To File License Applications; Filing of Pre-Application Documents; and Notice of, and Soliciting Comments on, the Request To Use the Traditional Licensing Process and To Waive Certain Pre-Filing Consultation Requirements

December 18, 2007.

a. *Type of Filing:* Notices of Intent To File License Applications, Pre-Application Documents, Request To Use the Traditional Licensing Process, and Request To Waive Certain Pre-Filing Consultation Requirements.

b. *Project Nos.:* 12540, 12544, 12545, 12548, 12549.

c. *Dated Filed:* November 27, 2007.

d. *Submitted By:* Hydrodynamics Inc.

e. *Names of Projects:* Woods, Knights, Johnson, Greenfield, A-Drop.

f. *Location:* On the Greenfields Main and South Irrigation Canals, in Cascade and Teton Counties, Montana. The projects would occupy in part lands of the United States administered by the Bureau of Reclamation.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Jason Cohn, Hydrodynamics, 521 East Peach, Suite 2B, Bozeman, MT 59715; (406) 587–5086; e-mail—*Jason@hydrodynamics.biz.*

i. *FERC Contact:* Dianne Rodman at (202) 502–6077; or e-mail at *dianne.rodman@ferc.gov.*

j. Hydrodynamics filed its request to use the Traditional Licensing Process (TLP) on November 27, 2007. The filing also included a request for waiver of certain of the pre-filing consultation requirements in § 4.38 of the Commission's regulations, specifically: (1) The requirement that the potential applicant hold a joint meeting with all pertinent agencies, Indian tribes, and members of the public no earlier than 30 days from the date of the Commission's approval of the request to use the TLP, § 4.38(b)(3)(ii)(A); (2) the requirement that the potential applicant conduct any studies requested during the 60-day comment period after the joint meeting, § 4.38(b)(5) and § 4.38(c)(1); and (3) the requirement that the potential applicant allow resource agencies and Indian tribes 90 days in which to review and comment on the draft license applications, § 4.38(c)(5). Hydrodynamics provided public notice of its request to use the TLP on November 20, 2007.

k. On December 11, 2007, Hydrodynamics clarified that it is requesting that (1) the meeting it held on December 3, 2007, constitute the joint meeting required by § 4.38(b)(3)(i)(A)(1); (2) the pre-application documents (PADs) serve as the draft license applications; and (3) comments on the draft license applications be due within 60 days of the joint meeting (by February 3, 2008).

l. Comments on the request to use the TLP and to waive parts of the Commission's regulations for pre-filing consultation are due to the Commission and Hydrodynamics within 30 days from the date of this notice. In accordance with § 5.3(d)(2)(v) of the Commission's regulations, comments on the request to use the TLP should address, as appropriate, the following factors: (1) Likelihood of timely license issuance; (2) complexity of the resource issues; (3) level of anticipated controversy; (4) relative cost of the TLP compared to the Integrated Licensing Process; (5) the amount of available information and potential for significant disputes over studies; and (6) other factors believed to be pertinent.

Comments must be filed with the Commission at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All filings with the Commission must include on the first page, the project names (Woods, Knights, Johnson, Greenfield, and A–Drop Hydroelectric Projects) and numbers (P–12540, P–12544, P–12545, P–12548, and P–12549).

Comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (*http://www.ferc.gov*) under the ''e-filing'' link.

m. With this notice, we are waiving the requirement of 18 CFR 5.8(a) of the Commission's regulations for the Commission to act on Hydrodynamics' request to use the TLP within 60 days from the notice of intent.

n. Hydrodynamics filed PADs for the projects with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

o. Copies of each of the PADs are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket numbers, excluding the last three digits in the docket number field to access the documents. For assistance, contact FERC Online Support at *FERCONlineSupport@ferc.gov* or toll free at 1–866–208–3676, or for TTY, (202) 502–8659. Copies are also available for inspection and reproduction at the address in paragraph h.

p. Register online at *http://ferc.gov/esubscribenow.htm* to be notified via e-mail of new filings and issuances related to these or other pending projects. For assistance, contact FERC Online Support.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–498 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP08–44–000]

Kinder Morgan Interstate Gas Transmission LLC; Notice of Request Under Blanket Authorization

January 8, 2008.

Take notice that on December 21, 2007, Kinder Morgan Interstate Gas Transmission LLC (KMIGT), Post Office Box 281304, Lakewood, Colorado 80228–8304, filed in Docket No. CP08–44–000 a prior notice request pursuant to sections 157.205 and 157.210 of the Commission's regulations under the Natural Gas Act (NGA) and KMIGT's blanket certificate issued March 16, 1983 in Docket Nos. CP83–140–000 and CP83–140–001, for authorization to construct and operate mainline pipeline looping and ancillary facilities primarily to serve existing and new ethanol plants under construction in the State of Nebraska, all as more fully set forth in the application, which is on file with the Commission and open to public inspection. The filing may also be viewed on the Web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

KMIGT states that as a result of an open season and subsequent negotiations, KMIGT has entered into binding precedent agreements with five shippers to provide natural gas service totaling 21,810 Dth per day. KMIGT proposes to construct and operate two mainline looping pipeline segments consisting of approximately 7.5 miles of 16-inch pipe and approximately 17 miles of 12-inch pipe, located in Hall, Merrick and Nance Counties, Nebraska. In addition, KMIGT proposes to construct and operate certain ancillary facilities. The estimated cost of constructing the proposed facilities is $23,940,143.

Any questions regarding the application should be directed to Skip George, Manager of Regulatory, Kinder Morgan Interstate Gas Transmission LLC, P.O. Box 281304, Lakewood, Colorado 80228–8304, phone (303) 914–4969.

Any person or the Commission's Staff may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and, pursuant to section 157.205 of the Commission's Regulations under the Natural Gas Act (NGA) (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov*. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online at *http://www.ferc.gov*, using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–504 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP07–62–000, CP07–63–000, CP07–64–000, CP07–65–000]

AES Sparrows Point LNG, L.C.C., Mid-Atlantic Express, L.L.C., Amendment to Previous, Notice of Technical Conference

January 8, 2008.

On Tuesday, January 15, 2008, staff of the Office of Energy Projects will convene a technical conference regarding the proposed Sparrows Point Import Terminal and Pipeline Project. The technical conference will be held at the Commission Headquarters in Washington, DC, room 3M–3.

The conference will now be held in one session at 10 a.m. (EDT) and discuss issues related to Mid-Atlantic Express's proposal to construct some of its proposed pipeline in Baltimore Gas & Electric's right of way. The conference is open to the public. The public is no longer restricted from any portion of the conference.

Any person planning to attend the January 15th technical conference must register by close of business on Monday, January 14, 2008. Registration may be submitted either online at *https://www.ferc.gov/whats-new/registration/tech-conf-01-15-form.asp* or by faxing a copy of the form (found at the referenced online link) to 202–208–0353. For additional information regarding the technical conference, please contact Joanne Wachholder at 202–502–8056.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–509 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PL07–2–000]

Composition of Proxy Groups for Determining Gas and Oil Pipeline Return on Equity; Notice of Procedures and Agenda for Technical Conference

January 7, 2008.

On November 15, 2007, the Commission issued a notice requesting additional comments in the captioned proceeding solely on the issue of master limited partnership (MLP) growth rates (November 15 Notice).[1] The Commission also established a staff led technical conference to discuss the MLP growth issue, and requested parties interested in serving on a panel to so indicate in their comments. Subsequently, the Commission established January 23, 2008 as the date for the conference. The parties filed their comments and requests for participation on a panel on December 21, 2007.

Staff will conduct the technical conference beginning at 1 p.m. on January 23, 2008 in Hearing Room 1 at 888 First Street, NE., Washington, DC. Based on the parties' requests for participation in a panel, there will be one Panel, consisting of the following

[1] Composition of Proxy Groups for Determining Gas and Oil Pipeline Return on Equity, 121 FERC ¶ 61,165 (2007).

eight members: Professor J. Peter Williamson on behalf of the Association of Oil Pipelines, Mr. J. Bertram Solomon on behalf of the American Public Gas Association, Mr. Michael J. Vilbert on behalf of the Interstate Natural Gas Association of America, Mr. Park Shaper and Mr. Yves Siegel on behalf of the National Association of Publicly Traded Partnerships, Mr. Patrick Barry on behalf of the Public Service Commission of New York, Mr. Thomas Horst on behalf of the State of Alaska, and Mr. Paul Moul on behalf of TransCanada Corporation. As stated in the November 15 Notice, the conference is intended to be a working session focused solely on the appropriate growth component to be used in the Commission's Discounted Cash Flow model for determining return on equity.

The agenda for the technical conference is as follows:

1 to 1:15: Introductory Remarks by Staff.
1:15 to 2: Initial Comments by the Panel, with each member limited to five minutes.
2 to 3:15: Staff Directed Discussion with the Panel.
3:15 to 3:30: Break.
3:30 to 4:45: Further questions to the Panel from Staff and ''open mike'' for questions to the Panel from other attendees.
4:45 to 5: Next steps.

For further information about the conference, please call or e-mail John Robinson (202–502–8288; *john.robinson@ferc.gov*).

Kimberly D. Bose,

Secretary.

[FR Doc. E8–514 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM01–8–000, Docket No. ER02–2001–000]

Revised Public Utility Filing, Electric Quarterly Reports; Notice of Electric Quarterly Reports Technical Conference

January 7, 2008.

On September 24, 2007, the Commission issued Order No. 2001–G, the Electric Quarterly Report (EQR) Data Dictionary.[1] The Commission issued an order on rehearing, Order No. 2001–H, on December 21, 2007. These orders may be found at *http://elibrary.ferc.gov*. The EQR Data Dictionary collects in one document the definitions of certain terms and values used in filing EQR data. This notice announces a technical conference regarding the changes associated with the EQR Data Dictionary. The technical conference will be held Tuesday, February 26, 2008, in the Commission Meeting Room at 888 First Street, NE., Washington, DC and via teleconference. The conference will run from 10 a.m. to 3 p.m. (EST).

During the technical conference, Commission staff will review the EQR Data Dictionary and address questions from EQR users. An agenda will be issued prior to the conference.

Members of the public interested in raising questions about the EQR Data Dictionary are invited to submit them in writing in advance of the technical conference via the eFiling link on the Commission's Web site at *http://www.ferc.gov* by January 31, 2008. Questions submitted should refer to Docket Nos. RM01–8–000 and ER02–2001–000. Questions submitted in advance will be given priority and will be addressed by Commission staff at the technical conference.

All interested persons are invited to participate in the technical conference by attending in person or by dialing in. Those interested in participating are asked to register no later than February 12, 2008, on the FERC Web site at *https://www.ferc.gov/whats-new/registration/eqr-02-26-form.asp*. Please indicate whether you will be attending in person or plan to dial in. There is no registration fee. Information and further details about the technical conference will be sent to registered participants.

For additional information, please contact Christie Kim of FERC's Office of Enforcement at (202) 502–8216 or by e-mail at *eqr@ferc.gov*.

FERC conferences and meetings are accessible under section 508 of the Rehabilitation Act of 1973. Requests for accessibility accommodations should be sent by e-mail to *accessibility@ferc.gov* or by calling toll free (866) 208–3372 (voice), 202–502–8659 (TTY), or by sending a fax to 202–208–2106.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–510 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

[1] *Revised Public Utility Filing Requirements for Electric Quarterly Reports*, Order No. 2001–G, 120 FERC ¶ 61,270 (Sep. 24, 2007), 72 FR 56735 (Oct. 4, 2007).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meeting Notice

January 10, 2008.

The following notice of meeting is published pursuant to section 3(a) of the government in the Sunshine Act (Pub. L. No. 94–409), 5 U.S.C. 552b:

Agency Holding Meeting: Federal Energy Regulatory Commission.

Date and Time: January 17, 2008, 10 a.m.

Place: Room 2C, 888 First Street, NE., Washington, DC 20426.

Status: Open.

Matters To Be Considered: Agenda.

*Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kimberly D. Bose, Secretary, Telehone (202) 502–8400. For a recorded message listing items struck from or added to the meeting, call (202) 502–8627.

This is a list of matters to be considered by the Commission. It does not include a listing of all documents relevant to the items on the agenda. All public documents, however, may be viewed on line at the Commission's Web site at *http://www.ferc.gov* using the eLibrary link, or may be examined in the Commission's Public Reference Room.

928TH—MEETING

Item No.	Docket No.	Company
	Administrative	
A–1	AD02–1–000	Agency Administrative Matters.
A–2	AD02–7–000	Customer Matters, Reliability, Security and Market Operations.
A–3	AD06–3–000	Energy Market Update.
	Electric	
E–1	OMITTED.	
E–2	RM06–22–000	Mandatory Reliability Standards for Critical Infrastructure Protection.
E–3	ER08–194–000	Duquesne Light Company.
E–4	ER01–2569–005	Boralex Livermore Falls LP.
	ER98–4652–005	Boralex Stratton Energy LP.
	ER02–1175–004	Boralex Ft. Fairfield LP.
	ER01–2568–004	Boralex Ashland LP.
E–5	EL07–41–001, ER07–583–003	Commonwealth Edison Company and Commonwealth Edison Company of Indiana, Inc.
E–6	OMITTED.	
E–7	QM8–2–000	PECO Energy Company.
E–8	ER04–157–021	Bangor Hydro-Electric Company.
	ER04–714–011	Florida Power and Light Company.
	EL05–89–001	Maine Public Utilities Commission v. Central Maine Power Company.
E–9	OMITTED.	
E–10	ER07–576–003	Baltimore Gas and Electric Company.
E–11	ER00–2268–019, ER00–2268–023, EL05–10–000.	Pinnacle West Capital Corporation.
	ER99–4124–016, ER99–4124–020, EL05–11–000.	Arizona Public Service Company.
	EL05–12–000	Pinnacle West Energy Corporation.
	ER99–4122–018, ER99–4122–024, EL05–13–000.	APS Energy Services Company, Inc.
	ER07–428–001, ER07–428–002, EL07–82–000.	Pinnacle West Marketing and Trading Co., LLC.
E–12	EL08–10–000	Wisconsin Electric Power Company.
E–13	OMITTED.	
E–14	EL07–70–001	Hudson Transmission Partners, LLC vs. New York Independent System Operator, Inc.
E–15	EL07–42–001	Constellation Energy Commodities Group, Inc.
	MISCELLANEOUS	
M–1	RM08–5–000	Revisions to Forms, Statements and Reporting Requirements for Electric Utilities and Licensees.
	HYDRO	
H–1	P–2524–012	Grand River Dam Authority.
H–2	P–2149–137	Public Utility District No. 1 of Douglas County, Washington.
H–3	P–12911–003	The Electric Plant Board of the City of Paducah, Kentucky.
H–4	P–7267–045	Joseph M. Keating.
	CERTIFICATES	
C–1	RM06–7–003	Revisions to the Blanket Certificate Regulations and Clarification Regarding Rates.

Kimberly D. Bose,

Secretary.

A free webcast of this event is available through *www.ferc.gov.* Anyone with Internet access who desires to view this event can do so by navigating to *www.ferc.gov*'s Calendar of Events and locating this event in the Calendar. The event will contain a link to its webcast. The Capitol Connection provides technical support for the free webcasts. It also offers access to this event via television in the DC area and via phone bridge for a fee. If you have any questions, visit *www.CapitolConnection.org* or contact Danelle Springer or David Reininger at 703–993–3100.

Immediately following the conclusion of the Commission Meeting, a press briefing will be held in the Commission Meeting Room. Members of the public may view this briefing in the designated overflow room. This statement is intended to notify the public that the press briefings that follow Commission meetings may now be viewed remotely at Commission headquarters, but will not be telecast through the Capitol Connection service.

[FR Doc. E8–625 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ID–5550–000]

Mulva, James J.; Notice of Filing

December 18, 2007.

Take notice that on December 12, 2007, James J. Mulva filed an application for authorization to hold interlocking positions, pursuant to Part 45 of the Commission's regulations, 18 CFR part 45 (2007).

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on line at *http://www.ferc.gov*, using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern Time on January 2, 2008.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–501 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER07–546–004; ER07–546–005; ER07–546–006; ER07–546–007; ER07–546–008; ER07–546–009]

Connecticut Municipal Electric; Cooperative Acushnet Company; University of Rhode Island; Commonwealth of Massachusetts ; UTC Power; Notice of Filings

January 7, 2008.

Take notice that on December 21, 2007, December 23, 2007, December 27, 2007, and January 3, 2008, respectively, Acushnet Company, Connecticut Municipal Electric Cooperative, University of Rhode Island, the Commonwealth of Massachusetts and UTC Power filed a temporary waiver of qualification process reimbursement deposit due date, pursuant to Market Rule 1.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern Time on January 11, 2008.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–515 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PF08–1–000]

Orbit Gas Storage, Inc.; Notice of Intent to Prepare an Environmental Assessment for the Proposed Kentucky Energy Hub Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meeting

January 7, 2008.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the proposed Kentucky Energy Hub Project, which involves construction and operation of natural gas storage facilities in Hopkins County, Kentucky. This notice announces the opening of the scoping period that will be used to gather environmental input from the public and interested agencies on the project. Your input will help the Commission staff determine which issues need to be evaluated in the EA. Please note that the scoping period will close on February 6, 2008.

Comments may be submitted in written form or verbally. Further details on how to submit written comments are provided in the Public Participation portion of this notice. In addition to or in lieu of sending written comments, we invite you to attend the public scoping meeting at the location listed below.

Date and Time	Location
Wednesday, January 30, 2008, 7–10 p.m.	Madisonville Technology Economic Center, 755 Industrial Road, Madisonville, KY 42431.

Public scoping meetings are designed to provide state and local agencies, interested groups, affected landowners, and the general public with another opportunity to offer comments on the project. Interested groups and individuals are encouraged to attend the meeting and to present comments on the environmental issues they believe should be addressed in the EA.

If you are a landowner receiving this notice, you may be contacted by a

pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. Orbit Gas Storage, Inc. (Orbit) would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, Orbit could initiate condemnation proceedings in accordance with state law.

This notice is being sent to affected landowners; federal, state, and local government representatives and agencies; elected officials; Native American tribes; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this proposed project and to encourage them to comment on their areas of concern.

A fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need To Know?'' addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site (*http://www.ferc.gov*).

Summary of the Proposed Project

Orbit seeks authorization to construct a new natural gas storage facility in Hopkins County, Kentucky. The Kentucky Energy Hub Project would consist of developing a 5 billion-cubic-foot storage cavern from a depleted production reservoir; 10 new gas storage wells on 3 new well pads; a new 5,400-horsepower compressor station; an 8.6-mile-long, 16-inch-diameter gathering pipeline; a 13.3-mile-long, 24-inch diameter pipeline; and a new meter station. The proposed project would connect with an existing ANR Pipeline Company pipeline system near Rabbit Ridge, Kentucky.

The general location of the proposed storage field expansion is shown in Appendix 1.[1]

Land Requirements for Construction

Construction of the proposed project would affect a total of about 246 acres during construction. Following construction, about 134 acres would be allowed to revert to its previous conditions. Disturbance associated with aboveground facilities would permanently impact approximately 45 acres of land. The compressor station would require about 25 acres and the three well pads would require about 5, 7, and 8 acres of disturbance. Orbit would seek a 75-foot-wide construction right-of-way for the pipelines, and it would maintain a 30-foot-wide permanent right-of-way for operation of the pipelines.

The EA Process

We[2] are preparing this EA to comply with the National Environmental Policy Act (NEPA) which requires the Commission to take into account the environmental impact that could result if it authorizes Orbit's proposal. By this notice, we are also asking federal, state, and local agencies with jurisdiction and/or special expertise with respect to environmental issues to formally cooperate with us in the preparation of the EA. Agencies that would like to request cooperating status should follow the instructions for filing comments provided below.

NEPA also requires the FERC to discover and address concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, we are requesting public comments on the scope of the issues to address in the EA. All comments received will be considered during the preparation of the EA.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- geology and soils
- wetlands and waterbodies
- land use
- cultural resources
- vegetation and wildlife (including sensitive species)
- air and noise quality

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

Although no formal application has been filed, the FERC staff has already initiated its NEPA review under its Pre-filing Process. The purpose of the Pre-filing Process is to encourage the early involvement of interested stakeholders and to identify and resolve issues before an application is filed with the FERC.

With this notice, we are asking federal, state, and local governmental agencies with jurisdiction and/or special expertise with respect to environmental issues, to express their interest in becoming cooperating agencies for the preparation of the EA. These agencies may choose to participate once they have evaluated the proposal relative to their responsibilities. Agencies that would like to request cooperating status should follow the instructions for filing comments provided below.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, reasonable alternatives to the proposal including alternative locations and routes, and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to:

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.

- Label one copy of the comments for the attention of Gas Branch 1.
- Reference Docket No. PF08–1–000.
- Mail your comments so that they will be received in Washington, DC on or before February 6, 2008.

The Commission encourages electronic filing of comments. See 18 Code of Federal Regulations 385.2001(a)(1)(iii) and the instructions on the Commission's Internet Web site at *http://www.ferc.gov* under the ''eFiling'' link and the link to the User's

[1] The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's Internet Web site (*http://www.ferc.gov*) at the ''eLibrary'' link or from the Commission's Public Reference Room at (202) 502–8371. For instructions on connecting to eLibrary, refer to the ''Additional Information'' section at the end of this notice. Copies of the appendices were sent to all those receiving this notice in the mail. Requests for detailed maps of the well locations and other proposed facilities should be made directly to Orbit.

[2] ''We,'' ''us,'' and ''our'' refer to the environmental staff of the FERC's Office of Energy Projects.

Guide. Prepare your submission in the same manner as you would if filing on paper and save it to a file on your hard drive. Before you can file comments you will need to create an account by clicking on ''Login to File'' and then ''New User Account.'' You will be asked to select the type of filing you are making. This filing is considered a ''Comment on Filing.''

We may mail the EA for comment. If you are interested in receiving it, please return the Information Request (Appendix 3). If you do not return the Information Request, you will be taken off the mailing list.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1–866–208–FERC or on the FERC Internet Web site (*http://www.ferc.gov*) using the ''eLibrary'' link. Click on the eLibrary link, click on ''General Search'' and enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at 1–866–208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to *http://www.ferc.gov/esubscribenow.htm*.

Kimberly D. Bose,

Secretary.

Appendix 2

Information Request

Docket No. PF08–1–000

Please keep my name on the mailing list for the Kentucky Energy Hub Project.

Name _____

Agency _____

Address _____

City_____State____Zip Code_____

FROM _____

_____

_____

_____

ATTN: OEP—Gas 1, PJ—11.1, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

Staple or Tape Here

[FR Doc. E8–513 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PR08–9–000]

Jefferson Island Storage & Hub, L.L.C.; Notice of Petition for Rate Approval

December 18, 2007.

Take notice that on December 5, 2007, Jefferson Island Storage & Hub, L.L.C. (Jefferson Island) filed a petition for rate approval pursuant to section 284.123(b)(2) of the Commission's regulations. Jefferson Island requests that the Commission approve market-based rates, including negotiated fuel, for its Interruptible Wheeling Service. The proposed Interruptible Wheeling Service will replace Jefferson Island's Interruptible Transportation Service. Jefferson Island also requests waiver of the triennial rate review filing required by the Commission's June 20, 2005 Letter Order in Docket Nos. PR05–9–000 and PR05–9–001.

Any person desiring to participate in this rate proceeding must file a motion to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov*. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online at *http://www.ferc.gov*, using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern Time December 28, 2007.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–496 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2535–110]

South Carolina Electric & Gas Company; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

December 18, 2007.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Request for increase in water withdrawal for municipal use.

b. *Project No.:* 2535–110.

c. *Date Filed:* October 26, 2007.

d. *Applicant:* South Carolina Electric & Gas Company.

e. *Name of Project:* Stevens Creek.

f. *Location:* At the confluence of the Savannah River and Stevens Creek, in Edgefield and McCormick Counties, South Carolina and Columbia County, Georgia.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Raymond Ammarell, South Carolina Electric & Gas Company, 111 Research Drive, Columbia, SC 29203 (803) 217–7322.

i. *FERC Contact:* John K. Novak, *john.novak@ferc.gov* (202) 502–6076.

j. *Deadline for filing comments, motions to intervene and protests:* January 22, 2008.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission

to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request:* The South Carolina Electric & Gas Company is requesting authorization to allow an increase in water withdrawn from the Stevens Creek Project reservoir from the current withdrawal of 10 million gallons per day (mgd) to a maximum of 47.1 mgd for municipal use by the Columbia County Water and Sewerage System of Columbia County, Georgia. The existing facilities will not need modification to accommodate the increased water withdrawal.

l. *Location of the Application:* The filing is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426 or by calling (202) 502–8371, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at *http://ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docsfiling/esubscription.asp* to be notified vial e-mail or new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or e-mail *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Any filings must bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'', as applicable, and the Project Number of the particular application to which the filing refers.

p. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(I)(iii) and the instructions on the Commission's Web site at *http://www.ferc.gov* under the ''e-Filing'' link.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–500 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 67–113]

Southern California Edison Company; Notice of Application Ready for Environmental Analysis and Soliciting Comments, and Recommendations, Final Terms and Conditions, and Prescriptions

January 8, 2008.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New License for Major Project-Existing Dam.

b. *Project No.:* P–67–113.

c. *Date Filed:* February 23, 2007.

d. *Applicant:* Southern California Edison Company.

e. *Name of Project:* Big Creek Nos. 2A, 8 and Eastwood Power Station Hydroelectric Power Project.

f. *Location:* The Big Creek Nos. 2A, 8 and Eastwood Hydroelectric Project is located in Fresno County, California near the town of Shaver Lake within the South Fork San Joaquin River, Big Creek, and Stevenson Creek watersheds. The project affects 2,143.25 acres of federal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Russ W. Krieger, Vice President, Power Production, Southern California Edison Company, 300 North Lone Hill Ave., San Dimas, California 91773. Phone: (909) 394–8667.

i. *FERC Contact:* Ken Hogan at (202) 502–8434, or e-mail: *Kenneth.Hogan@ferc.gov.*

j. Deadline for filing comments, and recommendations, final terms and conditions, and prescriptions is 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

Comments, recommendations, final terms and conditions, and prescriptions may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (*http://www.ferc.gov*) under the ''e-Filing'' link.

k. This application has been accepted for filing and is ready for environmental analysis at this time.

l. *Description of Project:* The existing Big Creek Nos. 2A, 8 and Eastwood Power Station Hydroelectric Power Project consists of two powerhouses and an underground power station; two major dams and reservoirs; five moderate-sized dams forming two forebays and three small diversion pools; eight small diversions; six water conveyance systems; and one transmission line. The project would have an average annual generation of 1,125,429 megawatt-hours.

• *Powerhouses and powerstation* (i) Big Creek Powerhouse No. 2A with two turbine/generator units and a total dependable operating capacity of about 98.5 MW; (ii) Powerhouse No. 8 with two turbine/generator units and a dependable operating capacity of about 64.5 MW; and (iii) Eastwood Power Station, with one turbine/pump/

generator unit and a dependable operating capacity of about 207 MW.

• *Major dams and reservoirs* (i) Shaver Dam, forming Shaver Lake, which has a usable storage capacity of about 135,568 ac-ft, at an elevation of about 5,370 ft above mean sea level (msl); and (ii) Florence Dam, forming Florence Lake, which has a usable storage capacity of about 64,406 ac-ft, at an elevation of about 7,327 ft above msl.

• *Moderate-sized dams, forebays and diversion pools* (i) Balsam Forebay, with a usable storage capacity of about 1,547 ac-ft, at an elevation of about 6,670 ft above msl; (ii) Dam 5 Impoundment (Powerhouse 8 Forebay), with a usable storage capacity of 49 ac-ft, at an elevation of about 2,943 ft above msl; (iii) Pitman Diversion Pool, with a usable capacity of about 1 ac-ft, at an elevation of about 6,900 ft above msl; (iv) Bear Diversion Pool, with a usable capacity of about 103 ac-ft, at an elevation of about 7,350 ft above msl; and (v) Mono Diversion Pool, with a usable capacity of about 47 ac-ft, at an elevation of about 7,350 ft above msl.

• *Small diversions* (i) Hooper Creek Diversion, with a usable capacity of about 3 ac-ft, at an elevation of about 7,505 ft above msl; (ii) Bolsillo Creek Diversion, with a usable capacity of less than 1 ac-ft, at an elevation of about 7,535 ft above msl; (iii) Chinquapin Creek Diversion, with a usable capacity of less than 1 ac-ft, at an elevation of about 7,629 ft above msl; (iv) Camp 62 Creek Diversion, with a usable capacity of less than 1 ac-ft, at an elevation of about 7,307 ft above msl.

• *Water conveyance systems* (i) Ward Tunnel, about 12.8 miles long, conveys water from Florence Lake to Huntington Lake (Huntington Lake is a component of FERC Project No. 2175) and has a conveyance capacity of about 1,760 cubic feet per second (cfs). The tunnel receives water from Florence Lake, Mono Creek, Bear Creek, the small tributaries discussed above, and the East and West Forks of Camp 61 Creek (via Portal Forebay, a component of the Portal Project, (FERC Project No. 2174); (ii) Mono-Bear Siphon, about 1.6 miles of flowline from Mono Diversion and 1.4 miles of flowline and tunnel from Bear Creek Diversion connect at the Mono-Bear Wye and continues for about 2.6 miles through a combined flowline/siphon, conveys water from the Mono and Bear diversions to Ward Tunnel. The Mono Tunnel and Bear Tunnel have conveyance capacities of 450 cfs each and the combined flowline/siphon has a conveyance capacity of about 650 cfs; (iii) Huntington-Pitman-Shaver Conduit, also known as Tunnel No. 7, conveys water from Huntington Lake and the Pitman Creek Diversion to Shaver Lake through either North Fork Stevenson Creek or through Balsam Forebay and the Eastwood Power Station. Tunnel No. 7 is about 5.4 miles long and terminates at Gate No. 2 tunnel outlet located on North Fork Stevenson Creek upstream of Shaver Lake. The Balsam Diversion Tunnel is about 1.1 miles long and branches off Tunnel No. 7 about 1,200 ft upstream of the Gate No. 2 outlet, connecting to Balsam Forebay; (iv) Eastwood Power Station and Tailrace Tunnels, which convey water from Balsam Forebay through the Eastwood Power Station to Shaver Lake. The Eastwood Power Station Tunnel is about 1 mile long. The Tailrace Tunnel is about 1.4 miles long. The conveyance capacity of the tunnels is about 2,500 cfs. (v) Tunnel No. 5, about 2.6 miles long, conveys water from Shaver Lake to Big Creek Powerhouse No. 2A and has a conveyance capacity of about 650 cfs. (vi) Tunnel No. 8, about 1 mile long, conveys water from the Dam No. 5 Impoundment just downstream of Powerhouse 2/2A to Powerhouse No. 8, has a conveyance capacity of about 1,173 cfs.

• *Transmission line* (i) Eastwood Power Station—Big Creek 1 Transmission Line, which connects Eastwood Power Station to a non-Project switchyard at Big Creek Powerhouse No. 1. This transmission line is about 4.7 miles long, and is a 220 kV line.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. A copy is also available for inspection and reproduction at the address in item h above.

All filings must (1) bear in all capital letters the title ''COMMENTS,'' ''REPLY COMMENTS,'' ''RECOMMENDATIONS,'' ''FINAL TERMS AND CONDITIONS,'' or ''PRESCRIPTIONS;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, final terms and conditions, or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. A license applicant must file not later than 60 days following the date of issuance of this notice: (1) A copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

o. *Procedural schedule:* The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made if the Commission determines it necessary to do so:

Milestone	Tentative date
Comments, recommendations, final terms and conditions, and prescriptions due.	March 8, 2008.
Reply comments due from applicant.	April 22, 2008.
Notice of the availability of the draft EIS.	September 2008.
Comments on draft EIS due.	November 2008.
Notice of the availability of the final EIS.	March 2009.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–503 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 120–020]

Southern California Edison Company; Notice of Application Ready for Environmental Analysis and Soliciting Comments, and Recommendations, Final Terms and Conditions, and Prescriptions

January 8, 2008.

Take notice that the following hydroelectric application has been filed

with the Commission and is available for public inspection.

a. *Type of Application:* New License for Major Project—Existing Dam.

b. *Project No.:* P–120–020.

c. *Date Filed:* February 23, 2007.

d. *Applicant:* Southern California Edison Company.

e. *Name of Project:* Big Creek No. 3 Hydroelectric Power Project.

f. *Location:* The Big Creek No. 3 Hydroelectric Project is located in Fresno and Madera Counties, California near the town of Auberry within the San Joaquin River watershed. The Project occupies 377.16 acres of Federal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Russ W. Krieger, Vice President, Power Production, Southern California Edison Company, 300 North Lone Hill Ave., San Dimas, California 91773. Phone: (909) 394–8667.

i. *FERC Contact:* Ken Hogan at (202) 502–8434, or e-mail: *Kenneth.Hogan@ferc.gov.*

j. Deadline for filing comments, and recommendations, final terms and conditions, and prescriptions is 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

Comments, recommendations, final terms and conditions, and prescriptions may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (*http://www.ferc.gov*) under the ''e-Filing'' link.

k. This application has been accepted for filing and is ready for environmental analysis at this time.

l. *Description of Project:* The existing Big Creek No. 3 Hydroelectric Power Project consists of one powerhouse; one moderate-sized dam and forebay; and one water conveyance system. The Project is operated as a reservoir-storage type plant with an installed operating capacity of 174.45 MW. Water for the Project is taken from the San Joaquin River just downstream of its confluence with Big Creek and conveyed to the Big Creek No. 3 Powerhouse through Tunnel No. 3. The energy generated by the Project is transmitted to the SCE transmission and distribution system and used for public utility purposes. The project would have an average annual generation of 804,240 megawatt-hours.

- *Powerhouse:* Big Creek Powerhouse No. 3, with five turbine generator units.
- *Moderate-sized dam and forebay:* Dam 6 and Dam 6 Impoundment, with a capacity of about 933 ac-ft, at an elevation of about 2,230 ft above mean sea level (msl).
- *Water conveyance system:* Powerhouse No. 3 water conveyance system, about 5.3 miles long, conveys water from Dam No. 6 Impoundment to Big Creek Powerhouse No. 3 through a tunnel with a capacity of about 3,250 cfs. The system includes a pressure-relief valve system and penstocks providing pressurized water from the tunnel to the turbine.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. A copy is also available for inspection and reproduction at the address in item h above.

All filings must (1) bear in all capital letters the title ''COMMENTS,'' ''REPLY COMMENTS,'' ''RECOMMENDATIONS,'' ''FINAL TERMS AND CONDITIONS,'' or ''PRESCRIPTIONS;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, final terms and conditions, or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. A license applicant must file no later than 60 days following the date of issuance of this notice: (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

o. *Procedural schedule:* The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made if the Commission determines it necessary to do so:

Milestone	Tentative date
Comments, recommendations, final terms and conditions, and prescriptions due.	March 8, 2008.
Reply comments due from applicant.	April 22, 2008.
Notice of the availability of the draft EIS.	September 2008.
Comments on draft EIS due.	November 2008.
Notice of the availability of the final EIS.	March 2009.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–507 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2175–014]

Southern California Edison Company; Notice of Application Ready for Environmental Analysis and Soliciting Comments, and Recommendations, Final Terms and Conditions, and Prescriptions

January 8, 2008.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New License for Major Project-Existing Dam.

b. *Project No.:* P–2175–014.

c. *Date Filed:* February 23, 2007.

d. *Applicant:* Southern California Edison Company.

e. *Name of Project:* Big Creek Nos. 1 and 2 Hydroelectric Power Project.

f. *Location:* In Fresno County, California, and within the Sierra National Forest. The project is situated along Big Creek, a tributary to the San Joaquin River. The project affects 1,877.96 acres of federal land administered by the Sierra National Forest.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)-825(r)

h. *Applicant Contact:* Russ W. Krieger, Vice President, Power Production, Southern California Edison Company, 300 North Lone Hill Ave., San Dimas, California 91773. Phone: (909) 394–8667.

i. *FERC Contact:* Ken Hogan at (202) 502–8434, or e-mail: *Kenneth.Hogan@ferc.gov.*

j. Deadline for filing comments, and recommendations, final terms and conditions, and prescriptions is 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

Comments, recommendations, final terms and conditions, and prescriptions may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (*http://www.ferc.gov*) under the ''e-Filing'' link.

k. This application has been accepted for filing and is ready for environmental analysis at this time.

l. *Description of Project:* The existing Big Creek Nos. 1 and 2 Hydroelectric Power Project consists of two powerhouses, four major dams forming one major reservoir, one moderate dam and impoundment, three small diversions, and three water conveyance systems. The project would have an average annual generation of 657,072 megawatt-hours.

- *Powerhouses* (i) Powerhouse No. 1 with four turbine/generator units and a total dependable operating capacity of about 82.9 MW; and (ii) Powerhouse No. 2, with four turbine/generator units and a total dependable operating capacity of about 67.1 MW.
- *Major dams and reservoirs* (i) Dams 1, 2, 3, and 3a, which form Huntington Lake, with a capacity of about 89,166 ac-ft, at an elevation of about 6,950 ft above mean sea level (msl).
- *Moderate dam* (i) Dam 4, which forms Dam 4 Impoundment (Powerhouse 2 Forebay), with a capacity of about 60 ac-ft, at an elevation of about 4,810 ft above msl.
- *Small diversions* (i) Balsam Creek Diversion, with a usable capacity of less than 1 ac-ft, at an elevation of about 4,880 ft above msl; (ii) Ely Creek Diversion, with a usable capacity of less than 1 ac-ft, at an elevation of about 4,844 ft above msl; and (iii) Adit 8 Diversion, with a usable capacity of less than 1 ac-ft, at an elevation of about 4,825 ft above msl.
- *Water conveyance systems* (i) Tunnel No. 1, about 2 miles long, conveys water from Huntington Lake through an 84-inch diameter pipe to Big Creek Powerhouse No. 1.; (ii) Tunnel No. 2, approximately 4.1 miles long, conveys water from the Dam 4 impoundment just downstream of Powerhouse 1 to Big Creek Powerhouse No. 2. Water from Ely and Balsam Creek diversions also enter into Tunnel No. 2 between the forebay and powerhouse; and (iii) The Shoo Fly, conveys water from Shaver Lake.
- (FERC Project No. 67) through Tunnel 5 and into Tunnel 2 leading to Powerhouse No. 2. The Shoo fly was used during the construction of Shaver Lake Dam and Powerhouse No. 2A to keep water off the dam and to get more generation from Powerhouse No. 2. Although not currently in use, the Shoo fly Complex gives SCE the flexibility to divert water from Shaver Lake to Powerhouse No. 2, if required.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. A copy is also available for inspection and reproduction at the address in item h above.

All filings must (1) bear in all capital letters the title ''COMMENTS,'' ''REPLY COMMENTS,'' ''RECOMMENDATIONS,'' ''FINAL TERMS AND CONDITIONS,'' or ''PRESCRIPTIONS;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, final terms and conditions, or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. A license applicant must file no later than 60 days following the date of issuance of this notice: (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

o. *Procedural schedule:* The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made if the Commission determines it necessary to do so:

Milestone	Tentative date
Comments, recommendations, final terms and conditions, and prescriptions due.	March 8, 2008.
Reply comments due from applicant.	April 22, 2008.
Notice of the availability of the draft EIS.	September 2008.
Comments on draft EIS due.	November 2008.
Notice of the availability of the final EIS.	March 2009.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–508 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER08–110–000, ER08–110–001, ER08–110–002]

Starwood Power-Midway, LLC; Notice of Issuance of Order

January 7, 2008.

Starwood Power-Midway, LLC (Starwood Midway) filed an application for market-based rate authority, with accompanying tariff. The proposed market-based rate schedule provides for the sale of energy, capacity and ancillary services at market-based rates. Starwood Midway also requested waivers of various Commission regulations. In particular, Starwood Midway requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by Starwood Midway.

On December 19, 2007, pursuant to delegated authority, the Director, Division of Tariffs and Market Development-West, granted the requests for blanket approval under part 34 (Director's Order). The Director's Order also stated that the Commission would publish a separate notice in the **Federal Register** establishing a period of time for the filing of protests. Accordingly, any person desiring to be heard concerning the blanket approvals of issuances of securities or assumptions of liability by Starwood Midway, should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. 18 CFR 385.211, 385.214 (2004).

Notice is hereby given that the deadline for filing protests is January 22, 2008.

Absent a request to be heard in opposition to such blanket approvals by the deadline above, Starwood Midway is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of Starwood Midway compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approvals of Starwood Midway's issuance of securities or assumptions of liability.

Copies of the full text of the Director's Order are available from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Commission's Web site at *http://www.ferc.gov*, using the eLibrary link. Enter the docket number excluding the last three digits in the docket number filed to access the document. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the ''e-Filing'' link. The Commission strongly encourages electronic filings.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–511 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP08–46–000]

Tarpon Whitetail Gas Storage, LLC; Notice of Application

January 8, 2008.

Take notice that on December 21, 2007, Tarpon Whitetail Gas Storage, LLC (Whitetail), 3010 Briarpark Drive, Suite 550, Houston, Texas 77042, pursuant to section 7(c) of the Natural Gas Act (NGA) and Parts 157 and 284 of the Commission's regulations, filed an abbreviated application for certificates of public convenience and necessity, seeking authority to own, operate, construct, install, and maintain a high deliverability natural gas storage facility in Monroe County, Mississippi; to provide open-access firm and interruptible storage and hub services in interstate commerce at market-based rates under 18 CFR part 284, subpart G; and to undertake the limited construction and operation activities permitted under 18 CFR part 157, subpart F. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *http://www.ferc.gov* using the ''e-Library'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at FERCOnlineSupport or call toll-free, (866) 208-3676, or for TTY, (202) 502–8659.

Specifically, Whitetail states that the project will consist of up to twenty injection/withdrawal wells and a total working gas capacity of up to 8.6 billion cubic feet. Whitetail proposes to offer open access firm and interruptible storage and hub services and requests authority to charge market-based rates for its proposed services. The proposed terms and conditions for Whitetail's services are included in the pro forma tariff included in the application.

Any questions regarding this application should be directed to James F. Bowe, Jr., Dewey & LeBoeuf LLP, 975 F Street, NW., Washington, DC 20004–1405 at phone number (202) 862–1000, Fax number (202) 862–1093 or e-mail *jbowe@dl.com.*

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the

proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments protests and interventions via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web (*http://www.ferc.gov*) site under the ''e-Filing'' link.

Comment Date: January 29, 2008.

Kimberly D. Bose,

Secretary.

[FR Doc. E8–506 Filed 1–14–08; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8516–7]

Proposed CERCLA Administrative Cost Recovery Settlement; Columbia American Plating Company Site

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of past response costs concerning the COLUMBIA AMERICAN PLATING COMPANY Time-Critical Removal Site in Portland, Oregon, with the following settling parties: LAKEA CORPORATION (dba Columbia American Plating Company) and LARRY ANSON, an individual. The settlement requires the settling parties to pay: $15,000.00 to the EPA Hazardous Substance Superfund; the net sale proceeds from selling the site if the settling parties are able to redeem the property out of foreclosure from Multnomah County; and assignment of all rights to insurance claims proceeds to EPA. The settlement includes a covenant not to sue the settling party pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a). For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the U.S. EPA Region 10 offices, located at 1200 Sixth Avenue, Seattle, Washington 98101.

DATES: Comments must be submitted on or before February 14, 2008.

ADDRESSES: The proposed settlement is available for public inspection at the U.S. EPA Region 10 offices, located at 1200 Sixth Avenue, Seattle, Washington 98101. A copy of the proposed settlement may be obtained from Carol Kennedy, Regional Hearing Clerk, U.S. EPA Region 10, 1200 Sixth Avenue, Suite 900, Mail Stop ORC–158, Seattle, Washington 98101; (206) 553–0242. Comments should reference the COLUMBIA AMERICAN PLATING Time-Critical Removal Site in Portland, Oregon. EPA Docket No. CERCLA–10–2008–0048 and should be addressed to Lori Cora, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC–158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Lori Cora, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC–158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101; (206) 553–1115.

SUPPLEMENTARY INFORMATION: The COLUMBIA AMERICAN PLATING Site is located at 3003 NW. 35th Avenue, Portland, Oregon (Site). LAKEA CORPORATION (dba as COLUMBIA AMERICAN PLATING) operated a metal plating business.

In May 2003, in response to a request from the State of Oregon's Department of Environmental Quality's Emergency Response and Removal Program, EPA assisted in evaluating and mitigating the imminent threat to human health and the environment posed by hazardous substances and chemicals stored or otherwise handled at the Site. EPA removed approximately 80,000 gallons and 78,260 pounds of hazardous and non-hazardous waste located in tanks, drums, containers, sumps, and secondary containment systems for proper off-site treatment and disposal. EPA also conducted soil, groundwater, and surface water sampling at the Site. The removal was completed in 2004.

This settlement requires LAKEA CORPORATION and LARRY ANSON to pay: $15,000.00 to the EPA Hazardous Substance Superfund; the net sale proceeds from selling the site if the settling parties are able to redeem the property out of foreclosure from Multnomah County; and assignment of all rights to insurance claims proceeds to EPA. This is in settlement of the approximately $1.8 million in past costs incurred by EPA at the Site.

Dated: December 20, 2007.

Michael F. Gearheard,

Director of Office of Water and Watersheds.

[FR Doc. E8–599 Filed 1–14–08; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[PA–HQ–OAR–2007–1182, 1183, and 1184; FRL–8516–8]

Agency Information Collection Activities: Proposed Collections; Request for Comment on Three Proposed Information Collection Requests (ICRs)

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew three existing approved Information Collection Requests (ICRs) to the Office of

Management and Budget (OMB). Two of these ICRs, 1684.08 and 1695.08, are scheduled to expire March 31, 2008. ICR 1800.03 is scheduled to expire May 31, 2008. Before submitting these ICRs to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before March 17, 2008.

ADDRESSES: Submit your comments, identified by the Docket ID numbers provided for each item in the text, by one of the following methods:

- *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *E-mail: a-and-r-Docket@epa.gov.*
- *Fax:* (202) 566–9744.
- *Mail:* Air Docket, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.
- *Hand Delivery:* Docket Center, (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to the Docket ID Numbers identified for each item in the text. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or e-mail. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through www.regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.*

FOR FURTHER INFORMATION CONTACT: Nydia Yanira Reyes-Morales, Environmental Protection Agency, 1200 Pennsylvania Avenue, Mail Code 6403J NW., Washington, DC 20460; telephone number: 202–343–9264; fax number: 202–343–2804; e-mail address: *reyes-morales.nydia@epa.gov.*

SUPPLEMENTARY INFORMATION:

How Can I Access the Docket and/or Submit Comments?

EPA has established a public docket for each of the ICRs identified in this document (see the Docket ID numbers for each ICR that are provided in the text), which is available for online viewing at *http://www.regulations.gov,* or in person viewing at the Air Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202–566–1744, and the telephone number for the Air Docket is 202–566–1742.

Use *http://www.regulations.gov* to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select ''search,'' then key in the Docket ID number identified in this document.

What Information Is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) enhance the quality, utility, and clarity of the information to be collected; and

(iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

What Information Collection Activities or ICRs Does This Apply to?

Docket ID Number: EPA–HQ–OAR–2007–1182

Affected Entities: Entities potentially affected by these actions are manufacturers of nonroad compression ignition engines, equipment and components.

Title: Emissions Certification and Compliance Requirements for Nonroad Compression-ignition Engines and On-highway Heavy Duty Engines.

ICR Numbers: EPA ICR No. 1684.09, OMB Control No. 2060–0287.

ICR Status: This ICR is currently scheduled to expire on March 31, 2008. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR

part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: This information collection is requested under the authority of Title II of the Clean Air Act (42 U.S.C. 7521 *et seq.*). Under this Title, EPA is charged with issuing certificates of conformity for those engines which comply with applicable emission standards. Such a certificate must be issued before engines may be legally introduced into commerce. Certification requirements for nonroad compression-ignition engines and on-highway heavy duty engines are set forth at 40 CFR Parts 86, 89, 94, 1039 and 1065. To apply for a certificate of conformity, manufacturers are required to submit descriptions of their planned production line, including detailed descriptions of the emission control system and test data. This information is organized by ''engine family'' groups expected to have similar emission characteristics. Manufacturers must also comply with requirements related to audits and other compliance assurance programs. There are also recordkeeping and labeling requirements. Manufacturers electing to participate in the Averaging, Banking and Trading (ABT) Program are also required to submit information regarding the calculation of projected and actual generation and usage of credits in an initial report, end-of-year report and final report. These reports are used for certification and enforcement purposes. Manufacturers need to maintain records for eight years on the engine families participating in the program.

Burden Statement: The annual public reporting and recordkeeping burden is estimated to average 2,112 hours. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

- Estimated total number of potential respondents: 68.
- Frequency of response: Annual and quarterly and on occasion.
- Estimated total average number of responses for each respondent: 15.
- Estimated total annual burden hours: 143,604.
- Estimated total annual costs: $13,978,203. This includes an estimated burden cost of $5,484,884 for operation and maintenance costs.

Are There Changes in the Estimates From the Last Approval?

To date, there are no changes in the number of hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. However, EPA is still evaluating information that may lead to a change in the estimates.

Docket ID Number: EPA–HQ–OAR–2007–1183

Affected Entities: Entities potentially affected by these actions are manufacturers of nonroad spark-ignition engines, equipment and components.

Title: Emissions Certification and Compliance Requirements for Nonroad spark-ignition (SI) Engines.

ICR Numbers: EPA ICR No. 1695.09, OMB Control No. 2060–0338.

ICR Status: This ICR is currently scheduled to expire on March 31, 2008. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: This information collection is requested under the authority of Title II of the Clean Air Act (42 U.S.C. 7521 *et seq.*). Under this Title, EPA is charged with issuing certificates of conformity for those engines which comply with applicable emission standards. Such a certificate must be issued before engines may be legally introduced into commerce. Certification requirements for spark-ignition engines are set forth at 40 CFR Parts 90, 1048, 1051 and 1065. To apply for a certificate of conformity, manufacturers are required to submit descriptions of their planned production line, including detailed descriptions of the emission control system, and test data. This information is organized by ''engine family'' groups expected to have similar emission characteristics. The emission values achieved during certification testing are used in the ABT Program. The program allows manufacturers to bank credits for engine families that emit below the standard and use the credits for families that are above the standard, or trade banked credits with other manufacturers. Participation in the ABT program is voluntary. Manufacturers must also comply with requirements related to audits and other compliance assurance programs. There are also recordkeeping and labeling requirements.

Burden Statement: The annual public reporting and recordkeeping burden is estimated to average 1,379 hours. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

- Estimated total number of potential respondents: 106.
- Frequency of response: Annual and quarterly and on occasion.
- Estimated total average number of responses for each respondent: 11.
- Estimated total annual burden hours: 81,331.
- Estimated total annual costs: $9,925,673. This includes an estimated burden cost of $1,642,476 for operation and maintenance costs.

Are There Changes in the Estimates From the Last Approval?

To date, there are no changes in the number of hours in the total estimated respondent burden compared with that identified in the ICR currently approved

by OMB. However, EPA is still evaluating information that may lead to a change in the estimates.

Docket ID Number: EPA–HQ–OAR–2007–1184

Affected Entities: Entities potentially affected by these actions are manufacturers and remanufacturers of locomotives and locomotive engines.

Title: Information Requirements for Locomotive and Locomotive Engines.

ICR Numbers: EPA ICR Number 1800.04, OMB Control Number 2060–0392.

ICR Status: This ICR is currently scheduled to expire on May 31, 2008. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: The Clean Air Act requires manufacturers and remanufacturers of locomotives and locomotive engines to obtain a certificate of conformity with applicable emission standards before they may legally introduce their products into commerce. To apply for a certificate of conformity, respondents are required to submit descriptions of their planned production, including detailed descriptions of emission control systems and test data. This information is organized by ''engine family'' groups expected to have similar emission characteristics and is submitted every year, at the beginning of the model year. Respondents electing to participate in the ABT Program are also required to submit information regarding the calculation, actual generation, and usage of credits in quarterly reports, and an end-of-the-year report. Under the Production-line Testing (PLT) Program, manufacturers are required to test a sample of engines as they leave the assembly line. The Installation Audit Program requires remanufacturers to audit the installation of a sample of remanufactured engines. These self-audit programs (collectively referred to as the ''PLT Program'') allow manufacturers and remanufacturers to monitor compliance with statistical certainty and minimize the cost of correcting errors through early detection. Under the In-use Testing Program, manufacturers and remanufacturers are required to test locomotives after a number of years of use to verify that they comply with emission standards throughout their useful lives. There are recordkeeping requirements in all programs.

Burden Statement: The annual public reporting and recordkeeping burden associated with the certification program is estimated to average 17,074 hours. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

- Estimated total number of potential respondents: 7.
- Frequency of response: Annual and quarterly and on occasion.
- Estimated total average number of responses for each respondent: 10.
- Estimated total annual burden hours: 17,074.
- Estimated total annual costs: $2,326,156. This includes an estimated burden cost of $1,384,025 for operation and maintenance costs.

Are There Changes in the Estimates From the Last Approval?

To date, there are no changes in the number of hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. However, EPA is still evaluating information that may lead to a change in the estimates.

What Is the Next Step in the Process for These ICRs?

EPA will consider the comments received and amend the ICRs as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: January 9, 2008.

Karl Simon,

Director, Compliance and Innovative Strategies Division, Office of Transportation and Air Quality, Office of Air and Radiation.

[FR Doc. E8–570 Filed 1–14–08; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2008–0015; FRL–8516–2]

Workshop To Discuss Policy-Relevant Science To Inform EPA's Integrated Plan for the Review of the Primary Carbon Monoxide National Ambient Air Quality Standards (NAAQS)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Workshop.

SUMMARY: The EPA is announcing that a workshop entitled ''Workshop to Discuss Policy-Relevant Science to Inform EPA's Integrated Plan for the Review of the Primary Carbon Monoxide National Ambient Air Quality Standards'' is being organized by EPA's National Center for Environmental Assessment (NCEA), Office of Research and Development and EPA's Office of Air Quality Planning and Standards (OAQPS), Office of Air and Radiation. The workshop will be held on January 28–29, 2008 in Research Triangle Park, North Carolina. The workshop will be open to attendance by interested public observers on a first-come, first-served basis up to the limits of available space.

DATES: The workshop will be held on January 28 and 29, 2008.

ADDRESSES: The workshop will be held at U.S. EPA, 109 T.W. Alexander Drive, Research Triangle Park, North Carolina. An EPA contractor, E.H. Pechan & Associates, Inc., is providing logistical support for the workshop. For further information on the workshops, contact Ms. Barbara Bauer, E.H. Pechan Conference Coordinator, 3622 Lyckan Parkway, Durham, NC 27707, telephone: 919–493–3144 ext. 188; facsimile: 919–493–3182; e-mail: *barbara.bauer@pechan.com.*

FOR FURTHER INFORMATION CONTACT: Questions regarding information, registration, and logistics for the workshop should be directed to the E.H. Pechan conference coordinator listed in **ADDRESSES** above or from the following

Web site: *http://projects.pechan.com/epa/coreview/.*

Additional questions regarding the workshop should be directed to Ms. Chris Trent, U.S. EPA, OAQPS, telephone: 919–541–5337; facsimile: 919–541–0237; e-mail: *trent.chris@epa.gov* or Dr. Tom Long, U.S. EPA, NCEA, telephone: 919–541–1880; facsimile: 919–541–2985; e-mail: *long.tom@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Information About the Workshop

The Agency's last review of the carbon monoxide (CO) national ambient air quality standards (NAAQS) was completed on August 1, 1994 with a final determination that no revision of the CO standard was appropriate (59 FR 38906). This review of the CO NAAQS is consistent with the Clean Air Act's requirement that the Agency periodically review the latest scientific information and the standards. In completing this review, the Agency will apply the Agency's new NAAQS review process.[1] This workshop is a key step in this new process. The workshop will provide an opportunity for internal and external experts to highlight significant new and emerging CO research, and to make recommendations to the Agency regarding the design and scope of the review for the primary (health-based) CO standard to ensure that it addresses key policy-relevant issues and considers the new science relevant to informing our understanding of these issues.[2]

We intend that workshop discussions will build upon three prior publications or events:

1. *National Ambient Air Quality Standards for Carbon Monoxide: Final Rule* (*59 FR 38906,* August 1, 1994). The preamble to the final rule included detailed discussions of policy-relevant issues central to the last review.

2. *Air Quality Criteria for Carbon Monoxide (EPA 600/P–99/001F, June 2000).*[3]

3. December 2006 workshop sponsored by NCEA, entitled ''Interpretation of Epidemiologic Studies of Multi-pollutant Exposure and Health Effects.'' The workshop dealt with important issues relevant to this review, such as the interpretation and understanding of criteria air pollutant health effects analyses in population-level epidemiologic studies, with a focus on multi-pollutant exposures (71 FR 67566, November 22, 2006).

Workshop participants are encouraged to review each of these documents and/or supporting materials thoroughly before the meeting begins, as they provide important insights into new scientific advances and key policy-relevant questions.

Based in large part on the input received during this workshop, EPA will develop a draft integrated CO NAAQS review plan that will outline the schedule, process, and approaches for evaluating the relevant scientific information and addressing the key policy-relevant issues to be considered in this review. The Clean Air Scientific Advisory Committee (CASAC) will be asked to conduct a consultation with the Agency on the draft integrated plan later this year, and the public will have the opportunity to comment on it as well. The final integrated plan will be used to frame each of the major elements of the CO review under the new NAAQS process: an integrated science assessment document, a risk/exposure assessment report, and a policy assessment to be published as an advance notice of proposed rulemaking (ANPR).

II. Workshop Information

Members of the public may attend the workshop as observers. Space is limited, and reservations will be accepted on a first-come, first-served basis.

Dated: January 8, 2008.

Jenny N. Edmonds,

Acting Director, Office of Air Quality Planning and Standards.

[FR Doc. E8–543 Filed 1–14–08; 8:45 am]

BILLING CODE 6560–50–P

[1] For more information on the NAAQS review process, please see *http://www.epa.gov/ttn/naaqs/.*

[2] This workshop will not address a secondary welfare-based standard as the CO NAAQS includes only a primary standard.

[3] Please see *http://www.epa.gov/ttn/naaqs/standards/co/s_co_index.html* to obtain a copy of the 2000 Air Quality Criteria Document, the notice of final rulemaking from 1994, and other related documents.

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities: Comment Request

AGENCY: Board of Governors of the Federal Reserve System (Board).

ACTION: Notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Board, the Federal Deposit Insurance Corporation (FDIC), and the Office of the Comptroller of the Currency (the ''agencies'') may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The Federal Financial Institutions Examination Council (FFIEC), of which the agencies are members, has approved the agencies' publication for public comment of a proposal to extend, with revision, the Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks (FFIEC 002) and the Report of Assets and Liabilities of a Non-U.S. Branch That Is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank (FFIEC 002S), which are currently approved information collections. The Board is publishing this proposal on behalf of the agencies. At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the FFIEC and the agencies should modify the reports. The Board will then submit the reports to OMB for review and approval.

DATES: Comments must be submitted on or before March 17, 2008.

ADDRESSES: Interested parties are invited to submit written comments to the agency listed below. All comments, which should refer to the OMB control numbers, will be shared among the agencies. You may submit comments, identified by FFIEC 002 (7100–0032) or FFIEC 002S (7100–0273), by any of the following methods:

- *Agency Web Site: http://www.federalreserve.gov.* Follow the instructions for submitting comments on the *http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm.*
- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *E-mail: regs.comments@federalreserve.gov.* Include the OMB control number in the subject line of the message.
- *FAX:* 202–452–3819 or 202–452–3102.
- *Mail:* Jennifer J. Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, DC 20551.

All public comments are available from the Board's Web site at *http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm* as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room MP–500 of the Board's Martin Building (20th and C Streets, NW.) between 9 a.m. and 5 p.m. on weekdays.

Additionally, commenters may send a copy of their comments to the OMB desk officer for the agencies by mail to the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street, NW., Washington, DC 20503, or by fax to 202–395–6974.

FOR FURTHER INFORMATION CONTACT: Additional information or a copy of the collections may be requested from Michelle E. Shore, Federal Reserve Board Clearance Officer, 202–452–3829, Division of Research and Statistics, Board of Governors of the Federal Reserve System, 20th and C Streets, NW., Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may call 202–263–4869.

SUPPLEMENTARY INFORMATION:

Proposal To Extend for Three Years With Revision the Following Currently Approved Collections of Information

Report Titles: Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks; Report of Assets and Liabilities of a Non-U.S. Branch That Is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank.

Form Numbers: FFIEC 002; FFIEC 002S.

OMB Numbers: 7100–0032; 7100–0273.

Frequency of Response: Quarterly.

Affected Public: U.S. branches and agencies of foreign banks.

Estimated Number of Respondents: FFIEC 002—264; FFIEC 002S—65.

Estimated Time per Response: FFIEC 002—25 hours; FFIEC 002S—6 hours.

Estimated Total Annual Burden: FFIEC 002—26,400 hours; FFIEC 002S—1,560 hours.

General Description of Reports: These information collections are mandatory: 12 U.S.C. 3105(c)(2), 1817(a)(1) and (3), and 3102(b). Except for select sensitive items, the FFIEC 002 is not given confidential treatment and the FFIEC 002S is given confidential treatment [5 U.S.C. 552(b)(4) and (8)].

Abstract: On a quarterly basis, all U.S. branches and agencies of foreign banks are required to file the FFIEC 002, which is a detailed report of condition with a variety of supporting schedules. This information is used to fulfill the supervisory and regulatory requirements of the International Banking Act of 1978. The data are also used to augment the bank credit, loan, and deposit information needed for monetary policy and other public policy purposes. The FFIEC 002S is a supplement to the FFIEC 002 that collects information on assets and liabilities of any non-U.S. branch that is managed or controlled by a U.S. branch or agency of the foreign bank. Managed or controlled means that a majority of the responsibility for business decisions, including but not limited to decisions with regard to lending or asset management or funding or liability management, or the responsibility for recordkeeping in respect of assets or liabilities for that foreign branch, resides at the U.S. branch or agency. A separate FFIEC 002S must be completed for each managed or controlled non-U.S. branch. The FFIEC 002S must be filed quarterly along with the U.S. branch or agency's FFIEC 002. The data from both reports are used for: (1) Monitoring deposit and credit transactions of U.S. residents; (2) monitoring the impact of policy changes; (3) analyzing structural issues concerning foreign bank activity in U.S. markets; (4) understanding flows of banking funds and indebtedness of developing countries in connection with data collected by the International Monetary Fund (IMF) and the Bank for International Settlements (BIS) that are used in economic analysis; and (5) assisting in the supervision of U.S. offices of foreign banks. The Federal Reserve System collects and processes these reports on behalf of all three agencies.

Current Actions: The agencies propose to implement a number of revisions to the existing reporting requirements of the FFIEC 002. The proposed revisions would help to achieve consistency with the Reports of Condition and Income (Call Report) (FFIEC 031 and FFIEC 041) filed by insured commercial banks and state-chartered savings banks. The agencies are also proposing to combine the FFIEC 002 and FFIEC 002S into one OMB control number, 7100–0032. The proposed revisions to the FFIEC 002 summarized below have been approved for publication by the FFIEC. The agencies would implement the proposed changes for the June 30, 2008, reporting date.

Discussion of Proposed Revisions

A. Officer Signature Requirements and Contact Information

Considering the importance of data quality, the agencies believe that it is most appropriate for the branch or agency's chief financial officer (or the individual performing an equivalent function) to ensure that the FFIEC 002 and FFIEC 002S are reported accurately. The agencies are proposing to revise the existing officer signature requirement so that the FFIEC 002 and FFIEC 002S must be signed by the branch or agency's chief financial officer rather than by any authorized officer of the branch or agency. In signing the FFIEC 002 and FFIEC 002S, the chief financial officer would attest that the reporting forms have been prepared in conformance with the instructions issued by the FFIEC and are true and correct to the best of the officer's knowledge and belief. The agencies would also retain the existing requirement for the branch or agency's senior executive officer to sign the report.

The agencies are also proposing to add contact information (name, title, e-mail address, telephone number, and fax number) for the chief financial officer and another person to whom questions about the reports should be directed to facilitate communication between the agencies and the branch or agency concerning the FFIEC 002 and FFIEC 002S.

B. Bankers Acceptances

The FFIEC 002 balance sheet (Schedule RAL) requires branches and agencies to separately disclose the amount of their ''Customers' liability to this branch or agency on acceptances outstanding'' (data items 1.g.(1) and 1.g.(2)) and their ''Branch or agency liability on acceptances executed and outstanding'' (data item 4.d). On the loan schedule (Schedule C) branches and agencies disclose ''Holdings of own acceptances included in Schedule C, part I, item 4'' (data item M.2). On the derivatives and off-balance-sheet items schedule (Schedule L) branches and agencies disclose ''Participations in acceptances conveyed to others by the reporting branch or agency'' (data item 5). On the confidential due from/due to related institutions in the U.S. and in Foreign Countries schedule (Schedule M, Part V) branches and agencies disclose ''Participations in acceptances conveyed to related depository institutions by the reporting branch or agency'' (data item 5). Over time, the volume of acceptance assets and liabilities as a percentage of industry assets and liabilities has declined substantially to a nominal amount, with only a small number of branches and agencies submitting these data items. The agencies are proposing to delete these six data items and branches and agencies would be instructed to include any acceptance assets and liabilities (other than holdings of the reporting branch or agency's own acceptances) in ''Other assets'' and ''Other liabilities,'' respectively, on the FFIEC 002 balance sheet.

C. Scope of Securitizations To Be Included in Schedule S

In column G of Schedule S, ''Servicing, Securitization, and Asset Sale Activities,'' branches and agencies submit information on securitizations and on asset sales with recourse or other seller-provided credit enhancements involving loans and leases other than those covered in columns A through F. Although the scope of Schedule S was intended to cover all of a branch's or agency's securitizations and credit-enhanced asset sales, as currently structured column G does not capture transactions involving assets other than loans and leases. As a result, securitization transactions involving such assets as securities, for example, have not been submitted in Schedule S. Therefore, the agencies propose to revise the scope of column G to encompass ''All Other Loans, All Leases, and All Other Assets'' to ensure that they can identify and monitor the full range of branches' and agencies' involvement in and credit exposure to securitizations and asset sales. As a result, column G would begin to reflect securitization transactions involving such assets as securities. With fewer than 5 branches and agencies submitting data on securitizations in column G of Schedule S at present, the proposed change in the scope of column G is expected to affect only a nominal number of branches and agencies.

D. Breakdown of Real Estate Loans by Category

FFIEC 002 reporters have become increasingly involved in real estate lending and the agencies are proposing that ''Loans secured by real estate'' (Schedule C, data item 1) be broken out by category in order to better track this activity. The proposed change would also make the FFIEC 002 more consistent with the Call Report. Specifically, the agencies are proposing to add the following categories of loans secured by real estate:

- Construction, land development, and other land loans;
- Loans secured by farmland (including farm residential and other improvements);
- Revolving, open-ended loans secured by 1–4 family residential properties and extended under lines of credit;
- Closed-end loans secured by 1–4 family residential properties;
- Loans secured by multi-family (5 or more) residential properties; and
- Loans secured by nonfarm nonresidential properties.

E. Reporting of Certain Fair Value Measurements and the Use of the Fair Value Option

On September 15, 2006, the Financial Accounting Standards Board (FASB) issued Statement No. 157, *Fair Value Measurements* (FAS 157), which generally is effective for banks and other entities for fiscal years beginning after November 15, 2007. On February 15, 2007, the FASB issued Statement No. 159, *The Fair Value Option for Financial Assets and Financial Liabilities* (FAS 159), which is effective for banks and other entities for fiscal years beginning after November 15, 2007. Earlier adoption of FAS 157 is permitted as of the beginning of an earlier fiscal year, provided the entity has not yet issued a financial statement or filed an FFIEC 002 for any period of that fiscal year. Early adoption of FAS 159 was also permitted provided the entity also elected to apply FAS 157 at the same date or earlier. In addition, the FASB also issued Statement No. 155, *Accounting for Certain Hybrid Financial Instruments* (FAS 155), and Statement No. 156, *Accounting for Servicing of Financial Assets* (FAS 156), in 2006.

The fair value measurements standard provides guidance on how to measure fair value and requires entities to disclose the inputs used to measure fair value based on a three-level hierarchy for all assets and liabilities that are remeasured at fair value on a recurring basis.[1] FAS 155, FAS 156, and FAS 159 allow entities to irrevocably elect to report certain financial and servicing assets and liabilities at fair value with the changes in fair value included in earnings. This accounting election is referred to as a fair value option.

The agencies are proposing to add a new Schedule Q to the FFIEC 002 to collect data, by major asset and liability category, on the total fair value of those assets and liabilities within the category to which a fair value option has been applied along with separate disclosure of the amount of such assets and liabilities within the category whose fair values were estimated under Levels 1, 2, and 3 of the FASB's fair value hiearchy. The schedule would also include an item for each asset and liability category that would allow branches and agencies to report any amounts netted in the determination of total fair value reported for that category on Schedule RAL. The categories are:

- Securities held for purposes other than trading with changes in fair value reported in current earnings;
- Loans and leases;
- All other financial assets and servicing assets;
- Deposit liabilities;
- All other financial liabilities and servicing liabilities; and
- Loan commitments (not accounted for as derivatives).

In addition, the agencies propose to collect fair value data on trading assets and trading liabilities in new Schedule Q from those branches and agencies that reported trading assets (the sum of Schedule RAL, data items 1.f.1 and 1.f.2, column A) of $2 million or more for any of the four preceding quarters.[2] In the proposed new schedule, such entities would report the total fair value carrying amount of trading assets and trading liabilities as well as a breakdown of these assets and liabilities into the three fair value levels under FASB's fair value hierarchy and any netted amounts. Trading assets and trading liabilities are required to be reported at fair value and, thus, are not covered under the fair value option. The proposed change would also make the FFIEC 002 more consistent with the Call Report.

The agencies are also proposing to add memorandum items to capture the fair value and unpaid principal balance of loans measured at fair value under a fair value option. One set of memorandum items would apply to such loans that are reported in ''Other trading assets'' (data item 1.f.2) on Schedule RAL and another set would apply to such loans that are reported on Schedule C. These proposed memorandum items would collect data for the following categories of loans:

- Construction, land development, and other land loans;
- Loans secured by farmland (including farm residential and other improvements);
- Revolving, open-ended loans secured by 1–4 family residential

[1] The FASB's three-level fair value hierarchy gives the highest priority to quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). Level 1 inputs are quoted prices in active markets for identical assets or liabilities that the reporting entity has the ability to access at the measurement date (e.g., the FFIEC 002 reporting date). Level 2 inputs are inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly. Level 3 inputs are unobservable inputs for the asset or liability.

[2] For example, if a branch or agency reported trading assets of $2 million or more for the first time in its FFIEC 002 for March 31, 2008, it would begin to report the proposed fair value data on trading assets and trading liabilities in Schedule Q in its FFIEC 002 for June 30, 2008. Assuming the branch or agency reported trading assets of less than $2 million in its FFIEC 002 for June 30, 2008 and subsequent report dates, it would complete the Schedule Q items for trading assets and liabilities in its FFIEC 002 for June 30, 2008, through March 31, 2009, but would discontinue completing these items beginning June 30, 2009.

properties and extended under lines of credit;

- Closed-end loans secured by 1–4 family residential properties;
- Loans secured by multi-family (5 or more) residential properties;
- Loans secured by nonfarm nonresidential properties;
- Commercial and industrial loans; and
- Other loans.

These additional data items are necessary to enable the agencies to understand the differences between fair value and contractual cash flows for loans to which the fair value option is applied and to improve the agencies' ability to make comparisons among entities that elect a fair value option and those that do not, consistent with proposed Call Report changes.

F. Time Deposits Data

The Federal Reserve uses data from Schedule E, Deposit Liabilities, to ensure accurate construction of the monetary aggregates for monetary policy purposes. In order to more accurately calculate the monetary aggregates, the agencies propose to revise ''Total time deposits of $100,000 or more'' (data item M.1.a). Memorandum item 1.a would be revised to exclude brokered time deposits issued in denominations of $100,000 or more that are participated out by the broker in shares of less than $100,000 as well as brokered certificates of deposit issued in $1,000 amounts under a master certificate of deposit (when information on the number of $1,000 amounts held by each of the broker's customers is not readily available to the branch or agency). A corresponding change would be made to Memorandum item 1.c, ''Time certificates of deposit of $100,000 or more with remaining maturity of more than 12 months.''

In addition, as a result of the increase in the deposit insurance limit for certain retirement plan deposit accounts from $100,000 to $250,000, a new Memorandum item 1.b, ''Individual Retirement Accounts (IRAs) and Keogh Plan accounts included in Memorandum item 1.a, 'Total time deposits of $100,000 or more,' above,'' would be added to Schedule E to separately identify the portion of the total time deposits of $100,000 or more reported in Memorandum item 1.a that represents IRA and Keogh Plan accounts. This new memorandum item is also necessary to support the accurate calculation of the monetary aggregates.

The agencies are proposing a similar instructional change for Schedule O that would direct insured branches to include brokered time deposits, as discussed above, in Memorandum item 1.a, ''Deposit accounts of $100,000 or less,'' and to exclude these brokered time deposits from Memorandum item 1.b, ''Deposit accounts of more than $100,000.''

G. Information on Credit Derivatives

Branches and agencies currently report the notional amounts of the credit derivatives on which they are the guarantor and on which they are the beneficiary as well as the gross positive and negative fair values of these credit derivatives in Memoranda items 1 and 2 of Schedule L, Derivatives and Off-Balance Sheet Items, and Schedule M, Due from/Due to Related Institutions in the U.S. and in Foreign Countries, Part V. The agencies propose to revise these existing items so that branches and agencies with credit derivatives will provide a breakdown of these notional amounts by type of credit derivative: Credit default swaps, total return swaps, credit options, and other credit derivatives, with those where the branch or agency is the guarantor reported in column A and those where the branch or agency is the beneficiary in column B. Branches and agencies would continue to separately report the gross positive and negative fair values of credit derivatives on which they are the guarantor and the beneficiary without a breakdown by type of credit derivative. The agencies are also proposing to move credit derivatives from a memoranda item to a line item on Schedule L and Schedule M, Part V.

H. Revising the Reporting of Federal Funds Transactions and Securities Repurchase/Resale Agreements

On Schedule RAL, the agencies are proposing to revise the existing breakdowns of federal funds sold and securities purchased under agreements to resell that are reported in data items 1.d.1 and 1.d.2, respectively. First, the counterparty coverage of the federal funds sold and securities resale agreements reported in data items 1.d.1.a and 1.d.2.a would be changed from depository institutions in the U.S. to commercial banks in the U.S. This revision would facilitate the derivation of interbank loans, used for a weekly Federal Reserve release.

Second, the agencies are proposing to add two-way breakdowns of federal funds sold to others, currently reported in data item 1.d.1.b, and securities resale agreements with others, currently reported in data item 1.d.2.b. In the first two-way breakdown, branches and agencies would separately report federal funds sold to nonbank brokers and dealers in securities and federal funds sold to others (including depository institutions in the U.S. other than commercial banks). Similarly, branches and agencies would separately report securities resale agreements with nonbank brokers and dealers in securities and securities resale agreements with others (including depository institutions in the U.S. other than commercial banks). This revision would facilitate the derivation of total security loans, used for a weekly Federal Reserve release.

On the liability side, the agencies are proposing a more limited revision of the existing breakdowns of federal funds purchased and securities sold under agreements to repurchase that are reported in data items 4.b.1 and 4.b.2, respectively. Thus, the counterparty coverage of the federal funds purchased and securities repurchase agreements reported in data items 4.b.1.a and 4.b.2.a would be changed from depository institutions in the U.S. to commercial banks in the U.S. As a result, federal funds purchased from and securities repurchase agreements with depository institutions in the U.S. other than commercial banks would be included in data item 4.b.1.b, ''Federal funds purchased from others,'' and data item 4.b.2.b, ''Securities sold under agreements to repurchase with others,'' respectively. This would facilitate the collection of data on borrowings from commercial banks in the U.S. and borrowings from others that is published weekly in Federal Reserve releases. A further breakdown of the ''Other borrowed money'' reported in data item 4.c of Schedule RAL would not be required since data on such borrowings from commercial banks in the U.S. is already available from Schedule P of the FFIEC 002.

I. Deposit Insurance Assessment Revisions for FDIC-Insured Branches

On November 30, 2006, the FDIC published a final rule amending Part 327 of its regulations, ''Assessments,'' to improve and modernize its operational systems for deposit insurance assessments (71 FR 69270). These amendments to Part 327 revised the definition of the assessment base for deposit insurance purposes to be consistent with Section 3(l) of the Federal Deposit Insurance Act (FDI Act). This was intended to eliminate the need for periodic updates to the FDIC's assessment regulations in response to outside factors and allow a simplification of the associated reporting requirements. In addition, to address timing issues with quarter-end reporting, under amended Part 327, the FDIC will use daily average deposits

and exclusions over the quarter instead of quarter-end totals for deposits and exclusions to compute the assessment base for insured institutions with $1 billion or more in assets and other institutions that meet specified criteria. All other insured institutions may opt permanently to determine their assessment base using daily averages.

In conjunction with these amendments to Part 327 of the FDIC's regulations, the agencies revised and reduced the overall reporting requirements related to deposit insurance assessments in the Call Report in order to simplify regulatory reporting. These assessment data reporting changes included an interim transition period during 2007 with final implementation of the revised Call Report requirements taking place in 2008. The agencies are proposing to make comparable changes to the reporting requirements related to deposit insurance assessments in Schedule O of the FFIEC 002 for those branches of foreign banks that are insured by the FDIC. These proposed revised reporting requirements would contain the following key elements:

- Insured branches would separately report (a) gross deposits as defined in Section 3(l) of the FDI Act (12 U.S.C. 1813(l)) before any allowable exclusions, (b) allowable exclusions, including foreign deposits, and (c) foreign deposits;
- The same data items would be reported for both quarter-end and daily average deposits;
- All insured branches would report using quarter-end deposits, allowable exclusions, and foreign deposits; and
- All insured branches with $1 billion or more in total claims on nonrelated parties, and other insured branches that meet specified criteria, would also report daily averages for deposits, allowable exclusions, and foreign deposits in addition to quarter-end amounts.

The agencies would also provide an interim transition period covering the June 30, 2008, through December 31, 2008, report dates during which insured branches would have the option to submit Schedule O using either the current or revised formats for reporting data for measuring their assessment base. An insured branch that chooses to begin reporting under the revised format in any quarter during the interim period would be required to continue to report under the revised format through the rest of the interim period and would not be permitted to revert back to the current reporting format. The revised reporting format would take effect for all insured branches on March 31, 2009, at which time the current reporting format would be eliminated. Although no insured branch that chose to report under the revised format during the 2008 interim period would be required to report daily averages during this period, any insured branch could elect to report daily averages as of any quarter-end report date (beginning June 30) in 2008. However, once an insured branch begins to report daily averages (even during the interim period), it would be required to continue to report daily averages each quarter thereafter in Schedule O of its FFIEC 002.

At present, 20 items are required in Schedule O of the FFIEC 002 to determine an insured branch's assessment base. As proposed by the agencies, the changes to Schedule O would effectively reduce the number of reported items to as few as two for certain small insured branches (without foreign deposits) and no more than six for other insured branches. Specifically, the agencies propose to replace items 1 through 7 and Memorandum items 4 and 5 (including their subitems) on Schedule O, ''Other Data for Deposit Insurance Assessments,'' with the following six items:

- Total deposit liabilities before exclusions (gross) as defined in Section 3(l) of the FDI Act and FDIC regulations;
- Total allowable exclusions (including foreign deposits);
- Total foreign deposits (included in total allowable exclusions);
- Total daily average of deposit liabilities before exclusions (gross) as defined in Section 3(l) of the FDI Act and FDIC regulations;
- Total daily average of allowable exclusions (including foreign deposits); and
- Total daily average of foreign deposits (included in total daily average of allowable exclusions).

Thus, instead of starting with total demand deposits and total time and savings deposits as reported in Schedule O of the FFIEC 002 and making adjustments to these reported deposits for purposes of measuring an insured branch's assessment base, which is the present method, the computation of the insured branch's assessment base under the FDIC's amended assessment regulations and these proposed revisions to the FFIEC 002 would start with the gross total deposit liabilities that meet the statutory definition of deposits in Section 3(l) of the FDI Act before any allowable exclusions from the definition. The total amount of allowable exclusions from the assessment base would be reported separately for any insured branch that maintains such records as will readily permit verification of the correctness of its assessment base. The allowable exclusions, which are set forth in Section 3(l)(5) and other sections of the FDI Act and in the FDIC's regulations, include foreign deposits (including International Banking Facility deposits), reciprocal balances, drafts drawn on other depository institutions, pass-through reserve balances, depository institution investment contracts, and deposits accumulated for the payment of personal loans that are assigned or pledged to assure payment at maturity. The net amount of unposted debits and credits would no longer be considered within the definition of the assessment base.

The agencies believe that the amount of gross total deposit liabilities that meet the statutory definition of deposits is typically found in and supported by the control totals in an insured branch's deposit systems that provide the detail sufficient to track, control, and handle inquiries from depositors about their specific individual accounts. These deposit systems can be automated or manual. In any case, control totals for deposit liabilities should be readily available, which should ease an insured branch's transition to the revised Schedule O reporting requirements. Compared to the amount of information that an insured branch currently reports in order to determine its assessment base, the proposed changes to the Schedule O reporting requirements should also facilitate the reporting of daily averages for deposits and allowable exclusions since many of the presently reported adjustments will not need to be tracked and averaged separately.

In addition to quarter-end balance reporting, insured branches that meet certain criteria would be required to report average daily deposit liabilities, average daily allowable exclusions, and average daily foreign deposits to determine their assessment base effective March 31, 2009. The amounts to be reported would be averages of the balances as of the close of business for each day for the calendar quarter. For days that an insured branch is closed (e.g., Saturdays, Sundays, or holidays), the amounts outstanding from the previous business day would be used. An insured branch is considered closed if there are no transactions posted to the general ledger as of that date.

The agencies are proposing to require an insured branch to report daily averages beginning March 31, 2009, if it reports $1 billion or more in total claims on nonrelated parties in data item 1.i, column A, of Schedule RAL of the FFIEC 002 for March 31, 2008,

regardless of the amount its total claims on nonrelated parties in subsequent quarters. In addition, if an insured branch reports $1 billion or more in total claims on nonrelated parties in Schedule RAL in two consecutive FFIEC 002 reports beginning with its June 30, 2008, report, daily average reporting would begin on the later date of March 31, 2009, or the report date six months after the second consecutive quarter. An insured branch reporting less than $1 billion in total claims on nonrelated parties in Schedule RAL of its FFIEC 002 for March 31, 2008, would be permitted to continue to determine its assessment base using quarter-end balances until it met the two-consecutive-quarter total claims size test for reporting daily averages unless it opted to determine its assessment base using daily averages. After an insured branch begins to report daily averages for its total deposits, allowable exclusions, and foreign deposits, either voluntarily or because it is required to do so, the insured branch would not be permitted to switch back to reporting only quarter-end balances.

Under this proposal, insured branches will continue to report information on the number and amount of deposit accounts, the estimated amount of uninsured deposits (if total claims on nonrelated parties are $1 billion or more), and preferred deposits in Memorandum items 1 through 3 of Schedule O. However, the agencies are proposing to reduce the reporting frequency for the memorandum item for preferred deposits. This memorandum item would be reported only as of December 31 each year, which is consistent with the reporting frequency in the Call Report, rather than quarterly as at present.

J. Instructional Clarifications

For Schedule E, Column D, branches and agencies report all deposit liabilities of their International Banking Facilities (IBF). A footnote on the reporting form indicates that amounts in this column should exclude those IBF liabilities to be reported as federal funds purchased and securities sold under agreements to repurchase or as other borrowed money. In contrast, the FFIEC 002 instructions for Schedule E state that branches and agencies should ''[r]eport in column D all deposit liabilities of the branch or agency's International Banking Facility liabilities, regardless of whether they are transaction or nontransaction accounts. For purposes of this report, IBF deposit liabilities include deposits, placements, borrowings and similar obligations represented by promissory notes, acknowledgements of advance, or similar instruments that are *not* issued in negotiable or bearer form and that are issued to other IBFs or to nonrelated non-U.S. addressees, including banks.'' Since the FFIEC 002 instructional language conflicts with the language in the footnote on the reporting form, which provides correct guidance, the agencies will clarify the FFIEC 002 instructional language by removing the second sentence of the current instruction to Column D and by deleting the word ''liabilities'' the second time it appears in the first sentence of the current instruction.

Request for Comment

International Financial Reporting Standards

On November 15, 2007, the Securities and Exchange Commission (SEC) approved amendments to its rules that would allow foreign private issuers to file financial statements prepared using International Financial Reporting Standards (IFRS) as issued by the International Accounting Standards Board without a reconciliation to U.S. generally accepted accounting principles (GAAP). The agencies have received a number of questions concerning the potential use of IFRS in regulatory reports, including the FFIEC 002 and FFIEC 002s.

The current reporting basis for the FFIEC 002 and FFIEC 002s is GAAP. The agencies are evaluating the potential use of IFRS in the FFIEC 002 and FFIEC 002S. As part of this analysis, the agencies request comment on the following:

(a) The ability of respondents to prepare the FFIEC 002 and FFIEC 002s based on IFRS as issued by the International Accounting Standards Board;

(b) The degree to which respondents would need the agencies to provide specific reporting instructions to supplement IFRS to accurately prepare the FFIEC 002 and FFIEC 002s; and

(c) The amount of time respondents would need to prepare their systems, personnel, and processes to transition from the current GAAP-based FFIEC 002 and FFIEC 002S to IFRS-based reports.

Paperwork Reduction Act Request for Comment

Comments are invited on:

a. Whether the information collections are necessary for the proper performance of the agencies' functions, including whether the information has practical utility;

b. The accuracy of the agencies' estimate of the burden of the information collections, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of the information collections on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or start up costs and costs of operation, maintenance, and purchase of services to provide information.

Comments submitted in response to this notice will be shared among the agencies. All comments will become a matter of public record. Written comments should address the accuracy of the burden estimate and ways to minimize burden including the use of automated collection techniques or the use of other forms of information technology as well as other relevant aspects of the information collection request.

Board of Governors of the Federal Reserve System, January 10, 2008.

Jennifer J. Johnson,

Secretary of the Board.

[FR Doc. E8–531 Filed 1–14–08; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Federal Open Market Committee; Domestic Policy Directive of December 11, 2007

In accordance with § 271.25 of its rules regarding availability of information (12 CFR part 271), there is set forth below the domestic policy directive issued by the Federal Open Market Committee at its meeting held on December 11, 2007.[1]

The Federal Open Market Committee seeks monetary and financial conditions that will foster price stability and promote sustainable growth in output. To further its long-run objectives, the Committee in the immediate future seeks conditions in reserve markets consistent with reducing the federal funds rate at an average of around 4¼ percent.

[1] Copies of the Minutes of the Federal Open Market Committee meeting on December 11, 2007, which includes the domestic policy directive issued at the meeting, are available upon request to the Board of Governors of the Federal Reserve System, Washington, DC 20551. The minutes are published in the Federal Reserve Bulletin and in the Board's annual report.

By order of the Federal Open Market Committee, January 9, 2008.

Brian F. Madigan,

Secretary, Federal Open Market Committee.

[FR Doc. 08–107 Filed 1–14–08; 8:45 am]

BILLING CODE 6210–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the National Vaccine Advisory Committee

AGENCY: Department of Health and Human Services, Office of the Secretary.

ACTION: Notice.

SUMMARY: As stipulated by the Federal Advisory Committee Act, the Department of Health and Human Services (DHHS) is hereby giving notice that the National Vaccine Advisory Committee (NVAC) will hold a meeting. The meeting is open to the public.

DATES: The meeting will be held on February 5, 2008, from 9 a.m. to 5 p.m., and on February 6, 2008, from 9 a.m. to 5 p.m.

ADDRESSES: Department of Health and Human Services; Hubert H. Humphrey Building, Room 800; 200 Independence Avenue, SW., Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: Ms. Emma English, Program Analyst, National Vaccine Program Office, Department of Health and Human Services, Room 443–H Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201; (202) 690–5566, *nvpo@hhs.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to Section 2101 of the Public Service Act (42 U.S.C. 300aa–1), the Secretary of Health and Human Services was mandated to establish the National Vaccine Program to achieve optimal prevention of human infectious diseases through immunization and to achieve optimal prevention against adverse reactions to vaccines. The National Vaccine Advisory Committee was established to provide advice and make recommendations to the Assistant Secretary for Health, as the Director of the National Vaccine Program, on matters related to the program's responsibilities.

Topics to be discussed at the meeting include adult and adolescent immunization, vaccine supply, vaccine financing, seasonal influenza, and other Departmental vaccine priorities. A tentative agenda is currently available on the NVAC Web site: *http://www.hhs.gov/nvpo/nvac.*

Public attendance at the meeting is limited to space available. Individuals must provide a photo ID for entry into the Humphrey Building. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the designated contact person. Members of the public will have the opportunity to provide comments at the meeting. Public comment will be limited to five minutes per speaker. Any members of the public who wish to have printed material distributed to NVAC members should submit materials to the Executive Secretary, NVAC, through the contact person listed above prior to close of business January 30, 2008. Pre-registration is required for both public attendance and comment. Any individual who wishes to attend the meeting and/or participate in the public comment session should e-mail *nvpo@hhs.gov* or call 202–690–5566.

Dated: January 9, 2008.

Bruce Gellin,

Director, National Vaccine Program Office.

[FR Doc. E8–565 Filed 1–14–08; 8:45 am]

BILLING CODE 4150–44–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Announcement of First Meeting of the Secretary's Advisory Committee on National Health Promotion and Disease Prevention Objectives for 2020

AGENCY: Department of Health and Human Services, Office of the Secretary, Office of Public Health and Science, Office of Disease Prevention and Health Promotion.

ACTION: Notice of Meeting.

Authority: 42 U.S.C. 217a, Section 222 of the Public Health Service Act, as amended. The Committee is governed by the provision of Public Law 92–463, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

SUMMARY: The U.S. Department of Health and Human Services (HHS) announces the first in a series of federal advisory committee meetings regarding the national health promotion and disease prevention objectives for 2020 to be held in Washington, DC. These meetings will be open to the public. The Secretary's Advisory Committee on National Health Promotion and Disease Prevention Objectives for 2020 will review the nation's health promotion and disease prevention objectives and efforts to develop goals and objectives to improve the health status and reduce health risks for Americans by the year 2020. The Committee will provide to the Secretary of Health and Human Services advice and consultation for developing and implementing the next iteration of national health promotion and disease prevention goals and objectives and provide recommendations for initiatives to occur during the initial implementation phase of the goals and objectives. HHS will use the recommendations to inform the development of the national health promotion and disease prevention objectives for 2020 and the process for implementing the objectives. The intent is to develop and launch objectives designed to improve the health status and reduce health risks for Americans by the year 2020.

DATES: The Committee will meet for two days: January 31, 2008 from 9 a.m. until 5:30 p.m., and on February 1, 2008 from 8:30 a.m. until 5 p.m.

ADDRESSES: The meeting will be held at the U.S. Department of Health and Human Services, Hubert H. Humphrey Building, located at 200 Independence Avenue, SW., Room 800, Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: Emmeline Ochiai, Designated Federal Officer, Secretary's Advisory Committee on National Health Promotion and Disease Prevention Objectives for 2020, U.S. Department of Health and Human Services, Office of Public Health and Science, Office of Disease Prevention and Health Promotion, 1101 Wootton Parkway, Room LL–100, Rockville, MD 20852, (240) 453–8259 (telephone), (240) 453–8281 (fax). Additional information is available on the Internet at *http://www.healthypeople.gov.*

SUPPLEMENTARY INFORMATION: The names of the 13 members of the Secretary's Advisory Committee on National Health Promotion and Disease Prevention Objectives for 2020 are available at *http://www.healthypeople.gov.*

Purpose of Meeting: Every 10 years, through the Healthy People initiative, the U.S. Department of Health and Human Services (HHS) leverages scientific insights and lessons from the past decade, along with the new knowledge of current data, trends, and innovations to develop the next iteration of national health promotion and disease prevention objectives. Healthy People provides science-based, 10-year national objectives for promoting health and preventing disease. Since 1979, Healthy People has set and monitored national health objectives to meet a broad range of health needs, encourage collaborations across sectors, guide individuals toward

making informed health decisions, and measure the impact of our prevention and health promotion activities. Healthy People 2020 will reflect assessments of major risks to health and wellness, changing public health priorities, and emerging technologies related to our nation's health preparedness and prevention.

Public Participation at Meeting: Members of the public are invited to observe the Advisory Committee meeting. Please note that there will be no opportunity for oral public comments during the initial Secretary's Advisory Committee on National Health Promotion and Disease Prevention Objectives for 2020 meeting, however, written comments are welcome throughout the development process of the national health promotion and disease prevention objectives for 2020 and may be e-mailed to *HP2020@hhs.gov*.

To observe the Committee meeting, individuals must pre-register to attend the Secretary's Advisory Committee on National Health Promotion and Disease Prevention Objectives for 2020 at the Healthy People Web site located at *http://www.healthypeople.gov*. Registrations must be completed by close of business Eastern Standard Time January 28, 2007. Space for the meeting is limited. Registrations will be accepted until maximum room capacity is reached. A waiting list will be maintained should registrations exceed room capacity. Individuals on the waiting list will be contacted as additional space for the meeting becomes available. On January 31 and February 1, 2008, registrants for the Secretary's Advisory Committee on National Health Promotion and Disease Prevention Objectives for 2020 meeting must present valid photo identification (i.e., driver's license) and should arrive 45 minutes prior to the start of the meeting to pass through security.

Registration questions may be directed to Hillary Scherer at *HP2020@norc.org* (e-mail), (301) 634–9374 (phone) or (301) 634–9301 (fax).

Dated: January 9, 2008.

Penelope Slade Royall,

RADM, USPHS, Deputy Assistant Secretary for Health (Disease Prevention and Health Promotion), Office of Disease Prevention and Health Promotion

[FR Doc. E8–572 Filed 1–14–08; 8:45 am]

BILLING CODE 4150–32–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Cross-Site Evaluation of the Infant Adoption Awareness Training Program for Projects Initially Funded in Fiscal Year 2006.

OMB No.: New Collection.

Description: The Administration for Children and Families (ACF), Children's Bureau (CB), will conduct the Cross-Site Evaluation of the Infant Adoption Awareness Training Program (IAATP). Title XII, Subtitle A, of the Children's Health Act of 2000 (CHA) authorizes the Department of Health and Human Services to make Infant Adoption Awareness Training grants available to national, regional, and local adoption organizations for the purposes of developing and implementing programs that train the staff of public and non-profit private health service organizations to provide adoption information and referrals to pregnant women on an equal basis with all other courses of action included in non-directive counseling of pregnant women. Participants in the training include individuals who provide pregnancy or adoption information and those who will provide such services after receiving the training, with Title X (relating to voluntary family planning projects), Section 330 (relating to community health centers, migrant health centers, and centers serving homeless individuals and residents of public housing), and CHA-funded school-based health centers, receiving priority to receive the training. A total of six organizations were awarded IAATP funding in 2006.

Section 1201(a)(2)(A) of the IAATP legislation requires grantees to develop and deliver trainings that are consistent with the *Best Practice Guidelines for Infant Adoption Awareness Training.* The IAATP guidelines address training goals, basic skills, curriculum and training structure. A complete description of the guidelines is available at *http://www.acf.hhs.gov/programs/cb/programs_fund/discretionary/iaatp.htm.* In addition, grantees are required to conduct local evaluation of program outcomes and participate in the national evaluation of the extent to which IAATP training objectives are met. The *Infant Adoption Awareness Training Program: Trainee Survey* is the primary data collection instrument for the national cross-site evaluation. Respondents will complete the survey prior to receiving training and approximately 90 days after the training to assess the extent to which trainees demonstrate sustained gains in their knowledge about adoption, and to determine the impact of the training on their subsequent work with pregnant women.

Data collected through the proposed survey will enable ACF to objectively assess the knowledge and skills gained, retained, and applied by trainees as a result of their participation in the Infant Adoption Awareness Training Program, and will answer the following research questions:

1. Do health care workers who participate in the IAATP training:

- Demonstrate enhanced knowledge, attitudes, skills, and behaviors with respect to adoption counseling following completion of the program?
- Provide adoption information to pregnant women on an equal basis with other pregnancy planning options?
- Demonstrate enhanced awareness of community adoption-related resources and refer expectant mothers to them as needed?

2. Are trainees more confident about discussing all three pregnancy planning options (parenting, abortion, and adoption) in a non-directive counseling style than they were prior to participating in the training?

Cross-site evaluation data will be collected on an annual basis throughout the five-year funding period. Pre-test and follow-up versions of the survey are expected to require approximately 10 to 15 minutes to complete. Estimated response time for the follow-up survey includes time for respondents to access the web-based survey, complete the survey online, and electronically submit the survey. Respondents will not need to implement a recordkeeping system or compile source data in order to complete the survey. Where possible, fields in the follow-up version of the survey will be pre-filled with static data from the respondent's pre-test (e.g., demographics, agency type) in order to further expedite completion of the survey and minimize respondent burden.

Respondents: Infant Adoption Awareness Program Trainees.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average hours per response	Total burden hours
IAATP: Trainee Survey Pre-Test Administration	1,200	1	.15	180
IAATP: Trainee Survey Follow-Up Administration	1,200	1	.10	120

Estimated Total Annual Burden Hours: 300

In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is publishing the following summary of a proposed collection for public comment. Copies of the proposed collection of information can be requested from L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. E-mail address: *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: January 8, 2008.

Janean Chambers,

Reports Clearance Officer.

[FR Doc. 08–95 Filed 1–14–08; 8:45 am]

BILLING CODE 4184–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Statewide Automated Child Welfare Information System (SACWIS) Assessment Review Guide (SARGE).

OMB No.: 0970–0159.

Description: The Department of Health and Human Services (HHS) cannot fulfill its obligation to effectively serve the nation's adoption and foster care populations, nor report meaningful and reliable information to Congress about the extent of problems facing these children or the effectiveness of assistance provided to this population, without access to timely and accurate information. Currently, SACWIS support State efforts to meet the following Federal reporting requirements: The Adoption and Foster Care Analysis and Reporting System (AFCARS) required by section 479(b)(2) of the Social Security Act; the National Child Abuse and Neglect Data System (NCANDS); Child Abuse Prevention and Treatment Act (CAPTA); and the Chafee Independent Living Program. These systems also support State efforts to provide the information to conduct the Child and Family Service Reviews. Currently, 42 States and the District of Columbia have developed, or are developing, a SACWIS with Federal financial participation. The purpose of these reviews is to ensure that all aspects of the project, as described in the approved Advance Planning Document, have been adequately completed, and conform to applicable regulations and policies.

To initiate a review, States will submit the completed SACWIS Assessment Review Guide (SARGE) and other documentation at the point that they have completed system development and the system is operational statewide. The additional documents submitted as part of this process should all be readily available to the State as a result of good project management practices.

The information collected in the SACWIS Assessment Review Guide will allow State and Federal officials to determine if the State's SACWIS meets the requirements of title IV–E Federal Financial Participation (FFP) defined at 45 CFR 1355.50. Additionally, other States will be able to use the documentation provided as part of this review process in their own system development efforts.

Respondents: State Title IV–E Agencies.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
SACWIS Assessment Review Guide (SARGE)	3	1	250	750

Estimated Total Annual Burden Hours: 750.

In compliance with the requirements of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the

information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: January 8, 2008.

Janean Chambers,

Reports Clearance Officer.

[FR Doc. 08–96 Filed 1–14–08: 8:45 am]

BILLING CODE 4184–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2006D–0419]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Voluntary National Retail Food Regulatory Program Standards

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by February 14, 2008.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–6974, or e-mailed to *baguilar@omb.eop.gov*. All comments should be identified with the OMB control number 0910–NEW and title, Voluntary National Retail Food Regulatory Program Standards. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Jonna Capezzuto, Office of the Chief Information Officer (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–4659.

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Voluntary National Retail Food Regulatory Program Standards

The Program Standards define nine essential elements of an effective regulatory program for retail food establishments, establish basic quality control criteria for each element, and provide a means of recognition for those state, local, and tribal regulatory programs that meet the Program Standards. The program elements addressed by the Program Standards are as follows: (1) Regulatory foundation, (2) trained regulatory staff, (3) inspection program based on Hazard Analysis and Critical Control Point (HACCP) principles, (4) uniform inspection program, (5) foodborne illness and food defense preparedness and response, (6) compliance and enforcement, (7) industry and community relations, (8) program support and resources, and (9) program assessment. Each standard includes a list of records needed to document compliance with the standard (referred to in the Program Standards document as ''quality records'') and has one or more corresponding appendices that contain forms and worksheets to facilitate the collection of information needed to assess the retail food regulatory program against that standard. The respondents are state, local and tribal government agencies. Regulatory agencies may use existing, available records or may choose to develop and use alternate forms and worksheets that capture the same information.

In the course of their normal activities, state, local, and tribal regulatory agencies already collect and keep on file many of the records needed as quality records to document compliance with each of the Program Standards. Although the detail and format in which this information is collected and recorded may vary by jurisdiction, records that are kept as a usual and customary part of normal agency activities include inspection records, written quality assurance procedures and records of quality assurance checks, staff training certificates and other training records, a log or database of food-related illness or injury complaints, records of investigations resulting from such complaints, an inventory of inspection equipment, records of outside audits, and records of outreach efforts (e.g., meeting agendas and minutes, documentation of food safety education activities). No new recordkeeping burden is associated with these existing records, which are already a part of usual and customary program recordkeeping activities by state, local, and tribal regulatory agencies, and which can serve as quality records under the Program Standards.

State, local, and tribal regulatory agencies that enroll in the Program Standards and seek listing in the FDA National Registry are required to report to FDA on the completion of the following three management tasks outlined in the Program Standards: (1) Conducting a program self assessment; (2) conducting a baseline survey of the regulated industry; and (3) obtaining an independent outside audit (verification audit). All three tasks must initially be completed within a 3-year time span. The results are reported to FDA on Form FDA 3519, ''FDA National Registry Report'' and Form FDA 3520, ''Permission to Publish in National Registry.'' These forms are located in Appendix I of the Program Standards document. If a regulatory agency follows all the recordkeeping recommendations in the individual standards and their appendices, it will have all the information needed to complete the forms. The time required to complete the forms is minimal.

In the **Federal Register** of November 14, 2006 (71 FR 66337), FDA published a 60-day notice requesting public comment on the information collection provisions. FDA received two letters in response to the notice, but the letters contained comments that were not responsive to the four PRA comment requests. These comments will not be addressed in this document.

In April 2006, the Conference for Food Protection approved changes to the Program Standards that have been incorporated into a draft 2007 revision, which is available at *http://www.cfsan.fda.gov/~dms/ret4toc.html.* FDA analyzed whether incorporation of the changes alters its estimate of the recordkeeping and reporting burdens as set forth in the 60-day notice. FDA concluded that the changes cause a minor increase and decrease in the recordkeeping burden, resulting in no net change in the recordkeeping burden estimate. FDA further concluded that the reporting burden estimate should be increased by adding a line to table 2 to reflect the addition of 150 hours. This is because the revision to Standard 2 establishes an Assessment of Training Needs (ATN) process and forms that can be used by regulatory retail food program managers/training officers to prepare Food Safety Inspection officers (FSIOs) to conduct retail food and foodservice inspections (new Appendix B–2 and its accompanying Attachments

A and B). As part of the jurisdiction's usual and customary 25 joint field inspections, the jurisdiction's trainer will conduct at least 1 Assessment of Training Needs (ATN) per new hire. The ATN is a systematic evaluation of the new hire's knowledge, skills, and abilities that are needed before being able to conduct independent inspections. Following the ATN, the jurisdiction's trainer is made aware of any training deficiencies that need to be corrected prior to allowing the new hire to conduct independent work. Regulatory jurisdictions have the flexibility in the ATN to customize training so that it reflects a jurisdiction's administrative policies, sampling procedures, and inspection protocol. The ATN provides two forms to assist food program managers/trainers e forms provide both the candidate and the trainer feedback on specific elements of effective institutional foodservice, restaurant, and retail food store inspections. The forms are (1) Retail Food, Restaurant, and Institutional Foodservice — Food Safety Inspection Officer, Field Training Worksheet [this form provides a representative baseline of competencies (criteria) expected to be performed by regulatory retail food program FSIOs]. It is to be used during joint field training inspections and is completed as a part of the usual duties of the jurisdiction]; and (2) Retail Food, Restaurant, and Institutional Foodservice — Food Safety Inspection Officer, Documentation of Successful Completion [this form provides verification that the FSIO has successfully demonstrated the ability to perform all the required competencies (criteria) needed to conduct independent retail food and foodservice inspections. It is completed once at the end of the joint field training process.] FDA estimates that an additional 150 reporting burden hours will result from this change, as discussed later this document. In addition, FDA has increased the recordkeeping burden hour estimate from 157 to 157.1 based on the changes to the 2007 document in the areas of Self Assessment and Verification Audit.

Recordkeeping

FDA's recordkeeping burden estimate includes time required for a State, local, or tribal agency to review the instructions in the Program Standards, compile information from existing sources, and create any records recommended in the Program Standards that are not already kept in the normal course of the agency's usual and customary activities. Worksheets (Appendices) are provided to assist in this compilation. In estimating the time needed for the program self-assessment (Program Standards 1–8, shown in chart 1 of this document), FDA considered responses from four state and three local jurisdictions that participated in an FDA Program Standards Pilot study. Chart 2 of this document shows the estimated recordkeeping burden for the completion of the baseline data collection and chart 3 of this document shows the estimated recordkeeping burden for the verification audit.

The overall program improvement cycle is a 3-year period for completion of all three management tasks.

CHART 1. YEAR ONE — SELF ASSESSMENT

Standard	Recordkeeping Activity	Hours per Recordkeeper (Year One)
No.1 Regulatory Foundation	Self Assessment: (Appendix A) Completion of worksheet recording results of evaluations and comparison on worksheets.[1]	16
No. 2 Trained Regulatory Staff	Self Assessment: (Appendix B–2 and B–4)[1] Completion of ATN Field Training Worksheet and Documentation of Successful Completion — Field Training Process; completion of summary worksheet of each employee training records.[2]	19.3
No. 3 HACCP Principles	Self Assessment: (Appendix C[1]) Completion of worksheet documentation.	4
No. 4 Uniform Inspection Program	Self Assessment: (Appendix D[1]) Completion of worksheet documentation of jurisdiction's quality assurance procedures[2]	19
No. 5 Foodborne Illness Investigation	Self Assessment: (Appendix E[1]) Completion of worksheet documentation.	5
No. 6 Compliance Enforcement	Self Assessment: (Appendix F[1]) Selection and review of 20 to 70 establishment files @ 25 minutes per file. Estimate is based on a mean number of 45. Completion of worksheet.	19
No. 7 Industry & Community Relations	Self Assessment: (Appendix G[1]) Completion of worksheet.	2
No. 8 Program Support and Resources	Self Assessment: (Appendix H[1]) Selection and review of establishment files	8
SUBTOTAL		92.3 Hours

[1] Or comparable documentation

[2] Estimates will vary depending on number of regulated food establishments and the number of inspectors employed by the jurisdiction.

CHART 2. YEAR TWO — BASELINE DATA COLLECTION

Standard	Recordkeeping Activity	Hours per Recordkeeper (Year Two)
No. 9 Program Assessment	Baseline Data Collection (Appendices I & J) Selection and inspection of randomly selected statistical sample of 9 to 87 establishments from each of 9 facility types.[1]	333

[1] Calculation based on mean sample size of 39 and average FDA inspection time for each establishment type. Estimates will vary depending on number of regulated food establishments within a jurisdiction and the number of inspectors employed by the jurisdiction.

CHART 3. YEAR THREE — VERIFICATION AUDIT

Standard	Recordkeeping Activity	Hours per Recordkeeper (Year Three)
No. 9	Verification Audit (Appendices I & J)[1]	46.15

[1] We estimate that no more than 50% of time spent to complete self assessment of all 9 standards is spent completing verification audit worksheets. Time will be considerably less if less than 9 standards require verification audits.

FDA estimated the annual hours per recordkeeper (i.e., per enrolled jurisdiction) in table 1 of this document by adding the recordkeeping estimates for the management tasks of self assessment, baseline data collection, and verification audit (charts 1, 2, and 3 of this document) that enrolled jurisdictions must perform during a 3–year cycle (92.3 + 333 + 46.15 = 471.45, then dividing the total by three to obtain an annual average (471.45 / 3 = 157.1). The estimates in tables 1 and 2 of this document are based on the estimated participation of 500 regulatory jurisdictions in the Program Standards. Table 1 shows an increase of 50 hours in the overall recordkeeping burden estimate based on a 0.1 increase in the estimate of annual hours per recordkeeper in the 2007 document. There are approximately 3,000 jurisdictions in the United States and its territories that have retail food regulatory programs. Enrollment in the Program Standards is voluntary, and therefore FDA does not expect all jurisdictions to participate in the near future. In its 2002 operational plan, the FDA National Retail Food Team established a goal of enrolling 15 percent of eligible agencies, or 450 programs, in the Program Standards by the year 2010. For purposes of this burden estimate, it is reasonable to take into account the possibility that this goal could be exceeded by approximately 10 percent, for a total of approximately 500 participating agencies.

Thus, FDA estimates the recordkeeping burden for this collection of information as follows:

TABLE 1.—ESTIMATED ANNUAL RECORDKEEPING BURDEN[1]

FDA Worksheets[2]	No. of Recordkeepers	Annual Frequency per Recordkeeping	Total Annual Records	Hours per Recordkeeper	Total Hours
Appendices A-J	500	1	500	157	78,550
Total Burden Hours					78,550

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Or comparable documentation.

Reporting

Based on the number and nature of the items that need to be completed, FDA estimates a total of 12 minutes annually for each enrolled jurisdiction to complete both FDA Form 3519, ''FDA National Registry Report,'' and Form 3520, ''Permission to Publish in National Registry.'' Form 3519 requires the name and address of the jurisdiction; completion dates for the self assessment, baseline survey (original and update), and verification audit; names of the person(s) who completed the self-assessment, verification audit, baseline survey, baseline survey update, and action plan; signature of the program manager; and date the form was completed. Form 3520 requires the name of the jurisdiction, completion date of the self assessment, date of the verification audit report, name of the auditor, signature and title of the official completing the form, and date the form was completed.

FDA has added a line and 150 hours to table 2, due to the changes to the Program Standards approved by the 2006 Conference for Food Protection. Based on the two forms required for the ATN, the nature of the items that need to be completed, and the number of new hires, FDA estimates a total of 150 hours annually for completion of the completion ATN Field Training Worksheet and Documentation of Successful Completion — Field Training Process; (500 jurisdictions with 3 new hires per year at 6 minutes for completion of all forms equals 150 hours per year for completion of both Summary forms). As explained previously in this document, FDA estimates that 500 regulatory jurisdictions will enroll in the Program Standards. The reporting burden in table 2 of this document includes only the time necessary to fill out and send the forms, as compiling the underlying information (including self-assessment reports, baseline surveys, outside audits, and supporting documentation) is accounted for under the recordkeeping estimates in table 1 of this document.

Thus, FDA estimates the reporting burden for this collection of information as follows:

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN[1]

FDA Forms	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
3519	500	1	500	6 min	50 hours
3520	500	1	500	6min	50 hours
Retail Food, Restaurant, and Institutional Foodservice — FSIO, Documentation of Successful Completion	500	3	1,500	6 min	150 hours
Total Burden Hours					78,550

[1]There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: December 27, 2007.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E8–542 Filed 1–14–08; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2007N–0495]

Agency Information Collection Activities; Proposed Collection; Comment Request; Medical Device User Fee Amendments of 2007; Foreign Small Business Qualification Certification, FDA Form 3602A

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995 (the PRA), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on FDA Form 3602A, which will allow a foreign business to qualify as a ''small business'' and pay certain medical device user fees at reduced rates.

DATES: Submit written or electronic comments on the collection of information by March 17, 2008.

ADDRESSES: Submit electronic comments on the collection of information to: *http://www.fda.gov/dockets/ecomments* or *http://www.regulations.gov*. Submit written comments on the collection of information to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Denver Presley Jr., Office of the Chief Information Officer (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–1472

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Medical Device User Fee Amendments of 2007; Foreign Small Business Qualification Certification, Form FDA 3602A—(21 U.S.C.379j) (OMB Control Number 0910–0613—Extension)

The FDA Amendments Act of 2007 includes the ''Medical Device User Fee Amendments of 2007'' (the 2007 Amendments), which reauthorizes medical device user fees for fiscal years (FY) 2008 through 2012 and which makes significant changes to the medical device user fee provisions of the act. The 2007 Amendments provide a new way for a foreign business to qualify as a small business eligible to pay a significantly-lower fee when a medical device user fee must be paid.

Before passage of the 2007 Amendments, the only way a business could qualify as a small business was to submit a Federal (U.S.) income tax return showing its gross receipts or sales that did not exceed a statutory threshold, currently, $100 million. If a business could not provide a Federal income tax return, it did not qualify as a small business and had to pay the standard (full) fee. Because many foreign businesses have not, and cannot, file a Federal (U.S.) income tax return, this requirement has effectively prevented those businesses from qualifying for the small business fee rates. Thus, foreign governments, including the European Union, have objected.

In lieu of a Federal income tax return, the 2007 Amendments will allow a foreign business to qualify as a small

business by submitting a certification from its national taxing authority, the foreign equivalent of our Internal Revenue Service. This certification, referred to as a ''National Taxing Authority Certification,'' must:

- Be in English;
- Be from the national taxing authority of the country in which the business is headquartered;
- Provide the business' gross receipts or sales for the most recent year, in both the local currency and in U.S. dollars, and the exchange rate used in converting local currency to U.S. dollars;
- Provide the dates during which the reported receipts or sales were collected; and
- Bear the official seal of the national taxing authority.

The new FDA Form 3602A, ''FY 2008 MDUFMA Foreign Small Business Qualification Certification,'' will collect the information required by the statute and allows a foreign business to qualify for the same small business benefits as a domestic U.S. business.

FDA estimates the burden of this collection of information as follows:

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN[1]

FDA Form 3602A	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
Sections I and II (completed by the business seeking small business status)	229	1	229	1	229
Section III (completed by the foreign national taxing authority)	33	7	231	1	231
Total					460

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

This burden estimate is based on an examination of 510(k) premarket notifications received during FY 2006 and FDA's estimation of the time to collect the required information to complete FDA Form 3602A. The evidence supporting each FDA Form 3602A must be reviewed by a foreign national taxing authority to complete Section III, the National Taxing Authority Certification, of each FDA Form 3602A. Because this is a new activity, and neither FDA nor any foreign national taxing authority has any data that would provide an objective measure of the effort required to complete Section III, FDA is estimating that the burden will be the same as FDA experiences in reviewing FDA Form 3602, ''FY 2008 MDUFMA Small Business Qualification Certification For a Business Headquartered in the United States,'' approved under OMB control number 0910–0508.

FDA believes most entities that submit FDA Form 3602A will not have any affiliates, and very few will have more than three or four affiliates. Based on our experience with FDA Form 3602, FDA believes each business will require 1 hour to complete Sections I and II. Because this is a new requirement, FDA does not have any data on the time that will be required to complete Section III, the National Taxing Authority Certification.

Please note that in January 2008, the FDA Web site is expected to transition to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. After the transition date, electronic submissions will be accepted by FDA through the FDMS only. When the exact date of the transition to FDMS is known, FDA will publish a **Federal Register** notice announcing that date.

Dated: January 9, 2008.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E8–569 Filed 1–14–08; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2008N–0007]

Agency Information Collection Activities; Proposed Collection; Comment Request; Orphan Drugs; Common European Medicines Agency/ Food and Drug Administration Application Form for Orphan Medicinal Product Designation (Form FDA 3671)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995 (the PRA), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the procedures by which sponsors of orphan drugs may request eligibility for the incentives by implementing a program as outlined in the Orphan Drug Act and the joint adoption by FDA and the European Medicines Agency (EMEA) of the Common EMEA/FDA Application Form for Orphan Medicinal Product Designation (form FDA 3671).

DATES: Submit written or electronic comments on the collection of information by March 17, 2008.

ADDRESSES: Submit electronic comments on the collection of information to: *http://www.fda.gov/dockets/ecomments* or *http://www.regulations.gov*. Submit written comments on the collection of information to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Jonna Capezzuto, Office of the Chief Information Officer (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–4659.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined

in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the collection of information, FDA invites comments on these topics: (1) the clarity and ease of use of this proposed common application form; (2) whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (3) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility, and clarity of the information to be collected; and (5) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques, when appropriate, and other forms of information technology.

Orphan Drugs; Common EMEA/FDA Application Form for Orphan Medicinal Product Designation (Form FDA 3671) (OMB Control Number 0910–0167)—Extension

Sections 525 and 526 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360aa and 360dd) give FDA statutory authority to do the following: (1) Provide recommendations on investigations required for approval of marketing applications for orphan drugs, (2) designate eligible drugs as orphan drugs, (3) set forth conditions under which a sponsor of an approved orphan drug obtains exclusive approval, and (4) encourage sponsors to make orphan drugs available for treatment on an ''open protocol'' basis before the drug has been approved for general marketing. The implementing regulations for these statutory requirements have been codified under part 316 (21 CFR part 316) and specify procedures that sponsors of orphan drugs use in availing themselves of the incentives provided for orphan drugs in the act and sets forth procedures FDA will use in administering the act with regard to orphan drugs. Section 316.10 specifies the content and format of a request for written recommendations concerning the non-clinical laboratory studies and clinical investigations necessary for approval of marketing applications. Section 316.12 provides that, before providing such recommendations, FDA may require results of studies to be submitted for review. Section 316.14 contains provisions permitting FDA to refuse to provide written recommendations under certain circumstances. Within 90 days of any refusal, a sponsor may submit additional information specified by FDA. Section 316.20 specifies the content and format of an orphan drug application which includes requirements that an applicant document that the disease is rare (affects fewer than 200,000 persons in the United States annually) or that the sponsor of the drug has no reasonable expectation of recovering costs of research and development of the drug. Section 316.26 allows an applicant to amend the applications under certain circumstances. Section 316.30 requires submission of annual reports, including progress reports on studies, a description of the investigational plan, and a discussion of changes that may affect orphan status. The information requested will provide the basis for an FDA determination that the drug is for a rare disease or condition and satisfies the requirements for obtaining orphan drug status. Secondly, the information will describe the medical and regulatory history of the drug. The respondents to this collection of information are biotechnology firms, drug companies, and academic clinical researchers.

The information requested from respondents represents, for the most part, an accounting of information already in the possession of the applicant. It is estimated, based on frequency of requests over the past 5 years, that 171 persons or organizations per year will request orphan-drug designation and none will request formal recommendations on design of preclinical or clinical studies.

The Common EMEA/FDA Application Form for Orphan Medicinal Product Designation (form FDA 3671) is intended to benefit sponsors who desire to seek orphan designation of drugs intended for rare diseases or conditions from both the European Commission and FDA by reducing the burden of preparing separate applications to meet the regulatory requirements in each jurisdiction. It highlights the regulatory cooperation between the United States (US) and the European Union (EU) mandated by the Transatlantic Economic Council (TEC). The TEC mandate involves the following: (1) Removal of barriers to transatlantic commerce; (2) rationalizing, reforming, and, where appropriate, reducing regulations to empower the private sector; (3) achieving more effective, systematic, and transparent regulatory cooperation to reduce costs associated with regulation to consumers and producers; (4) removing unnecessary differences between jurisdictional regulations to foster economic integration; and (5) reinforcing the existing transatlantic dialogue structures in regulatory cooperation, both by intensifying our sector-by-sector US-EU regulatory cooperation and our dialogue between OMB and the European Commission services on methodological issues.

At present, when seeking orphan designation of the same drug for the diagnosis, treatment, or prevention of the same rare disease or condition in the US and in the European Community, a sponsor must submit a designation request to FDA (in accordance with section 526 of the act) and a separate designation application to EMEA (in accordance with Regulation (EC) No. 141/2000 of December 16, 1999, and Commission Regulation (EC) No. 847/2000). In most cases, the two documents are formatted differently to meet regulatory demands, but the required core information elements are similar, with the exception of some unique regulatory requirements exclusive to each jurisdiction. Therefore, FDA and EMEA believe that a common application form will help reduce the sponsor's regulatory burden and costs to produce and submit differently-formatted request/application. In addition, a common application form may also streamline the administrative and substantive regulatory review processes, and aid in information exchange between the agencies. In accordance with the Confidentiality Arrangements concluded on September 12, 2003, between the European Commission, EMEA, and FDA/Department of Health and Human Services (DHHS),[1] FDA and EMEA have agreed in principle to adopt a template for the common application form as proposed in form FDA 3671.

Any sponsor seeking orphan designation of the same drug for the same disease or condition from both FDA and EMEA may use this common application form for regulatory filing purposes. A sponsor may also use this

[1] See ''Confidentiality Arrangements Concluded Between the EU (EC and EMEA) and the US FDA/DHHS Implementation Plan for Medicinal Products for Human Use'' at *http://www.fda.gov/oia/arrangements0904.html*.

common application form when seeking designation only from FDA. This common application form is intended to complement, not to supersede, the relevant regulatory frameworks currently in effect. The sponsor must comply with all applicable regulatory requirements in each jurisdiction in which it seeks designation when using this common application form.

To use the common application form, the sponsor must provide the required information in each applicable section as instructed in the explanatory notes. Certain information elements are identified in the form as required exclusively by either FDA or EMEA regulations, and as such they must be included only in the application to that jurisdiction. Where additional explanations and/or supportive documents are necessary, the sponsor should sequentially append them at the end of the common application form in the order they appear in the form. The sponsor must also complete the declaration and signature page. For FDA, the completed common application form and required appended documents must be submitted to the Office of Orphan Products Development (HF–35), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857. For EMEA, the completed documents must be submitted to European Medicines Agency, 7 Westferry Circus, Canary Wharf, London E14 4HB, United Kingdom.

FDA estimates the reporting burden of this common application form as follows. Between January 2000 and May 2006, FDA and EMEA received 226 comparable orphan designation requests/applications of the same drugs for the same diseases or conditions, or an average of 35 per year. With the ease of a common application form, FDA anticipates the number of such requests/applications may increase over time. Therefore, generally there is one request/application per respondent and, at the extreme, all respondent are US-based, FDA believes up to 40 such respondents may use the common application form each year. The respondents will be primarily pharmaceutical companies or other for-profit organizations. For applications submitted exclusively to FDA, we do not believe the new form will result in any increased burden on the respondents and therefore we estimate no additional burden for those respondents. FDA believes the information required for the EMEA submission, for the most part, is very similar to that in the FDA submission, which is already in the respondents' possession. The respondents, however, may have to search existing data sources or gather additional needed data, such as on the prevalence or the availability of alternative methods of diagnosis, prevention, and treatment of the rare disease or condition of interest in the European Community, to complete the EMEA submission. FDA estimates that it will take an additional 32 hours—16 hours of professional time and 16 hours of support time—to compile information required for the EMEA submission. Hence, the estimated total annual human resource hours, at most, would be 1,280 hours for the EMEA submission.

FDA estimates the burden of this collection of information as follows:

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN[1]

21 CFR Section and FDA Form	Annual No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
316.10, 316.12, 316.14	5	1	5	130	650
316.20, 316.21, 316.26	171	2.0	342	130	44,460
316.20, 316.21, 316.26 Form FDA 3671	40	1	40	32	1,280
316.22	30	1	30	2	60
316.30	500	1	500	2	1,000
316.36	.2	3	.6	15	9
Total					47,559

[1]There are no capital costs or operating and maintenance costs associated with this collection of information.

Please note that in January 2008, the FDA Web site is expected to transition to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. After the transition date, electronic submissions will be accepted by FDA through the FDMS only. When the exact date of the transition to FDMS is known, FDA will publish a **Federal Register** notice announcing that date.

Dated: January 7, 2008.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E8–571 Filed 1–14–08; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2007N–0240]

Agency Information Collection Activities; Announcement of Office of Management and Budget Approval; Patent Term Restoration, Due Diligence Petitions, Filing, Format, and Content of Petitions

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a collection of information entitled ''Patent Term Restoration, Due Diligence Petitions, Filing, Format, and Content of Petitions'' has been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995.

FOR FURTHER INFORMATION CONTACT: Karen L. Nelson, Office of the Chief Information Officer (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–4816.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of October 11, 2007 (72 FR 57950), the agency announced that the proposed information collection had been submitted to OMB for review and clearance under 44 U.S.C. 3507. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has now approved the information collection and has assigned OMB control number 0910–0233. The approval expires on January 31, 2011. A copy of the supporting statement for this information collection is available on the Internet at *http://www.fda.gov/ohrms/dockets*.

Dated: January 9, 2008.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E8–573 Filed 1–14–08; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Advisory Committees; Tentative Schedule of Meetings for 2008

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing a tentative schedule of forthcoming meetings of its public advisory committees for 2008. During 1991, at the request of the Commissioner of Food and Drugs (the Commissioner), the Institute of Medicine (the IOM) conducted a study of the use of FDA's advisory committees. In its final report, one of the IOM's recommendations was for the agency to publish an annual tentative schedule of its meetings in the **Federal Register**. This publication implements the IOM's recommendation.

FOR FURTHER INFORMATION CONTACT: Theresa L. Green, Advisory Committee Oversight and Management Staff (HF–4), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–1220.

SUPPLEMENTARY INFORMATION: The IOM, at the request of the Commissioner, undertook a study of the use of FDA's advisory committees. In its final report in 1992, one of the IOM's recommendations was for FDA to adopt a policy of publishing an advance yearly schedule of its upcoming public advisory committee meetings in the **Federal Register**; FDA has implemented this recommendation. The annual publication of tentatively scheduled advisory committee meetings will provide both advisory committee members and the public with the opportunity, in advance, to schedule attendance at FDA's upcoming advisory committee meetings. Because the schedule is tentative, amendments to this notice will not be published in the **Federal Register**. However, changes to the schedule will be posted on the FDA advisory committees' Internet site located at *http://www.fda.gov/oc/advisory/default.htm*. FDA will continue to publish a **Federal Register** notice 15 days in advance of each upcoming advisory committee meeting, to announce the meeting (21 CFR 14.20).

The following list announces FDA's tentatively scheduled advisory committee meetings for 2008. You may also obtain up-to-date information by calling the Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area).

Committee Name	Tentative Date of Meeting(s)	Advisory Committee 10-Digit Information Line Code
OFFICE OF THE COMMISSIONER		
Pediatric Advisory Committee	March and November days to be announced	8732310001
Risk Communication Advisory Committee	February 28–29, May 15–16, August 21–22, November 17–18	8732112560
Science Board to FDA	May and October days to be announced	3014512603
CENTER FOR BIOLOGICS EVALUATION AND RESEARCH		
Allergenic Products Advisory Committee	April 29, October 17	3014512388
Blood Products Advisory Committee	May 1–2, August 14–15, December 11–12	3014519516
Cellular, Tissue and Gene Therapies Advisory Committee	April 10–11, November 13–14	3014512389

Committee Name	Tentative Date of Meeting(s)	Advisory Committee 10-Digit Information Line Code
Transmissible Spongiform Encephalopathies Advisory Committee	To be announced	3014512392
Vaccines and Related Biological Products Advisory Committee	February 20–21, May 21–22, September 24–25, November 19–20	3014512391
CENTER FOR DRUG EVALUATION AND RESEARCH		
Anesthetic and Life Support Drugs Advisory Committee	March 11, May days to be announced	3014512529
Anti-Infective Drugs Advisory Committee	February 27–28, April 1–3	3014512530
Antiviral Drugs Advisory Committee	To be announced	3014512531
Arthritis Advisory Committee	July, September, and November days to be announced	3014512532
Cardiovascular and Renal Drugs Advisory Committee	June 24–25, August 19–20, December 9–10	3014512533
Dermatologic and Ophthalmic Drugs Advisory Committee	April days to be announced	3014512534
Drug Safety and Risk Management Advisory Committee	February 1, May days to be announced	3014512535
Endocrinologic and Metabolic Drugs Advisory Committee	April 16–17, July 1–2, October 29–30, November 19–20	3014512536
Gastrointestinal Drugs Advisory Committee	January 23, May days to be announced	3014512538
Nonprescription Drugs Advisory Committee	To be announced	3014512541
Oncologic Drugs Advisory Committee	March 13, April days to be announced, May 30, September 10–11, December 15–16	3014512542
Peripheral and Central Nervous System Drugs Advisory Committee	May days to be announced	3014512543
Pharmaceutical Science and Clinical Pharmacology, Advisory Committee for	March 18–19	3014512539
Psychopharmacologic Drugs Advisory Committee	February 6	3014512544
Pulmonary-Allergy Drugs Advisory Committee	February 20	3014512545
Reproductive Health Drugs, Advisory Committee for	To be announced	3014512537
CENTER FOR DEVICES AND RADIOLOGICAL HEALTH		
Device Good Manufacturing Practice Advisory Committee	August 12, October 20–21	3014512398
Medical Devices Advisory Committee (Comprised of 18 Panels)		
Anesthesiology and Respiratory Therapy Devices Panel	January 23, March 26, September 17	3014512624
Circulatory System Devices Panel	August 26–27, November 14–15	3014512625
Clinical Chemistry and Clinical Toxicology Devices Panel	April 9–10, August 13–14, December 4–5	3014512514
Dental Products Panel	June 11, September 10, November 19	3014512518
Ear, Nose, and Throat Devices Panel	April 16–17, June 25–26, August 28–29, October 28–29, December 10–11	3014512522
Gastroenterology-Urology Devices Panel	October 17	3014512523
General and Plastic Surgery Devices Panel	June 10–11, October 21–22	3014512519
General Hospital and Personal Use Devices Panel	May 6–7, September 16–17	3014512520
Hematology and Pathology Devices Panel	April 25, October 17	3014512515
Immunology Devices Panel	November 6–7	3014512516
Medical Devices Dispute Resolution Panel	To be announced as needed	3014510232
Microbiology Devices Panel	April 24–25, June 19–20, October 23–24	3014512517

Committee Name	Tentative Date of Meeting(s)	Advisory Committee 10-Digit Information Line Code
Molecular and Clinical Genetics Panel	May 6–7, November 11–12	3014510231
Neurological Devices Panel	March 25–26, June 3–4, September 23–24, November 6–7	3014512513
Obstetrics and Gynecology Devices Panel	April 17–18, June 19–20, August 14–15, October 16–17, December 11–12	3014512524
Ophthalmic Devices Panel	February 21–22, May 15–16, September 18–19, November 20–21	3014512396
Orthopedic and Rehabilitation Devices Panel	April 21–22, June 16–17, August 18–19, October 20–21, December 8–9	3014512521
Radiological Devices Panel	April 15–16, August 12, November 4	3014512526
National Mammography Quality Assurance Advisory Committee	October 13–14	3014512397
Technical Electronic Product Radiation Safety Standards Committee	October 8	3014512399
CENTER FOR FOOD SAFETY AND APPLIED NUTRITION		
Food Advisory Committee	July 22, December 2	3014510564
CENTER FOR VETERINARY MEDICINE		
Veterinary Medicine Advisory Committee	March day to be announced	3014512548
National Center for Toxicological Research (NCTR)		
Science Advisory Board to NCTR	August 12–13	3014512559

Dated: January 7, 2008.

Randall W. Lutter,

Deputy Commissioner for Policy.

[FR Doc. E8–567 Filed 1–14–08; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Drug Safety and Risk Management Advisory Committee; Amendment of Notice

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

The Food and Drug Administration (FDA) is announcing an amendment to the notice of meeting of the Drug Safety and Risk Management Advisory Committee. This meeting was announced in the **Federal Register** of December 11, 2007 (72 FR 70336). The amendment is being made to reflect a change in the *Agenda* portion of the document. There are no other changes.

FOR FURTHER INFORMATION CONTACT: Teresa A. Watkins, Center for Drug Evaluation and Research (HFD–21), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–7001, FAX: 301–827–6776, e-mail: *Teresa.Watkins@fda.hhs.gov*, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington DC area), code 3014512535. Please call the Information Line for up-to-date information on this meeting.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of December 11, 2007, FDA announced that a meeting of the Drug Safety and Risk Management Advisory Committee would be held on February 1, 2008. On page 70336, in the second column, the first paragraph of the *Agenda* portion of document is amended to read as follows:

Agenda: The committee will discuss the efficacy and safety of new drug application (NDA) 22–054, INJECTAFER (ferric carboxymaltose injection), Luitpold Pharmaceuticals Inc., used for the treatment of iron deficiency anemia in postpartum patients or iron deficiency anemia in patients with heavy uterine bleeding.

This notice is issued under the Federal Advisory Committee Act (5 U.S.C. app. 2) and 21 CFR part 14, relating to the advisory committees.

Dated: January 7, 2008.

Randall W. Lutter,

Deputy Commissioner for Policy.

[FR Doc. E8–490 Filed 1–14–08; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Notification of Exception to Competition

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notification of Exception to Competition.

SUMMARY: The Health Resources and Services Administration (HRSA) is issuing a non-competitive program expansion supplement to the National Health Care for the Homeless Council (NHCHC) to provide expanded training and technical assistance to HRSA-funded grantees serving individuals who are homeless.

Authority: This activity is under the authority of the Public Health Service Act, section 330(l).

Catalog of Federal Domestic Assistance Number: 93.224.

Background: The National Health Care for the Homeless Council (NHCHC) is a cooperative agreement grantee that provides training and technical assistance support to health centers that serve homeless individuals and families.

The NHCHC requires supplemental funding to provide, through expanded regional and national training activities, a broader and enriched menu of support for HRSA grantees, including Health Care for the Homeless (HCH) administrators, clinicians, and members of HCH Boards of Directors and consumer advisory groups.

Amount: The amount of the award is $225,000.

Project Period: July 1, 2006, to June 30, 2008.

Budget Period Supplemented: July 1, 2007, to June 30, 2008.

Justification for The Exception to Competition: Given the recent growth of the HCH component of HRSA's Health Center program, it is critical that expanded regional and national training be provided in as timely a manner as possible. This supplemental request is being awarded noncompetitively because, at this time, there are no other organizations with the expertise to complete these activities, and no other organization is prepared to provide these services within the timeframe in which they are needed. Due to the emerging and urgent needs of the HCH program, this supplemental request and the activities proposed are essential to ensuring successful delivery of health care to the target population.

FOR FURTHER INFORMATION CONTACT: Jean L. Hochron, M.P.H., Director, Office of Minority and Special Populations, Bureau of Primary Health Care, Health Resources and Services Administration, 5600 Fishers Lane, Room 16–105, Rockville, MD 20857; *phone:* 301–594–4437, FAX 301–443–0248, e-mail *jhochron@hrsa.gov*.

Dated: January 8, 2008.

Elizabeth M. Duke,

Administrator.

[FR Doc. E8–582 Filed 1–14–08; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Advisory Council on Migrant Health; Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of the following meeting:

Name: National Advisory Council on Migrant Health.

Dates and Times: February 5, 2008, 8:30 a.m. to 5 p.m., February 6, 2008, 8:30 a.m. to 5 p.m.

Place: 5600 Fishers Lane, Room 17–05, Rockville, Maryland 20857, *Telephone:* (301) 594–0367, *Fax:* (301) 443–0248.

Status: The meeting will be open to the public.

Purpose: The purpose of the meeting is to discuss services and issues related to the health of migrant and seasonal farmworkers and their families and to formulate recommendations for the Secretary of Health and Human Services.

Agenda: The agenda includes an overview of the Council's general business activities. The Council will also hear presentations from experts on farmworker issues, including the status of farmworker health at the local and national levels.

Agenda items are subject to change as priorities indicate.

For Further Information Contact: Gladys Cate, Office of Minority and Special Populations, Bureau of Primary Health Care, Health Resources and Services Administration, 5600 Fishers Lane, Maryland 20857; telephone (301) 594–0367.

Dated: January 8, 2008.

Alexandra Huttinger,

Acting Director, Division of Policy Review and Coordination.

[FR Doc. E8–526 Filed 1–14–08; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Advisory Council on the National Health Service Corps; Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of the following meeting:

Name: National Advisory Council on the National Health Service Corps.

Dates and Times: February 28, 2008, 3 p.m.–5 p.m.; February 29, 2008, 8:30 a.m.–5 p.m.; and March 1, 2008, 9 a.m.–5 p.m.

Place: Hilton Washington DC/Rockville Executive Meeting Center, 1750 Rockville Pike, Rockville, Maryland, United States 20852–1699, *Tel:* 1–301–468–1100 Fax: 1–301–468–0308.

Status: The meeting will be open to the public.

Agenda: The program staff will be presenting information relative to the reorganization of the Bureau of Clinician Recruitment and Service and how the new structure will impact the implementation of the National Health Service Corps Program.

For Further Information Contact: Tira Patterson, Bureau of Clinician Recruitment and Service, Health Resources and Services Administration, Parklawn Building, Room 8A–55, 5600 Fishers Lane, Rockville, MD 20857; *e-mail: TPatterson@hrsa.gov; telephone:* (301) 594–4140.

Dated: January 9, 2008.

Alexandra Huttinger,

Acting Director, Division of Policy Review and Coordination.

[FR Doc. E8–581 Filed 1–14–08; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Small Rural Hospital Improvement Grant Program

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice for public comment.

SUMMARY: The Health Resources and Services Administration (HRSA) is seeking comments from the public on its plan to institute a permanent deviation from a policy in the Department of Health and Human Services (HHS), Grants Policy Directive (GPD) 3.01 governing indirect cost recovery for one of its grant programs. The GPD states ''HHS considers activities conducted by grantees that result in indirect charges a necessary and appropriate part of HHS grants, and HHS awarding offices must reimburse their share of these costs.'' Although HRSA typically reimburses grantees for their full share of administrative overhead represented in approved indirect cost rates (which can be up to 50 percent or higher), the Agency believes, in the case of its Small Rural Hospital Improvement Grant Program (SHIP), that full recovery of overhead expenditures would be detrimental to the ability to adequately conduct the activities mandated in the authorizing legislation.

The purpose of the SHIP grant program is to assist eligible small rural hospitals in implementing Prospective Payments Systems (PPS), compliance with the Health Insurance Portability and Accountability Act (HIPAA) regulations, and to reduce medical

errors and to support quality improvement. Funding for the SHIP grant program is routed first through the State Offices of Rural Health (SORH); they are then distributed evenly by the SORH to the individual hospitals. This process creates efficiencies because of the large number of eligible hospitals and relatively small size of each award. In fiscal year 2007, $14,508,691 was awarded to 1,622 hospitals (approximately $8,945 each) in 46 States. Thus, the SORH is the official grantee of record for the State, as the recipient of the award and fiscal intermediary for the Federal government in distributing the funds.

It is in the best interest of the SHIP grant program to limit the total administrative cost recovery to 5 percent of the Federal award, thereby allowing 95 percent of available grant funds to be used to carry out the required program activities. Since the SHIP grant program began in FY 02, through FY 07, the administrative costs have been restricted. Indirect costs were not allowed and there was a five percent maximum of other costs, for administrative costs, within the grant guidance. The SORHs voluntarily decided to limit these cost categories. For FY 07, the average administrative charge was only 3.64 percent. Thus, the cap on administrative costs has worked well. Limiting administrative costs is necessary because 20 percent of SHIP grantees are located in academic settings that have established indirect cost rates in the range of 30 to 50 percent. Without a limitation on the amount of grant funds allocated for administrative costs, the SORH grantee could potentially charge its full indirect cost rate and the grant awards would be significantly less for each small rural hospital. As much as 50 percent of the grant award could be consumed by indirect costs, depending upon the host institution's indirect cost rate. This would significantly reduce the amount of funds available to initiate and maintain the activities of the grant. A limitation on administrative costs will ensure that each hospital, not an unintended source, receives the maximum amount of funding.

The limitations placed on these cost categories will ensure that the majority of funding is routed to the small rural hospitals, to be used for the prescribed intents and purposes of the grant program. A continued limitation on administrative costs for future SHIP grant cycles will help to assure that small rural hospitals receive the appropriated support, necessary to carry out the objectives of the grant program. The limitation would be applicable to all grantees of the Small Rural Hospital Improvement Grant Program.

DATES: If you wish to comment on any portion of this notice, HRSA must receive comments by February 14, 2008.

ADDRESSES: You may submit comments by any of the following methods:

- *E-mail: JChang@hrsa.gov*. Include ''Small Rural Hospital Improvement Grant Program'' in the subject line of the message.
- *Mail:* Jennifer Chang, Office of Rural Health Policy, Health Resources and Services Administration, 5600 Fishers Lane, Room 9A–42, Rockville, MD 20857.
- *Hand Delivery/Courier:* Jennifer Chang, Office of Rural Health Policy, Health Resources and Services Administration, 5600 Fishers Lane, Room 9A–42, Rockville, MD 20857.

Docket: For access to the docket to read background documents or comments received, go to the Office of Rural Health Policy, Health Resources and Services Administration, 5600 Fishers Lane, Room 9A–42, Rockville, Maryland 20857, weekdays between the hours of 8:30 a.m. and 5 p.m. To schedule an appointment to view public comments, phone (301) 443–0835.

FOR FURTHER INFORMATION CONTACT: Jennifer Chang, at the above address, telephone number 301–443–0835.

SUPPLEMENTARY INFORMATION: The HRSA SHIP grant program is authorized by Section 1820(g)(3) of the Social Security Act, 42 U.S.C. 1395i–4. The purpose of the SHIP grant program is to help small rural hospitals perform any or all of the following: (1) Pay for costs related to implementation of PPS, (2) comply with HIPAA provisions of 1996 and (3) reduce medical errors and support quality improvement.

The SHIP grant program funds are geared towards assisting small rural hospitals that are essential access points for Medicare and Medicaid beneficiaries. Eligible small rural hospitals (49 available beds or less) are non-Federal, short-term general acute care facilities that are located in a rural area of the U.S. and the territories, including faith-based hospitals.

Because of the large number of hospitals and relatively small size of each award, the SHIP funds are routed through the SORH, then to individual hospitals. Eligible hospitals must submit a hospital application to their SORH, by the designated deadline, to receive funding. The SORH is the official grantee of record and acts as a fiscal intermediary for all hospitals within their State. In turn, the SORH verifies hospital eligibility and submits a single grant application to the Federal Government on behalf of all eligible hospital applicants in the State.

Since the SHIP program began in FY 02, through FY 07, the administrative costs have been restricted. Indirect costs were not allowed and there was a five percent maximum of other costs, for administrative charges, within the grant guidance. The limitations were placed on these cost categories to ensure that the majority of funding would be routed to the hospitals, to be used for the prescribed intents and purposes of the grant program. For FY 07, the SHIP grant program allocated $14,508,691 to a total of 1,622 hospitals in 46 States, which is about $8,945 per hospital. Without a limitation on the amount of grant funds allocated for administrative costs, the grantee could potentially charge its full indirect cost rate, thereby significantly reducing the funds available to small rural hospitals. Approximately 20 percent of the SORHs are housed in universities, which have established indirect cost rates ranging from 30 to 50 percent, or higher. Limiting the administrative cost recovery will continue to help ensure that small rural hospitals are continuously provided the support necessary to carry out the objectives of the grant program.

To maintain the limit on all administrative costs in the 2008 grant funding opportunity guidance, a request to deviate from the HHS GPD 3.01, Indirect Costs and Other Cost Policies was required. Such a request was submitted and approved by the HHS, Office of Grants Policy, Oversight and Evaluation, Assistant Secretary for Resources and Technology in November, 2007.

Public Comment

HRSA invites public comment on its intent to indefinitely limit the total administrative cost recovery to five percent of the Federal award for awardees of the Small Rural Hospital Improvement Grant Program.

Dated: January 7, 2008.

Elizabeth M. Duke,

Administrator.

[FR Doc. E8–525 Filed 1–14–08; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

State Offices of Rural Health Grant Program

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice; request for public comment.

SUMMARY: The Health Resources and Services Administration (HRSA) is seeking comments from the public on its plan to institute a permanent deviation from a policy in the Department of Health and Human Services (HHS), Grants Policy Directive (GPD) 3.01 governing indirect cost recovery for one of its grant programs. The GPD states ''HHS considers activities conducted by grantees that result in indirect charges a necessary and appropriate part of HHS grants, and HHS awarding offices must reimburse their share of these costs.'' Although HRSA typically reimburses grantees for their full share of administrative overhead represented in approved indirect cost rates, the agency believes, in the case of its State Offices of Rural Health (SORH) Grant Program, that full recovery of overhead expenditures would be detrimental to the SORH grantees' ability to adequately conduct all the activities mandated in the authorizing legislation. Limiting indirect cost recovery is necessary because eleven of fifty SORH grantees are located in academic settings that have established indirect cost rates in the range of 30 to 50 percent or even higher. It is in the best interest of the program to limit the indirect cost recovery to not more than 15 percent of allowable total direct costs, thus leaving 85 percent of the grant funds to conduct the activities required by the grant program. This limitation would be applicable to all awardees of the State Offices of Rural Health Grant Program.

DATES: If you wish to comment on any portion of this notice, HRSA must receive comments by February 14, 2008.

ADDRESSES: You may submit comments by any of the following methods:

- *E-mail: kmidberry@hrsa.gov.* Include ''State Offices of Rural Health Grant Program'' in the subject line of the message.
- *Mail:* Keith Midberry, Office of Rural Health Policy, Health Resources and Services Administration (HRSA), 5600 Fishers Lane, Room 9A–42, Rockville, MD 20857.
- *Hand Delivery/Courier:* Keith Midberry, Office of Rural Health Policy, Health Resources and Services Administration (HRSA), 5600 Fishers Lane, Room 9A–42, Rockville, MD 20857.

Docket: For access to the docket to read background documents or comments received, go to the Office of Rural Health Policy, Health Resources and Services Administration (HRSA), 5600 Fishers Lane, Room 9A–42, Rockville, Maryland, 20857, weekdays between the hours of 8:30 a.m. and 5 p.m. To schedule an appointment to view public comments, phone (301) 443–2669.

FOR FURTHER INFORMATION CONTACT: Keith Midberry, at the above address, telephone number 301–443–2669.

SUPPLEMENTARY INFORMATION: The HRSA State Offices of Rural Health (SORH) Grant Program is authorized by Section 338J of the Public Health Service Act (42 U.S.C. 254r). The purpose of the SORH grant program is to assist States in strengthening their rural health care delivery systems by helping to support a focal point for rural health within each State. The program provides funding for an institutional framework that links rural hospitals, providers and communities with State and Federal resources to help develop long term solutions to rural health problems. The law provides for a Federal-State partnership, requiring a State funding match of $3 for each $1 of Federal funding. Over the past 16 years, this program has leveraged in excess of $175 million in State matching funds for rural health. The average annual award for each State is $150,000.

The SORH program issues one award to a single grantee from each of the 50 States. The law requires that the governor designate the entity that will serve as the State's SORH. Currently, 37 of the Offices are located in State health departments, 10 in academic settings (9 universities and 1 junior college) and 3 are non-profit organizations. Grant funds enable each State grantee to conduct the following activities:

(1) Establish and maintain within the State a clearinghouse for collecting and disseminating information on—

(A) Rural health care issues;

(B) Research findings relating to rural health care; and

(C) Innovative approaches to the delivery of health care in rural areas;

(2) Coordinate the activities carried out in the State that relate to rural health care, including providing coordination for the purpose of avoiding duplication in such activities;

(3) Identify Federal, State, and nongovernmental programs regarding rural health, and provide technical assistance to public and nonprofit private entities regarding participation in such programs;

(4) Encourage, but not directly fund, the recruitment and retention of health professionals in rural areas; and

(5) Assist in strengthening State, local and Federal partnerships in rural health.

Since 2001, SORH grant guidance has limited indirect cost recovery to not more than 15 percent of the Federal award regardless of whether the grantee has a higher negotiated rate agreement. The grant program initiated this limitation on the recoverable indirect costs because some grantees are located within universities that have established indirect cost rate agreements in the range of 30 to 50 percent. In adhering to the existing GPD policy, as much as 50 percent of grants funds could be consumed for administrative and other purposes by the host institution, which would significantly reduce the amount of funds available to carry out the objectives of the authorizing legislation and grant program. Maintaining an indirect cost limitation will enable awardees to continue to invest 85 percent (or more) of their grant funds for activities that help improve health care in rural communities. Not restricting indirect cost recovery would reduce the amount of funds available to improve rural health care and erode sixteen years of SORH success.

To maintain the limit on indirect costs in the 2008 grant funding opportunity guidance, a request to deviate from the Department of Health and Human Services (DHHS) Grants Policy Directive (GPD) 3.01, Indirect Costs and Other Cost Policies was required. Such a request was submitted and approved by the HHS, Office of Grants Policy, Oversight and Evaluation, Assistant Secretary for Resources and Technology in November, 2007.

Public Comment

HRSA invites public comment on its intent to indefinitely limit indirect cost recovery to not more than 15 percent of the total allowable direct costs for awardees of the State Offices of Rural Health Grant Program.

Dated: January 7, 2008.

Elizabeth M. Duke,

Administrator.

[FR Doc. E8–551 Filed 1–14–08; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Fogarty International Center; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice if hereby given of a meeting of the Fogarty International Center Advisory Board.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and/or contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Fogarty International Center Advisory Board.

Date: February 4–5, 2008.

Closed: February 4, 2008, 2 p.m. to 4 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Institutes of Health, Lawton Chiles International House, Bethesda, MD 20892.

Closed: February 5, 2008, 8:30 a.m. to 10:30 a.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Institutes of Health, Lawton Chiles International House, Bethesda, MD 20892.

Open: February 5, 2008, 10:30 a.m. to 3:30 p.m.

Agenda: Advisory Board Topics will include discussion of the five year strategic plan, as well as discussion on research challenges related to the rising prevalence of non-communicable diseases in low- and middle- income countries. Discussion will feature a recent Delphic analysis to identify key scientific questions and pursuits in non-communicable disease prevention and treatment in these regions.

Place: National Institutes of Health, Lawton Chiles International House, Bethesda, MD 20892.

Contact Person: Robert Eiss, Public Health Advisor, Fogarty International Center, National Institutes of Health, 31 Center Drive, Room B2C02, Bethesda, MD 20892, (301) 496–1415, *EISSR@MAIL.NIH.GOV*.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *http://www.nih.gov/fic/about/advisory.html*, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.106, Minority International Research Training Grant in the Biomedical and Behavioral Sciences; 93.154, Special International Postdoctoral Research Program in Acquired Immunodeficiency Syndrome; 93.168, International Cooperative Biodiversity Groups Program; 93.934, Fogarty International Research Collaboration Award; 93.989, Senior International Fellowship Awards Program, National Institutes of Health, HHS)

Dated: January 8, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 08–99 Filed 1–14–08; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Training Grant and Career Development Review Committee.

Date: February 4–5, 2008.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: The Fairmont Washington, DC, 2401 M Street, NW., Washington, DC 20037.

Contact Person: Raul A. Saavedra, PhD., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH/DHHS, NSC; 6001 Executive Blvd., STE. 3208, Bethesda, MD 20892–9529, 301–496–9223, *saavedrr@ninds.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: January 8, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 08–97 Filed 1–14–08; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Biotechnology Resource Digital Electro-Optical Imaging Center.

Date: January 27–29, 2008.

Time: 5 p.m. to 7 a.m.

Agenda: To review and evaluate grant applications.

Place: The Statler Hotel at Cornell University, 130 Statler Drive, Ithaca, NY 14853.

Contact Person: Xiang-Ning Li, MD, PhD., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5112, MSC 7854, Bethesda, MD 20892, 301–435–1744, *lixiang@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Biophysics Special Topics.

Date: January 28, 2008.

Time: 12 p.m. to 1 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Arnold Revzin, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4146, MSC 7824, Bethesda, MD 20892, (301) 435–1153, *revzina@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group, Surgery, Anesthesiology and Trauma Study Section.

Date: January 30–31, 2008.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn Georgetown, 2101 Wisconsin Avenue, NW., Washington, DC 2007.

Contact Person: Weihua Luo, MD, PhD., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5114, MSC 7854, Bethesda, MD 20892, (301) 435–1170, *luow@csr.nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group, Musculoskeletal Tissue Engineering Study Section.

Date: February 3–5, 2008.

Time: 9 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Marina del rey Marriott, 4100 Admiralty Way, Marina del Rey, CA 90292.

Contact Person: Jean D. Sipe, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4106, MSC 7814, Bethesda, MD 20892, 301/435–1743, *sipej@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group. Integrative and Clinical Endocrinology and Reproduction Study Section.

Date: February 4–5, 2008.

Time: 8 a.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott, 5151 Pooks Hill Road, Bethesda, MD 20814.

Contact Person: Michael Knecht, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6176, MSC 7892, Bethesda, MD 20892, (301) 435–1046, *knechtm@csr.nih.gov.*

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group, Anterior Eye Disease Study Section.

Date: February 4–5, 2008.

Time: 8 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn San Francisco-Fisherman's Wharf, 1300 Columbus Avenue, San Francisco, CA 94133.

Contact Person: Jerry L. Taylor, PhD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5202, MSC 7846, Bethesda, MD 20892, 301–435–1175, *taylorje@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, BDCN–N (02) M: Member Conflict Special Emphasis Panel.

Date: February 4, 2008.

Time: 8 a.m. to 8 p.m.

Agenda: To review and evaluate grant applications.

Place: The Latham Hotel, 3000 M Street, NW., Washington, DC 20007.

Contact Person: Suzan Nadi, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, 301–435–1259, *nadis@csr.nih.gov.*

Name of Committee: Oncological Sciences Integrated Review Group, Clinical Oncology Study Section.

Date: February 4–5, 2008.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott, 5151 Pooks Hill Road, Bethesda, MD 20814.

Contact Person: John L. Meyer, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6198, MSC 7804, Bethesda, MD 20892, (301) 435–1213, *meyerjl@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group. Cellular, Molecular and Integrative Reproduction Study Section.

Date: February 4, 2008.

Time: 8 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites Washington DC, Chevy Chase Pavilion, 4300 Military Road, NW., Washington, DC 20015.

Contact Person: Stuart B. Moss, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6170, MSC 7892, Bethesda, MD 20892, 301–435–1044, *mossstua@csr.nih.gov.*

Name of Committee: Health of the Population Integrated Review Group, Kidney, Nutrition, Obesity and Diabetes Study Section.

Date: February 5–6, 2008.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Christopher T. Sempos, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3146, MSC 7770, Bethesda, MD 20892, (301) 451–1329, *semposch@csr.nih.gov.*

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group, Risk, Prevention and Intervention for Addictions Study Section.

Date: February 5–6, 2008.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Washington, 1919 Connecticut Avenue, NW., Washington, DC 20009.

Contact Person: Gayle M. Boyd, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3141, MSC 7808, Bethesda, MD 20892, 301–451–9956, *gboyd@mail.nih.gov.*

Name of Committee: Bioengineering Sciences & Technologies Integrated Review Group, Instrumentation and Systems Development Study Section.

Date: February 6–7, 2008.

Time: 8 a.m. to 4 p.m.

Agenda: To review and evaluate grant applications.

Place: InterContinental Mark Hopkins Hotel San Francisco, One Nob Hill, San Francisco, CA 94108.

Contact Person: Ping Fan, MD, PhD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5154, MSC 7840, Bethesda, MD 20892, 301–435–1740, *fanp@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, R15 Grant Application Review.

Date: February 6, 2008.

Time: 9 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Michael M. Sveda, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2204, MSC 7890, Bethesda, MD 20892, 301–435–3565, *svedam@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Anterior Eye Disease Member Conflict.

Date: February 6–7, 2008.

Time: 11 a.m. to 12 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: George Ann Mckie, PhD, DVM, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1124, MSC 7846, Bethesda, MD 20892, 301–435–1049, *mckiegeo@csr.nih.gov.*

Name of Committee: Oncological Sciences Integrated Review Group, Cancer Biomarkers Study Section.

Date: February 7–8, 2008.
Time: 7:30 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Bethesda Marriott, 5151 Pooks Hill Road, Bethesda, MD 20814.
Contact Person: Mary Bell, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6188, MSC 7804, Bethesda, MD 20892, 301–451–8754, *bellmar@csr.nih.gov.*

Name of Committee: Immunology Integrated Review Group, Transplantation, Tolerance, and Tumor Immunology Study Section.
Date: February 7–8, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Marina del Rey Hotel, 13534 Bali Way, Marina del Rey, CA 90292.
Contact Person: Cathleen L. Cooper, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4208, MSC 7812, Bethesda, MD 20892, 301–435–3566, *cooperc@csr.nih.gov.*

Name of Committee: Health of the Population Integrated Review Group, Infectious Diseases, Reproductive Health, Asthma and Pulmonary Conditions Study Section.
Date: February 7–8, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Savoy Suites, 2505 Wisconsin Avenue, NW., Washington, DC 20007.
Contact Person: Sandra Melnick Seitz, DRPH, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3156, MSC 7770, Bethesda, MD 20892, 301–435–1251, *melnicks@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group, Cellular Aspects of Diabetes and Obesity Study Section.
Date: February 7–8, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: The Fairmont Washington, DC, 2401 M Street, NW., Washington, DC 20037.
Contact Person: Ann A. Jerkins, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6154, MSC 7892, Bethesda, MD 20892, 301–435–4514, *jerkinsa@csr.nih.gov.*

Name of Committee: Oncological Sciences Integrated Review Group, Molecular Oncogenesis Study Section.
Date: February 7–8, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Double Tree Hotel, 1515 Rhode Island Avenue, NW., Washington, DC 20005.

Contact Person: Joanna M. Watson, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6208, MSC 7804, Bethesda, MD 20892, 301–435–1048, *watsonjo@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group, Integrative Physiology of Obesity and Diabetes Study Section.
Date: February 7–8, 2008.
Time: 8 a.m. to 3 p.m.
Agenda: To review and evaluate grant applications.
Place: Embassy Suites DC Convention Center, 900 10th Street, NW., Washington, DC 2001.
Contact Person: Reed A. Graves, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6166, MSC 7892, Bethesda, MD 20892, (301) 402–6297, *gravesr@csr.nih.gov.*

Name of Committee: Immunology Integrated Review Group, Innate Immunity and Inflammation Study Section.
Date: February 7–8, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Marina del Ray Marriott, 4100 Admiralty Way, Marina del Ray, CA 90292.
Contact Person: Tina McIntyre, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4202, MSC 7812, Bethesda, MD 20892, 301–594–6375, *mcintyrt@csr.nih.gov.*

Name of Committee: Cell Biology Integrated Review Group, Membrane Biology and Protein Processing Study Section.
Date: February 7–8, 2008.
Time: 8:30 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Holiday Inn San Francisco-Fisherman's Wharf, 1300 Columbus Avenue, San Francisco, CA 94133.
Contact Person: Janet M. Larkin, PhD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1102, MSC 7840, Bethesda, MD 20892, 301–435–1026, *larkinja@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Brain Disorders and Clinical Neuroscience Member Conflict.
Date: February 7, 2008
Time: 2 p.m. to 3 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Jay Joshi, PhD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7846, Bethesda, MD 20892, (301) 435–1184, *joshij@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Genetics and Psychopathology.
Date: February 7, 2008.
Time: 2 p.m. to 4 p.m.
Agenda: To review and evaluate grant applications.
Place: Doubletree Guest Suites Santa Monica, 1707 Fourth Street, Santa Monica, CA 90401.
Contact Person: Elisabeth Koss, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3152, MSC 7770, Bethesda, MD 20892, (301) 435–1721, *kosse@csr.nih.gov.*

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group, Biomedical Computing and Health Informatics Study Section.
Date: February 11–12, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.
Contact Person: Bill Bunnag, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5124, MSC 7854, Bethesda, MD 20892, (301) 435–1177, *bunnagb@csr.nih.gov.*

Name of Committee: Oncological Sciences Integrated Review Group, Tumor Microenvironment Study Section.
Date: February 11–12, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.
Contact Person: Eun Ah Cho, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6202, MSC 7804, Bethesda, MD 20892, 301–451–4467, *choe@csr.nih.gov.*

Name of Committee: Oncological Sciences Integrated Review Group, Cancer Etiology Study Section.
Date: February 11–12, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Hilton Washington DC/Rockville Executive Meeting, 1750 Rockville Pike, Rockville, MD 20852.
Contact Person: Victor A. Fung, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6178, MSC 7804, Bethesda, MD 20892, 301–435–3504, *fungv@csr.nih.gov.*

Name of Committee: Cardiovascular Sciences Integrated Review Group, Vascular Cell and Molecular Biology Study Section.
Date: February 11–12, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Doubletree Hotel Bethesda, 8120 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Anshumali Chaudhari, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4124, MSC 7802, Bethesda, MD 20892, 301–435–1210, *chaudhaa@csr.nih.gov.*

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group, Clinical Neuroplasticity and Neurotransmitters Study Section.

Date: February 11–12, 2008.
Time: 8 a.m. to 6 p.m.
Agenda: To review and evaluate grant applications.
Place: Melrose Hotel, 2430 Pennsylvania Avenue, NW., Washington, DC 20037.
Contact Person: Suzan Nadi, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, 301–435–1259, *nadis@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Cardiovascular Devices.
Date: February 11, 2008.
Time: 8 a.m. to 6 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt at Fisherman's Wharf, 555 North Point Street, San Francisco, CA 94133.
Contact Person: Roberto J. Matus, M.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5108, MSC 7854, Bethesda, MD 20892, 301–435–2204, *matusr@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group, Integrative Nutrition and Metabolic Processes Study Section.
Date: February 11, 2008.
Time: 8 a.m. to 6 p.m.
Agenda: To review and evaluate grant applications.
Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.
Contact Person: Sooja K. Kim, PhD., RD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6182, MSC 7892, Bethesda, MD 20892, 301–435–1780, *kims@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Community Interventions and Health Behaviors.
Date: February 13, 2008.
Time: 1 p.m. to 4:30 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Fungai F. Chanetsa, PhD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3135, MSC 7770, Bethesda, MD 20892, 301–435–1262, *chanetsaf@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Cancer Prevention and Therapeutics Member Conflict.
Date: February 13, 2008.
Time: 3 p.m. to 7 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Hungyi Shau, PhD., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6214, MSC 7804, Bethesda, MD 20892, (301) 435–1720, *shauhung@csr.nih.gov.*

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group, Medical Imaging Study Section.
Date: February 13–14, 2008.
Time: 7 p.m. to 6 p.m.
Agenda: To review and evaluate grant applications.
Place: Bahia Resort Hotel, 998 West Mission Bay Drive, San Diego, CA 92109.
Contact Person: Eileen W. Bradley, DSC, Scientific Review Administrator and Chief, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5100, MSC 7854, Bethesda, MD 20892, (301) 435–1179, *bradleye@csr.nih.gov.*

Name of Committee: Hematology Integrated Review Group, Erythrocyte and Leukocyte Biology Study Section.
Date: February 14, 2008.
Time: 8 a.m. to 7 p.m.
Agenda: To review and evaluate grant applications.
Place: St. Gregory Hotel, 2033 M Street, NW., Washington, DC 20036.
Contact Person: Delia Tang, MD., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4126, MSC 7802, Bethesda, MD 20892, (301) 435–2506, *tangd@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Clinical Molecular Imaging.
Date: February 14–15, 2008.
Time: 7 p.m. to 6 p.m.
Agenda: To review and evaluate grant applications.
Place: Bahia Resort Hotel, 998 West Mission Bay Drive, San Diego, CA 92109.
Contact Person: Eileen W. Bradley, DSC, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5100, MSC 7854, Bethesda, MD 20892, (301) 435–1179, *bradleye@csr.nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group, Musculoskeletal Rehabilitation Sciences Study Section.
Date: February 14–15, 2008.
Time: 8 p.m. to 4 p.m.
Agenda: To review and evaluate grant applications.
Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Jo Pelham, BA, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4102, MSC 7814, Bethesda, MD 20892, (301) 435–1786, *pelhamj@csr.nih.gov.*

Name of Committee: Health of the Population Integrated Review Group, Biostatistical Methods and Research Design Study Section.
Date: February 15, 2008.
Time: 8 a.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: George Washington University Inn, 824 New Hampshire Avenue, NW., Washington, DC 20037.
Contact Person: Ann Hardy, DRPH, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3158, MSC 7770, Bethesda, MD 20892, (301) 435–0695, *hardyan@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research; 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: January 8, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 08–98 Filed 1–14–08; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1737–DR]

Iowa; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Iowa (FEMA–1737–DR), dated January 4, 2008, and related determinations.

DATES: *Effective Date:* January 4, 2008.

FOR FURTHER INFORMATION CONTACT: Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 4, 2008, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the State of Iowa resulting from a severe winter storm during the period of December 10–11, 2007, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the State of Iowa.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas, Hazard

Mitigation throughout the State, and any other forms of assistance under the Stafford Act that you deem appropriate. Direct Federal assistance is authorized. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, except for any particular projects that are eligible for a higher Federal cost-sharing percentage under the FEMA Public Assistance Pilot Program instituted pursuant to 6 U.S.C. 777.

If Other Needs Assistance under Section 408 of the Stafford Act is later requested and warranted, Federal funding under that program also will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Justo Hernandez, of FEMA is appointed to act as the Federal Coordinating Officer for this declared disaster.

The following areas of the State of Iowa have been designated as adversely affected by this declared major disaster:

Adair, Adams, Appanoose, Cedar, Clarke, Clinton, Davis, Decatur, Fremont, Iowa, Jefferson, Johnson, Jones, Keokuk, Linn, Lucas, Madison, Mahaska, Marion, Monroe, Montgomery, Page, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne Counties for Public Assistance. Direct Federal assistance is authorized.

All counties within the State of Iowa are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program—Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

R. David Paulison,

Administrator, Federal Emergency Management Agency.

[FR Doc. E8–471 Filed 1–14–08; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1736–DR]

Missouri; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Missouri (FEMA–1736–DR), dated December 27, 2007, and related determinations.

DATES: *Effective Date:* December 27, 2007.

FOR FURTHER INFORMATION CONTACT: Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated December 27, 2007, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the State of Missouri resulting from severe winter storms beginning on December 6, 2007, and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the State of Missouri.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas, Hazard Mitigation throughout the State, and any other forms of assistance under the Stafford Act that you deem appropriate. Direct Federal assistance is authorized. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, except for any particular projects that are eligible for a higher Federal cost-sharing percentage under the FEMA Public Assistance Pilot Program instituted pursuant to 6 U.S.C. 777.

If Other Needs Assistance under Section 408 of the Stafford Act is later requested and warranted, Federal funding under that program also will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Michael L. Parker, of FEMA is appointed to act as the Federal Coordinating Officer for this declared disaster.

The following areas of the State of Missouri have been designated as adversely affected by this declared major disaster:

Adair, Andrew, Atchison, Audrain, Barton, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Cedar, Clinton, Cole, Dade, Daviess, DeKalb, Gentry, Grundy, Harrison, Hickory, Holt, Jasper, Lincoln, Linn, McDonald, Mercer, Miller, Moniteau, Montgomery, Morgan, Newton, Nodaway, Osage, Pike, Putnam, St. Clair, Schuyler, Scotland, Sullivan, Warren, and Worth Counties for Public Assistance. Direct Federal assistance is authorized.

All counties within the State of Missouri are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

R. David Paulison,

Administrator, Federal Emergency Management Agency.

[FR Doc. E8–472 Filed 1–14–08; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1731–DR]

California; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of California (FEMA–1731–DR), dated

October 24, 2007, and related determinations.

EFFECTIVE DATE: January 4, 2008.

FOR FURTHER INFORMATION CONTACT: Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident type for this disaster has been expanded to include flooding, mud flows, and debris flows directly related to the wildfires. Only those areas within the previously designated counties specifically determined by the Federal Coordinating Officer to be damaged or adversely affected as direct result of the compromised watershed conditions and fire-generated debris caused by the wildfires will be considered eligible for assistance on a case-by-case basis.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

R. David Paulison,

Administrator, Federal Emergency Management Agency.

[FR Doc. E8–475 Filed 1–14–08; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1735–DR]

Oklahoma; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Oklahoma (FEMA–1735–DR), dated December 18, 2007, and related determinations.

DATES: *Effective Date:* December 21, 2007.

FOR FURTHER INFORMATION CONTACT: Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Oklahoma is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 18, 2007.

The counties of Beaver, Caddo, Canadian, Craig, Creek, Delaware, Grady, McClain, Nowata, Okfuskee, Okmulgee, Osage, Ottawa, Pawnee, Payne, Rogers, Seminole, and Washington for Public Assistance.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program—Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

R. David Paulison,

Administrator, Federal Emergency Management Agency.

[FR Doc. E8–476 Filed 1–14–08; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1734–DR]

Washington; Amendment No. 5 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Washington (FEMA–1734–DR), dated December 8, 2007, and related determinations.

DATES: *Effective Date:* December 21, 2007.

FOR FURTHER INFORMATION CONTACT: Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Washington is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 8, 2007.

King and Snohomish Counties for Individual Assistance (already designated for Public Assistance.)

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

R. David Paulison,

Administrator, Federal Emergency Management Agency.

[FR Doc. E8–477 Filed 1–14–08; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Sporting Conservation Council

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of teleconference.

SUMMARY: This notice announces a public teleconference of the Sporting Conservation Council (Council).

DATES: We will hold the teleconference on Tuesday, January 29, 2008, at 1–3:30 p.m. (Eastern time). If you wish to listen to the teleconference proceedings, submit written material for the Council to consider, or give a 2-minute presentation during the teleconference, notify Phyllis Seitts by Monday, January 21, 2008. If you wish to submit a written statement for Council consideration during the teleconference, it must be received no later than January 24, 2008. See instructions under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Phyllis T. Seitts, 9828 North 31st Avenue, Phoenix, AZ 85051–2517; 602–906–5603 (phone); or *Twinkle_Thompson-Seitts@blm.gov* (e-mail).

SUPPLEMENTARY INFORMATION: The Secretary of the Interior established the Council in February 2006 (71 FR 11220, March 6, 2006). The Council's mission is to provide advice and guidance to the Federal Government through the Department of the Interior on how to

increase public awareness of: (1) The importance of wildlife resources, (2) the social and economic benefits of recreational hunting, and (3) wildlife conservation efforts that benefit recreational hunting and wildlife resources.

The Secretary of the Interior and the Secretary of Agriculture signed an amended charter for the Council in June 2006 and July 2006, respectively. The revised charter states that the Council will provide advice and guidance to the Federal Government through the Department of the Interior and the Department of Agriculture.

The Council will convene to receive updates on responses from Federal agencies to recommendations submitted by the Council and implementation of the August 16, 2007, Executive Order on Facilitation of Hunting Heritage and Wildlife Conservation.

Procedures for Public Input

Format Requirement for Oral and Written Commenters

Whether you wish to comment orally or in written form, you must provide written copies of your comments. All written statements must be supplied to the Council's Designated Federal Officer in both of the following formats:

One hard copy with original signature, and

One electronic copy via e-mail (acceptable file format: MS Word, MS Powerpoint, or WordPerfect).

Giving a 2–Minute Oral Presentation

Individuals or groups may request to give an oral presentation during the Council teleconference. Oral presentations will be limited to 2 minutes per speaker, with no more than half an hour total for all speakers. Interested parties must contact Phyllis Seitts, Council Designated Federal Officer, in writing (preferably via e-mail; see **FOR FURTHER INFORMATION CONTACT**), by Monday, January 21, 2008, to be placed on the public speaker list for this teleconference. In addition, if you are selected to make a 2-minute presentation, you must provide hard and electronic copies of your presentation to the Council Designated Federal Officer by Thursday, January 24, 2008. Additional live questions from the public will not be considered during the teleconference.

Submitting Written Information for the Council To Consider

Speakers who wish to expand upon their oral statements or those who had wished to speak but could not be accommodated on the agenda are invited to submit written statements to the Council. Interested members of the public may submit relevant written information for the Council to consider during the public teleconference. We must receive all written statements by Thursday, January 24, 2008, so that we can make the information available to the Council for their consideration prior to the teleconference.

Dated: December 31, 2007.

Phyllis T. Seitts,

Designated Federal Officer, Sporting Conservation Council.

[FR Doc. 08–110 Filed 1–14–08; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

U.S. Geological Survey—Climate Change Science Program (CCSP) Committee on Synthesis and Assessment Product 4.2: Thresholds of Climate Change

AGENCY: U.S. Geological Survey.

ACTION: Notice of meeting.

Committee Name: U.S. Geological Survey—Climate Change Science Program (CCSP) Committee on Synthesis and Assessment Product 4.2: Thresholds of Climate Change.

SUMMARY: This notice is published in accordance with section 9(a) of the Federal Advisory Committee Act of 1972 (Pub. L. 92–643). The U.S. Geological Survey—Climate Change Science Program (CCSP) Committee on Synthesis and Assessment Product 4.2: Thresholds of Climate Change will hold its FACA peer review meeting on January 28–30, 2008 in Denver, CO.

Agenda for the Meeting: The agenda will cover the following: Expert review of SAP 4.2. The review committee will meet to discuss the first draft of SAP 4.2 and provide guiding comments for the completion of the product.

DATES: January 28, 2008, 1 p.m.–January 30, 2008, 12 noon. Location: Denver Federal Center, Building 810, Hayden Room.

FOR FURTHER INFORMATION CONTACT: Colleen W. Charles, U.S. Geological Survey, 12201 Sunrise Valley Drive, MS 301, Reston, Virginia 20192; 703–648–4110. *Colleen_charles@usgs.gov*.

Dated: January 9, 2008.

Robert C. Szaro,

Chief Scientist for Biology.

[FR Doc. 08–102 Filed 1–14–08; 8:45 am]

BILLING CODE 4311–AM–M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Deputy Director—Indian Services; Proposed Agency Information Collection Activities; Comment Request

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of proposed renewal of information collection.

SUMMARY: The Bureau of Indian Affairs (BIA) is seeking comments in preparation for the renewal of the Indian Child Welfare Annual Report. The information collected will aid BIA in fulfilling the requirements of the law. This renewal meets the requirements of the Paperwork Reduction Act of 1995. The Bureau is soliciting public comments on the subject proposal.

DATES: Submit comments on or before March 17, 2008.

ADDRESSES: Interested parties are invited to submit written comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to Stephanie E. Birdwell, Chief, Division of Human Services, Bureau of Indian Affairs, Department of Interior, 1849 C Street, NW., MS–4513–MIB, Washington, DC 20240. Telephone: (202) 513–7621.

FOR FURTHER INFORMATION CONTACT: Copies of the collection of information form or requests for additional information should be directed to Stephanie E. Birdwell, Bureau of Indian Affairs, Department of the Interior, 1849 C Street, NW., MS–4513–MIB, Washington, DC 20240. Telephone: (202) 513–7621.

SUPPLEMENTARY INFORMATION:

I. Abstract

The information collection required by the use of this form is necessary to comply with Public Law 95–608, The Indian Child Welfare Act of 1978, as codified at 25 U.S.C. 1901 et seq. and 25 CFR Part 23—Indian Child Welfare Act (ICWA). This information is collected through the use of a consolidated caseload form by tribal Indian Child Welfare Act program directors who are the providers of the ICWA services. The information is used to determine the extent of service needs in local Indian communities, to assess the effectiveness of the Indian Child Welfare Act program, and to provide data for the annual program budget justification. The responses to this request for information collection are voluntary and the aggregated report is not considered

confidential. The public is not required to respond unless a currently valid OMB control number is displayed.

II. Request for Comments

Please note that all comments received will be available for public review two weeks after publication in the **Federal Register**. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment-including your personal identifying information-may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

It is our policy to make all comments available to the public for review at the location listed in the **ADDRESSES** section, room 355–E, during the hours of 7:00 a.m.—4 p.m., EST Monday through Friday except for legal holidays. All comments from organizations or representatives will be available for review. We may withhold comments from review for other reasons.

Request for Comments: The Bureau of Indian Affairs requests your comments on this collection concerning: (a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) ways we could enhance the quality, utility and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.

Please note that an agency may not sponsor or request, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

OMB Control Number: 1076–0131.

Type of review: [Renewal.]

Title: Department of the Interior, Bureau of Indian Affairs, Indian Child Welfare Act Annual Report, 25 CFR Part 23.4.

Brief Description of collection: Indian tribes are required to collect selected data on Indian child welfare cases and submit them to the Bureau for consolidation. This data is useful on a local level, to the tribes, and tribal organizations that collect it, for case management purposes and on a nationwide basis for planning and budget purposes.

Respondents: Indian tribes or tribal entities who are operating programs for Indian tribes.

Number of Respondents: 536.

Estimated Time per Response: 30 minutes.

Frequency of Response: Quarterly.

Estimated Annual Burden to Respondents: 1072 hours.

Dated: December 31, 2007.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

[FR Doc. E8–518 Filed 1–14–08; 8:45 am]

BILLING CODE 4310–4J–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[HAG # 8–0020]

Notice of Intent To Revise a Resource Management Plan and the Associated Environmental Impact Statement for the Baker Resource Area of the Vale District

AGENCY: Bureau of Land Management, Interior

ACTION: Notice of intent.

SUMMARY: The Bureau of Land Management (BLM) Field Office, Baker City, Oregon intends to revise a Resource Management Plan (RMP) with an associated Environmental Impact Statement (EIS) for the Baker Resource Area of the Vale District and by this notice is announcing public scoping meetings. The RMP will revise the existing Baker Resource Management Plan of 1989.

DATES: The BLM will announce public scoping meetings to identify relevant issues through local news media, newsletters, and the BLM Web site *http://www.blm.gov/or/districts/vale/index.php* at least 15 days prior to the first meeting. We will provide formal opportunities for public participation upon publication of the Draft RMP/EIS.

ADDRESSES: You may submit comments by any of the following methods:

- *E-mail: BakerRMP@blm.gov.*
- *Fax:* 541–523–1965.
- *Mail:* Bureau of Land Management, Baker Field Office, P.O. Box 947, Baker City, OR 97814.

Documents pertinent to this proposal may be examined at the BLM Baker Field Office.

FOR FURTHER INFORMATION CONTACT: For further information and/or to have your name added to our mailing list, Contact: Allison Kuehl, RMP Team Leader, Telephone: 541–523–1931; E-mail: *allison_kuehl@blm.gov.*

SUPPLEMENTARY INFORMATION: This document provides notice that the BLM Field Office, Baker City, Oregon, intends to revise an RMP with an associated EIS for the Baker Resource Area and announces public scoping meetings.

The planning area is located in Baker, Union, Wallowa, Morrow, and Umatilla Counties in Oregon and in Asotin County, Washington. This planning activity encompasses approximately 423,000 acres of public land. The plan will fulfill the needs and obligations set forth by the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act (FLPMA), and BLM management policies. The BLM will work collaboratively with interested parties to identify the management decisions that are best suited to local, regional, and national needs and concerns.

The purpose of the public scoping process is to determine relevant issues, concerns and ideas that will influence the scope of the environmental analysis and EIS alternatives. These issues also guide the planning process. You may submit comments on issues and planning criteria in writing to the BLM at any public scoping meeting, or you may submit them to the BLM using one of the methods listed in the **ADDRESSES** section above. To be most helpful, you should submit formal scoping comments within 30 days after the last public meeting. The minutes for each scoping meeting will be available to the public and open for 30 days after the meeting to any participant who wishes to clarify the views he or she expressed. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

Preliminary issues and management concerns have been identified. They represent the BLM's knowledge to date regarding the existing issues and concerns with current land management. The preliminary issues being considered in this planning effort include: vegetation management; water quality, aquatic resources, fisheries; special management areas; recreation

management; cultural and paleontological resources; socioeconomics and environmental justice; energy and minerals; lands and realty; transportation, including Off Highway Vehicle management, and public access; fire and fuels management; wildlife habitat and wildlife.

After public comments as to what issues the plan should address are gathered, they will be placed in one of three categories:

1. Issues to be resolved in the plan;
2. Issues to be resolved through policy or administrative action; or
3. Issues beyond the scope of this plan.

The BLM will provide an explanation in the plan as to why we placed an issue in category two or three. In addition to these major issues, a number of management questions and concerns will be addressed in the plan. The public is encouraged to help identify these questions and concerns during the scoping phase.

Preliminary planning criteria are:

1. The BLM will manage the Baker Resource Area to protect resources in accordance with the Federal Land Policy and Management Act of 1976 (FLPMA, 43 U.S.C. 1701 *et seq.*), other applicable laws and regulations, and all existing public land laws.
2. The Plan will recognize valid existing rights within the Planning Area and review how valid existing rights are verified. The Plan will outline the process the BLM will use to address applications or notices filed on existing claims or other land use authorizations after the completion of the Plan.
3. Lands covered in the RMP will be public lands, including split estate lands, managed by BLM. Decisions on lands not managed by the BLM will not be made in the RMP except when formal cooperator status is mutually accepted and leads to additional Records of Decision.
4. The BLM will use a collaborative and multi-jurisdictional approach, where possible to jointly determine the desired future conditions of public lands.
5. The Plan will emphasize the protection and enhancement of the Planning Area's biodiversity while at the same time providing the public with opportunities for compatible commodity-based and recreation activities.
6. The socioeconomic impacts of the alternatives will be addressed.
7. The BLM will use current scientific information, research, technologies, and results of inventory, monitoring and coordination to determine appropriate local, and regional management strategies that will enhance or restore impaired ecosystems.
8. The planning process will include an EIS that will comply with NEPA standards.
9. Any land located within the Planning Area's administrative boundary, and subsequently acquired by the BLM, will be managed consistent with the Plan, subject to any constraints associated with the acquisition.
10. The Plan will recognize the State's responsibility to manage wildlife. The BLM would consult with Oregon Department of Fish and Wildlife before establishing no-hunting zones or periods for the purposes of protecting public safety, administration, or public use and enjoyment.
11. The Plan will address transportation and access, and will identify where better access is warranted, where it should remain as is, and where decreased access is appropriate to protect Planning Area resources.
12. Laws and regulations regulate grazing management. The Plan will incorporate the Rangeland Health Standards and Guidelines. It will provide a strategy to ensure proper grazing practices are followed within the Planning Area.
13. The planning process will involve American Indian Tribal governments and will provide possible strategies for the protection of recognized traditional uses, if such uses are identified.
14. Decisions in the Plan will strive to be compatible with existing plans and policies of adjacent local, State, Federal, and tribal agencies as long as the decisions are consistent with Federal law governing the administration of public land.

The BLM will use an interdisciplinary approach to develop the revision in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in the planning process: rangeland management, minerals and geology, forestry, fire and fuels, outdoor recreation, archaeology, paleontology, wildlife and fisheries, lands and realty, hydrology, soils, sociology, and economics.

Dated: January 8, 2008.

Nancy K. Lull,

Baker City Field Manager.

[FR Doc. E8–520 Filed 1–14–08; 8:45 am]

BILLING CODE 4310–33–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–060–01–1020–PG]

Notice of Public Meeting; Central Montana Resource Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Public Meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management (BLM) Central Montana Resource Advisory Council (RAC) will meet as indicated below.

DATES: The meeting will be held February 5 & 6, 2008, at the Yogo Inn Conference Room, 211 E. Main Street, in Lewistown, Montana.

The February 5 session will begin at 10 a.m. with a 30-minute public comment period. This meeting is scheduled to adjourn at 5:30 p.m.

The February 6 meeting will begin at 8 a.m. with a 30-minute public comment period and is scheduled to adjourn at 3:30 p.m.

SUPPLEMENTARY INFORMATION: This 15-member council advises the Secretary of the Interior on a variety of management issues associated with public land management in Montana. During these meetings the council will discuss/act upon:

Reviewing the council charter;
Discussing the consensus format;
An orientation for current and new members;
Reviewing the 2008 council work plan;
A discussion of what the council expects from the BLM;
A question and answer period with BLM managers and staff;
Field manager updates;
Travel planning in the Judith and Moccasin Mountains;
A fee proposal template from the U.S. Forest Service;
Oil and gas leasing;
An update on the monument resource management plan;
Watershed planning; and
Administrative details (next meeting agenda, location, etc.).

All RAC meetings are open to the public. The public may present written comments to the RAC. Each formal RAC meeting will also have time allocated for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited.

FOR FURTHER INFORMATON CONTACT: Gary E. Slagel, Associate Lewistown Field Manager, Lewistown Field Office, P.O. Box 1160, Lewistown, Montana 59457, 406/538–1900.

Dated: January 8, 2008.

Gary E. Slagel,

Associate Lewistown Field Manager.

[FR Doc. E8–481 Filed 1–14–08; 8:45 am]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

[Docket No. MMS–2007–OMM–0078]

MMS Information Collection Activity: 1010–0041 (30 CFR 250, Subpart K) Oil and Gas Production Rates, Extension of a Collection; Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of extension of an information collection (1010–0041).

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), MMS is inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) concerns the paperwork requirements in the regulations under 30 CFR 250, Subpart K, Oil and Gas Production Rates.

DATE: Submit written comments by March 17, 2008.

ADDRESSES: You may submit comments by any of the following methods listed below.

- Electronically: go to *http://www.regulations.gov*, select ''Minerals Management Service'' from the agency drop-down menu, then click ''submit.'' In the Docket ID column, select MMS–2007–OMM–0078 to submit public comments and to view supporting and related materials available. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's ''User Tips'' link. All comments submitted will be published and posted to the docket after the closing period.
- Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Cheryl Blundon; 381 Elden Street, MS–4024; Herndon, Virginia 20170–4817. Please reference ''Information Collection 1010–0041'' in your comments.

FOR FURTHER INFORMATION CONTACT: Cheryl Blundon, Regulations and Standards Branch at (703) 787–1607. You may also contact Cheryl Blundon to obtain a copy, at no cost, of the regulations and the forms that require the subject collection of information.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR Part 250, Subpart K, Oil and Gas Production Rates.

Form(s): MMS–126, MMS–127, MMS–128, and MMS–140.

OMB Control Number: 1010–0041.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

Section 5(a) of the OCS Lands Act requires the Secretary to prescribe rules and regulations ''to provide for the prevention of waste, and conservation of the natural resources of the Outer Continental Shelf, and the protection of correlative rights therein'' and to include provisions ''for the prompt and efficient exploration and development of a lease area.''

Section 1334(g)(2) states ''* * * the lessee shall produce such oil or gas, or both, at rates * * * to assure the maximum rate of production which may be sustained without loss of ultimate recovery of oil or gas, or both, under sound engineering and economic principles, and which is safe for the duration of the activity covered by the approved plan.''

These authorities and responsibilities are among those delegated to the Minerals Management Service (MMS). The regulations at 30 CFR 250, subpart K, concern oil and gas production rates, and are the subject of this collection.

In addition, MMS also issues various Notices to Lessees (NTLs) and Operators to clarify and provide additional guidance on some aspects of the regulations, as well as various forms to capture the data and information. The current subpart K regulations specify the use of forms MMS–126 (Well Potential Test Report), MMS–127 (Sensitive Reservoir Information Report), MMS–128 (Semiannual Well Test Report), and MMS–140 (Bottomhole Pressure Survey Report).

The forms and their purposes are:

Form MMS–126, Well Potential Test Report

The MMS uses this information for various environmental, reservoir, reserves, and conservation analyses, including the determination of maximum production rates (MPRs) when necessary for certain oil and gas completions.

Form MMS–127, Sensitive Reservoir Information Report

The MMS uses this information to determine whether a rate-sensitive reservoir is being prudently developed.

Form MMS–128, Semiannual Well Test Report

The MMS uses this information to evaluate the results of well tests to determine if reservoirs are being depleted in a manner that will lead to the greatest ultimate recovery of hydrocarbons.

Form MMS–140, Bottomhole Pressure Survey Report

The MMS uses the information in our efforts to conserve natural resources, prevent waste, and protect correlative rights, including the Government's royalty interest.

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2) and under regulations at 30 CFR 250.197, ''Data and information to be made available to the public or for limited use.'' No items of a sensitive nature are collected. Responses are required to obtain or retain benefits.

Frequency: On occasion, monthly, semi-annually, annually and as a result of situations encountered.

Estimated Number and Description of Respondents: Approximately 130 Federal OCS oil and gas lessees.

Estimated Reporting and Recordkeeping ''Hour'' Burden: The currently approved annual reporting burdens totaled for the consolidated collection is 43,065 hours. The following chart details the individual components and respective hour burden estimates of this ICR. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

Citation 30 CFR 250 Subpart K and NTL(s)	Requirement	Hour burden / Fee burden
1101(b), (f)	Request approval to produce within 500 feet of a lease line.	5 $3,300 fee
1101(c), (f)	Request approval to produce gas cap of a sensitive reservoir	12 $4,200 fee
1102	Submit form MMS–126	0.2
	Submit form MMS–127 and appropriate supporting information	1.5
	Submit form MMS–128	0.5–3
1102(a)(5)	Submit alternative plan for overproduction status—MMS is not currently collecting this information.	
1102(b)(6)	Request extension of time to submit results of semiannual well test	0.5
1103(a)	Request approval of test periods of less than 4 hours and pretest stabilization periods of less than 6 hours	0.5
1103(c)	Provide advance notice of time and date of well tests	0.5
1104(c)	Submit results of all static bottomhole pressure surveys obtained by lessee. Information is submitted on form MMS–140 in the Gulf of Mexico Region.	1
1105(a), (b)	Request special approval to flare or vent oil-well gas	0.5
1105(c)	Request approval to burn produced liquid hydrocarbons	0.5
1105(f)	Submit monthly reports of flared or vented gas containing H_2S	2
1106	Submit application to commingle hydrocarbons produced from multiple reservoirs and inform other lessees having an interest.	6 $4,900 fee
1107(b)	Submit proposed plan for enhanced recovery operations	12
1107(c)	Submit periodic reports of volumes of oil, gas, or other substances injected, produced, or reproduced	2
1100–1107	General departure or alternative compliance requests not specifically covered elsewhere in subpart K, including bottomhole pressure survey waivers and reservoir reclassification requests.	1 6
Reporting Subtotal		
1105(d), (e)	Maintain records for 2 years detailing gas flaring or venting	13
1105(d), (e)	Maintain records for 2 years detailing liquid hydrocarbon burning	0.5

Estimated Reporting and Recordkeeping ''Non-Hour Cost'' Burden: We have identified three non-hour cost burdens for this collection (see table above). Section 250.1101(f) requires a fee for a gas cap production request. Section 250.1101(f) requires a fee to produce within 500 feet of a lease line request. Section 250.1106 requires a fee for a downhole commingling request. We have not identified any other ''non-hour cost'' burdens associated with this collection of information.

Public Disclosure Statement: The PRA (44 U.S.C. 3501,*et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency ''* * * to provide notice * * * and otherwise consult with members of the public and affected agencies concerning each proposed collection of information * * *''. Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Agencies must also estimate the ''non-hour cost'' burdens to respondents or recordkeepers resulting from the collection of information. Therefore, if you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information, monitoring, and record storage facilities. You should not include estimates for equipment or services purchased: (i) Before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

Public Comment Procedure: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

MMS Information Collection Clearance Officer: Arlene Bajusz, (202) 208–7744.

Dated: December 21, 2007.

E.P. Danenberger,

Chief, Office of Offshore Regulatory Programs.

[FR Doc. E8–616 Filed 1–14–08; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: City of Larsen Bay, Larsen Bay, AK and Alutiiq Museum and Archaeological Repository, Kodiak, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in control of the City of Larsen Bay, Larsen Bay, AK, and in the possession of Alutiiq Museum and Archaeological Repository, Kodiak, AK. The human remains were removed from Larsen Bay, AK.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Alutiiq Museum and Archaeological Repository professional staff on behalf of the City of Larsen Bay in consultation with representatives of the Native Village of Larsen Bay.

In 1987 and 1988, human remains representing a minimum of five individuals were removed from the Uyak site (49–KOD–00145) in Larsen Bay, AK, during an excavation led by Amy Steffian, a graduate archeology student from the University of Michigan. In August of 1987, the human remains of one individual were shipped to Bryn Mawr College, Bryn Mawr, PA, for storage and study under the care of Dr. Richard Jordan, an archeologist, in Bryn Mawr College's Department of Anthropology. In 1988, Dr. Jordan moved to Fairbanks and took the entire Uyak site collection with him for storage at the University of Alaska, Department of Anthropology. In August of 1988, the human remains of four individuals from the second season of fieldwork were shipped to Dr. Jordan at the University of Alaska Fairbanks, Department of Anthropology. After Dr. Jordan's death in 1991, the entire collection was moved to the University of Alaska Museum. In the summer of 1995, at the request of the City of Larsen Bay, the owner of the Uyak site, the entire collection was transferred to the Alutiiq Museum and Archaeological Repository (number AM3). No known individuals were identified. The nine funerary objects are one large coal labret, one ground slate projectile point, one bone wedge, one toggling harpoon, one leister prong, one piece of worked antler, one coal bead, one coal bead preform, and one ground slate ulu fragment.

The Uyak site is a large prehistoric settlement occupied during both the Kachemak and Koniag traditions. The eastern portion of the site contained the remains of a Late Kachemak village, where well–preserved shell midden deposits surrounded a set of single–roomed semisubterranean houses dating between 950 – 1300 B.P. The human remains were found in association with prehistoric strata, indicating that the human remains are associated with the occupation of the village. Archeologists believe that the people of the Late Kachemak tradition are ancestral to modern day Alutiiqs. Archeological data collected over the past 20 years indicates that Late Kachemak societies evolved into the more complexly organized societies of the Koniag tradition observed at historic contact in the late 18th century. As such, the human remains from the Uyak site are reasonably believed to be Native American and most closely affiliated with the contemporary Native residents of the Kodiak archipelago, the Kodiak Alutiiq. Specifically, the human remains are from an area of the Kodiak archipelago traditionally used by members of the Native Village of Larsen Bay.

In 1991, human remains representing a minimum of three individuals were removed from the Alexander Creek Site (49–KOD–00142) in Larsen Bay, AK, by Mike Yarborough during excavations prior to a water main installation project conducted by the Alaska Public Health Service. In July 1996, the human remains were transferred to the Alutiiq Museum and Archaeological Repository (number AM 234) at the request of the City of Larsen Bay. No known individuals were identified. No associated funerary objects are present.

The Alexander Creek site lies in the City of Larsen Bay, AK, on southwestern Kodiak Island, under and around the intersection of First and Third Streets, and contains both historic and prehistoric components. All of the human remains were recovered from the prehistoric context found in association with midden deposits that produced a radiocarbon dated of circa 350 B.P. This places the prehistoric occupation of the site in the Developed Koniag phase of the Koniag tradition, just prior to contact, and indicates that the human remains are those of ancestral Alutiiqs. Specifically, the human remains are from an area traditionally used by members of the Native Village of Larsen Bay.

Officials of the City of Larsen Bay and Alutiiq Museum and Archaeological Repository have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of eight individuals of Native American ancestry. Officials of the City of Larsen Bay and Alutiiq Museum and Archaeological Repository also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the nine objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the City of Larsen Bay and Alutiiq Museum and Archaeological Repository have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Native Village of Larsen Bay.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Allen Panamaroff, Mayor, City of Larsen Bay,

P.O. Box 8, Larsen Bay, AK 99624, telephone (907) 847–2211, before February 14, 2008. Repatriation of the human remains and associated funerary objects to the Native Village of Larsen Bay may proceed after that date if no additional claimants come forward.

Alutiiq Museum and Archaeological Repository is responsible for notifying the Native Village of Larsen Bay that this notice has been published.

Dated: December 7, 2007.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–622 Filed 1–14–08; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Paul H. Karshner Memorial Museum, Puyallup, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Paul H. Karshner Memorial Museum, Puyallup, WA. The human remains were removed from La Plata County, CO.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by the Paul H. Karshner Memorial Museum professional staff in consultation with representatives of the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado.

In the 1940s, human remains representing a minimum of one individual were removed from La Plata County, CO. The human remains were donated by Mark Porter in the 1940s. It is unknown how Mr. Porter acquired the human remains. No known individual was identified. No associated funerary objects are present.

This individual is the only recorded donation by Mr. Porter found in the museum's inventory book. However, Mr. Porter was known to have collected Native American objects. Based on the collecting practices of the donor, the human remains are reasonably believed to be Native American. In addition, the museum's inventory book identifies the human remains as being ''native'' and from the western Colorado region. The western Colorado area is known to be the aboriginal lands for the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado. Based on museum records and geographical location, officials of the Paul H. Karshner Memorial Museum reasonably believe that the human remains are Native American and culturally affiliated to the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado.

Officials of the Paul H. Karshner Memorial Museum have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Paul H. Karshner Memorial Museum also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Dr. Jay Reifel, Assistant Superintendent, telephone (253) 840–8971 or Ms. Beth Bestrom, Museum Curator, Paul H. Karshner Memorial Museum, 309 4th St. NE, Puyallup, WA 98372, telephone (253) 841–8748, before February 14, 2008. Repatriation of the human remains to the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado may proceed after that date if no additional claimants come forward.

The Paul H. Karshner Memorial Museum is responsible for notifying the Hopi Tribe of Arizona; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; and Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah that this notice has been published.

Dated: December 7, 2007

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–557 Filed 1–14–08; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Paul H. Karshner Memorial Museum, Puyallup, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Paul H. Karshner Memorial Museum, Puyallup, WA. The human remains were removed from an unknown area of Western Oregon.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by the Paul H. Karshner Memorial Museum professional staff in consultation with representatives of the Confederated Tribes of the Grand Ronde Community of Oregon.

In the 1930s, human remains representing a minimum of one individual were removed from an unknown area in Western Oregon. The human remains were donated to the museum by Dr. Warner M. Karshner in the 1930s. No known individual was identified. No associated funerary objects are present.

In creating the Paul H. Karshner Memorial Museum in 1930, Dr. Karshner began to acquire Native American items, objects, and artifacts for research and understanding, specifically from the Northwest. It is during this time period that the human remains from Western Oregon were donated and inventoried into the museum's permanent collection. Based on the donor's history, it is reasonably believed that the human remains are of Native American origin.

The museum's inventory book identifies the human remains as being ''native'' and being from the western Oregon region. The western Oregon area is known to be aboriginal lands for the Confederated Tribes of the Grand Ronde Community of Oregon. Based on museum records, geographical location, and donor history, the human remains are reasonably believed to be culturally affiliated with the Confederated Tribes of the Grand Ronde Community of Oregon.

Officials of the Paul H. Karshner Memorial Museum have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Paul H. Karshner Memorial Museum also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Confederated Tribes of the Grand Ronde Community of Oregon.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Dr. Jay Reifel, Assistant Superintendent, telephone (253) 840–8971 or Ms. Beth Bestrom, Museum Curator, Paul H. Karshner Memorial Museum, 309 4th St. NE, Puyallup, WA 98372, telephone (253) 841–8748, before February 14, 2008. Repatriation of the human remains to the Confederated Tribes of the Grand Ronde Community of Oregon may proceed after that date if no additional claimants come forward.

Paul H. Karshner Memorial Museum is responsible for notifying the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon; Confederated Tribes of the Grand Ronde Community of Oregon; Confederated Tribes of the Siletz Reservation, Oregon; and Coquille Tribe of Oregon that this notice has been published.

Dated: December 7, 2007.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–563 Filed 1–14–08; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Slater Museum of Natural History, University of Puget Sound, Tacoma, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Slater Museum of Natural History, University of Puget Sound, Tacoma, WA. The human remains were removed from Malheur Lake, Harney County, OR.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Slater Museum of Natural History, University of Puget Sound professional staff and a consultant in consultation with representatives of the Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon and Klamath Tribes, Oregon.

In 1936, human remains representing a minimum of one individual were removed from near Malheur Lake, Harney County, OR, by Stanley G. Jewett. Mr. Jewett donated the human remains to the Slater Museum in 1955. No known individual was identified. No associated funerary objects are present.

The individual is most likely of Native American ancestry as indicated by morphological features. The geographical location where the human remains were recovered is consistent with the historically documented territory of the tribes now represented by the Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon. Furthermore, based on information provided during consultation with tribal representatives, there is a reasonable belief that the human remains share a common ancestry with members of tribes now represented by the Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon.

Officials of the Slater Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Slater Museum of Natural History also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Dr. Peter Wimberger, Slater Museum of Natural History, 1500 N. Warner, Tacoma, WA 98416, (253) 879–2784, before February 14, 2008. Repatriation of the human remains to the Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon may proceed after that date if no additional claimants come forward.

The Slater Museum of Natural History is responsible for notifying the Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon and Klamath Tribes, Oregon that this notice has been published.

Dated: December 7, 2007

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–559 Filed 1–14–08; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Slater Museum of Natural History, University of Puget Sound, Tacoma, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession of the Slater Museum of Natural History, University of Puget Sound, Tacoma, WA. The human remains and associated funerary objects were removed from Pierce County, WA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by the Slater Museum of Natural History, University of Puget Sound professional staff and a consultant in consultation with representatives of the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; Puyallup Tribe of the Puyallup Reservation, Washington; and Squaxin Island Tribe of the Squaxin Island Reservation, Washington.

In 1956, human remains representing a minimum of one individual were removed from Connell's Prairie, near Buckley in Pierce County, WA, by John Bonifas and LaMar Hathaway while digging fence post holes. The human remains were donated by the Pierce County Sherriff to the museum in 1956. No known individual was identified. The two associated funerary objects are one bead and one silver ball.

The human remains were reviewed and determined to be Native American based upon cranial deformation and tooth wear. The red glass seed bead was found in the sediments with the human remains, whereas the metal ball was found with the human remains during a museum inventory, but not recorded as found with the human remains at the time of removal. However, both objects are determined to be associated funerary objects. The Pierce County Sherriff's report states the human remains were discovered approximately two feet below the surface. Archeological evidence supports the presence of Osceola mudflows at a depth of two feet across the prairie that occurred approximately 5,000 years ago, suggesting the human remains could be approximately 5,000 years old. However, due to the presence of the glass seed bead, the human remains most likely date to the 1800s, at which time glass trade beads would have been available at nearby locations such as Fort Steilacoom.

Connell's Prairie is located west of Naches Pass, a historic pass connecting

Puget Sound's Fort Steilacoom and eastern Washington where a wagon road was built in 1853 which originated at Fort Steilacoom and moved east across Connell's Prairie to Naches Pass. Archeological evidence suggests the prairie was used by both western and eastern Washington Native American groups who traveled along the trails and roads through the prairie between Puget Sound and eastern Washington. In addition, there is a recorded ethnographic village to the south of Connell's Prairie, which is associated with both the Muckleshoot and Puyallup Tribes. The Indian Claims Commission determined Connell's Prairie to be outside the exclusive treaty–time territory of any Native American tribe. Connell's Prairie was also the site of several events during the 1855–1856 Treaty Wars between various Native American groups and the U.S. Government. Native American participants in these wars include members of the present–day Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; and Puyallup Tribe of the Puyallup Reservation, Washington. Based on physical anthropological evidence, historic documentation, and associated funerary objects, the human remains are reasonably believed to be Native American and have a shared group relationship with the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; and/or Puyallup Tribe of the Puyallup Reservation, Washington.

Officials of the Slater Museum have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Slater Museum also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the two objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Slater Museum have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; and Puyallup Tribe of the Puyallup Reservation, Washington.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Peter Wimberger, Director, Slater Museum of Natural History, University of Puget Sound, 1500 N. Warner, Tacoma, WA 98416, telephone (253) 879–2784, before February 14, 2008. Repatriation of the human remains and associated funerary objects to the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; and Puyallup Tribe of the Puyallup Reservation, Washington may proceed after that date if no additional claimants come forward.

The Slater Museum is responsible for notifying the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; Puyallup Tribe of the Puyallup Reservation, Washington; and Squaxin Island Tribe of the Squaxin Island Reservation, Washington that this notice has been published.

Dated: December 7, 2007

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–560 Filed 1–14–08; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Slater Museum of Natural History, University of Puget Sound, Tacoma, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Slater Museum of Natural History, University of Puget Sound, Tacoma, WA. The human remains were removed from Dash Point, Pierce County, WA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Slater Museum of Natural History, University of Puget Sound professional staff and consultants in consultation with representatives of the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; and Puyallup Tribe of the Puyallup Reservation, Washington.

At an unknown date, human remains representing a minimum of two individuals were removed from the vicinity of Dash Point, Pierce County, WA, by Dr. T.H. Long. In October 1936, the human remains were given to the museum by Ms. Betty Long. No known individuals were identified. No associated funerary objects are present.

The individuals are most likely of Native American ancestry as indicated by morphological features. The geographical location where the human remains were recovered is consistent with numerous historical and ethnographic reports documenting the territory of the Puyallup Tribe of the Puyallup Reservation, Washington. Dash Point is located within the revised boundaries of the Puyallup Indian Reservation (1857), which is bordered to the north by the boundary between King and Pierce Counties. The Indian Claims Commission determined Dash Point to be within the exclusive territory of the Puyallup Tribe at the time of treaty signing (17 Ind. Cl. Comm. 1, April 25, 1966). In addition, based on information provided during consultation with tribal representatives, there is a reasonable belief that the human remains share a common ancestry with members of the tribes now represented by the Puyallup Tribe of the Puyallup Reservation, Washington.

Officials of the Slater Museum of Natural History, University of Puget Sound have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of two individuals of Native American ancestry. Officials of the Slater Museum of Natural History, University of Puget Sound also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Puyallup Tribe of the Puyallup Reservation, Washington.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Dr. Peter Wimberger, Director, Slater Museum of Natural History, 1500 N. Warner, Tacoma, WA 98416, (253) 879–2784, before February

14, 2008. Repatriation of the human remains to the Puyallup Tribe of the Puyallup Reservation, Washington may proceed after that date if no additional claimants come forward.

The Slater Museum of Natural History is responsible for notifying the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; and Puyallup Tribe of the Puyallup Reservation, Washington that this notice has been published.

Dated: December 7, 2007.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–562 Filed 1–14–08; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Notification of Pending Nominations and Related Actions

Nominations for the following properties being considered for listing or related actions in the National Register were received by the national Park Service before December 29, 2007. Pursuant to section 60.13 of 36 CFR part 60, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW., 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St., NW., 8th floor, Washington, DC 20005; or by fax, 202–371–6447. Written or faxed comments should be submitted by January 30, 2008.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

ARIZONA

Santa Cruz County

San Rafael Historic District, (Cattle Ranching in Arizona MPS) HC 2 Box 200, Patagonia, 08000001.

KENTUCKY

Boyd County

Ashland Tuberculosis Hospital, 3700 Landsdowne Dr., Ashland, 08000002.

Campbell County

Fort Thomas Military Reservation Historic District (Boundary Increase), 1011–1312 S. Ft. Thomas Ave., 9–11 River Rd. & 12–28 Midway Ct., Ft. Thomas, 08000003.

Casey County

Liberty Downtown Historic District, 1st blk. of Campbellsville Rd., Hustonville & Middleburg Sts., & Courthouse Sq., Liberty, 08000004.

Hardin County

Harrison, Fannie, Farm, Address Restricted, Elizabethtown, 08000005.

Jefferson County

Business Women's Club, The, 425 Muhammed Ali Blvd., Louisville, 08000006.

Hamilton Brothers Warehouse, 125–127 W. Main St., Louisville, 08000007.

Woodbourne House, 2024 Woodford Pl., Louisville, 08000008.

Jessamine County

Martin, Lewis Y., House, 6975 Tates Creek Pk., Nicholasville, 08000009.

Lee County

Beattyville Grade School, 58 E. Center St., Beattyville, 08000010.

Taylor County

Campbellsville Residential Historic District, Roughly bounded by Central Ave., & Duffy, Maple & Jackson Sts., Campbellsville, 08000011.

Warren County

Adams—Kentucky District, 900–1200 blks. of Adams St. & 1000–1300 blks. of Kentucky St., Bowling Green, 08000012.

Washington County

Hatchett Tobacco Barn, 3067 Beechland Rd., Springfield, 08000013.

LOUISIANA

Jefferson Parish

Old Kenner High School, 1601 Rev. Richard Wilson, Kenner, 08000014.

RHODE ISLAND

Providence County

French Worsted Company Mill, 153 Hamlet Ave., Woonsocket, 08000015.

WISCONSIN

Ashland County

Rocky Island Historic District, Rocky Island, La Pointe, 08000016.

Vilas County

Stone, Ben and Margaret, Boathouse, 8810 Co. Rd. H, Plum Lake, 08000017.

[FR Doc. 08–101 Filed 1–14–08; 8:45 am]

BILLING CODE 4312–51–M

DEPARTMENT OF JUSTICE

United States Parole Commission

Public Announcement; Pursuant to the Government in the Sunshine Act (Public Law 94–409) [5 U.S.C. 552b]

TIME AND DATE: 10 a.m., Thursday, January 17, 2008.

PLACE: 5550 Friendship Blvd., Fourth Floor, Chevy Chase, MD 20815.

STATUS: Open.

MATTERS TO BE CONSIDERED:

The following matters have been placed on the agenda for the *open* Parole Commission meeting:

1. Approval of Minutes of October 2007 Quarterly Business Meeting.
2. Reports from the Chairman, Commissioners, Chief of Staff, and Section Administrators.
3. Rule changes for Transfer Treaty Determinations under 28 CFR 2.68.

AGENCY CONTACT: Thomas W. Hutchison, Chief of Staff, United States Parole Commission, (301) 492–5990.

Dated: January 10, 2008.

Rockne J. Chickinell,

General Counsel, U.S. Parole Commission.

[FR Doc. 08–128 Filed 1–11–08; 3:20 pm]

BILLING CODE 4410–31–M

DEPARTMENT OF JUSTICE

United States Parole Commission

Public Announcement; Pursuant to the Government in the Sunshine Act (Public Law 94–409) [5 U.S.C. 552b]

DATE AND TIME: 12 p.m., Thursday, January 17, 2008.

PLACE: U.S. Parole Commission, 5550 Friendship Boulevard, 4th Floor, Chevy Chase, Maryland 20815.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

The following matter will be considered during the closed portion of the Commission's Business Meeting:

Petition for reconsideration involving one original jurisdiction case pursuant to 28 CFR 2.27.

AGENCY CONTACT: Thomas W. Hutchison, Chief of Staff, United States Parole Commission, (301) 492–5990.

Dated: January 10, 2008.

Rockne J. Chickinell,

General Counsel, U.S. Parole Commission.

[FR Doc. 08–129 Filed 1–11–08; 3:20 pm]

BILLING CODE 4410–31–M

DEPARTMENT OF LABOR

Office of the Secretary

Bureau of International Labor Affairs; Labor Advisory Committee for Trade Negotiations and Trade Policy

ACTION: Meeting notice.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act

(Pub. L. 92–463, as amended), notice is hereby given of a meeting of the Labor Advisory Committee for Trade Negotiation and Trade Policy.

Date, Time, Place: February 8, 2008; 2 p.m.–4 p.m.; USTR Annex Building, Rooms 1 and 2, 1724 F St., NW., Washington, DC.

Purpose: The meeting will include a review and discussion of current issues which influence U.S. trade policy. Potential U.S. negotiating objectives and bargaining positions in current and anticipated trade negotiations will be discussed. Pursuant to 19 U.S.C. 2155(f) it has been determined that the meeting will be concerned with matters the disclosure of which would seriously compromise the Government's negotiating objectives or bargaining positions. Accordingly, the meeting will be closed to the public. See section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. app., and section (c)(9)(B) of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(9)(B).

FOR FURTHER INFORMATION CONTACT: Gregory Schoepfle, Director, Office of Trade and Labor Affairs; Phone: (202) 693–4887.

Signed at Washington, DC, the 9th day of January 2008.

Charlotte M. Ponticelli,

Deputy Under Secretary, International Affairs.

[FR Doc. E8–502 Filed 1–14–08; 8:45 am]

BILLING CODE 4510–28–P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Availability of Funds and Solicitation for Grant Applications (SGA) for the Science, Technology, Engineering, and Mathematics (STEM) Opportunities in the Workforce System Initiative

Announcement Type: New. Notice of Solicitation for Grant Applications.

Funding Opportunity Number: SGA/DFA PY 07–03.

Catalog of Federal Assistance Number: 17.268

Key Dates: This competition will be implemented in two phases, a preliminary proposal phase (Phase I) and a full proposal phase (Phase II), with a closing date for each phase for receipt of applications. For Phase I of the competition, preliminary proposals must be received at the address below no later than 4 p.m. (ET) on March 11, 2008. All applicants are required to submit Phase I proposals. A virtual Prospective Applicant Conference will be held for this grant competition on January 25, 2008 at 2 p.m. (ET). Additional information and links to registration for this Virtual Prospective Applicant Conference can be found at *http://www.workforce3one.org/public/webinars/details.cfm?id=266.*

After completion of review of Phase I proposals, selected applicants will receive a notice of recommendation to participate in Phase II of the competition and in this notification, further information regarding the Phase II submission deadline will also be provided. Applicants may only participate in the Phase II competition after receiving notice of recommendation. Please note that applicants that only submit full proposals will not be reviewed.

SUMMARY: The Employment and Training Administration (ETA), U.S. Department of Labor (DOL), announces the availability of approximately $10 million in grant funds for the Science, Technology, Engineering, and Mathematics (STEM) Opportunities in the Workforce System Initiative (STEM Initiative). These grants will be awarded through a two-phased competitive process to primarily expand and align current and new STEM workforce education and training strategies, activities, and resources in One Stop Career Centers to promote, attract, and prepare disadvantaged youth and dislocated workers for STEM careers, while simultaneously enhancing the competitive position of local and regional employers.

Grants will be awarded to a select number of individual workforce investment boards (WIBs), representing a regional consortium of WIBs. A WIB must submit an application on behalf of a specific, defined multi-county economic region comprised of various workforce investment areas that make up the consortium. Joint applications for regions that cross state lines will be accepted. Applications for multi-state regions must be from an individual WIB that will have responsibility for administering the project. This solicitation contains an exception if the defined region is a rural area or a portion of a state whereby only one WIB exists.

In awarding STEM Initiative grants, every effort will be made to fairly distribute grants across rural and urban areas and across the different geographic regions of the United States. It is anticipated that the number of awards will range from five to seven, with the average award ranging from $1.5 million to $2 million.

This solicitation provides background information and describes the application submission requirements, outlines the process that eligible entities must use to apply for funds covered by this solicitation, and details how grantees will be selected.

ADDRESSES: Mailed applications must be addressed to the U.S. Department of Labor, Employment and Training Administration, Division of Federal Assistance, Attention: Marsha Daniels, Reference SGA/DFA PY 07–03, 200 Constitution Avenue, NW., Room N–4716, Washington, DC 20210. Telefacsimile (FAX) applications will not be accepted. Information about applying online can be found in Part IV(C) of this document. Applicants are advised that mail delivery in the Washington area may be delayed due to mail decontamination procedures. Hand delivered proposals will be received at the above address.

SUPPLEMENTARY INFORMATION: This solicitation consists of eight parts:

- Part I is the funding opportunity description that includes background information, the overview and details of the STEM Initiative including the five key features, project scope and allowable activities, and an outline of objectives and goals.
- Part II describes the size and nature of the anticipated awards.
- Part III describes eligibility information and other grant specifications.
- Part IV provides information on the application and submission process for the preliminary (Phase I) and full proposal (Phase II) submissions.
- Part V describes the criteria against which applications will be reviewed and evaluated, and explains the proposal review process for Phase I and II.
- Part VI provides award administration information.
- Part VII contains DOL agency contact information.
- Part VIII lists additional resources of interest to applicants.

I. Funding Opportunity Description

A. Background

There is broad consensus that the long-term key to continued U.S. competitiveness and growth in an increasingly global economic environment is the adequate supply of qualified Science, Technology, Engineering, and Mathematics (STEM) workers capable of translating knowledge and skills into new processes, products, and services.

According to the National Science Foundation (NSF), scientific innovation has produced roughly half of all U.S. economic growth in the last fifty years and the STEM fields, including those who work in them, are critical engines to that innovation and growth. According to one recent estimate, while only five percent of the U.S. workforce is employed in STEM fields, the STEM workforce accounts for more than fifty percent of the nation's sustained growth (Babco 2004).

The engine of growth is increasingly precarious in today's global economy and American pre-eminence in STEM will not be secured or extended without addressing the education and workforce pipeline challenges that have become a growing national concern. The National Academy of Sciences study, *Rising Above the Gathering Storm* (2006), argues that, absent a serious and rapid response, the U.S. will lose quality jobs to other nations; lowering our standard of living, reducing tax revenues, and weakening the domestic market for goods and services. Once this cycle accelerates, it will be difficult to regain lost preeminence in technology-driven innovation and its economic benefits.

The STEM education and workforce challenges are multi-faceted and five major trends have been identified that will dramatically impact the STEM pipeline of the future: (1) An increasing number of high school graduates with insufficient academic grounding in STEM to successfully enter post-secondary education geared to STEM careers; (2) waning enrollment in technical studies, including two- and four-year college level, graduate, and post-graduate science and engineering programs; (3) impending retirement of a large portion of the existing STEM workforce; (4) declining immigration of science, technology, engineering, and mathematics professionals in STEM fields; and (5) difficulty attracting and retaining a cadre of highly qualified STEM teaching professionals.

However, the STEM workforce pipeline challenge is not just about the supply and quality of the baccalaureate and advance degree earners. A large percentage of the workforce in industries and occupations that rely on STEM knowledge and skills are technicians, including others who enter and advance in their field through sub-baccalaureate degrees and certificates or through workplace training. Competitiveness in STEM fields requires a focus on the skills and the supply of those involved in STEM fields from the most complex research and development leadership positions to production, repair, marketing, sales, and other jobs that require competencies built upon math, science, engineering, and technology knowledge. Creating interest and preparing more Americans to be productive in STEM-related jobs will require attention to segments of the workforce that are often overlooked in STEM discussions: incumbent workers who need skills upgrading, dislocated workers who are trying to find new jobs in industries with a future, and individuals from groups traditionally underrepresented in STEM fields.

The seriousness of this STEM-related challenge has penetrated public and opinion-makers' consciousness; and government, industry, academia, and foundations have begun to respond in an unprecedented way. In October 2005, the Government Accountability Office inventoried the Federal programs that were designed to increase the numbers of students and graduates in STEM fields or to improve the quality of education in those areas. From this inventory, it is reported that 13 Federal agencies spent a total of $2.8 billion for 207 programs that were designed to increase the number of students and graduates or to improve educational programs in STEM fields. Six Federal agencies spent the bulk of the reported funding for STEM education: National Institutes of Health (NIH), followed by NSF, National Aeronautics and Space Administration (NASA), Department of Education, Environmental Protection Agency (EPA), and the Health Resources and Services Administration.

In his 2006 State of the Union address, the President proposed the American Competitiveness Initiative (ACI) to strengthen education, promote research and development, and encourage entrepreneurship. Specifically, ACI proposes to create and expand on a number of programs targeted at improving K–12 math and science education, increasing professional development for teachers, attracting new teachers to the classroom, developing research-based curricula, and providing access to flexible resources for worker training. In addition to the proposed efforts under ACI, the Deficit Reduction Act was signed into law and established the Academic Competitiveness Council, a cabinet-level group tasked with coordinating and evaluating the Federal role in math and science education, in an effort to align government policies and programs to better address STEM education.

In addition to this Federal effort, industry associations, businesses, state governments, foundations, and other organizations have launched a variety of programs and competitions that target K–12, undergraduate, and graduate students in STEM fields. For example, industry associations that include: the Society of Manufacturing Engineers, the American Chemical Society, the American Physical Society, the National Association of Manufacturers, and the National Science and Technology Education Partnership have invested in STEM education initiatives that involve curricular improvements, career-focused Web sites, mentoring programs, and scholarships; while corporate foundations including Raytheon, Bayer, and General Electric have created their own outreach programs. Despite these efforts, much remains to be done within government and across diverse public and private sectors to ensure that U.S. education, workforce, and economic systems rise to the STEM challenge.

ETA will invest $14 billion in a national public workforce development system to increase the skills and education of the current and emerging workforce, and is committed to becoming an important contributor to a robust national strategy for tackling the STEM workforce pipeline challenge. To that end, ETA recently launched a STEM action agenda which includes three focus areas: (1) Building the gateway to STEM careers; (2) enhancing the capacity of talent development institutions to produce more and better-skilled STEM workers; and (3) catalyzing and supporting innovation, entrepreneurship, and economic growth that can expand STEM employment opportunities.

In addition, ETA launched the Workforce Investment in Regional Economic Development (WIRED) Initiative in 2006, which focuses on the role of talent development in driving regional economic competitiveness, increased job growth, and new opportunities for American workers. Thirty-six of the 39 WIRED regions are targeting STEM-related industries for economic growth in their regions.

ETA believes that responding to the STEM challenge will require a concerted and multi-faceted partnership approach; the public workforce investment system is uniquely positioned in many communities to be an important partner in these efforts because of its universal access to human capital, its strong partnerships, and its support of high growth industries, many of which require a highly skilled and educated STEM workforce. The STEM Initiative creates a way for the public workforce system to help develop and broaden the talent pool of the current and future STEM workforce in regions throughout the country, and to act as a catalyst in these important efforts.

B. STEM Initiative Description

The STEM Initiative will make resources and technical assistance available to a select number of consortiums of WIBs representing regional economies across the country. These resources will : (1) Help to develop and enhance the STEM capabilities of the regions by aligning and expanding current workforce education and training strategies, activities, and resources in the One Stop Career Centers; (2) promote, attract, and prepare a broader range of workforce system participants for STEM careers; and (3) simultaneously enhance the competitive position of local and regional STEM employers.

The linchpin to a coordinated and strategic regional STEM approach will be the strategic partnerships that will be developed, enhanced, and expanded under this Initiative. For this solicitation, ETA requires at a minimum, partnerships to include the workforce investment system, the continuum of education, and STEM employers. However, stronger connections between the workforce system and educational institutions, e.g. multiple educational pathway programs, adult education, community colleges, and four year colleges and universities, including other Federal agencies, nonprofit organizations, employer associations, faith and community-based organizations, and STEM professional societies, will also be essential in leveraging assets and filling gaps where expertise, financial, and operational resources are missing.

The objectives of the STEM Initiative will be reached through five key features:

1. STEM One Stop Workforce Centers of Excellence;
2. STEM Coaches;
3. STEM Mentors;
4. Career Blueprints; and
5. Technical Assistance.

It is ETA's expectation that all applications will reflect and clearly articulate the operationalization of these key features of the STEM Initiative described below, and which are reflected in the evaluation criteria in Part V.

1. STEM One Stop Workforce Centers of Excellence

STEM One Stop Workforce Centers of Excellence (STEM Centers of Excellence), either virtual or site-based, will be established in One Stop Career Centers by a regional WIB consortium under this Initiative to achieve a number of goals: (1) Expand the capacity of the One Stop Career Centers to train and prepare individuals, with special emphasis on disadvantaged youth and dislocated workers, along the STEM career ladder/lattice with multiple entry and exit points; (2) leverage and align STEM education and training resources from a variety of funding sources and entities, so that individuals have expanded education and training options, and are served in a more coordinated and effective fashion; (3) understand the workforce needs of STEM employers and meet those needs with a variety of services, including placing skilled and prepared workers into STEM jobs; (4) support the establishment and strengthening of partnerships to ensure optimal STEM expertise and resources are available in the One Stop Career Centers; and (5) provide a replicable demonstration model as a resource for other One Stop Career Centers.

Five to seven STEM Centers of Excellence will be expected to build upon the current infrastructure and capabilities of the One Stop system. Grant funds used to develop the STEM Centers of Excellence must be used to also enhance and expand a variety of participant and employer services with a sole focus on STEM fields. The goal of this SGA is to develop strategies that support more workers to obtain post-secondary education and training leading to employment in STEM fields. NSF defines the following as STEM fields:

i. Biological Sciences (with the exception of medicine and other clinical fields);

ii. Physical Sciences, including physics, chemistry, astronomy, and materials science;

iii. Mathematical Sciences;

iv. Computer and Information Science;

v. Engineering; and

vi. Technology areas associated with the preceding fields—for example, biotechnology, chemical technology, engineering technology, nanotechnology, and information technology (with the exception of health, veterinary, or medical technicians).

The STEM resources and activities available through the STEM Centers of Excellence will provide individuals engaged in a STEM career pathway and STEM employers with a customized set of services that are driven by regional employer demand. The STEM Initiative will give special emphasis to disadvantaged youth in multiple educational pathway programs (i.e. alternative education) and dislocated workers, although other individuals with STEM aptitudes and/or interests may also be served in the STEM Centers of Excellence. While One Stop Career Centers have not traditionally targeted disadvantaged youth populations, it is the expectation of this solicitation that applicants will consider how to better address the needs of this integral STEM pipeline within the STEM Centers of Excellence.

Career Guidance. Under this Initiative, STEM Centers of Excellence will provide and coordinate career awareness and guidance activities that clarify the range of opportunity along the STEM career ladder/lattice and debunk myths around the inaccessibility of STEM careers due to the perceived academic requirements. The enormous variety of STEM occupations will require career guidance information on alternative career pathways/career lattice models and non-academic training routes. Some of these career awareness, guidance activities, and products under the STEM Initiative may be provided by connecting with existing projects and/or funding that may have already developed valuable STEM career guidance materials, such as those from the High Growth Job Training Initiative, Community-Based Job Training Grants grantees, Career Voyages Web site (*http://www.careervoyages.gov/*), professional associations, and other government agencies.

To indicate the range of opportunities for individuals, the following is an example of a career ladder in advanced manufacturing:

- Entry level (laborer, packer, machine operator);
- Mid-level or two-year degree or tech prep (engineering technician, electronic technician, instrument maker, laboratory technician, mechanical technician); and
- Professional level (chemist, physicist, scientist, mechanical engineer, biochemical engineer).

Training and Educational Opportunities. The major focus of the STEM Initiative is to allow participants to have access to a variety of educational, training, and retraining opportunities through numerous funding mechanisms and entities, with the goal of receiving a post-secondary degree or an industry-recognized license, certificate, or credential that will lead to job placement in a STEM occupation. These education and training opportunities may range from a short-term training program leading to a certificate, to an associate's or bachelor's degree course of study, to work-based learning opportunities such as pre-apprenticeships and apprenticeships, internships, and on-the-job training.

ETA expects that the regional WIB consortium will coordinate through the STEM Centers of Excellence the integration of funding and activities available through the Workforce Investment Act of 1998 (WIA), and its partners with current STEM activities funded through other sources such as: NSF, Departments of Education, Energy and Defense, NASA, and EPA to enhance and expand workforce system participants' STEM education and training opportunities and experiences.

Applicants may pilot Career Advancement Accounts (CAAs) as part of this Initiative, which are self-managed accounts that enable current and future workers to gain skills needed to succeed in 21st century jobs. In addition, applicants are encouraged to create STEM-related registered apprenticeship programs and ETA will provide technical assistance, if needed.

Other Participant Services. Participant services provided in the STEM Centers of Excellence through a STEM Coach (described below) may include, but are not limited to:

- Intake/recruitment;
- Assessment of STEM interest and aptitude, including identification of skill gaps inhibiting employment opportunities, certifications, specific credentials, security clearances, technical skills, and business/soft skills;
- Development of a Career Blueprint (described below) based on the assessment;
- Job search and placement support provided by STEM Coaches and partnering employers; and
- STEM Mentors (described below).

An important part of each project will be the industry's identification of skills and competencies required in the STEM workforce region, which will require a strong partnership between regional STEM employers and training and education providers including the K–12 (primarily high schools and career and educational high schools), adult education, community and technical colleges, four year colleges and universities, and other training entities. This partnership will ensure that all participant activities in the STEM Centers of Excellence will be aligned with industry-driven STEM workforce education and training strategies including competency models, curricula, and new learning methodologies and technology-based learning. Please note that there is a large body of work completed on industry competencies and skills from a variety of sources, so in order to avoid duplication of efforts, ETA will work with grantees to connect them to resources to support this work.

Employer Services. STEM employers may receive a variety of customized services that may include, but not be limited to:

- Recruiting and screening qualified STEM workers;
- Job listings;
- Limited incumbent worker training and linkage to other training resources (see definition of limited in Part I(C), Project Scope and Allowable Activities);
- Customized labor market information; and
- Job retention services such as mentoring and other services.

In addition to receiving these services, it is ETA's expectation that regional STEM employers will be actively engaged in the project and should participate fully in grant activities including: (1) Helping to define the STEM Centers of Excellence strategy and approach; (2) identifying needed skills and competencies; (3) designing training approaches and curricula; (4) implementing project activities; (5) contributing financial support; and (6) where appropriate, hiring qualified STEM education and training graduates.

2. STEM Coaches

STEM Coaches, who may be site-based or virtual, will serve a critical function in the STEM Centers of Excellence, forging ties to STEM employers and linking program participants to STEM employment, education, and training opportunities. Each proposal must include funding of at least one STEM Coach, and these individuals will be required to have a diverse and unique set of skills that will be valuable to both the worker and the employer.

To be successful at cultivating productive relationships with STEM enterprises in the regional economy and assisting workers in preparation and employment in STEM occupations, the STEM Coach must have:

- Experience as a recruiter of STEM professionals or as a STEM educator, and an understanding of STEM employment, including understanding of STEM workforce needs, hiring processes, and applicable job market requirements for enterprises in their assigned regions; and
- Understanding of skills and competencies in STEM.

Key services for employers and participants provided by the STEM Coaches were addressed in the previous section (B.1) STEM One Stop Workforce Centers of Excellence.

3. STEM Mentors

Many people currently in STEM careers had access to professionals who were in similar fields and could provide advice and support to help them succeed. Youth graduating from multiple educational pathway programs and dislocated workers may lack that social capital. However, in this Initiative, STEM Mentors will serve in this critical function to remove obstacles to achievement and support participants along the STEM career ladder/lattice.

STEM Mentors, who may be virtual or site-based, will clarify and identify career development opportunities for STEM job seekers that support both the individual and employer objectives. The STEM Mentor may be someone who is currently employed by industry, enrolled in a STEM academic program, or a STEM retiree who is interested in supporting youth and dislocated workers. The Mentor will offer ongoing support to the newly placed employee in the content areas of STEM, and also will encourage the character qualities required in the workplace (e.g. motivation, problem-solving, teamwork, adaptability/flexibility, and dependability/reliability). In addition, Mentors may be asked to support participants in education and training, if needed.

The STEM Mentor will be required to fulfill the following functions:

a. Participate in self-paced/long distance/or classroom-based orientation for mentor program;

b. Engage in a 6-month or 1 year commitment with protégé;

c. Meet regularly with the STEM candidate/student; and

d. Communicate with STEM candidate/student on an as-needed basis.

STEM Coaches will recruit STEM Mentors and connect them to the appropriate protégé. Applicants will need to articulate recruitment and outreach strategies for STEM Mentors and describe the mentoring activities that will be available to STEM candidates/students.

4. Career Blueprint

Participants in this Initiative will develop and test the concept of a ''Career Blueprint,'' which is an intentional career development framework and map synchronized with the skills and competencies needed to advance along a STEM career pathway for all individuals at all ages and stages of their lives. While somewhat similar in concept to an Individual Development Plan or Individual Education Plan, the Career Blueprint will take a longer-range view of career planning and will be a template tool for designing and building a personal career pathway plan. In addition to identifying

the first steps to attain an initial career goal, it will also include next steps and additional career goals along the individual's proposed career ladder or lattice. Individuals will be given tools to proactively manage their career through repeated engagement of career decision making and transition processes throughout their lives. The STEM Mentors and Coaches in this Initiative will be trained to assist participants with creating their Career Blueprint.

The Career Blueprint format will prompt the individual to plan for both work experiences and post-secondary education. For example, the Career Blueprint will suggest a range of options to consider, including work readiness credentials, pre-apprenticeships, internships, nontraditional apprenticeships, and on-the-job training. Post-secondary education at the community college level or above will be intertwined with the work experience components, rather than being considered a separate track. Lifelong learning, both formally and on-the-job, will be emphasized as an integral part of career planning.

5. Technical Assistance

Through the STEM Initiative, participating One Stop Career Centers and WIBs may receive ongoing intensive technical assistance (TA), at group meetings and individually, given by a cadre of STEM experts from a variety of organizations and Federal agencies. The STEM Initiative will also include the creation of a peer-to-peer learning community to give teams opportunities to share challenges and best practices. Technical assistance topics may include: Talent development of STEM Coaches, creation of nontraditional STEM apprenticeship programs, models of STEM career pathways, leveraging regional STEM resources, and best practices of STEM employer engagement. The STEM WIRED resource team, located in ETA, has documented many of the STEM resources and activities across agencies, foundations, associations, and the private sector and this document will serve as a resource for grantees.

At the end of the STEM Initiative, it is ETA's expectation that grantees will document best practices and lessons learned to disseminate widely to the workforce investment system to encourage and facilitate replication. In addition, grantees may serve as valuable resources for educational materials, ideas, contacts, and mentoring for the workforce system.

C. Use of Funds/Allowable Activities

STEM Initiative grants will be funded by H–1B fees as authorized under Sec. 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (Pub. L. 105–277, title IV) as amended by Public Law 108–447 (codified at 29 U.S.C. 2916a). These funds are focused on the development of the workforce and may be used to provide job training and related activities to workers to assist them in gaining the skills and competencies needed to obtain and upgrade career ladder employment in STEM related industry sectors and occupations projected to experience significant growth or significant demand for workers. Whether the focus is on an industry sector or an occupational area, training investments using grant funds should focus on workforce education in high-skill occupations requiring significant science, technology, engineering, and/or mathematics skills. Funds available under this Solicitation may only be used for projects that provide training in the occupations and industries for which employers use H–1B visas that generate these funds and the related activities limited to those necessary to support training in such occupations and industries. Please see the attached list of STEM-related occupations and industries that have been identified as those for which employers use H–1B visas to employ foreign workers. Activities funded under this Solicitation must be focused on developing skills and competencies related to the fields identified in the Attachment.

Funds may also be used to enhance the provision of job training services and information as authorized in 29 U.S.C. 2916(a)(2)(B). Therefore, allowable activities under this Initiative may include:

- STEM education and training;
- Hiring of STEM Coaches;
- Purchase of STEM-related assessments for the One Stop Career Centers;
- Educational preparation of participants for NSF scholarships and other funding opportunities;
- Coordination and support of STEM work-based learning opportunities for participants such as on-the-job training (OJT) and apprenticeships;
- Career guidance;
- STEM Employer Services such as job listings and matches, assessments, and interviewing and prescreening;
- Job preparation and placement activities;
- Recruitment and outreach materials and activities to multiple educational pathway programs, faith and community-based organizations and other entities;
- Development and implementation of Career Blueprints;
- Summer academic enrichment activities;
- Development of new formats and innovative learning approaches to STEM courses and activities that increase accessibility to occupational training for participants;
- Assessment of skill levels, aptitudes, abilities, and supportive service needs of individuals;
- Support for participants' STEM school preparation and critical transition points such as high school to college, between 2- and 4-year college, and from undergraduate study to the workplace;
- Travel and related expenses to STEM trainings;
- On-site or virtual capacity-related infrastructure expenses that support STEM activities in the One Stop Career Centers;
- Establishment and expansion of partnerships and collaborations in order to build the STEM capacity of the region;
- Support for visiting faculty and industry practitioners to the One Stop Career Centers and partnering organizations to provide STEM disciplinary and topical seminars;
- STEM asset analysis and mapping;
- Documentation and dissemination of STEM resources, knowledge, and lessons learned through the grant;
- Limited STEM incumbent worker training that directly contributes to career progression in a STEM career;
- Limited STEM course and curriculum development, revision, and enhancement to partnering alternative secondary schools and higher education institutions;
- Limited enhancement of STEM equipment available for educational opportunities for participants to partnering alternative secondary schools and higher education institutions; and
- Other activities directly in support of the development of the skills necessary for careers in STEM fields.

Please note that the intention of the STEM Initiative is not to utilize grant funds to develop curriculum, provide incumbent worker training, and/or purchase equipment; therefore, the term ''limited'' means that no more than 10 percent of grant funds may be used for such purposes, without further justification and approval from the Grant Officer. ETA encourages these types of activities and will expect that the applicant will leverage other resources to enhance the project

capacity. The scope and size of the project will vary based on the number of individuals to be served through the STEM Centers of Excellence as well as the availability of other leveraged resources for participants and employers.

Proposed projects must clearly outline how the activities and resources will result in the achievement of the overall objectives of the Initiative. At a minimum, applications must:

- Coordinate and strategically align regional STEM workforce preparation, education and training, and employment activities, strategies, and resources (new and existing), that will result in significant and sustainable impacts;
- Increase accessibility and broaden participation of STEM education and training opportunities for disadvantaged youth and dislocated workers;
- Increase numbers of workers placed in STEM employment;
- Increase access for STEM employers to job candidates with sought after skills and background;
- Establish, expand, and enhance strategic partnerships with the workforce system and regional STEM employers, the continuum of education including the K–12 system, adult education, higher education institutions including community colleges and multiple educational pathway programs, faith and community-based organizations, industrial and national laboratories, and STEM professional associations to build the region's STEM expertise, financial, and operational capacities;
- Increase retention of STEM students/participants and employees through STEM Mentors;
- Test and model the concepts of Career Blueprints, STEM Coaches, STEM Mentors, and STEM Centers of Excellence; and
- Disseminate results of the STEM workforce system model.

II. Award Information

A. Award Amount

ETA intends to fund approximately 5–7 grants ranging from $1.5 million to $2 million through this competition. However, this does not preclude ETA from funding grants at either a lower or higher amount, or funding a smaller or larger number of projects, based on the type and the number of quality submissions. Applicants are encouraged to submit budgets for quality projects at whatever funding level is appropriate to their project. Nevertheless, applicants should recognize that the funds available through this solicitation are designed to complement additional leveraged resources rather than be the sole source of funds for the proposal.

B. Period of Performance

The period of grant performance will be up to 36 months from the date of execution of the grant documents. This performance period shall include all necessary implementation and start-up activities, participant follow-up for performance outcomes, and grant close-out activities. A timeline clearly detailing the required grant activities and their expected completion dates must be included in the Phase II proposal grant application. ETA may elect to exercise its option to award no-cost extensions to grants for an additional period, based on the success of the program and other relevant factors, if the grantee applies for, and provides a significant justification for, such an extension.

III. Eligibility Information and Other Grant Specifications

A. Eligible Applicants

An individual workforce investment board (WIB), representing a regional consortium of WIBs, is the eligible applicant. A WIB must submit an application on behalf of a specific, defined multi-county economic region comprised of various workforce investment areas that make up the consortium and demonstrate responsibility for administering the project. The application must demonstrate that the consortium of WIBs representing the region serve in partnership with this applicant, and should do so by submitting a letter of commitment in Phase I from each of the WIBs in the partnership. If the defined region is a rural area or a portion of a state whereby only one WIB exists, this exception must be explained in the Technical Proposal in Phase I. The grant application form (SF 424) should contain the information of the WIB that is serving as the grant recipient and must be signed by a duly authorized official.

Joint applications for regions that cross state lines will be accepted. Applications for multi-state regions must be from an individual WIB that will have responsibility for administering the project. The application must also demonstrate that the consortium of WIBs representing the multi-state region serve in partnership with this applicant, and should do so by submitting a letter of commitment in Phase I from each of the WIBs in the partnership.

Regional economies are typically defined as geographically contiguous areas. However, a proposal that persuasively makes an innovative case for a non-contiguous regional economy will be considered.

B. Cost Sharing or Matching

Cost sharing, matching, or cost participation is not required for eligibility; however, applicants are strongly encouraged to leverage resources from key entities in the strategic partnership in order to maximize the impact of the project in the region. Applicants should describe what resources, new and existing, may support the goals of the project and how they support STEM workers and employers. While the failure to offer leveraged resources as a part of an application will not preclude consideration of the application, it will place the applicant at a competitive disadvantage since one of the evaluation criteria in Phase II evaluates the quality of the leveraged resources. The identification of existing or planned STEM initiatives within the region that can be aligned and integrated with the applicant's proposed activities are also considered to be leveraged resources.

C. Other Grant Specifications

1. *Required Partnerships.* To be considered for funding, the applicant must demonstrate that the project will be implemented by a strategic partnership that includes at a minimum: (1) The publicly funded workforce investment system, which will be represented by a regional consortium of WIBs; (2) the continuum of education, which may include high schools and/or multiple educational pathway programs (alternative education), community colleges and universities; and (3) STEM employers and industry-related organizations such as associations.

ETA also encourages a broader partnership that may include major national laboratories and centers, private foundations, organizations that receive Federal STEM funding, and professional organizations that may align relevant financial and operational resources to support the goals of the Initiative. In addition, partnerships with faith-based and community organizations that provide recruitment and retention support to entry-level workers are also encouraged.

2. *Regional STEM Analysis and Asset Mapping for Phase II Competition.* In Phase II of the competition, applicants that show evidence of a regional STEM analysis, asset mapping, or inventory of STEM-related activities that support the goals of this Initiative will receive five

bonus points. Applicants that do not show sufficient evidence will receive zero bonus points. Partial bonus points will not be awarded. To receive the bonus points, applicants need to document their analysis or inventory, which may include WIA funding, leveraged use of any of the multiple Federal agencies' STEM-related activities that are being implemented at the local and regional levels, state-based, foundation, and/or association initiatives. In addition, applicants must clearly describe the linkages of how these activities are going to expand, enhance, and/or be integrated into the proposed grant activities.

Please note that these bonus points will not be available in Phase I of the competition although articulating a clear understanding of the context of STEM in the applicant's regional economy will be a part of the evaluation criteria in both phases of the competition.

3. *Veterans Priority.* The Jobs for Veterans Act (Pub. L. 107–288) provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the Department of Labor. In circumstances where a STEM Initiative grant recipient must choose between two equally qualified candidates for training, one of whom is a veteran, the Jobs for Veterans Act requires that STEM Initiative grant recipients give the veteran priority of service by admitting him or her into the program. Please note that, to obtain priority of service, a veteran must meet the program's eligibility requirements. ETA Training and Employment Guidance Letter (TEGL) No. 5–03 (September 16, 2003), provides general guidance on the scope of the Job for Veterans Act and its effect on current employment and training programs. TEGL No. 5–03, along with additional guidance, is available at the ''Jobs for Veterans Priority of Service'' Web site: *http://www.doleta.gov/programs/vets.*

IV. Application and Submission Information

A. Address To Request Application Package

This solicitation contains all of the information and Web links to forms needed to apply for grant funding.

B. Content and Form of Application Submission

The competition will be implemented in two phases; a preliminary phase (Phase I) and the full proposal phase (Phase II). The proposal must consist of two (2) separate and distinct parts, Parts I and II, for both phases of the competition. Applications that fail to adhere to the instructions in this section will be considered non-responsive and may not be given further consideration. Applicants who wish to apply do not need to submit a Letter of Intent. The completed application package is all that is required.

1. *Phase I—Preliminary Proposal.* In Phase I of the competition, Part I of the proposal is the Cost Proposal and must include the following three items:

- The Standard Form (SF) 424, ''Application for Federal Assistance'' (available at *http://www.doleta.gov/sga/forms.cfm*). The SF 424 must clearly identify the applicant and be signed by an individual with authority to enter into a grant agreement. Upon confirmation of an award, the individual signing the SF 424 on behalf of the applicant will be considered the Authorized Representative of the applicant.
- All applicants for Federal grant and funding opportunities are required to have a Data Universal Numbering System (DUNS) number provided by Dun and Bradstreet. See Office of Management and Budget (OMB) Notice of Final Policy Issuance, 68 FR 38402 (June 27, 2003). Applicants must supply their DUNS number on the SF 424. The DUNS number is a nine-digit identification number that uniquely identifies business entities. Obtaining a DUNS number is easy and there is no charge. To obtain a DUNS number, access this Web site, *http://www.dunandbradstreet.com*, or call 1–866–705–5711.
- The SF 424A Budget Information Form (available at *http://www.doleta.gov/sga/forms.cfm.* In preparing the Budget Information Form, the applicant must provide a brief narrative explanation to support the request. The budget narrative should be no more than 2 pages and should include: (1) The total amount leveraged from Federal sources; (2) the total amount leveraged from non-Federal sources; (3) the partners contributing the resources; and (4) the projected activities to be implemented utilizing these resources.

Please note that applicants that fail to provide a SF 424, SF 424A, and a budget narrative will be removed from consideration prior to the technical review process. If the proposal calls for integrating WIA or other Federal funds or includes other leveraged resources, these funds *should not* be listed on the SF 424 or SF 424A Budget Information Form, but should be described in the budget narrative. The amount of Federal funding requested for the entire period of performance (up to 36 months) should be shown together on the SF 424 and SF 424A Budget Information Form. Applicants are also encouraged, but not required, to submit OMB Survey N. 1890–0014: Survey on Ensuring Equal Opportunity for Applicants, which can be found at *http://www.doleta.gov/sga/forms.cfm.*

Part II of the application is the Technical Proposal, which demonstrates the applicant's capabilities to plan and implement the activities of the STEM Initiative in accordance with the provisions of this solicitation.

For Phase I of the competition, the Technical Proposal will be limited to six (6) double-spaced, single-sided, 8.5 inch × 11 inch pages with 12 point text font and one-inch margins, which includes a project summary and description. Applicants should number the Phase I Proposal beginning with page number one. Any pages over the 6-page limit will not be reviewed. Except for the discussion of any leveraged resources to address the evaluation criteria, no cost data or reference to prices should be included in the Phase I Proposal. This six-page Phase I Technical Proposal should consist of the following:

- *Project Summary (1 page).* The Summary is a critical proposal element that must make the essence of the project clear to the reviewer. It must succinctly identify: (1) Applicant name; (2) key strategies and project design including a description of the alignment of resources and activities and strategic impact (3) strategic partnerships, and (4) requested funding level. This is limited to one page.
- *Project Description (5 pages).* The narrative provides an overview of the Project Description and is limited in length to five pages. The Project Description should explain the proposed general project activities and strategic partnerships and should include the identification of the region, the specific need for the Federal investment such as the STEM employers' roles in and impact on the regional economy, roles of each partner, project design and activities including the STEM Centers for Excellence capacity building activities, STEM fields targeted, education and training activities, and project outcomes and impact. The evaluation criteria are described in further detail in section V(A).

2. *Phase II—Full Proposal.* In Phase II of the competition, Part I of the proposal is the Cost Proposal and must include the following three items:

• The Standard Form (SF) 424, ''Application for Federal Assistance'' (available at *http://www.doleta.gov/sga/forms.cfm*). The SF 424 must clearly identify the applicant and be signed by an individual with authority to enter into a grant agreement. Upon confirmation of an award, the individual signing the SF 424 on behalf of the applicant will be considered the Authorized Representative of the applicant.

• All applicants for Federal grant and funding opportunities are required to have a Data Universal Numbering System (DUNS) number provided by Dun and Bradstreet. See Office of Management and Budget (OMB) Notice of Final Policy Issuance, 68 FR 38402 (June 27, 2003). Applicants must supply their DUNS number on the SF 424. The DUNS number is a nine-digit identification number that uniquely identifies business entities. Obtaining a DUNS number is easy and there is no charge. To obtain a DUNS number, access this Web site, *http://www.dunandbradstreet.com*, or call 1–866–705–5711.

• The SF 424A Budget Information Form (available at *http://www.doleta.gov/sga/forms.cfm.* In preparing the Budget Information Form, the applicant must provide a concise narrative explanation to support the request. The budget narrative should include: (1) The total amount leveraged from Federal sources; (2) the total amount leveraged from non-Federal sources; (3) the partners contributing the resources; (4) the projected activities, broken out by the source of the leveraged resource (Federal or non-Federal) to be implemented utilizing these resources; (5) the amount of grant funds to be spent on direct training, and (6) cost per participant.

Please note that applicants that fail to provide a SF 424, SF 424A, and a budget narrative will be removed from consideration prior to the technical review process. If the proposal calls for integrating WIA or other Federal funds or includes other leveraged resources, these funds *should not* be listed on the SF 424 or SF 424A Budget Information Form, but should be described in the budget narrative and in Part II of the proposal. The amount of Federal funding requested for the entire period of performance (up to 36 months) should be shown together on the SF 424 and SF 424A Budget Information Form. Applicants are also encouraged, but not required, to submit OMB Survey N. 1890–0014: Survey on Ensuring Equal Opportunity for Applicants, which can be found at *http://www.doleta.gov/sga/forms.cfm*.

Part II of the Phase II application is the full Technical Proposal that is limited to twenty (20) double-spaced, single-sided, 8.5 inch x 11 inch pages with 12 point text font and one-inch margins. Applicants should number the Phase II Proposal beginning with page number one. Any pages over the 20-page limit will not be reviewed. In addition, in attachments, which may not exceed ten (10) pages, the applicant may provide resumes, a list of staff positions to be funded by the grant, statistical information, general letters of support, and other related material. Please note that applicants *should not send letters of commitment or support separately* to ETA because letters are tracked through a different system and will not be attached to the application for review. Additionally, the applicant must reference grant partners by organizational name in the text of the Phase II Proposal. Except for the discussion of any leveraged resources to address the evaluation criteria, no cost data or reference to prices should be included in the Phase II Proposal. In addition, the following information is required:

• A table of contents listing the application sections;

• A one to two-page timeline outlining project activities and an anticipated schedule for deliverables;

• A one to two-page abstract summarizing the proposed project and applicant profile information including: applicant name, project title, industry focus, partnership members, proposed education and training and STEM Centers of Excellence capacity building activities, funding level requested, the amount of leveraged resources, the target group(s), and a project description as described in the evaluation criteria in Section V(A) of this solicitation. The abstract should also clearly note how the consortium of WIBs and the region will be defined in the application and the points of access of delivery, *i.e.*, the STEM Centers of Excellence, virtual or site-based for the region.

• A one to three-page summary of outcomes listing all projected STEM training, employment, and capacity building outcomes that includes the following:

• *Training Outcomes*. List the projected numbers for all training activities, including but not limited to: total enrollment in training program; increase in enrollment attributed to grant (number of additional students); the number of individuals trained in STEM occupations using grant dollars; the number of individuals trained as a result of leveraging of resources (*e.g.* training is paid through sources other than the grant or tuition, including Workforce Investment Act training resources such as customized training, ITAs, or pilot CAAs); entered employment; employment retention; average earnings; entered employment in industry related to training; number receiving promotions and/or wage gains; number participating in STEM work-based learning opportunities; number receiving credentials; and for youth, literacy and/or numeracy gains.

• *Capacity Building Outcomes*. For STEM Centers of Excellence, include: all products to be developed during the grant period; a list of capacity building products (including, but not limited to, curriculum and course materials, competency models and career ladders, career guidance and outreach materials, Career Blueprints, assessment, reports and databases, and program management and implementation tools to enhance infrastructure); the projected date the product will be completed; and the estimated number of individuals impacted or affected during the grant period.

• *Impact Outcomes*. Include information on how the project will: broaden participation of disadvantaged youth and dislocated workers in STEM fields; institutionalize new and different partnerships and resources developed under the grant; increase articulation agreements between multiple educational pathway programs (*i.e.* Alternative Education) and two-year colleges, or provide pathways from two-year colleges to four-year colleges or university programs; increase participation of STEM employers with the workforce system to address current and future needs in the region; improve alignment and coordination of regional STEM workforce preparation, education, and training activities; and advance workforce system knowledge of and activities in STEM education and training.

Please note that the abstract, summary of outcomes, table of contents, and timeline are not included in the Phase II Proposal page limitation, but have their own page limitations, listed above. Applications that do not provide Part II of the Phase II application may be removed from consideration prior to the technical review process.

Applications may be submitted electronically on *www.grants.gov* or in hardcopy via U.S. mail, professional overnight delivery service, or hand delivery. These processes are described in further detail in Part IV(C). Applicants submitting proposals in hardcopy must submit an original signed application (including the SF 424) and one (1) ''copy-ready'' version,

free of bindings, staples, or protruding tabs to ease in the reproduction of the proposal by DOL. Applicants submitting proposals in hardcopy are also requested, though not required, to provide an electronic copy of the proposal on CD–ROM.

C. Submission Date, Times, and Addresses

The closing date for receipt of Phase I applications under this solicitation is March 11, 2008. Applicants receiving notice of recommendation to participate in Phase II of the competition will also receive information on the closing date for receipt of Phase II applications. For both phases of the competition, applications must be received at the address below or successfully submitted through grants.gov no later than 4 p.m. (Eastern Time). Applications sent by e-mail, telegram, or facsimile (fax) will not be accepted. Applications that do not meet the conditions set forth in this notice will not be honored. No exceptions to the mailing and delivery requirements set forth in this notice will be granted.

ETA will host a Virtual Prospective Applicant Conference for this grant competition on January 25, 2008 at 2 p.m. Eastern Time (ET). Registration for the Prospective Applicant Conference will be available at: *http://www.workforce3one.org/public/webinars/details.cfm?id=266*.

Mailed applications must be addressed to the U.S. Department of Labor, Employment and Training Administration, Division of Federal Assistance, Attention: Marsha Daniels, Reference SGA/DFA PY 07–03, 200 Constitution Avenue, NW., Room N–4716, Washington, DC 20210. Applicants are advised that mail delivery in the Washington area may be delayed due to mail decontamination procedures. Hand delivered proposals will be received at the above address.

Applicants may apply online through Grants.gov (*http://www.grants.gov*). Any application received after the deadline will not be accepted. It is strongly recommended that before the applicant begins to write the proposal, applicants immediately review the grants.gov website to include all frequently asked questions, and initiate and complete the ''Get Started'' steps to register at *http://www.grants.gov/GetStarted*. These steps may take several days to complete and should be factored into the plans for electronic application submission in order to avoid facing unexpected delays that could result in the rejection of the application. To ensure that the application is submitted on time, it is recommended that it is submitted multiple days before the due date in order to address any technical difficulties that may be encountered. It is the sole responsibility of the applicant to ensure timely submission. If submitted electronically through *http://www.grants.gov*, applicants must save the application file as a .doc, .xls or .pdf file.

Late Applications. Any application received after the exact date and time specified for receipt at the office designated in this notice will not be considered, unless it is received before awards are made, was properly addressed, and: (a) Was sent by U.S. Postal Service registered or certified mail not later than the fifth calendar day before the date specified for receipt of applications (e.g., an application required to be received by the 20th of the month must be post marked by the 15th of that month) or (b) was sent by professional overnight delivery service or submitted on Grants.gov to the addressee not later than one working day prior to the date specified for receipt of applications. It is highly recommended that online submissions be completed one working day prior to the date specified for receipt of applications to ensure that the applicant still has the option to submit by professional overnight delivery service in the event of any electronic submission problems. ''Post marked'' means a printed, stamped, or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service. Therefore, applicants should request the postal clerk to place a legible hand cancellation ''bull's eye'' postmark on both the receipt and the package. Failure to adhere to the above instructions will be a basis for a determination of nonresponsiveness. Evidence of timely submission by a professional overnight delivery service must be demonstrated by equally reliable evidence created by the delivery service provider indicating the time and place of receipt.

D. Intergovernmental Review

This funding opportunity is not subject to Executive Order (EO) 12372, ''Intergovernmental Review of Federal Programs.''

E. Funding Restrictions

Determinations of allowable costs will be made in accordance with the applicable Federal cost principles. Disallowed costs are those charges to a grant that the grantor agency or its representative determines not to be allowed in accordance with the applicable Federal Cost Principles or other conditions contained in the grant. Successful or unsuccessful applicants will not be entitled to reimbursement of pre-award costs.

Limitations on Cost Per Participant. Because the costs of training may vary considerably depending on the skills and competencies required in different occupations in different industries, flexibility will be provided on cost per-participant. However, applications for funding will be reviewed to determine if the cost of the training is appropriate and will produce the outcomes identified. Applicants should demonstrate that the proposed cost per participant is aligned with existing price structures for similar training in the local area or other areas with similar characteristics. When calculating cost per participant, applicants must distinguish between non-training and training costs utilizing grant funds.

Indirect Costs. As specified in OMB Circular Cost Principles, indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular cost objective. In order to utilize grant funds for indirect costs incurred, the applicant must obtain an Indirect Cost Rate Agreement with its Federal Cognizant Agency either before or shortly after the grant award.

Administrative Costs. Under the STEM Initiative, an entity that receives a grant to carry out a project or program may not use more than 10 percent of the amount of the grant to pay administrative costs associated with the program or project. Administrative costs could be both direct and indirect costs and are defined at 20 CFR 667.220. Administrative costs do not need to be identified separately from program costs on the SF 424A Budget Information Form. They should be discussed in the budget narrative and tracked through the grantee's accounting system. To claim any administrative costs that are also indirect costs, the applicant must obtain an indirect cost rate agreement from its Federal cognizant agency as specified above.

Use of Funds for Supportive Services. Use of grant funds for supportive services, such as transportation and childcare, is not an allowable cost under this Solicitation for Grant Applications, including funds provided through stipends for such purposes.

Salary and Bonus Limitations. In compliance with Public Law 109–234 and Public Law 110–5, none of the funds appropriated in Public Law 109–149, Public Law 110–5, or prior Acts

under the heading ''Employment and Training'' that are available for expenditure on or after June 15, 2006, shall be used by a recipient or sub-recipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, except as provided for under section 101 of Public Law 109–149. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A–133. See Training and Employment Guidance Letter number 5–06 for further clarification: *http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262*.

Legal Rules Pertaining to Inherently Religious Activities by Organizations that Receive Federal Financial Assistance. The government is generally prohibited from providing direct financial assistance for inherently religious activities (please see 29 CFR part 2, subpart D). These grants may not be used for religious instruction, worship, prayer, proselytizing or other inherently religious activities except as provided in those regulations. Neutral, non-religious criteria that neither favors nor disfavors religion will be employed in the selection of grant recipients and must be employed by grantees in the selection of sub-recipients.

ETA Intellectual Property Rights. Applicants should note that grantees must agree to provide USDOL/ETA a paid-up, nonexclusive and irrevocable license to reproduce, publish, or otherwise use for Federal purposes all products developed or for which ownership was purchased under an award, including but not limited to curricula, training models, technical assistance products, and any related materials, and to authorize them to do so. Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise.

F. Withdrawal of Applications

Applications may be withdrawn by written notice at any time before an award is made. Applications may be withdrawn in person by the applicant or by an authorized representative thereof, if the representative's identity is made known and the representative signs a receipt for the proposal.

V. Application Review Information

A. Evaluation Criteria

This section identifies and describes the criteria that will be used to evaluate the proposals in Phase I and Phase II of this competition. Distinct criteria and point values have been developed for each phase of the application process.

PHASE I RATING CRITERIA

Criterion	Points
1. Statement of Need/Context	25
2. Partnerships/Project Design	35
3. Outcomes and Impact	40
Total Points:	100

1. *Statement of Need/Context* (25 points)

Applicants must articulate a clear and specific need for the Federal investment, identify the region in which the grant activities will take place and demonstrate knowledge of regional economic, business, education, and workforce development dynamics that contribute to talent development strategies in STEM-related industries in the region.

2. *Partnerships/Project Design* (35 points)

The applicant must identify proposed general project activities and strategic partnerships (new and existing), including the targeted STEM fields and the targeted populations to be served, and also include a preliminary description of how all activities, strategies, and resources will be coordinated and integrated by the consortium of WIBs through the STEM Centers of Excellence. In addition, proposals will be evaluated on the following:

- Has the applicant clearly articulated how the coordinated and strategically aligned regional STEM workforce preparation, education and training and employment activities, strategies and resources (new and existing) will result in significant and sustainable impacts and carry out the purposes of this solicitation?
- Has the applicant described clearly how the established, expanded, and enhanced strategic partnerships will build the region's STEM expertise, as well as the financial and operational capacities for the proposed project?
- Has the applicant described the recruitment and outreach efforts for targeted populations such as disadvantaged youth and dislocated workers?

3. *Outcomes and Impact* (40 points)

Applicants need to demonstrate a results-oriented approach to the STEM Initiative project by describing the proposed outcome measures relevant to measuring success and the long term impact of the project. In addition, proposals will be evaluated on the following:

- Has the applicant fully articulated how the proposed activities will result in the advancement of workforce system knowledge of and activities in STEM education and training?
- How do the proposed activities increase accessibility and broaden STEM education and training opportunities for disadvantaged youth and dislocated workers?
- Do the proposed project activities result in increased numbers in STEM employment and increased participation of STEM employers in the region?

PHASE II PROPOSAL RATING CRITERIA

Criterion	Points
1. Statement of Need/Context	10
2. Strategic Partnerships	20
3. Project Design and Implementation	25
4. Outcomes and Impact	30
5. Program Management, Organizational Capacity, and Budget ..	15
6. Bonus: Regional STEM Analysis and Asset Mapping	5
Total Points Possible	105

1. *Statement of Need/Context* (10 points)

Under this criterion, applicants must fully articulate a clear and specific need for the federal investment and identify the region in which grant activities will take place. As part of the statement of need, applicants must demonstrate knowledge of regional economic, business, education, and workforce development dynamics that contribute to talent development strategies in STEM-related industries. In addition, applicants must:

- Describe the role of STEM employers in the local and regional economy and the impact of these employers on the regional economy;
- Demonstrate strong STEM employment opportunities in the local or regional labor market and the skills and competencies needed for these jobs;
- Identify STEM-related industries that are growing and expanding in the local and regional economy; and
- Describe efforts undertaken to date to coordinate and align resources for STEM activities and demonstrate why resources are needed to continue or begin those efforts.

2. *Strategic Partnerships* (20 points)

The applicant must demonstrate that the strategic partnership is a strong team of, at a minimum, the workforce system, the continuum of education, and STEM business and industry. Applicants must:

- Identify all partners and explain the meaningful and committed role that each partner will play in the project;
- Describe how new and existing partnerships will be engaged to coordinate STEM activities in the One Stop Career Centers;

• Elaborate on how leveraged resources and partnerships will achieve more significant impacts;

• Demonstrate existing coordination of partnerships or capacity to quickly establish these links;

• Demonstrate how established, expanded, or enhanced strategic partnerships with the workforce system and regional STEM employers, higher education institutions including community colleges, multiple educational pathway programs, faith and community-based organizations, industrial and national laboratories, and STEM professional associations build the region's STEM expertise, financial, and operational capacities; and

• Describe new or established articulation agreements between multiple educational pathway programs (i.e. Alternative Education) and two-year colleges, or providing pathways from two-year colleges to four-year colleges or university programs to enhance and expand the project.

Points for this criterion will be awarded based on several factors:

• The completeness of the partnership, based on project design (5 points);

• The degree of meaningful engagement of partners in project activities (5 points);

• The extent to which the applicant integrates partners' strengths and assets into project design and implementation (5 points); and

• The extent to which strategic partnerships expand the region's STEM-related capacities (5 points).

3. *Project Design and Implementation* (25 points)

The applicant must fully describe how the proposed project would be operationalized and how all activities, strategies, and resources will be coordinated by the consortium of WIBs through the STEM Centers of Excellence to support the STEM careers of participants while assisting STEM employers in remaining competitive in the regional economy. Elements in this section should address:

• The primary grant activities and how they will be designed and implemented in the STEM Centers of Excellence in order to achieve the initiative's key features, goals and objectives;

• Timeline for the proposed activities with measurable milestones;

• Capacity of One Stop Career Centers and WIB consortium to provide services and align resources;

• STEM fields targeted for project;

• Number of individuals and employers served and type of activities;

• Number of new partnerships created or existing partnerships expanded;

• The proposed innovative training and education activities and strategies targeting skills demanded by regional STEM employers;

• Development and implementation of a Career Blueprint and how it will support participants' long-term STEM career growth along a defined career pathway;

• Strategies for effective recruitment, mentoring, retention, and educational and training completion of participants, particularly the recruitment of disadvantaged youth and dislocated workers, including the role and responsibilities of STEM Coaches and Mentors;

• How the program will effectively identify and recruit STEM Mentors;

• How the project will identify and address the knowledge, skills, and competencies needed by the STEM workforce for the evolving, converging, and emerging industries;

• How this project will complement, enhance, or link to existing STEM efforts in the region;

• The integration of the proposed activities of the grant into broader regional economic development strategies; and

• Sustainability strategies and methods after DOL funding ends.

Points for this criterion will be awarded based on several factors:

• The completeness of the project description, and evidence that proposed activities will achieve the objectives of this solicitation, as described in Part I(C), including clear strategies for implementation and operalization (10 points);

• Evidence that the proposed activities test and model the concepts of Career Blueprint, STEM Coach, STEM Mentors, and STEM Centers of Excellence (5 points);

• Demonstrated capacity of One Stop Career Centers and WIB consortium to provide services and align resources (5 points);

• Evidence that the proposed activities clearly link to STEM efforts in the region (2 points); and

• The existence of a clear sustainability plan that will continue to support activities of the STEM Centers of Excellence beyond DOL funding (3 points).

4. *Outcomes and Impact* (30 points)

Applicants need to demonstrate a results-oriented approach to managing and operating the STEM Initiative project by fully describing the proposed outcome measures relevant to measuring success or impact of the project. Scoring on this criterion will be based on:

• A full and accurate description of project outcomes that includes baseline numbers for tracking progress, benchmarks of outcome goals, and the method(s) of evaluating impact (10 points). This description must include:

• Training and education outcomes including the adult common measures: job placement, retention, and average earnings;

• Identification of types of credentials that participants will earn as a result of the training and/or education;

• Identification of types of STEM work-based learning opportunities for participants;

• STEM Centers of Excellence capacity building outcomes such as competency models, career guidance materials, and Career Blueprint templates;

• The extent to which the project will broaden participation of disadvantaged youth and dislocated workers in STEM careers through new or more effective approaches, strategies, or models; and

• The increase in new and/or different partnerships to align STEM resources and activities.

• The extent to which outcomes are measurable, realistic, and consistent with the objectives of the project (10 points);

• Evidence that the proposed activities will contribute to the knowledge base on increasing the diverse and full participation of the STEM pipeline (5 points); and

• Demonstration of regional impact with regards to alignment of STEM resources, expertise, and programs (5 points).

5. *Program Management, Organizational Capacity, and Budget* (15 points)

To satisfy this criterion, applicants must describe their proposed project management structure including, where appropriate, the identification of a proposed project manager, discussion of the proposed staffing pattern, and the qualifications and experience of key staff members. Applicants should also show evidence of the use of data systems to track outcomes in a timely and accurate manner. The applicant should include a description of organizational capacity and the organization's track record in projects similar to that described in the proposal and/or related activities of the primary partners.

Scoring under this criterion will be based on the extent to which applicants provide evidence of the following:

• The time commitment of the proposed staff is sufficient to ensure

proper direction, management, and timely completion of the project;

- The roles and contribution of staff, consultants, and collaborative organizations are clearly defined and linked to specific objects and tasks;
- The background, experience, and other qualifications of the staff are sufficient to carry out their designated roles;
- The applicant organization has significant capacity to accomplish the goals and outcomes of the project, including the ability to collect and manage data in a way that allows consistent, accurate, and expedient reporting; and
- The budget is sufficient to meet project goals.

6. *Bonus: Regional STEM Analysis and Asset Mapping* (5 bonus points)

Applicants that provide evidence of regional STEM analysis or inventory and linkages to the proposed project will receive five bonus points. Partial bonus points will not be awarded. Applicants must fully describe efforts undertaken to date to coordinate and align resources for STEM activities and demonstrate why resources are needed to continue or begin those efforts. The applicant must also provide evidence of any such efforts, including regional STEM analysis, asset mapping, or inventory of STEM-related activities that would support the goals of this Initiative.

VI. Award Administration Information

A. Review and Selection Process

Applications for STEM Initiative grants will be accepted after the publication of this announcement until the closing date for the Phase I and Phase II proposal submissions of the competition, respectively. In both phases, a technical review panel will make a careful evaluation of applications against the criteria set forth in section V(A) of this solicitation. These criteria are based on the policy goals, priorities, and emphases set forth in this solicitation. Up to 100 points may be awarded for a Phase I application, and up to 105 points may be awarded for a Phase II application, based on the required information described in section V(A) of this solicitation.

Phase I proposals provide an opportunity to assess the responsiveness of the project to the solicitation guidelines and the potential to compete successfully in the Phase II proposal review process. In Phase I, the ranked scores will serve as the primary basis for selection of applicants that will be recommended for participation in the Phase II proposal competition, in conjunction with other factors such as urban, rural, and geographic balance; industry balance; and which proposals are most advantageous to the Government. All applicants are required to submit Phase I proposals and after completion of the Phase I proposal review, applicants that are selected will receive a notice of recommendation to participate in the Phase II proposal competition as well as written comments on the Phase I proposal and other technical assistance. Please note that the applicant's notification of recommendation for submission of a Phase II proposal does not imply or confer approval of commitments, obligations, or awards on behalf of ETA or authorize the expenditure of funds.

In Phase II of the competition, a technical review panel will make careful evaluation of full proposal applications against the criteria set forth in section V(A) of this solicitation. The ranked scores will again serve as the primary basis for selection of applications for funding though other factors (such as urban, rural, and geographic balance; industry balance; the availability of funds, and which proposals are most advantageous to the Government) will also be considered. Applicants that only submit full proposals for Phase I will not be reviewed.

In both the Phase I and Phase II proposal reviews, proposals that are timely and responsive to the requirements of this solicitation will be rated against the criteria listed above for each phase by an independent panel comprised of representatives from DOL, other Federal agencies, STEM professionals and other peers. The panel results are advisory in nature and not binding on the Grant Officer in both phases of the competition, who may consider any information that comes to his attention. DOL may elect to award the grant(s) with or without prior discussions with the applicants. Should a grant be awarded without discussions, the award will be based on the applicant's signature on the SF 424, which constitutes a binding offer.

B. Award Notices

All award notifications will be posted on the ETA Homepage (*http://www.doleta.gov*). Applicants selected for award will be contacted directly before the grant's execution. Applicants not selected for award will be notified by mail.

C. Administrative and National Policy Requirements

1. Administrative Program Requirements

All grantees will be subject to all applicable Federal laws, regulations, and the applicable OMB Circulars. The grant(s) awarded under this solicitation will be subject to the following administrative standards and provisions, if applicable:

a. *Workforce Investment Act*—20 Code of Federal Regulations (CFR) part 667. (General Fiscal and Administrative Rules).

b. *Non-Profit Organizations*—OMB Circulars A–122 (Cost Principles) and 29 CFR part 95 (Administrative Requirements).

c. *Educational Institutions*—OMB Circulars A–21 (Cost Principles) and 29 CFR part 95 (Administrative Requirements).

d. *State and Local Governments*—OMB Circulars A–87 (Cost Principles) and 29 CFR part 97 (Administrative Requirements).

e. *Profit Making Commercial Firms*—Federal Acquisition Regulation (FAR)—48 CFR part 31 (Cost Principles), and 29 CFR part 95 (Administrative Requirements).

f. All entities must comply with 29 CFR parts 93 and 98, and, where applicable, 29 CFR parts 96 and 99.

g. The following administrative standards and provisions may also be applicable:

i. *29 CFR part 2, subpart D*—Equal Treatment in Department of Labor Programs for Religious Organizations, Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries;

ii. *29 CFR part 30*—Equal Employment Opportunity in Apprenticeship and Training;

iii. *29 CFR part 31*—Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964;

iv. *29 CFR part 32*—Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance;

v. *29 CFR part 33*—Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Labor;

vi. *29 CFR part 35*—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor;

vii. *29 CFR part 36*—Nondiscrimination on the Basis of Sex

in Education Programs or Activities Receiving Federal Financial Assistance;

vii. *29 CFR part 37*—Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998.

In accordance with section 18 of the Lobbying Disclosure Act of 1995 (Pub. L. 104–65) (2 U.S.C. 1611) non-profit entities incorporated under Internal Revenue Service Code section 501(c)(4) that engage in lobbying activities are not eligible to receive Federal funds and grants.

Note: Except as specifically provided in this Notice, DOL/ETA's acceptance of a proposal and an award of Federal funds to sponsor any program(s) does not provide a waiver of any grant requirements and/or procedures. For example, OMB Circulars require that an entity's procurement procedures must ensure that all procurement transactions are conducted, as much as practical, to provide open and free competition. If a proposal identifies a specific entity to provide services, the DOL/ETA's award does not provide the justification or basis to sole source the procurement, i.e., avoid competition, unless the activity is regarded as the primary work of an official partner to the application.

D. Special Program Requirements

Evaluation. DOL may require that the STEM Initiative grantees participate in an evaluation of overall performance of the STEM Initiative. To measure the impact, ETA may arrange for or conduct an independent evaluation of the outcomes and benefits of the projects. Grantees must agree to make records on participants, employers and funding available, and to provide access to program operating personnel and participants, as specified by the evaluator(s) under the direction of ETA, including after the expiration date of the grant.

E. Reporting

The grantee is required to provide the reports and documents listed below:

Quarterly Financial Reports. A Quarterly Financial Status Report is required until such time as all funds have been expended or the grant period has expired. Quarterly reports are due 45 days after the end of each calendar year quarter. Grantees must use ETA's On-Line Electronic Reporting System.

Quarterly Progress Reports. The grantee must submit a quarterly progress report to the designated Federal Project Officer within 45 days after the end of each calendar year quarter. Two copies are to be submitted providing a detailed account of activities undertaken during that quarter. DOL may require additional data elements to be collected and reported on either a regular basis or special request basis. Grantees must agree to meet DOL reporting requirements. The quarterly progress report should be in narrative form and should include:

- General Grant Information, including a summary of grant activities and a status update on leveraged resources and strategic partner activities;
- A Grant Timeline that includes the progress of grant activities, the key deliverables for each quarter, and the products available each quarter;
- Grant Outcomes will include but are not limited to: Enrollment, number completed training, number of certificates awarded, ETA's Common Measures, including entered employment, employment retention, and average earnings; number entered into employment related to training; and number receiving wage gains and promotions;
- Highlights of Promising Approaches and Success Stories; and
- Description of Technical Assistance Needs.

Final Report. A draft final report must be submitted no later than 60 days prior to the expiration date of the grant. This report must summarize project activities, employment outcomes, and related results of the education and training of the STEM Initiative, and should thoroughly document capacity building and training approaches. The final report should also include copies of all deliverables, e.g. competency models, Career Blueprints, and career guidance materials. After responding to DOL questions and comments on the draft report, three copies of the final report must be submitted no later than the grant expiration date.

VII. Agency Contacts

For further information regarding this solicitation, please contact Marsha Daniels, Grants Management Specialist, Division of Federal Assistance, at (202) 693–3504 (Please note this is not a toll-free number). Applicants should fax all technical questions to (202) 693–2879 and must specifically address the fax to the attention of Marsha Daniels and should include SGA/DFA PY 07–03, a contact name, fax and phone number, and email address. This announcement is being made available on the ETA Web site at *http://www.doleta.gov/sga/sga.cfm*, at *http://www.grants.gov*, as well as the **Federal Register**.

VIII. Other Information

OMB Information Collection No. 1205–0458. Expires September 30, 2009.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 20 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, the OMB Desk Officer for ETA, Office of Management and Budget, Room 10235, Washington, DC 20503. PLEASE DO NOT RETURN YOUR COMPLETED APPLICATION TO THE OMB. SEND IT TO THE SPONSORING AGENCY AS SPECIFIED IN THIS SOLICITATION.

This information is being collected for the purpose of awarding a grant. The information collected through this ''Solicitation for Grant Applications'' will be used by the Department of Labor to ensure that grants are awarded to the applicant best suited to perform the functions of the grant. Submission of this information is required in order for the applicant to be considered for award of this grant. Unless otherwise specifically noted in this announcement, information submitted in the respondent's application is not considered to be confidential.

Resources for the Applicant

DOL maintains a number of web-based resources that may be of assistance to applicants.

- The Web site for the Employment and Training Administration (*http://www.doleta.gov*), including information on Workforce Innovation in Regional Economic Development (WIRED) at *www.doleta.gov/wired.*
- ''The STEM Workforce Challenge: The Role of the Public Workforce System in a National Solution for a Competitive Science, Technology, Engineering, and Mathematics (STEM) Workforce,'' paper, Department of Labor, April 2007, available at *http://www.doleta.gov/youth_services/*.
- The Workforce ^{3} One Web site (*http://www.workforce3one.org*), is a valuable resource for information about demand-driven projects of the workforce investment system, educators, employers, and economic development representatives
- America's Service Locator (*http://www.servicelocator.org*) provides a directory of the nation's One-Stop Career Centers.

• Career Voyages (*http://www.careervoyages.gov*), a Web site targeted at youth, parents, counselors, and career changers that provides information about career opportunities in high-growth/high-demand industries.

• For more information on the work that ETA has undertaken on multiple education pathways, please go to: *http://www.doleta.gov/youth%5Fservices/Alternative.cfm.*

• Applicants are encouraged to review ''Help With Solicitation for Grant Applications'' (*http://www.dol.gov/cfbci/sgabrochure.htm*).

• For a basic understanding of the grants process and basic responsibilities of receiving Federal grant support, please see ''Guidance for Faith-Based and Community Organizations on Partnering with the Federal Government'' (*http://www.whitehouse.gov/government/fbci/guidance/index.html*).

Additional resources that may be beneficial for applicants are listed below:

• The U.S. Department of Education's Office of Vocational and Adult Education maintains a list of high school reform models that work, available here: *http://www.ed.gov/about/offices/list/ovae/pi/hs/reform.html.*

• ''Building a Portfolio of High Schools: A Strategic Investment Toolkit,'' paper, Jobs for the Future, February 2006, available at *http://www.jff.org/Documents/StrategicToolkit.pdf.*

• ''Strengthening Transitions by Encouraging Career Pathways: A Look at State Policies and Practices,'' paper, Community College Research Center, January 2006, available at *http://ccrc.tc.columbia.edu/Publication.asp?UID=380.*

• ''Career Pathways: Aligning Public Resources to Support Individual and Regional Economic Advancement in the Knowledge Economy,'' paper, Workforce Strategy Center, August 2006, available at *http://www.workforcestrategy.org/publications/WSC_pathways8.17.06.pdf.*

• ''What Your Community Can Do to End Its Drop-Out Crisis: Learnings from Research and Practice,'' paper, Center for Social Organization of Schools, Johns Hopkins University, May 2007, available at *http://web.jhu.edu/CSOS/images/Final_dropout_Balfanz.pdf.*

Signed at Washington, DC, this 3rd day of January, 2008.

Eric D. Luetkenhaus,

Employment and Training Administration, Grant Officer.

Attachment: H–1B Industry Sectors and Occupations

Industry Sectors:

Information Technology

• Computer Systems Design and Related Services.
• Software Development/Software Publishers.
• Data Processing Services.
• Information Services.
Telecommunications.
Scientific Research and Development Services (including biotechnology).
Scientific and Technical Consulting (including biotechnology).
Architecture, Engineering, Surveying.
Specialized Design Services.
Construction/Skilled Trades.

Finance, Insurance and Real Estate and Administrative Support Services

• Accounting, Tax Preparation, Bookkeeping & Payroll Services.
• Financial Investment.
• Securities & Commodity Brokerage/Contracts.
• Business Support Services.
• Insurance Carriers, Agencies, Brokerages, and Insurance and Employee Benefit Funds.
• Credit Intermediation.

Advanced Manufacturing

• Semiconductor and Other Electronic Component Manufacturing.
• Computer, Electronic Product, and Peripheral Equipment Manufacturing.
• Pharmaceutical and Medicine Manufacturing.
• Communications Equipment Manufacturing.
• Navigational, Measuring, Electromedical, and Control Instruments Manufacturing.
• Industrial Machinery Manufacturing.
• Aerospace Manufacturing.
• Chemical and Petrochemical Manufacturing.
• Motor Vehicle and Parts Manufacturing.
• Medical Equipment and Supplies Manufacturing.
• Metalworking Manufacturing.
• Food Manufacturing.
• Other Miscellaneous Manufacturing.

Automotive Repair/Maintenance

Health Care

• General Medical and Surgical Hospitals and Other Hospitals.
• Offices of Physicians.
• Offices of Dentists.
• Offices of Other Health Practitioners.
• Medical and Diagnostic Laboratories.
• Nursing and Residential Care Facilities.
• Home Health Care Services.

Energy

• Electric Power Generation, Transmission, and Distribution.
• Oil & Gas Extraction, Refining, and Production.
• Mining and Support Activities for Mining.
• Pipeline Transportation.

Transportation

• Air Transportation.
• Freight and Truck Transportation.
• Water Transportation.
• Transportation Support.

Cross-Cutting Occupations

Computer Related Occupations

• Systems Analysis and Programming.
• Data Communications and Networks.
• Computer Systems Technical Support.
• Computer Systems User Support.

Engineering and Related Technical Occupations

• Aeronautical.
• Electrical.
• Civil.
• Ceramic.
• Mechanical.
• Chemical.
• Mining and Petroleum.
• Metallurgy and Metallurgical.
• Industrial.
• Agricultural.
• Marine.
• Nuclear.
• Drafters.
• Surveying/Cartographic.
• Architectural.

Occupations in Mathematics and Physical Sciences

• Mathematics.
• Astronomy.
• Chemistry.
• Physics.
• Geology.
• Meteorology.

Occupations in Life Sciences

• Agricultural Sciences.
• Biological Sciences.

Occupations in Medicine and Health

• Physicians/Surgeons.
• Osteopaths.

- Dentists.
- Veterinarians.
- Pharmacists.
- Registered Nurses.
- Therapists.
- Dieticians.
- Medical and Dental Technology.
- Other Health Care Practitioners.

Occupations in Financial and Administrative Fields

- Accountants/Auditors.
- Bookkeepers/Payroll Services.
- Budget and Management Systems Analysis.
- Finance, Insurance, and Real Estate Management.
- Purchasing Managers.
- Agents/Appraisers.

Technology Related Occupations

- Process Technicians.
- Mechanics/Mechanical Engineering Technicians.

[FR Doc. E8–473 Filed 1–14–08; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–62,396]

Atreum-Brighton, A Subsidiary of Magna International Decoma International Division Including On-Site Leased Workers From Qualified Staffing, Aerotek and On-Site Workers From Hubbard Supply Company Brighton, MI; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on November 14, 2007, applicable to workers of Atreum-Brighton, a subsidiary of Magna International, Decoma International Division, including on-site leased workers from Qualified Staffing and Aerotek, Brighton, Michigan. The notice was published in the **Federal Register** on December 10, 2007 (72 FR 69710).

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of door panels and various other injection molded parts for the automobile industry.

New information shows that workers of Hubbard Supply Company were employed on-site at the Brighton, Michigan location of Atreum-Brighton, a subsidiary of Magna International, Decoma International Division. The Department has determined that these workers were sufficiently under the control of the subject firm and should be considered part of the affected worker group.

Based on these findings, the Department is amending this certification to include workers of Hubbard Supply Company working on-site at the Brighton, Michigan location of the subject firm.

The intent of the Department's certification is to include all workers at Atreum-Brighton, a subsidiary of Magna International, Decoma International Division, Brighton, Michigan who were adversely-impacted by a shift in production of door panels and various other injection molded parts for automobile industry to Mexico and Canada.

The amended notice applicable to TA–W–62,396 is hereby issued as follows:

All workers of Atreum-Brighton, a subsidiary of Magna International, Decoma International Division, including on-site leased workers from Qualified Staffing and Aerotek, and on-site workers from Hubbard Supply Company, Brighton, Michigan, who became totally or partially separated from employment on or after October 30, 2006, through November 14, 2009, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 8th day of January 2008.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8–592 Filed 1–14–08; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–62,449]

Newburgh Hardwood Co., Inc.

Newburgh, IN; Notice of Negative Determination Regarding Application for Reconsideration

By application dated December 2, 2007, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice was signed on November 16, 2007 and published in the **Federal Register** on December 10, 2007 (72 FR 69711).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The TAA petition, which was filed on behalf of workers at Newburgh Hardwood Co., Inc., Newburgh, Indiana engaged in the hardwood veneer consulting services, was denied based on the findings that the firm did not employ a worker group during the one year prior to the petition filing date, as required by Section 222 of the Trade Act of 1974. A worker group means three or more workers in a firm or appropriate subdivision. The subject firm did not meet this threshold level. The investigation also revealed that the subject firm does not produce an article within the meaning of Section 222(a)(2) of the Act.

In the request for reconsideration the petitioner indicates a number of reasons as to why he should be eligible for TAA.

When assessing eligibility for TAA, the Department makes its determinations based on the requirements as outlined in Section 222 of the Trade Act. In particular, the Department defines an eligible worker ''group'' as ''three or more workers in a firm or an appropriate subdivision thereof.'' As subject firm's total worker number was one in the relevant period, the worker does not meet the group eligibility requirements for trade adjustment assistance.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 7th day of January, 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8–593 Filed 1–14–08; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Refuse Piles and Impounding Structures, Recordkeeping and Reporting Requirements

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or containing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

DATES: Submit comments on or before March 17, 2008.

ADDRESSES: Send comments to Debbie Ferraro, Records Management Branch, 1100 Wilson Boulevard, Room 2141, Arlington, VA 22209–3939. Commenters are encouraged to send their comments on computer disk, or via e-mail to *ferraro.debbie@dol.gov.* Ms. Ferraro can be reached at (202) 693–9821 (voice), or (202) 693–9801 (facsimile).

FOR FURTHER INFORMATION CONTACT: Contact the employee listed in the **ADDRESSES** section of this notice.

SUPPLEMENTARY INFORMATION:

I. Background

The Coal Mine Health and Safety Act of 1969 was amended by the Federal Mine Safety and Health Act of 1977 after the Buffalo Creek dam failure in 1972 in West Virginia. The refuse pile and impound standards, Title 30 CFR sections 77.215 and 77.216 had been enacted earlier in 1975 and were incorporated into the Act. Additional parts of these Sections were promulgated and enacted in 1992. The standards require that the agency approve prudently engineered design plans for dams and their impoundments, as well as the plans for hazardous refuse piles that are routinely constructed by coal mine operators. Plan revisions are also required to be submitted for approval. In addition, the standards also require plans when one of these sites is to be abandoned. And plans are required when spontaneous fires erupt and need to be extinguished at the burning site. Records of weekly inspections and instrument monitoring are also required to ensure that the sites remain safe. Finally, the mine operators are also required to submit an annual status report and certification that guarantees that the site is being constructed in accordance with the approved plan, and the site has not been altered during the construction year.

II. Desired Focus of Comments

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection requirement related to the Refuse Piles and Impoundment Structures, Recordkeeping and Reporting Requirements. MSHA is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of MSHA's functions, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Address the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (*e.g.*, permitting electronic submissions of responses) to minimize the burden of the collection of information on those who are to respond.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **ADDRESSES** section of this notice or viewed on the Internet by accessing the MSHA home page *(http://www.msha.gov/)* and selecting ''Rules and Regs'', and then selecting ''Fed Reg Docs.''

III. Current Actions

There are approximately 646 coal mine impounding structures and 46 hazardous refuse piles, for a total of 692 sites. All impoundments and hazardous refuse piles are required by the standards to be constructed and operated in an approved manner. In addition, coal mine operators frequently revise construction plans to accommodate mining conditions, cycles or markets. Since these revisions to the structures can adversely affect a great number of people, such changes are required to be planned in a prudent manner and approved by the agency. Fire extinguishing plans are only required from an operator when a spontaneous combustion has occurred, and the operator is directed to extinguish the fire. Inspections on a weekly basis, or inspections at a longer interval for long established and stable impoundments (after the regulation changes in 1992), are required to ensure that precipitation, seismic activity, or perhaps an unknown construction flaw, has not adversely affected any part of the dam site. The annual status report and certification ensures that the company's engineers confirm that the site is in accordance with the approved engineering plan. An abandonment plan approved by the agency ensures that a hazardous site is not left in place after all mining activity has ceased.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Impounding Safety and Refuse Piles, Reporting Requirements, Certifications and Recordkeeping.

OMB Number: 1219–0015.

Recordkeeping: 3 years.

Affected Public: Business or other for profit.

Cite/Reference/Form/etc: 30 CFR Sections 77.215 and 77.216.

Total Respondents: 692.

Total Responses: 11,054.

Total Burden Hours: 32,081.

Total Burden Cost: $6,816,460.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated at Arlington, Virginia, this 10th day of January, 2008.

David L. Meyer,

Director, Office of Administration and Management.

[FR Doc. E8–534 Filed 1–14–08; 8:45 am]

BILLING CODE 4510–43–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice.

SUMMARY: NARA is giving public notice that the agency proposes to request extension of a currently approved information collection used to advise requesters of (1) the correct procedures to follow when requesting certified copies of records for use in civil litigation or criminal actions in courts of law, and (2) the information to be provided so that records may be identified. The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

DATES: Written comments must be received on or before March 17, 2008 to be assured of consideration.

ADDRESSES: Comments should be sent to: Paperwork Reduction Act Comments (NHP), Room 4400, National Archives and Records Administration, 8601 Adelphi Rd., College Park, MD 20740–6001; or faxed to 301–713–7409; or electronically mailed to *tamee.fechhelm@nara.gov*.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the proposed information collection and supporting statement should be directed to Tamee Fechhelm at telephone number 301–837–1694, or fax number 301–713–7409.

SUPPLEMENTARY INFORMATION: Pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13), NARA invites the general public and other Federal agencies to comment on proposed information collections. The comments and suggestions should address one or more of the following points: (a) Whether the proposed information collection is necessary for the proper performance of the functions of NARA; (b) the accuracy of NARA's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of information technology; and (e) whether small businesses are affected by this collection. The comments that are submitted will be summarized and included in the NARA request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this notice, NARA is soliciting comments concerning the following information collection:

1. *Title:* Court Order Requirements.

OMB number: 3095–0038.

Agency form number: NA Form 13027.

Type of review: Regular.

Affected public: Veterans and Former Federal civilian employees, their authorized representatives, state and local governments, and businesses.

Estimated number of respondents: 5,000.

Estimated time per response: 15 minutes.

Frequency of response: On occasion.

Estimated total annual burden hours: 1,250 hours.

Abstract: The information collection is prescribed by 36 CFR 1228.164. In accordance with rules issued by the Office of Personnel Management, the National Personnel Records Center (NPRC) of the National Archives and Records Administration (NARA) administers Official Personnel Folders (OPF) and Employee Medical Folders (EMF) of former Federal civilian employees. In accordance with rules issued by the Department of Defense (DOD) and the Department of Transportation (DOT), the NPRC also administers military service records of veterans after discharge, retirement, and death, and the medical records of these veterans, current members of the Armed Forces, and dependents of Armed Forces personnel. The NA Form 13027, Court Order Requirements, is used to advise requesters of (1) the correct procedures to follow when requesting certified copies of records for use in civil litigation or criminal actions in courts of law and (2) the information to be provided so that records may be identified.

Dated: January 7, 2008.

Martha Morphy,

Assistant Archivist for Information Services.

[FR Doc. E8–524 Filed 1–14–08; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services; Sunshine Act Meeting of the National Museum and Library Services Board

AGENCY: Institute of Museum and Library Services (IMLS), NFAH.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the agenda of the forthcoming meeting of the National Museum and Library Services Board. This notice also describes the function of the Board. Notice of the meeting is required under the Sunshine in Government Act.

TIME AND DATE: Wednesday, January 30, 2008 from 1:30 p.m. to 4:30 p.m.

AGENDA: Thirteenth National Museum and Library Services Board Meeting:

I. Welcome.
II. Approval of Minutes.
III. Financial Update.
IV. Legislative Update.
V. Board Program: An Overview of State Library Programs.
VI. Board Updates.
VII. Adjournment.
(Open to the Public).

PLACE: The meeting will be held in the Perdue Board Room at the High Museum of Arts, 1280 Peachtree Street, NE., Atlanta, Georgia. Telephone: (404) 733–4400.

FOR FURTHER INFORMATION CONTACT: Elizabeth Lyons, Special Events and Board Liaison, Institute of Museum and Library Services, 1800 M Street, NW., 9th Floor, Washington, DC 20036. Telephone: (202) 653–4676.

SUPPLEMENTARY INFORMATION: The National Museum and Library Services Board is established under the Museum and Library Services Act, 20 U.S.C. section 9101 *et seq.* The Board advises the Director of the Institute on general policies with respect to the duties, powers, and authorities related to Museum and Library Services. If you need special accommodations due to a disability, please contact: Institute of Museum and Library Services, 1800 M Street, NW., 9th FL., Washington DC 20036. Telephone: (202) 653–4676; TDD (202) 653–4699 at least seven (7) days prior to the meeting date.

Dated: January 10, 2008.

Kate Fernstrom,

Chief of Staff.

[FR Doc. 08–116 Filed 1–11–08; 11:12 am]

BILLING CODE 7036–01–M

NATIONAL INSTITUTE FOR LITERACY

National Institute for Literacy Advisory Board; Notice of an Open Meeting

AGENCY: National Institute for Literacy.

ACTION: Notice of an Open Meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of an upcoming open meeting of the National Institute for Literacy Advisory Board. The notice also describes the functions

of the Committee. Notice of this meeting is required by Section 10(a)(2) of the Federal Advisory Committee Act and is intended to notify the public of its opportunity to attend. Due to scheduling difficulties, this notice is appearing in the **Federal Register** less than 15 days prior to the meeting date.

DATES: January 30–31, 2008.

Time: January 30 from 8:30 a.m.–5 p.m.; January 31 from 8:30 a.m.–2 p.m.

ADDRESSES: 1775 I St., NW., Suite 730, Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Steve Langley, Staff Assistant, the National Institute for Literacy; 1775 I St., NW., Suite 730; phone: (202) 233–2043; fax: (202) 233–2050; e-mail: *slangley@nifl.gov*.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FRS) at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: The National Institute for Literacy Advisory Board is authorized by section 242 of the Workforce Investment Act of 1998, Public Law 105–220 (20 U.S.C. 9252). The Board consists of 10 individuals appointed by the President with the advice and consent of the Senate. The Board advises and makes recommendations to the Interagency Group that administers the Institute. The Interagency Group is composed of the Secretaries of Education, Labor, and Health and Human Services. The Interagency Group considers the Board's recommendations in planning the goals of the Institute and in implementing any programs to achieve those goals. Specifically, the Board performs the following functions: (a) Makes recommendations concerning the appointment of the Director and the staff of the Institute; (b) provides independent advice on operation of the Institute; and (c) receives reports from the Interagency Group and the Institute's Director.

The purpose of this meeting is to discuss the Institute's future and current program priorities; status of on-going Institute work; other relevant literacy activities and issues; and other Board business as necessary.

Individuals who will need accommodations for a disability to attend the meeting (e.g., interpreting services, assistance listening devices, or materials in alternative format) should notify Steve Langley at 202–233–2043 no later than January 19, 2008. We will attempt to meet requests for accommodations after this date but cannot guarantee their availability. The meeting site is accessible to individuals with disabilities.

Request for Public Written Comment. The public may send written comments to the Advisory Board no later than 5 p.m. on January 19, 2008, to Steve Langley at the National Institute for Literacy, 1775 I St., NW., Suite 730, Washington, DC 20006, e-mail: *slangley@nifl.gov*.

Records are kept of all Committee proceedings and are available for public inspection at the National Institute for Literacy, 1775 I St., NW., Suite 730, Washington, DC 20006, from the hours of 9 a.m. to 5 p.m., Eastern Standard Time Monday through Friday.

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/federegister*.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO) toll free at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html*.

Dated: January 9, 2008.

Sandra Baxter,

Director, The National Institute for Literacy.

[FR Doc. E8–530 Filed 1–14–08; 8:45 am]

BILLING CODE 6055–01–P

NATIONAL TRANSPORTATION SAFETY BOARD

Sunshine Act Meeting

TIME AND DATE: 9:30 a.m. Wednesday, January 23, 2008.

PLACE: NTSB Conference Center, 429 L'Enfant Plaza SW., Washington, DC 20594.

STATUS: The one item is open to the public.

MATTER TO BE CONSIDERED:

7968—*Railroad Accident Briefs and Safety Recommendation Letter*—(1) Washington Metropolitan Area Transit Authority Train Strikes Wayside Worker Near the Dupont Circle Station, Washington, DC., May 14, 2006 (DCA–06–FR–005), and (2) WMATA Train Strikes Wayside Workers Near the Eisenhower Avenue Station, Alexandria, Virginia, November 30, 2006.

NEWS MEDIA CONTACT: Telephone: (202) 314–6100.

Individuals requesting specific accommodations should contact Chris Bisett at (202) 314–6305 by Friday, January 18, 2008.

The public may view the meeting via a live or archived webcast by accessing a link under ''News & Events'' on the NTSB home page at *http://www.ntsb.gov.*

FOR FURTHER INFORMATION CONTACT: Vicky D'Onofrio, (202) 314–6410.

Dated: January 11, 2008.

Vicky D'Onofrio,

Federal Register Liaison Officer.

[FR Doc. 08–120 Filed 1–11–08; 1:35 pm]

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NUCLEAR REGULATORY COMMISSION

Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to section 189a(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from December 20, 2007 to January 2, 2008. The last biweekly notice was published on December 31, 2007 (72 FR 74354).

Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an

accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rulemaking, Directives and Editing Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. The filing of requests for a hearing and petitions for leave to intervene is discussed below.

Within 60 days after the date of publication of this notice, person(s) may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request via electronic submission through the NRC E-Filing system for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/doc-collections/cfr/*. If a request for a hearing or petition for leave to intervene is filed within 60 days, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also set forth the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner/requestor intends to rely in proving the contention at the hearing. The petitioner/requestor must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner/requestor intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner/requestor to relief. A petitioner/requestor who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for hearing or a petition for leave to intervene must be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in August 28, 2007, (72 FR 49139). The E-Filing process requires participants to submit and serve documents over the Internet or in some cases to mail copies on

electronic storage media. Participants may not submit paper copies of their filings unless they seek a waiver in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least five (5) days prior to the filing deadline, the petitioner/requestor must contact the Office of the Secretary by e-mail at *HEARINGDOCKET@NRC.GOV*, or by calling (301) 415–1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and/or (2) creation of an electronic docket for the proceeding (even in instances in which the petitioner/requestor (or its counsel or representative) already holds an NRC-issued digital ID certificate). Each petitioner/ requestor will need to download the Workplace Forms Viewer™ to access the Electronic Information Exchange (EIE), a component of the E-Filing system. The Workplace Forms Viewer™ is free and is available at *http://www.nrc.gov/site-help/e-submittals/install-viewer.html.* Information about applying for a digital ID certificate is available on NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/apply-certificates.html.*

Once a petitioner/requestor has obtained a digital ID certificate, had a docket created, and downloaded the EIE viewer, it can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the filer submits its documents through EIE. To be timely, an electronic filing must be submitted to the EIE system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The EIE system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system. A person filing electronically may seek assistance through the ''Contact Us'' link located on the NRC Web site at *http://www.nrc.gov/site-help/e-submittals.html* or by calling the NRC technical help line, which is available between 8:30 a.m. and 4:15 p.m., Eastern Time, Monday through Friday. The help line number is (800) 397–4209 or locally, (301) 415–4737.

Participants who believe that they have a good cause for not submitting documents electronically must file a motion, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville, Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service.

Non-timely requests and/or petitions and contentions will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board that the petition and/or request should be granted and/or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)–(viii). To be timely, filings must be submitted no later than 11:59 p.m. Eastern Time on the due date.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at *http://ehd.nrc.gov/EHD_Proceeding/home.asp*, unless excluded pursuant to an order of the Commission, an Atomic Safety and Licensing Board, or a Presiding Officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

For further details with respect to this amendment action, see the application for amendment which is available for public inspection at the Commission's PDR, located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html.* If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1 (800) 397–4209, (301) 415–4737 or by e-mail to *pdr@nrc.gov.*

Carolina Power & Light Company, Docket No. 50–261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

Date of amendment request: November 29, 2007.

Description of amendment request: The proposed amendment would revise Technical Specification (TS) section 3.6.8, ''Isolation Valve Seal Water (IVSW) System.'' The proposed change revises Surveillance Requirements (SR) 3.6.8.2 and 3.6.8.6 related to IVSW tank volume and header flow rates. Specifically, the proposed change would clarify the wording of SR 3.6.8.2, and revise SR 3.6.8.6 to provide a total flow rate limit from all four headers in place of the individual header limits.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated.

The proposed change is related to the Isolation Valve Seal Water System. This is a postaccident dose mitigating system and has no impact on the probability of an accident occurring. The proposed change to SR 3.6.8.2 is a clarification that does not impact the system design or operation. The proposed change to SR 3.6.8.6 revises the methodology used to establish the system flow limits, but maintains the same total flow limitation and consistency with the system design. Therefore, operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident From Any Previously Evaluated.

The proposed change does not impact the design of the system and does not increase the potential for a failure that would result in an accident of a different kind.

Therefore, operation of the facility in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any previously evaluated.

3. The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety.

The proposed change does not revise the total leakage limit or the design requirements for the Isolation Valve Seal Water System. There is no impact on the capability of the containment as a fission product barrier.

Therefore, operation of the facility in accordance with the proposed amendment would not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David T. Conley, Associate General Counsel II—Legal Department, Progress Energy Service Company, LLC, Post Office Box 1551, Raleigh, North Carolina 27602.

NRC Branch Chief: Thomas H. Boyce.

Dominion Nuclear Connecticut, Inc. (DNC), Docket No. 50–336, Millstone Power Station, Unit No. 2, New London County, Connecticut

Date of amendment request: March 28, 2007.

Description of amendment request: The proposed amendment would modify Technical Specification Surveillance Requirement 4.6.2.1.1.e to allow performance of testing for nozzle blockage to be based on the occurrence of activities that could potentially result in nozzle blockage rather than a fixed periodic basis. Currently, the testing for nozzle blockage is performed every 10 years. DNC proposes to change this frequency to ''following maintenance that could cause nozzle blockage.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Criterion 1:

Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The spray nozzles and the associated containment spray system are designed to perform accident mitigation functions only. The containment spray system and associated components are not considered as initiators of any analyzed accidents. The proposed change does not modify any plant equipment. The proposed change modifies the frequency for performance of a surveillance test which does not impact any failure modes that could lead to an accident. The proposed frequency change does not effect the ability of the spray nozzles or spray system to perform its accident mitigation function as assumed and therefore there is no effect on the consequence of any accident. Verification of no blockage continues to be required, but now as a function of activities that could result in blockage rather than an arbitrary surveillance frequency. Based on this discussion, the proposed amendment does not increase the probability or consequence of an accident previously evaluated.

Criterion 2:

Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The containment spray system is not being physically modified and there is no impact on the capability of the system to perform accident mitigation functions. No system setpoints are being modified and no changes are being made to the method in which borated water is delivered to the spray nozzles. The testing requirements imposed by this proposed change to check for nozzle blockage following activities that could cause nozzle blockage do not introduce new failure modes for the system. The proposed amendment does not introduce accident initiators or malfunctions that would cause a new or different kind of accident. Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Criterion 3:

Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change does not change or introduce any new setpoints at which mitigating functions are initiated. No changes to the design parameters of the containment spray system are being proposed. No changes in system operation are being proposed by this change that would impact an established safety margin. The proposed change modifies the frequency for verification of nozzle operability in such a way that continued high confidence exists that the containment spray system will continue to function as designed. Therefore, based on the above, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lillian M. Cuoco, Senior Nuclear Counsel, Dominion Nuclear Connecticut, Inc., Rope Ferry Road, Waterford, CT 06385.

NRC Branch Chief: Harold K. Chernoff.

Dominion Nuclear Connecticut Inc., et al., Docket No. 50–423, Millstone Power Station, Unit No. 3, New London County, Connecticut

Date of amendment request: July 13, 2007, as supplemented July 13, September 12, November 19, December 13, and December 17, 2007.

Description of amendment request: The proposed stretch power uprate (SPU) license amendment request would increase the unit's authorized core power level from 3,411 megawatts thermal (MWt) to 3,650 MWt, and make changes to Technical Specifications (TSs) and licensing bases as necessary to support operation at the stretch power level. The changes to TSs include the following: Definitions; TS 2.1.1.1, ''Safety Limits;'' TS Table 2.2–1, ''Reactor Trip System Instrumentation Trip Setpoints, Functional Unit 12, Reactor Coolant Flow—Low;'' TS Table 2.2–1, ''Reactor Trip System Instrumentation Trip Setpoints, Functional Unit 18c, Power Range Neutron Flux, P–8;'' TS Table 2.2–1, ''Reactor Trip Instrumentation Trip Setpoints, Table Notations;'' TS 3/4.2.3, ''Reactor Coolant System Flow Rate and Nuclear Enthalpy Rise Hot Channel Factor;'' TS 3/4.3.2, ''Engineered Safety Features Actuation System Instrumentation;'' TS 3/4.4.4.3, ''Pressurizer;'' TS 3/4.7.1, ''Turbine Cycle;'' TS 3/4.7.7, ''Control Room Emergency Ventilation System;'' TS 3/4.7.14, ''Area Temperature Monitoring;'' TS 3/4.9.13, ''Spent Fuel Pool—Reactivity;'' TS 5.6, ''Fuel Storage Criticality;'' TS 6.8.4.f, ''Administrative Controls—Containment Leakage Rate Testing Program;'' and TS 6.9.1.6, ''Administrative Controls—Core Operating Limits Report.'' The changes to the licensing bases include the following: Safety Grade Cold Shutdown; Branch Technical Position CMEB 9.5.1, sections 5.c.3 and 5.c.5—''Fire shutdown strategy for long-term steam generator inventory make-up;'' and the demineralized water storage tank.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The accident analyses documented in Chapter 6 and 15 of the FSAR [Final Safety Analysis Report] have been reanalyzed at the SPU [Stretch Power Uprate] conditions. For some accidents, credit has been taken for a number of minor modifications that will be installed in order to maintain analytical and operating margin. These minor modifications include the following:

- Installation of a Safety Injection Actuation Signal permissive for the charging injection isolation valves.
- Installation of an electronic filter on the T-hot temperature input into the Reactor Protection System and modification of the Over-temperature Delta T and Over-power Delta T reactor trip set points.
- Elimination of the automatic rod withdrawal capability for the rod control system.
- Installation of an automatic initiation of pressurized filtration mode of the Control Building ventilation system.

Technical Specifications (TS) changes, as appropriate, have been proposed to reflect the implementation of these modifications. The revised accident analyses have been performed with current state-of-the-art methodologies that have been generically approved by the NRC [Nuclear Regulatory Commission]. All restrictions and limitations of these methodologies, including those identified by the NRC, have been met in the application of these methodologies to the SPU accident analyses. The results of the accident analyses at SPU conditions together with the proposed modifications demonstrate that all design basis criteria are met and that the SPU does not result in a significant increase in the consequences of any previously evaluated accidents.

Analyses have been performed for operational transients that have identified some changes to control system set points. These changes assure that the control systems will respond and limit challenges to the Reactor Protection System (RPS) and Emergency Core Cooling System (ECCS) from routine operational transients, such as startup and shutdown. These changes assure that there will be no significant increase in probability of occurrence of an accident at SPU conditions.

Comprehensive evaluations of plant structures, systems and components (SSCs) have been performed and confirmed that all systems are capable of performing their intended design functions at uprated power conditions. Some Technical Specifications Surveillance Requirements have been revised to reflect SPU conditions and to reflect current generic TS standards. All systems will continue to be operated in accordance with design requirements under SPU conditions; therefore, no new components or system interactions have been identified that could lead to an increase in the probability of any accident previously evaluated in the Final Safety Analysis Report (FSAR).

The radiological consequence calculations were revised to reflect SPU conditions and the predicted releases from the revised accident analyses. All results continue to meet established regulatory limits and there is no significant increase in radiological consequences.

Therefore, the proposed changes do not result in a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

Detailed evaluations of the configuration, operation, and accident response of the SSCs under SPU conditions and the associated proposed TS changes have been performed to confirm that all SSCs will perform as designed. Analyses of transient events have confirmed that no transient event results in a new sequence of events that could lead to a new accident scenario.

The effect of operation under SPU conditions on plant equipment has been evaluated. A failure modes and effect evaluation has been performed for the proposed new ECCS permissive for the charging injection valves. This has shown that the change does not create any new failure modes that could lead to a different kind of accident. Other minor plant modifications, to support implementation of SPU conditions, will be made to existing systems and components. These modifications provide added margin so that the SSCs will continue to perform their design function and no new safety-related equipment or systems will be installed which could potentially introduce new failure modes or accident sequences.

Based on this analysis, it is concluded that no new accident scenarios, failure mechanisms or limiting single failures are introduced as a result of the proposed changes. The proposed TS changes do not have an adverse effect on any aspect of safety.

Therefore, the proposed changes will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

A comprehensive analysis was performed to support the power SPU program at MPS3 [Millstone Power Station, Unit No. 3]. This analysis identified and defined the major input parameters to the Nuclear Steam Supply System (NSSS), reviewed NSSS design transients, and reviewed the capabilities of the NSSS fluid systems, NSSS/BOP (balance-of-plant) interfaces, and NSSS and BOP components. The nuclear and thermal hydraulic performance of nuclear fuel was also reviewed to confirm acceptable results. Only minor plant modifications, to support implementation of SPU conditions, will be made to existing systems and components. Changes in set points for actuation of equipment provide added margin for performing the required safety functions and do not adversely affect the outcome of any postulated accident. The analysis indicated that all NSSS and BOP systems and components will continue to operate within existing design and safety limits under SPU conditions.

The margin of safety of the reactor coolant pressure boundary is maintained under SPU conditions. The design pressure of the reactor pressure vessel and reactor coolant system will not be challenged as the pressure mitigating systems were confirmed to be sufficiently sized to adequately control pressure under SPU conditions.

The radiological consequences were re-calculated at SPU conditions for Design Bases Accidents (DBAs) previously analyzed in the FSAR. The analysis showed that the radiological consequences of DBAs continue to meet established regulatory limits at SPU conditions.

The analyses supporting the SPU program have demonstrated that all systems and components are capable of safely operating at SPU conditions. All DBA acceptance criteria will continue to be met. Therefore, it is concluded that the proposed changes do not result in a significant reduction in the margin of safety.

Based on this review, the three standards of 10 CFR 50.92(c) are satisfied. Therefore, DNC determined that the amendment request involves no significant hazards consideration.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lillian M. Cuoco, Senior Nuclear Counsel, Dominion Nuclear Connecticut, Inc., Waterford, CT 06141–5127.

NRC Branch Chief: Harold K. Chernoff.

Virginia Electric and Power Company, Docket No. 50–339, North Anna Power Station, Unit 2, Louisa County, Virginia

Date of amendment request: December 5, 2007.

Description of amendment request: The amendments would revise Technical Specification (TS) 5.5.15, pertaining to the containment leak rate testing program. The TS change would permit a onetime 5-year exception to the 10-year frequency of the performance based leakage rate testing program for Type A tests, as required by Regulatory Guide (RG) 1.163. This one time exception to the RG 1.163 requirement would allow the next Type A test to be performed no later than October 9, 2014.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed extension to Type A testing cannot increase the probability of an accident previously evaluated since extension of the containment Type A testing is no a physical plant modification that could alter the probability of accident occurrence nor, is an activity or modification by itself that could lead to equipment failure or accident initiation.

The proposed extension to Type A testing does not result in a significant increase in the consequences of an accident as documented in [NRC technical report designation (Nuclear Regulatory Commission)] NUREG–1493. The NUREG notes that very few potential containment leakage paths are not identified by Type B and C tests. It concludes that reducing the Type A testing frequency to once per twenty years leads to an imperceptible increase in risk.

North Anna provides a high degree of assurance through testing and inspection that the containment will not degrade in a manner detectable only by Type A testing. The last three Type A tests identified containment leakage within acceptance criteria, indicating a very leak-tight containment. Inspections required by the [American Society of Mechanical Engineers] ASME Code are also performed in order to identify indications of containment degradation that could affect leak-tightness. Separately, Type B and C testing, required by Technical Specifications, identifies any containment opening from design penetrations, such as valves, that would otherwise be detected by a Type A test. These factors establish that an extension to the North Anna Type A test interval will not represent a significant increase in the consequences of an accident.

2. Does the proposed license amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed revision to North Anna Technical Specifications adds a one-time extension to the current interval for Type A testing. The current test interval of ten years, based on past performance, will be extended on a one-time basis to fifteen years from the last Type A test. The proposed extension to Type A testing does not create the possibility of a new or different type of accident since there are no physical changes being made to the plant and there are no changes to the operation of the plant that could introduce a new failure.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

The proposed revision to North Anna Technical Specifications adds a one-time extension to the current interval for Type A testing. The current test interval of ten years, based on past performance, will be extended on a one-time basis to fifteen years from the last Type A test. RG 1.174 provides guidance for determining the risk impact of plant-specific changes to the licensing basis. RG 1.174 defines very small changes in risk as resulting in increases of [core damage frequency] CDF below 1E–6/yr and increases in [large early release fraction] LERF below 1E–7/yr. Since the Type A test does not impact CDF, the relevant criterion is LERF. The increase in LERF resulting from a change in the Type A test interval from a once-per-ten-years to a once-per-fifteen years is 1.58E–7/yr, based on internal events. RG 1.174 states that when the calculated increase in LERF is in the range of 1E–7/yr to 1E–6/yr, applications will be considered if it can be shown that the total LERF is less than 1E–5/yr.

Since the total LERF is 1.20E–6yr, the change is considered small and not a significant reduction in margin. Increasing the Type A test interval from ten to fifteen years is, therefore, considered non-risk significant and will not significantly reduce the margin of safety.

The NUREG–1493 generic study of the effects of extending containment leakage testing found that a 20-year extension in Type A leakage testing resulted in an imperceptible increase in risk to the public. NUREG–1493 found that, generically, the design containment leakage rate contributes about 0.1 percent of the overall risk and that decreasing the Type A testing frequency would have a minimal affect on this risk since 95% of the Type A detectable leakage paths would already be detected by Type B and C testing. Furthermore, for North Anna, maintaining the containment subatmospheric [pressure] during plant operations further reduces the risk of any containment leakage path going undetected.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lillian M. Cuoco, Esq., Senior Counsel, Dominion Resources Services, Inc., 120 Tredegar Street, RS–2, Richmond, VA 23219.

NRC Branch Chief: Evangelos C. Marinos.

Virginia Electric and Power Company, Docket No. 50–281, Surry Power Station, Unit No. 2, Surry County, Virginia

Date of amendment request: December 17, 2007.

Description of amendment request: The amendments would revise Technical Specification (TS) 4.4, pertaining to the containment leak rate testing program. The TS change would permit a one-time 5-year exception to the 10-year frequency of the performance based leakage rate testing program for Type A tests, as required by Regulatory Guide (RG) 1.163. This one time exception to the RG 1.163 requirement would allow the next Type A test to be performed no later than October 26, 2015.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. *Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?*

The proposed extension to Type A testing cannot increase the probability of an accident previously evaluated since extension of the containment Type A testing is not a physical plant modification that could alter the probability of accident occurrence nor, is an activity or modification by itself that could lead to equipment failure or accident initiation.

The proposed extension to Type A testing does not result in a significant increase in the consequences of an accident as documented in [NRC technical report designation (Nuclear Regulatory Commission)] NUREG–1493. The NUREG notes that very few potential containment leakage paths are not identified by Type B and C tests. It concludes that reducing the Type A testing frequency to once per twenty years leads to an imperceptible increase in risk.

Surry provides a high degree of assurance through testing and inspection that the containment will not degrade in a manner detectable only by Type A testing. The last two Type A tests identified containment leakage within acceptance criteria, indicating a very leak-tight containment. Inspections required by the [American Society of Mechanical Engineers] ASME Code are also performed in order to identify indications of containment degradation that could affect leak-tightness. Separately, Type B and C testing, required by Technical Specifications, identifies any containment opening from design penetrations, such as valves, that would otherwise be detected by a Type A test. These factors establish that an extension to the Surry Type A test interval will not represent a significant increase in the consequences of an accident.

2. Does the proposed license amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed revision to Surry Technical Specifications adds a one-time extension to the current interval for Type A testing. The current test interval of ten years, based on past performance, will be extended on a one-time basis to fifteen years from the last Type A test. The proposed extension to Type A testing does not create the possibility of a new or different type of accident since there are no physical changes being made to the plant and there are no changes to the operation of the plant that could introduce a new failure.

3. *Does the proposed amendment involve a significant reduction in a margin of safety?*

The proposed revision to Surry Technical Specifications adds a one-time extension to the current interval for Type A testing. The current test interval of ten years, based on past performance, will be extended on a one-time basis to fifteen years from the last Type A test. Regulatory Guide (RG) 1.174 provides

guidance for determining the risk impact of plant-specific changes to the licensing basis. RG 1.174 defines small changes in risk as resulting in increases of [core damage frequency] CDF below 1E–5/yr and increases in [large early release fraction] LERF below 1E–6/yr. Since the Type A test does not impact CDF, the relevant criterion is LERF. The increase in LERF resulting from a change in the Type A test interval from a once-per-ten-years to a once-per-fifteen-years is 1.3E–7/yr, based on internal events. RG 1.174 states that when the calculated increase in LERF is in the range of 1E–7/yr to 1E–6/yr, applications will be considered if it can be shown that the total LERF is less than 1E–6/yr. Since the total LERF is 9.8E–7/yr, the change is considered small and not a significant reduction in margin. Increasing the Type A test interval from ten to fifteen years is, therefore, considered non-risk significant and will not significantly reduce the margin of safety.

The NUREG–1493 generic study of the effects of extending containment leakage testing found that a 20-year extension in Type A leakage testing resulted in an imperceptible increase in risk to the public. NUREG–1493 found that, generically, the design containment leakage rate contributes about 0.1 percent of the overall risk and that decreasing the Type A testing frequency would have a minimal effect on this risk since 95% of the Type A detectable leakage paths would already be detected by Type B and C testing. Furthermore, for Surry, maintaining the containment subatmospheric [pressure] during plant operations further reduces the risk of any containment leakage path going undetected.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lillian M. Cuoco, Esq., Senior Counsel, Dominion Resources Services, Inc., 120 Tredegar Street, RS–2, Richmond, VA 23219.

NRC Branch Chief: John Stang, Acting.

Virginia Electric and Power Company, Docket Nos. 50–338 and 50–339, North Anna Power Station, Unit Nos. 1 and 2, Louisa County, Virginia

Date of amendment request: December 17, 2007.

Description of amendment request: The amendments would revise Technical Specification (TS) 3.8.3, pertaining to the diesel fuel oil and starting air, to allow a one-time 14-day extension to the completion time (CT) allowed for an emergency diesel generator (EDG) diesel fuel storage tank taken out of service. The one-time extension is intended for each of the fuel oil storage tanks to permit removal of the current coating and recoat the storage tanks in preparation to use ultra-low sulfur diesel fuel oil as mandated by the United States Environmental Protection Agency.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed license amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed extension of the Completion Time for the EDG fuel oil storage tanks does not increase the probability of an accident previously evaluated since extension of the Completion Time does not physically modify the plant in a manner that could alter the probability of accident occurrence, nor is it an activity or modification by itself that could lead to equipment failure or accident initiation. [The] TS currently permit this planned inspection and repair activity and provide the appropriate actions to ensure an adequate supply of fuel oil is available during the planned maintenance activity. Therefore, the probability of an accident previously evaluated is not affected by the extended Completion Time.

The proposed extension of the Completion Time for the planned maintenance activities on the fuel oil storage tanks does not result in a significant increase in the consequences of an accident since adequate fuel oil remains available to permit EDG operation during a design basis accident [DBA].

2. Does the proposed license amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed revision to North Anna TS permits one-time extension of the current 7-day Completion Time to 14-day for each fuel oil storage tank for planned maintenance activities. This proposed extension does not create the possibility of a new or different type of accident since there are no physical changes being made to the plant and there are no changes to the operation of the plant that could introduce a new failure. The existing TS actions ensure an adequate supply of fuel oil is available prior to the maintenance to support EDG operation during a DBA.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

The proposed revision to North Anna Technical Specifications, which only permit a one-time extension to the current 7-day Completion Time for an inoperable fuel oil storage tank to 14 days, will not significantly reduce the margin of safety. RG 1.174 provides guidance for determining the risk impact of plant-specific changes to the licensing basis. The average annual increases in core damage frequency (CDF) and large early release frequency (LERF) resulting from the extended Completion Time for planned maintenance activities on the fuel oil storage tanks are 5.6E–8/yr and 8.4E–10/yr, respectively. RG 1.174 states that when the calculated increases in CDF and LERF are below 1E–5/yr and 1E–6/yr, respectively, applications will be considered when the total CDF and LERF are less than 1E–4/yr and 1E–5/yr, respectively. Since the total CDF and LERF for the proposed extended Completion Time meet these criteria for a permanent plant change, the change is considered small and not a significant reduction in margin. The one-time extension for planned maintenance activities on each fuel oil storage tank is, therefore, considered non-risk significant and will not significantly reduce the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lillian M. Cuoco, Esq., Senior Counsel, Dominion Resources Services, Inc., 120 Tredegar Street, RS–2, Richmond, VA 23219.

NRC Branch Chief: John Stang, Acting.

Notice of Issuance of Amendments to Facility Operating Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing in connection with these actions was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html.* If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1 (800) 397–4209, (301) 415–4737 or by e-mail to *pdr@nrc.gov*.

AmerGen Energy Company, LLC, Docket No. 50–289, Three Mile Island Nuclear Station, Unit 1 (TMI–1), Dauphin County, Pennsylvania

Date of application for amendment: June 29, 2007.

Brief description of amendment: The amendment revises the TMI–1 technical specifications, to reflect a change to the Reactor Building spray system buffering agent from sodium hydroxide to trisodium phosphate dodecahydrate.

Date of issuance: December 21, 2007.

Effective date: As of the date of issuance and shall be implemented on a schedule consistent with the licensee's commitments regarding Nuclear Regulatory Commission (NRC) Generic Letter 2004–02, or within 30 days of issuance, whichever is less.

Amendment No.: 263.

Facility Operating License No. DPR–50. Amendment revised the license and the technical specifications.

*Date of initial notice in **Federal Register***: August 28, 2007 (72 FR 49569). The supplements dated October 19, 2007, and November 29, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed and did not change the NRC staff's original proposed no significant hazards determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 21, 2007.

No significant hazards consideration comments received: No.

Detroit Edison Company, Docket No. 50–341, Fermi 2, Monroe County, Michigan

Date of application for amendment: June 12, 2007, as supplemented by letter dated September 11, 2007.

Brief description of amendment: The amendment revised Technical Specification 3.7.4 to add an Action Statement for two inoperable control center air conditioning (AC) subsystems. The new Action Statement allows a finite time to restore one control center AC subsystem to operable status and requires verification every 4 hours that control room temperature is maintained < 90 degrees Fahrenheit.

Date of issuance: December 18, 2007.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment No.: 177.

Facility Operating License No. NPF–43: Amendment revised the Technical Specifications and License.

Date of initial notice in **Federal Register**: September 11, 2007 (72 FR 51854).

The supplemental letter contained clarifying information and did not change the initial no significant hazards consideration determination, and did not expand the scope of the original **Federal Register** notice.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 18, 2007.

No significant hazards consideration comments received: No.

Duke Power Company LLC, Docket Nos. 50–269, 50–270, and 50–287, Oconee Nuclear Station, Units 1, 2, and 3, Oconee County, South Carolina

Date of application of amendments: January 4, 2007, supplemented November 19, 2007.

Brief description of amendments: The amendments revised the Technical Specifications by removing the gaseous radioactivity monitor.

Date of Issuance: December 19, 2007.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment Nos.: 359, 361, 360.

Renewed Facility Operating License Nos. DPR–38, DPR–47, and DPR–55: Amendments revised the licenses and the technical specifications.

*Date of initial notice in **Federal Register:*** February 27, 2007 (72 FR 8802) The supplement dated November 19, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated December 19, 2007.

No significant hazards consideration comments received: No.

Entergy Gulf States, Inc., and Entergy Operations, Inc., Docket No. 50–458, River Bend Station, Unit 1, West Feliciana Parish, Louisiana

Date of amendment request: May 29, 2007, as supplemented by letters dated August 30 and September 19, 2007.

Brief description of amendment: The amendment reflects the transfer of Facility Operating License No. NPF–47, to the extent formerly held by Entergy Gulf States, Inc. (EGS) and Entergy Operations, Inc. (EOI), for the River Bend Station, Unit 1 (RBS), which was approved by an Order dated October 26, 2007. The transfer is associated with the restructuring of EGS from a Texas corporation to a Louisiana limited liability company, Entergy Gulf States, Louisiana, LLC (EGS–LA). EOI will continue to operate RBS, and the proposed restructuring will not affect the technical or financial qualifications of EOI.

Date of issuance: December 31, 2007.

Effective date: At the time the transfer is completed.

Amendment No.: 158.

Facility Operating License No. NPF–47: The amendment revised the Facility Operating License.

*Date of initial notice in **Federal Register***: July 9, 2007 (72 FR 37266). The supplements dated August 30 and September 19, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 31, 2007.

No significant hazards consideration comments received: No.

Florida Power Corporation, et al., Docket No. 50–302, Crystal River Unit No. 3 Nuclear Generating Plant, Citrus County, Florida

Date of application for amendment: April 25, 2007, as supplemented by letters dated June 28, August 30, September 13, October 18, and November 1, 2007.

Brief description of amendment: The amendment increases the licensed core power level 1.6 percent to 2609 megawatts thermal. This increase will

be achieved by the use of high-accuracy heat balanced instrumentation, including a Caldon Leading Edge Flowmeter CheckPlus™ ultrasonic flow measurement system, which allows for more accurate measurement of feedwater flow.

Date of issuance: December 27, 2007.

Effective date: Date of issuance, to be implemented within 60 days.

Amendment No.: 228.

Facility Operating License No. DPR–72: Amendment revises the Technical Specifications and Facility Operating License.

Date of initial notice in ***Federal Register:*** September 11, 2007 (72 FR 51862). The supplements dated August 30, September 13, October 18, and November 1, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the ***Federal Register***. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 27, 2007.

No significant hazards consideration comments received: No.

FPL Energy Duane Arnold, LLC, Docket No. 50–331, Duane Arnold Energy Center, Linn County, Iowa

Date of application for amendment: July 20, 2007.

Brief description of amendment: The amendment modifies the technical specification (TS) by adding an action statement for two inoperable control boiling chiller (CBC) subsystems. The action statement allows 72 hours to restore one CBC subsystem to operable status and requires verification once every 4 hours that control building temperatures are maintained to be less than 90 degrees Fahrenheit. The amendment is consistent with TS Task Force (TSTF) Change Traveler TSTF–477, Revision 3.

Date of issuance: December 26, 2007.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment No.: 267.

Facility Operating License No. DPR–49: The amendment revised the Technical Specifications.

Date of initial notice in ***Federal Register:*** September 25, 2007 (72 FR 54472), as corrected on October 10, 2007 (72 FR 57606). The correction involved the misidentification of the licensee, not a technical issue.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 26, 2007.

No significant hazards consideration comments received: No.

Nine Mile Point Nuclear Station, LLC, Docket No. 50–220, Nine Mile Point Nuclear Station, Unit No. 1, Oswego County, New York

Date of application for amendment: December 14, 2006, as supplemented by letters dated July 17, August 1, and September 19, 2007.

Brief description of amendment: The amendment revises the accident source term in the design basis radiological consequence analyses in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.67. The revised accident source term revision replaces the methodology that is based on Technical Information Document (TID)–14844, ''Calculation of Distance Factors for Power and Test Reactor Sites,'' with the alternate source term methodology described in Regulatory Guide 1.183, ''Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors,'' with the exception that TID–14844 will continue to be used as the radiation dose basis for equipment qualification and vital area access.

Date of issuance: December 19, 2007.

Effective date: As of the date of issuance to be implemented within 120 days.

Amendment No.: 194.

Renewed Facility Operating License No. DPR–63: Amendment revised the License and Technical Specifications.

Date of initial notice in ***Federal Register:*** March 13, 2007 (72 FR 11390). The supplements dated July 17, 2007, August 1, 2007, and September 19, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the Nuclear Regulatory Commission staff's initial proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 19, 2007.

No significant hazards consideration comments received: No.

PPL Susquehanna, LLC, Docket No. 50–387 and 50–388, Susquehanna Steam Electric Station, Units 1 and 2 (SSES 1 and 2), Luzerne County, Pennsylvania

Date of application for amendments: June 7, 2007.

Brief description of amendments: The amendments delete section 2.G of Facility Operating License NFP–14 for SSES 1, which requires reporting of violations of the requirements in sections 2.C and 2.F of the facility operating license. The amendments also delete section 2.E of Facility Operating License NPF–22 for SSES 2, which requires reporting of violations of the requirements in section 2.C of the facility operating license. This change is in accordance with Nuclear Regulatory Commission (NRC)-approved Technical Specification Task Force (TSTF) change traveler TSTF–372, Revision 4.

Date of issuance: December 18, 2007.

Effective date: As of the date of issuance and to be implemented within 30 days.

Amendment Nos.: 244 and 222.

Facility Operating License Nos. NPF–14 and NPF–22: The amendments revised the License.

Date of initial notice in ***Federal Register:*** September 25, 2007 (72 FR 54478).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated December 18, 2007.

No significant hazards consideration comments received: No.

PPL Susquehanna, LLC, Docket No. 50–387 and 50–388, Susquehanna Steam Electric Station, Units 1 and 2 (SSES 1 and 2), Luzerne County, Pennsylvania

Date of application for amendments: June 8, 2007.

Brief description of amendments: The amendments revise Limiting Condition for Operation 3.10.1, and the associated Bases, to expand its scope to include provisions for temperature excursions greater than 200 degrees Fahrenheit (°F), but less than 212 °F as a consequence of inservice leak and hydrostatic testing, and as a consequence of scram time testing initiated in conjunction with an inservice leak or hydrostatic test, while considering operational conditions to be in Mode 4 for SSES 1 and 2. This change is in accordance with Nuclear Regulatory Commission-approved Technical Specification Task Force (TSTF) change traveler TSTF–484, ''Use of TS 3.10.1 for Scram Time Testing Activities.''

Date of issuance: December 20, 2007.

Effective date: As of the date of issuance and to be implemented within 30 days.

Amendment Nos.: 245 and 223.

Facility Operating License Nos. NPF–14 and NPF–22: The amendments revised the License and TSs.

Date of initial notice in ***Federal Register:*** September 25, 2007 (72 FR 54478).

The Commission's related evaluation of the amendments is contained in a

Safety Evaluation dated December 20, 2007.

No significant hazards consideration comments received: No.

Notice of Issuance of Amendments to Facility Operating Licenses and Final Determination of No Significant Hazards Consideration and Opportunity for a Hearing (Exigent Public Announcement or Emergency Circumstances)

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Because of exigent or emergency circumstances associated with the date the amendment was needed, there was not time for the Commission to publish, for public comment before issuance, its usual Notice of Consideration of Issuance of Amendment, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing.

For exigent circumstances, the Commission has either issued a **Federal Register** notice providing opportunity for public comment or has used local media to provide notice to the public in the area surrounding a licensee's facility of the licensee's application and of the Commission's proposed determination of no significant hazards consideration. The Commission has provided a reasonable opportunity for the public to comment, using its best efforts to make available to the public means of communication for the public to respond quickly, and in the case of telephone comments, the comments have been recorded or transcribed as appropriate and the licensee has been informed of the public comments.

In circumstances where failure to act in a timely way would have resulted, for example, in derating or shutdown of a nuclear power plant or in prevention of either resumption of operation or of increase in power output up to the plant's licensed power level, the Commission may not have had an opportunity to provide for public comment on its no significant hazards consideration determination. In such case, the license amendment has been issued without opportunity for comment. If there has been some time for public comment but less than 30 days, the Commission may provide an opportunity for public comment. If comments have been requested, it is so stated. In either event, the State has been consulted by telephone whenever possible.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding and completion of any required hearing, where it has determined that no significant hazards consideration is involved.

The Commission has applied the standards of 10 CFR 50.92 and has made a final determination that the amendment involves no significant hazards consideration. The basis for this determination is contained in the documents related to this action. Accordingly, the amendments have been issued and made effective as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the application for amendment, (2) the amendment to Facility Operating License, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment, as indicated. All of these items are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html*. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1 (800) 397–4209, (301) 415–4737 or by e-mail to *pdr@nrc.gov*.

The Commission is also offering an opportunity for a hearing with respect to the issuance of the amendment. Within 60 days after the date of publication of this notice, person(s) may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request via electronic submission through the NRC E-Filing system for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland, and electronically on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/doc-collections/cfr/*. If there are problems in accessing the document, contact the PDR Reference staff at 1 (800) 397–4209, (301) 415–4737, or by e-mail to *pdr@nrc.gov*. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact.[1] Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner/requestor who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Each contention shall be given a separate numeric or alpha designation within one of the following groups:

1. *Technical*—primarily concerns/issues relating to technical and/or health and safety matters discussed or referenced in the applications.

2. *Environmental*—primarily concerns/issues relating to matters discussed or referenced in the environmental analysis for the applications.

3. *Miscellaneous*—does not fall into one of the categories outlined above.

As specified in 10 CFR 2.309, if two or more petitioners/requestors seek to co-sponsor a contention, the petitioners/requestors shall jointly designate a representative who shall have the authority to act for the petitioners/requestors with respect to that contention. If a petitioner/requestor seeks to adopt the contention of another sponsoring petitioner/requestor, the petitioner/requestor who seeks to adopt the contention must either agree that the sponsoring petitioner/requestor shall act as the representative with respect to that contention, or jointly designate with the sponsoring petitioner/requestor a representative who shall have the authority to act for the petitioners/requestors with respect to that contention.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing. Since the Commission has made a final determination that the amendment involves no significant hazards consideration, if a hearing is requested, it will not stay the effectiveness of the amendment. Any hearing held would take place while the amendment is in effect.

A request for hearing or a petition for leave to intervene must be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in August 28, 2007, (72 FR 49139). The E-Filing process requires participants to submit and serve documents over the internet or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek a waiver in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least five (5) days prior to the filing deadline, the petitioner/requestor must contact the Office of the Secretary by e-mail at *HEARINGDOCKET@NRC.GOV*, or by calling (301) 415–1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and/or (2) creation of an electronic docket for the proceeding (even in instances in which the petitioner/requestor (or its counsel or representative) already holds an NRC-issued digital ID certificate). Each petitioner/requestor will need to download the Workplace Forms Viewer™ to access the Electronic Information Exchange (EIE), a component of the E-Filing system. The Workplace Forms Viewer™ is free and is available at *http://www.nrc.gov/site-help/e-submittals/install-viewer.html*. Information about applying for a digital ID certificate is available on NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/apply-certificates.html*.

Once a petitioner/requestor has obtained a digital ID certificate, had a docket created, and downloaded the EIE viewer, it can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at *http://www.nrc.gov/site-help/e-submittals.html*. A filing is considered complete at the time the filer submits its documents through EIE. To be timely, an electronic filing must be submitted to the EIE system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The EIE system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically may seek assistance through the ''Contact Us'' link located on the NRC Web site at *http://www.nrc.gov/site-help/e-submittals.html* or by calling the NRC technical help line, which is available between 8:30 a.m. and 4:15 p.m., Eastern Time, Monday through Friday. The help line number is (800) 397–4209 or locally, (301) 415–4737.

Participants who believe that they have good cause for not submitting documents electronically must file a motion, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service.

Non-timely requests and/or petitions and contentions will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board

[1] To the extent that the applications contain attachments and supporting documents that are not publicly available because they are asserted to contain safeguards or proprietary information, petitioners desiring access to this information should contact the applicant or applicant's counsel and discuss the need for a protective order.

that the petition and/or request should be granted and/or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)–(viii). To be timely, filings must be submitted no later than 11:59 p.m. Eastern Time on the due date.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at *http://ehd.nrc.gov/EHD_Proceeding/home.asp*, unless excluded pursuant to an order of the Commission, an Atomic Safety and Licensing Board, or a Presiding Officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Entergy Gulf States, Inc., and Entergy Operations, Inc., Docket No. 50–458, River Bend Station, Unit 1, West Feliciana Parish, Louisiana

Date of amendment request: December 17, 2007.

Brief description of amendment: The amendment added a license condition to the Facility Operating License, for a one-time extension of Reactor Protection System Instrumentation Surveillance Requirement (SR) 3.3.1.1.8 concerning the calibration of Local Power Range Monitors. This license condition also includes actions to ensure continued compliance with the associated safety analysis and resolution of this condition as soon as possible. This extension will allow operation until Refuel Outage -14 and establishment of the necessary conditions following the outage to allow the calibration to be performed.

Date of issuance: December 21, 2007.

Effective date: As of the date of issuance and shall be implemented prior to the required due date for the SR 3.3.1.1.8.

Amendment No.: 157.

Facility Operating License No. NPF–47: The amendment revised the Facility Operating License. *Public comments requested as to proposed no significant hazards consideration (NSHC):*

No. The Commission's related evaluation of the amendment, finding of emergency circumstances, state consultation, and final NSHC determination are contained in a safety evaluation dated December 21, 2007.

Attorney for licensee: Terence A. Burke, Associate General Council—Nuclear Entergy Services, Inc., 1340 Echelon Parkway, Jackson, Mississippi 39213.

NRC Branch Chief: Thomas G. Hiltz.

Dated at Rockville, Maryland, this 7th day of January 2008.

For the Nuclear Regulatory Commission.

Catherine Haney,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E8–421 Filed 1–11–08; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Sunshine Act Meetings Notice

AGENCY HOLDING THE MEETINGS: Nuclear Regulatory Commission.

DATE: Weeks of January 14, 21, 28; February 4, 11, 18, 2008.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of January 14, 2008

Monday, January 14, 2008

10 a.m.
Discussion of Adjudicatory Issues (Closed—Ex. 10).

Tuesday, January 15, 2008

9:25 a.m.
Affirmation Session (Public Meeting).
a. PG&E Co. (Diablo Canyon ISFSI), Docket No. 72–26–ISFSI, San Luis Obispo Mothers for Peace's Contention and Request for Hearing Re Diablo Canyon Environmental Assessment Supplement (Tentative).
b. Pilgrim Nuclear Power Station License Renewal Pilgrim Watch's Appeal of Interlocutory Board Order Summarily Disposing of Contention 3 (SAMAs) (LBP–07–13).

Week of January 21, 2008—Tentative

There are no meetings scheduled for the Week of January 21, 2008.

Week of January 28, 2008—Tentative

There are no meetings scheduled for the Week of January 28, 2008.

Week of February 4, 2008—Tentative

There are no meetings scheduled for the Week of February 4, 2008.

Week of February 11, 2008—Tentative

There are no meetings scheduled for the Week of February 11, 2008.

Week of February 18, 2008—Tentative

Wednesday, February 20, 2008

9:30 a.m.
Periodic Meeting on New Reactor Issues, Part 1 (Public Meeting). (Contact: Donna Williams, 301–415–1322.)

1:30 p.m.
Periodic Meeting on New Reactor Issues, Part 2 (Public Meeting). (Contact: Donna Williams, 301–415–1322).

This meeting, parts 1 and 2, will be webcast live at the Web address—*http://www.nrc.gov*.

*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415–1292. Contact person for more information: Michelle Schroll, (301) 415–1662.

The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/about-nrc/policy-making/schedule.html*.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301–492–2279, TDD: 301–415–2100, or by e-mail at *REB3@nrc.gov*. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301–415–1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to *dkw@nrc.gov*.

Dated: January 10, 2008.

R. Michelle Schroll,

Office of the Secretary.

[FR Doc. 08–114 Filed 1–11–08; 10:43 am]

BILLING CODE 7590–01–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy; Acquisition of Green Products and Services

AGENCY: Office of Management and Budget.

ACTION: Notice; correction.

SUMMARY: The Office of Management and Budget, Office of Federal Procurement Policy (OFPP) published a document in the **Federal Register** of December 28, 2007, concerning a proposed OFPP policy letter on the acquisition of green products and services. The document erroneously contained an effective date.

FOR FURTHER INFORMATION CONTACT: Jim Daumit, 202–395–1052.

Correction

In the **Federal Register** of December 28, 2007, in FR Doc. E7–25211, on page 73909, in the first column, remove item 13, ''Effective date'', in its entirety.

The publication is not effective as of December 28, 2007. The proposed OFPP policy letter published on December 28, 2007 is for public comment purposes only.

Dated: January 8, 2008.

Paul A. Denett,

Administrator.

[FR Doc. E8–521 Filed 1–14–08; 8:45 am]

BILLING CODE 3110–01–P

OVERSEAS PRIVATE INVESTMENT CORPORATION

January 31, 2008 Board of Directors Meeting

Time and Date: Thursday, January 31, 2008, 10 a.m. (Open Portion) 10:15 a.m. (Closed Portion).

Place: Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue, NW., Washington, DC.

Status: Meeting Open to the Public from 10 a.m. to 10:15 a.m. Closed portion will commence at 10:15 a.m. (approx.).

Matters To Be Considered:

1. President's Report.
2. Tribute—Ambassador Karan K. Bhatia.
3. Tribute—Ambassador Ned L. Siegel.
4. Tribute—Edith P. Quintrell.
5. Approval of September 20, 2007 Minutes (Open Portion).

Further Matters To Be Considered: (Closed to the Public 10:15 a.m.)

1. Report from Audit Committee.
2. Report from Office of Chief Financial Officer.
3. Finance Project—Lebanon.
4. Finance Project—Global.
5. Finance Project—Mexico.
6. Finance Project—Nicaragua.
7. Finance Project—Sub-Saharan and North Africa.
8. Finance Project—Sub-Saharan Africa.
9. Finance Project—East Africa.
10. Finance Project—Africa.
11. Finance Project—Sub-Saharan Africa.
12. Finance Project—Middle East, North Africa.
13. Pending Major Projects.
14. Approval of September 20, 2007 Minutes (Closed Portion).

Contact Person for Information: Information on the meeting may be obtained from Connie M. Downs at (202) 336–8438.

Dated: January 11, 2008.

Connie M. Downs,

Corporate Secretary, Overseas Private Investment Corporation.

[FR Doc. 08–117 Filed 1–11–08; 1:17 pm]

BILLING CODE 3210–01–M

OVERSEAS PRIVATE INVESTMENT CORPORATION

January 29, 2008 Public Hearing

Time and Date: 3 p.m., Tuesday, January 29, 2008.

Place: Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue, NW., Washington, DC.

Status: Hearing OPEN to the Public at 3 p.m.

Purpose: Public Hearing in conjunction with each meeting of OPIC's Board of Directors, to afford an opportunity for any person to present views regarding the activities of the Corporation.

Procedures

Individuals wishing to address the hearing orally must provide advance notice to OPIC's Corporate Secretary no later than 5 p.m., Wednesday, January 23, 2008. The notice must include the individual's name, title, organization, address, and telephone number, and a concise summary of the subject matter to be presented.

Oral presentations may not exceed ten (10) minutes. The time for individual presentations may be reduced proportionately, if necessary, to afford all participants who have submitted a timely request to participate an opportunity to be heard.

Participants wishing to submit a written statement for the record must submit a copy of such statement to OPIC's Corporate Secretary no later than 5 p.m., Wednesday, January 23, 2008. Such statements must be typewritten, double-spaced, and may not exceed twenty-five (25) pages.

Upon receipt of the required notice, OPIC will prepare an agenda for the hearing identifying speakers, setting forth the subject on which each participant will speak, and the time allotted for each presentation. The agenda will be available at the hearing.

A written summary of the hearing will be compiled, and such summary will be made available, upon written request to OPIC's Corporate Secretary, at the cost of reproduction.

Contact Person for Information: Information on the hearing may be obtained from Connie M. Downs at (202) 336–8438, via facsimile at (202) 218–0136, or via e-mail at *cdown@opic.gov.*

Dated: January 10, 2008.

Connie M. Downs,

OPIC Corporate Secretary.

[FR Doc. 08–118 Filed 1–11–08; 1:17 pm]

BILLING CODE 3210–01–M

OVERSEAS PRIVATE INVESTMENT CORPORATION

January 29, 2008 Annual Public Hearing

Time and Date: Tuesday, January 29, 2008, 2 p.m.

Place: Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue, NW., Washington, DC.

Status: Hearing OPEN to the Public at 2 p.m.

Purpose: Annual Public Hearing to afford an opportunity for any person to present views regarding the activities of the Corporation.

Procedures

Individuals wishing to address the hearing orally must provide advance notice to OPIC's Corporate Secretary no later than 5 p.m., Wednesday, January 23, 2008. The notice must include the individual's name, organization, address and telephone number, and a concise summary of the subject matter to be presented.

Oral presentations may not exceed ten (10) minutes. The time for individual presentations may be reduced proportionately, if necessary, to afford all participants who have submitted a timely request to participate, an opportunity to be heard.

Participants wishing to submit a written statement for the record must submit a copy of such statement to OPIC's Corporate Secretary no later than 5 p.m., Wednesday, January 23, 2008. Such statements must be typewritten, double-spaced and may not exceed twenty-five (25) pages.

Upon receipt of the required notice, OPIC will prepare an agenda for the hearing identifying speakers, setting forth the subject on which each participant will speak, and the time allotted for each presentation. The agenda will be available at the hearing.

A written summary of the hearing will be compiled, and such summary will be made available, upon written request to OPIC's Corporate Secretary, at the cost of reproduction.

Contact Person for Information: Information on the hearing may be obtained from Connie M. Downs at (202) 336–8438, via facsimile at (202) 408–0136, or via e-mail at *cdown@opic.gov.*

Supplementary Information: OPIC is a U.S. Government agency that provides, on a commercial basis, political risk insurance and financing in friendly developing countries and emerging democracies for environmentally sound projects that confer positive developmental benefits upon the project country while creating employment in the U.S. OPIC is required by section 231A(c) of the Foreign Assistance Act of 1961, as amended (the ''Act'') to hold at least one public hearing each year.

Dated: January 11, 2008.

Connie M. Downs,

OPIC Corporate Secretary.

[FR Doc. 08–119 Filed 1–11–08; 1:17 pm]

BILLING CODE 3210–01–M

PENSION BENEFIT GUARANTY CORPORATION

Interest Rates and Assumptions Under Parts 4006, 4007, 4062, 4219, and 4281 of PBGC Regulations

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice about availability of interest rates and assumptions.

SUMMARY: For a number of years, Pension Benefit Guaranty Corporation has published in the **Federal Register** a monthly notice informing the public of the interest rates and assumptions to be used under parts 4006, 4007, 4062, 4219, and 4281 of PBGC regulations. These rates and assumptions are published elsewhere (or can be derived from rates published elsewhere) and are also available on PBGC's Web site, *http://www.pbgc.gov.* Now that plans subject to PBGC regulations are required to make premium filings electronically through PBGC's Web site, PBGC has concluded that it is no longer necessary to duplicate the posting of these interest rates and assumptions on its Web site by also publishing the monthly **Federal Register** notices. Accordingly, this notice informs the public that the monthly **Federal Register** notices of PBGC interest rates and assumptions will no longer be published and describes how to access the rates and assumptions on PBGC's Web site.

FOR FURTHER INFORMATION CONTACT: Catherine B. Klion, Manager, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202–326–4024. (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4024.)

SUPPLEMENTARY INFORMATION: Several regulations of Pension Benefit Guaranty Corporation (PBGC) require the use of interest rates and assumptions that change monthly or quarterly. The regulations on Benefits Payable in Terminated Single-Employer Plans (29 CFR part 4022) and Allocation of Assets in Single-Employer Plans (29 CFR part 4044) require the use of interest rates and assumptions that are set by PBGC, and PBGC must amend those regulations monthly to promulgate new rates and assumptions. But other PBGC regulations refer to rates and assumptions that are not set by PBGC, but rather come from other sources. Thus persons using those regulations can determine the interest rates and assumptions they need to know without action by PBGC. For a number of years, PBGC has made the interest rates and assumptions available in monthly **Federal Register** notices and on its Web site. The regulations in this category are those on Premium Rates (29 CFR part 4006), Payment of Premiums (29 CFR part 4007), Liability for Termination of Single-Employer Plans (29 CFR part 4062), Notice, Collection, and Redetermination of Withdrawal Liability (29 CFR part 4219), and Duties of Plan Sponsor Following Mass Withdrawal (29 CFR part 4281).

On June 1, 2006 (at 71 FR 31077), PBGC published a final rule under which plans covered by the PBGC pension insurance program must make annual premium filings electronically. The e-filing requirement was phased in over two years and became applicable to all plans for plan years beginning after 2006. See 29 CFR 4007.3. Electronic premium filing is done through an application called ''My Plan Administration Account'' (''My PAA'') on PBGC's Web site. Thus, plans or their representatives are required to have access to PBGC's Web site in order to fulfill the premium e-filing obligation. Access to the Web site provides access to the interest rates and assumptions for use under the five regulations listed above because those rates and assumptions are posted on the Web site. PBGC has concluded that it is no longer necessary both to update the interest rates and assumptions on the Web site and to publish notice of the rates and assumptions in the **Federal Register**. Accordingly, PBGC is discontinuing publication of the monthly **Federal Register** notices. Monthly publication of final rules amending the benefit payments and allocation regulations (parts 4022 and 4044) will continue because of the need to amend those regulations each month to provide interest rates and assumptions set by PBGC.

To access the interest rates and assumptions on PBGC's Web site (*http://www.pbgc.gov*), go to the ''practitioner's page'' (by clicking on ''Practitioners'' at the top or left side of the home page). The interest rates and assumptions are listed at the top of the left column on the ''practitioners page.''

- For the interest rates for use in determining variable-rate premiums under the premium rates regulation (part 4006), click on the link to ''variable rate premiums.''
- For the interest rates applied to late premium payments under the premium payment regulation (part 4007), click on the link to ''late premium payments.''
- For the interest rates applied to under- and overpayments of employer liability under the termination liability regulation (part 4062), click on the link to ''late premium payments.''
- For the interest rates for charging or crediting interest on under- and overpayments of withdrawal liability under the withdrawal liability notice and collection regulation (part 4219) unless an applicable plan provision provides otherwise, click on the link to ''overdue or defaulted withdrawal liability.''
- For the interest rates and assumptions used for valuations under the plan sponsor duties regulation (part 4281), click on the link to ''immediate and deferred annuities.''

The rates and assumptions also may be obtained by calling PBGC's interest rate hotline at 202–326–4041 or by contacting Larry Shirley in PBGC's Policy, Research & Analysis Department at 202–326–4080, ext. 3474, or *shirley.larry@pbgc.gov.*

Issued in Washington, DC, on this 9th day of January 2008.

Vincent K. Snowbarger,

Deputy Director, Pension Benefit Guaranty Corporation.

[FR Doc. E8–568 Filed 1–14–08; 8:45 am]

BILLING CODE 7709–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–57113; File No. SR–CTA–2007–02]

Consolidated Tape Association; Order Approving the Eleventh Substantive Amendment to the Second Restatement of the Consolidated Tape Association Plan

January 8, 2008.

I. Introduction

On November 5, 2007, the Consolidated Tape Association (''CTA'') Plan Participants (''Participants'')[1] filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') pursuant to section 11A of the Securities Exchange Act of 1934 (''Act''),[2] and Rule 608 thereunder,[3] a proposal to amend the Second Restatement of the CTA Plan (the ''Plan'') to permit Participants to report to the Processor under the CTA Plan the actual number of shares for each transaction (exclusive of odd-lots), rather than to report the number of round lots for each transaction. The proposed Plan amendment was published for comment in the **Federal Register** on December 12, 2007.[4] No comment letters were received in response to the Notice. This order approves the proposed Plan amendment.

II. Description of the Proposal

The Plan currently requires Participants to include in their transaction reports to the CTA Plan's processor the stock symbol of the Eligible Security, the price at which the transaction was executed, and the volume, in round lots, involved in the transaction.

The Eleventh Substantive Amendment proposes to replace the requirement that Participant report each transaction's volume in round lots with a requirement that each Participant report the actual number of shares for each transaction, exclusive of odd lots. The Participants believe that it remains appropriate to exclude odd lots from CTA trade reporting because the small size of odd-lot trades adds little to marketplace transparency and because the number of odd-lot trades would clutter data feeds and make it more difficult for investors to obtain a true view of the markets for Eligible Securities.

The Participants propose to implement the change soon after receipt of Commission approval of the Amendment.

III. Discussion

The Commission finds that the proposed CTA Plan amendment is consistent with the Act and the rules and regulations thereunder.[5] Specifically, the Commission finds that the amendment to report transactions in the actual number of shares traded is consistent with Rule 608(b)(2)[6] of the Act in that it is necessary for the protection of investors, the maintenance of fair and orderly markets, and to remove impediments to a national market system.

The proposed amendment would add greater transparency to the market place. Thus, the proposed amendment is consistent with, and would further, one of the principal objectives for the national market system set forth in section 11A(a)(1)(C)(iii)[7] of the Act—increasing the availability of market information to broker-dealers and investors.

IV. Conclusion

It is therefore ordered, pursuant to section 11A of the Act,[8] and the rules thereunder, that the proposed amendment to the CTA Plan (SR–CTA–2007–02) is approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E8–528 Filed 1–14–08; 8:45 am]

BILLING CODE 8011–01–P

[1] Each Participant executed the proposed amendment. The Participants are the American Stock Exchange LLC; Boston Stock Exchange, Inc.; Chicago Board Options Exchange, Inc.; Chicago Stock Exchange, Inc.; International Securities Exchange, LLC; The NASDAQ Stock Market LLC; National Association of Securities Dealers, Inc. (n/k/a the Financial Industry Regulatory Authority); National Stock Exchange, Inc.; New York Stock Exchange LLC.; NYSE Arca, Inc.; and Philadelphia Stock Exchange, Inc.

[2] 15 U.S.C. 78k–1.

[3] 17 CFR 242.608.

[4] *See* Securities Exchange Act Release No. 56904 (December 5, 2007), 72 FR 70621 (''Notice'').

[5] The Commission has considered the proposed amendment's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[6] 17 CFR 242.608(b)(2).

[7] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[8] 15 U.S.C. 78k–1.

[9] 17 CFR 200.30–3(a)(27).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting; Federal Register Citation of Previous Announcement: [to be published]

STATUS: Open Meeting.

PLACE: 100 F Street, NE., L–002, Auditorium, Washington, DC.

ANNOUNCEMENT OF ADDITIONAL MEETING: Open Meeting.

The Commission has scheduled an Open Meeting for Wednesday, January 16, 2008 at 10 a.m., in the Auditorium, Room L–002.

The subject matter of the January 16, 2008 Open Meeting will be:

The Commission will consider whether to approve a proposed rule change submitted by the Chicago Board Options Exchange, Incorporated (''CBOE'') to interpret the ''Exercise Right'' in Article Fifth(b) of CBOE's Certificate of Incorporation (File No. SR–CBOE–2006–106).

Commissioner Nazareth, as duty officer, determined that no earlier notice of the Open Meeting was possible.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551–5400.

Dated: January 11, 2008.

Nancy M. Morris,

Secretary.

[FR Doc. E8–641 Filed 1–14–08; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 11148 and # 11149]

Nevada Disaster # NV–00008

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for the State of Nevada (FEMA–1738–DR), dated 01/08/2008.

Incident: Severe Winter Storms and Flooding.

Incident Period: 01/05/2008 and continuing.

Effective Date: 01/08/2008.

Physical Loan Application Deadline Date: 03/10/2008.

Economic Injury (EIDL) Loan Application Deadline Date: 10/08/2008.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 01/08/2008, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Lyon

Contiguous Counties (Economic Injury Loans Only):

Nevada: Carson City, Churchill, Douglas, Mineral, Storey, Washoe.

California: Mono.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	5.875
Homeowners Without Credit Available Elsewhere	2.937
Businesses With Credit Available Elsewhere	8.000
Other (Including Non-Profit Organizations) With Credit Available Elsewhere	5.250
Businesses And Non-Profit Organizations Without Credit Available Elsewhere	4.000
For Economic Injury:	
Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000

The number assigned to this disaster for physical damage is 111486 and for economic injury is 111490.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. E8–623 Filed 1–14–08; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 11146 and # 11147]

Indiana Disaster # IN–00015

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of INDIANA dated 01/08/2008.

Incident: Severe Storms and Tornadoes.

Incident Period: 10/18/2007.

EFFECTIVE DATE: 01/08/2008.

Physical Loan Application Deadline Date: 03/10/2008.

Economic Injury (EIDL) Loan Application Deadline Date: 10/08/2008.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Elkhart.

Contiguous Counties:

Indiana: Kosciusko, Lagrange, Marshall, Noble, St. Joseph.

Michigan: Cass, St. Joseph.

The Interest Rates Are:

	Percent
Homeowners With Credit Available Elsewhere	5.875
Homeowners Without Credit Available Elsewhere	2.937
Businesses With Credit Available Elsewhere	8.000
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Other (Including Non-Profit Organizations) With Credit Available Elsewhere	5.250
Businesses and Non-Profit Organizations Without Credit Available Elsewhere	4.000

The number assigned to this disaster for physical damage is 11146 C and for economic injury is 11147 0.

The States which received an EIDL Declaration # are Indiana, Michigan.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: January 8, 2008.

Steven C. Preston,

Administrator.

[FR Doc. E8–596 Filed 1–14–08; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Advisory Committee on Veterans Business Affairs; Public Meeting

The U.S. Small Business Administration (SBA), pursuant to the Veterans Entrepreneurship and Small Business Development Act of 1999 (Pub. L. 106–50), SBA Advisory Committee on Veterans Business Affairs will host a public meeting on Tuesday, January 8, 2008 starting at 9 a.m. until 5 p.m. The meeting will be held at the U.S. Small Business Administration, 409 3rd Street, SW., Washington, DC 20416, Eisenhower's Conference Room, Side B, 2nd Floor.

The purpose for this meeting is to examine issues pertaining to SBA's programs and outreach services for veterans and service-disabled veterans. Anyone wishing to attend must contact Cheryl Clark, Program Liaison, in the Office of Veterans Business Development at (202) 205–6773 or send an e-mail to *cheryl.clark@sba.gov.*

Cherylyn Lebon,

Committee Management Officer.

[FR Doc. E8–484 Filed 1–14–08; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 11150]

Iowa Disaster # IA–00013

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of IOWA (FEMA–1737–DR), dated 01/04/2008.

Incident: Severe Winter Storm.

Incident Period: 12/10/2007 through 12/11/2007.

EFFECTIVE DATE: 01/04/2008.

Physical Loan Application Deadline Date: 03/04/2008.

ADDRESSES: Submit completed loan applications to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 01/04/2008, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties:

Adair, Adams, Appanoose, Cedar, Clarke, Clinton, Davis, Decatur, Fremont, Iowa, Jefferson, Johnson, Jones, Keokuk, Linn, Lucas, Madison, Mahaska, Marion, Monroe, Montgomery, Page, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne.

The Interest Rates are:

	Percent
Other (Including Non-Profit Organizations) With Credit Available Elsewhere	5.250
Businesses and Non-Profit Organizations Without Credit Available Elsewhere	4.000

The number assigned to this disaster for physical damage is 11150

(Catalog of Federal Domestic Assistance Number 59008)

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. E8–554 Filed 1–14–08; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Public Federal Regulatory Enforcement Fairness Hearing; Region VI Regulatory Fairness Board

The U.S. Small Business Administration (SBA) Region VI Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a National Regulatory Fairness Hearing on Tuesday, January 22, 2008, at 10 a.m. The forum will take place at the Austin City Hall Chamber—Room 1001, 301 W. 2nd Street, Austin, TX 78701. The purpose of the meeting is for Business Organizations, Trade Associations, Chambers of Commerce and related organizations serving small business concerns to report experiences regarding unfair or excessive Federal regulatory enforcement issues affecting their members.

Anyone wishing to attend or to make a presentation must contact Lucy Salinas, in writing or by fax in order to be placed on the agenda. Lucy Salinas, Business Development Specialist, SBA, San Antonio District Office, 17319 San Pedro, Suite 200, San Antonio, TX 78232–1411, phone (210) 403–5921 and fax (202) 481–4228, e-mail: *Lucille.salinas@sba.gov*.

For more information, see our Web site at *http://www.sba.gov/ombudsman*.

Cherylyn H. Lebon,

Committee Management Officer.

[FR Doc. E8–483 Filed 1–14–08; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 6062]

Culturally Significant Objects Imported for Exhibition Determinations: ''Portrait of a Man''

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the object to be included in the exhibition ''Portrait of a Man,'' imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at The Metropolitan Museum of Art, New York, NY, from on or about February 11, 2008, until on or about August 11, 2010, and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit object, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–453–8050). The address is U.S. Department of State, SA–44, 301 4th Street, SW., Room 700, Washington, DC 20547–0001.

Dated: January 8, 2008.

C. Miller Crouch,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. E8–605 Filed 1–14–08; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice Number: 6020]

Bureau of Democracy, Human Rights and Labor; Public Meeting of the Advisory Committee on Persons With Disabilities

SUMMARY: The Advisory Committee on Persons With Disabilities of the U.S. Department of State and the U.S. Agency for International Development will conduct its fifth public meeting on Monday, February 4, 2008 from 9 a.m. to 4 p.m. in the Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Avenue, NW., Washington, DC 20004. For directions, see *http://www.itcdc.com/index.php.*

Attendees must have valid, government-issued identification, such as a Driver's License or passport, in order to enter the building. Attendees requiring reasonable accommodation should indicate their requirements one week prior to the event to Stephanie Ortoleva at *ortolevas@state.gov.*

The agenda of this meeting will include presentations by the following:

1. Eric Rosenthal, Executive Director, Mental Disability Rights International, will discuss MDRI reports on the situation of persons with mental disabilities in Serbia and in Argentina. The Serbia report can be found at: *http://www.mdri.org/projects/serbia/Serbia-rep-english.pdf.* The Argentina report can be found at: *http://www.mdri.org/projects/americas/Argentina/MDRI.ARG.ENG.NEW.pdf.*
2. Mary Keogh, International Coordinator, International Disability Rights Monitor, of the Center for International Rehabilitation, will discuss the Center's most recent report on the human rights situation of persons with disabilities in Europe. The European IDRM report can be found at: *http://www.idrmnet.org/pdfs/IDRM_Europe_2007.pdf.*
3. Ann Cody, Vice President for Government Affairs with B&D Consulting and a leader in the international sports movement, will discuss sports as a convening mechanism for promoting democracy, peace and human rights and leadership development for persons with disabilities.
4. Veda Engel, U.S. Department of State, Bureau of Human Resources, will discuss Department efforts to increase the recruitment of persons with disabilities.
5. Stephanie Ortoleva, Esq., U.S. Department of State, Bureau of Democracy, Human Rights and Labor, Foreign Affairs Officer and Advisory Committee Executive Director, will

discuss her recent assessment trip to Morocco for a Department grant and to meet with disability groups. She will also discuss other Department activities with respect to the human rights of persons with disabilities.

6. Robert Horvath, Senior Technical Advisor, U.S. Agency for International Development, will give an update on USAID activities, including discussion of funding programs and examples of recent accomplishments and successes in integrating disability within USAID field programs.

7. The Advisory Committee will discuss its plans for the forthcoming year.

The Advisory Committee is made up of the Secretary of State, the Administrator of the U.S. Agency for International Development and an Executive Director (all ex officio members); and eight members from outside the United States Government: Senda Benaissa, Joni Eareckson Tada, Vail Horton, John Kemp, Albert H. Linden, Jr., Kathleen Martinez, John Register and James E. Vermillion.

Established on June 23, 2004, the Advisory Committee serves the Secretary and the Administrator in an advisory capacity with respect to the consideration of the interests of persons with disabilities in formulation and implementation of U.S. foreign policy and foreign assistance. The Committee is established under the general authority of the Secretary and the Department of State as set forth in Title 22 of the United States Code, sections 2656 and 2651a, and in accordance with the Federal Advisory Committee Act, as amended.

Dated: January 8, 2008.

Stephanie Ortoleva,

Department of State, Bureau of Democracy, Human Rights and Labor.

[FR Doc. E8–566 Filed 1–14–08; 8:45 am]

BILLING CODE 4710–18–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Application of Multi-Aero, Inc. d/b/a Air Choice One for Commuter Air Carrier Authorization

AGENCY: Department of Transportation.

ACTION: Notice of Order to Show Cause (Order 2008–1–2) Docket DOT–OST–2002–12417.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Multi-Aero, Inc. d/b/a Air Choice One fit, willing, and able, and awarding it commuter air carrier authorization to engage in scheduled passenger air transportation as a commuter air carrier.

DATES: Persons wishing to file objections should do so no later than January 22, 2008.

ADDRESSES: Objections and answers to objections should be filed in Docket DOT–OST–2002–12417 and addressed to Docket Operations, (M–30, Room W12–140), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Ronâle Taylor, Air Carrier Fitness Division (X–56, Room W86–464), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 366–9721.

Dated: January 9, 2008.

Michael W. Reynolds,

Deputy Assistant Secretary for Aviation and International Affairs.

[FR Doc. E8–527 Filed 1–14–08; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms and Record Keeping Requirements Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on September 27, 2007 (72 FR 54974).

DATES: Comments must be submitted on or before February 14, 2008.

ADDRESSES: Comments should be directed to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

FOR FURTHER INFORMATION CONTACT: Michael Kido, National Highway Traffic Safety Administration, Office of the Chief Counsel (NCC–111), (202) 366–5263, 1200 New Jersey Avenue, SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

National Highway Traffic Safety Administration

Title: Confidential Business Information.

Type of Request: Extension of a currently approved collection.

Form Number: This collection of information uses no standard forms.

OMB Control Number: 2127–0025.

Frequency: Submission of information pursuant to this regulation will depend on the frequency with which a given entity, such as a manufacturer of motor vehicles or motor vehicle equipment, submits information and a request that the agency hold the information confidential, generally pursuant to Exemption 4 of the Freedom of Information Act (FOIA), 5 U.S.C. 552(b)(4).

Affected Public: This collection of information would apply to any person who seeks to have the agency treat as confidential information submitted to the agency either voluntarily or pursuant to a mandatory information request issued by the agency. Thus, the collection of information could apply to any of the entities over which the agency exercises regulatory authority. Recent trends lead the agency to estimate that NHTSA will receive approximately 450 requests for confidential treatment in 2007 and subsequent years. Large manufacturers make the vast majority of requests for confidential treatment.

Abstract: NHTSA's Confidential Business Information (CBI) rule, coupled with case law, has governed the submission of requests for confidential treatment of information for over 20 years. Recently, NHTSA amended the regulation to address submissions contained in an electronic medium (such as a CD–ROM). *See* 72 FR 59434 (Oct. 19, 2007).

Estimated Annual Burden: Using the above estimate of approximately 450 requests for confidentiality per year, with an estimated eight hours of preparation to collect and provide the information, at an assumed rate of $26.70 an hour, the annual estimated cost of collecting and preparing the information necessary for 450 complete requests for confidential treatment is about $96,120 (8 hours of preparation × 450 requests × $26.70). Adding in a postage cost of $2,070 (450 requests at a cost of $4.60 for postage), we estimate that it will cost $98,190 per year for persons to prepare and submit the information necessary to satisfy the

confidential business information provisions of 49 CFR part 512.

Requesters are not required to keep copies of any records or reports submitted to us. As a result, the cost imposed to keep records would be zero hours and zero costs.

Number of Respondents: We estimate that there will be approximately 450 requests per year.

Summary of the Collection of Information: Any entity seeking confidential treatment for information submitted to the agency will be required to request confidential treatment from the agency and to justify that request. To obtain confidential treatment of submitted information, the submitting entity must comply with the requirements in NHTSA's CBI regulation and satisfy the requirements for one of the exemptions provided under the FOIA, 5 U.S.C. 552(b).

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued on: January 9, 2008.

Lloyd S. Guerci,

Assistant Chief Counsel for Litigation and Enforcement.

[FR Doc. E8–487 Filed 1–14–08; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[REG–142299–01 & REG–209135–88]

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning existing final regulations, REG–142299–01 and REG–209135–88, Certain Transfers of Property to Regulated Investment Companies (RICs) and Real Estate Investment Trusts (REITs).

DATES: Written comments should be received on or before March 17, 2008 to be assured of consideration.

ADDRESSES: Direct all written comments to R. Joseph Durbala, Internal Revenue Service, Room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to Carolyn N. Brown at Internal Revenue Service, Room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202) 622–6688, or through the Internet at *Carolyn.N.Brown@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Certain Transfers of Property to Regulated Investment Companies (RICs) and Real Estate Investment Trusts (REITs).

OMB Number: 1545–1672.

Regulation Project Number: REG–142299–01 and REG–209135–88.

Abstract: The regulation applies with respect to the net built-in gain of C corporation property that becomes property of a Regulated Investment Company (RIC) or Real Estate Investment Trust (REIT) by the qualification of a C corporation as a RIC or REIT or by the transfer of property of a C corporation to a RIC or REIT in certain tax-free transactions. Depending on the date of the transfer of property or qualification as a RIC or REIT, the regulation provides that either (1) the C corporation will recognize gain as if it had sold the property at fair market value unless the RIC or REIT elects section 1374 treatment or (2) the RIC or REIT will be subject to section 1374 treatment with respect to the net recognized built-in-gain, unless the C corporation elects deemed sale treatment. The regulation provides that a section 1374 election is made by filing a statement, signed by an official authorized to sign the income tax return of the RIC or REIT and attached to the RIC's or REIT's Federal income tax return for the taxable year in which the property of the C corporation becomes the property of the RIC or REIT. The regulation provides that a deemed sale election is made by filing a statement, signed by an official authorized to sign the income tax return of the C corporation and attached to the C corporation's Federal income tax return for the taxable year in which the deemed sale occurs.

Current Actions: There are no changes being made to this existing regulation.

Type of Review: Extension of currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 140.

Estimated Time per Respondent: 30 minutes.

Estimated Total Annual Burden Hours: 70.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: January 9, 2008.

R. Joseph Durbala,

IRS Reports Clearance Officer.

[FR Doc. E8–580 Filed 1–14–08; 8:45 am]

BILLING CODE 4830–01–P

Corrections

Federal Register

Vol. 73, No. 10

Tuesday, January 15, 2008

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Correction

In notice document 07–6242 beginning on page 74330 in the issue of Monday, December 31, 2007, make the following correction:

On page 74331, in the first column, in the second full paragraph, in the 11th and 12th lines, ''*http://www. usdoj.gov/enrd/Consent_Decrees.html*'' should read ''*http://www.usdoj.gov/enrd/Consent_Decrees.html*''.

[FR Doc. C7–6242 Filed 1–14–08; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Water Act

Correction

In notice document 07-6243 beginning on page 74330 in the issue of Monday, December 31, 2007, make the following correction:

On page 74330, in the second column, in the second full paragraph, in the 13th and 14th lines, ''*pubcomment-ees.enrd@usdj.gov*'' should read ''*pubcomment-ees.enrd@usdoj.gov*''.

[FR Doc. C7–6243 Filed 1–14–08; 8:45 am]

BILLING CODE 1505–01–D

Federal Register

Tuesday,
January 15, 2008

Part II

Department of Health and Human Services

Centers for Medicare & Medicaid Services

42 CFR Parts 409, 410, 411 et al.

Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule, and Other Part B Payment Policies for CY 2008; Revisions to the Payment Policies of Ambulance Services Under the Ambulance Fee Schedule for CY 2008; and the Amendment of the E-Prescribing Exemption for Computer-Generated Facsimile Transmissions; Corrections; Final Rule

Department of Health and Human Services

Centers for Medicare & Medicaid Services

42 CFR Parts 409, 410, 411, 413, 414, 415, 418, 423, 424, 482, 484, and 485

[CMS–1385–CN2]

RIN 0938–A065

Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule, and Other Part B Payment Policies for CY 2008; Revisions to the Payment Policies of Ambulance Services Under the Ambulance Fee Schedule for CY 2008; and the Amendment of the E-Prescribing Exemption for Computer-Generated Facsimile Transmissions; Corrections

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

ACTION: Correction Notice of Final Rule with Comment Period.

SUMMARY: This correction notice corrects several technical and typographical errors in the final rule with comment period that appeared in the November 27, 2007 **Federal Register** (72 FR 66222). The final rule with comment period addressed Medicare Part B payment policy, including the physician fee schedule (PFS) that is applicable for calendar year (CY) 2008; the competitive acquisition program (CAP); clinical lab fee schedule issues; performance standards for diagnostic testing facilities; conforming and clarifying changes for comprehensive outpatient rehabilitation facilities (CORFs); physician self-referral issues; and standards and requirements related to therapy services under Medicare Parts A and B. The final rule with comment period also updated the list of services subject to the physician self-referral prohibitions.

EFFECTIVE DATE: This correction notice is effective January 1, 2008.

FOR FURTHER INFORMATION CONTACT: Diane Milstead, (410) 786–3355.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 07–5506 of November 27, 2007 (72 FR 66222) (hereinafter referred to as the CY 2008 PFS final rule with comment period), there were a number of technical and typographical errors that are identified and corrected in the Correction of Errors section of this notice. The provisions of this notice are effective as if they had been included in the CY 2008 PFS final rule with comment period. Accordingly, the corrections are effective January 1, 2008.

II. Summary of Errors

A. Errors in the Preamble

On page 66276, the third column, the third paragraph, lines are 10 through 13, the sentence ''It is not unusual for us to provide for discretionary reopening or reconsideration of final agency action'' is deleted because the sentence was inadvertently repeated.

On page 66392, Table 40, Impact of Final Rule with Comment Period and Estimated Physician Update on 2008 Payment for Selected Procedures, the columns for 2008 payment amount and the percent change for both facility and non-facility are corrected due to a methodological error.

B. Errors in the Addenda

On pages 66410 through 66543, Addendum B, Relative Value Units and Related Information Used in Determining Medicare Payments for 2008, incorrect PE RVUs were listed for many CPT codes due to a methodological error. Therefore, for the convenience of health care providers and the public, we are republishing Addendum B in its entirety. In addition, the work RVUs are corrected for CPT code 67113 and the status indicator, work RVUs, and malpractice RVUs are corrected for CPT code 93503 in this revised addendum.

On pages 66543 through 66545, Addendum C, Codes with Interim RVUs, incorrect PE RVUs were listed for many CPT codes due to a methodological error. Therefore, for the convenience of health care providers and the public, we are republishing Addendum C in its entirety.

On pages 66545 through 66546, Addendum D, 2008 Geographic Adjustment Factors (GAFs), we identified errors in the data used to calculate the GAFs, and therefore, we are republishing Addendum D in its entirety.

On pages 66546 through 66547, Addendum E, 2008 * * * Geographic Practice Cost Indices by State and Medicare Locality, we identified errors in the data used to calculate the Geographic Practice Cost Indices (GPCIs), and therefore, we are republishing Addendum E in its entirety.

On pages 66575 through 66578, Addendum I, List of CPT [1]/HCPCS Codes Used to Describe Certain Designated Health Service Categories [2] Under Section 1877 of the Social Security Act, Correction to Addendum I, we incorrectly included CPT code 0147T and its short descriptor within the short descriptor for CPT code 0146T, and CPT code 71015 and its short descriptor within the short descriptor for CPT code 71010. Therefore, we are republishing the entries for CPT 0146T, 0147T, 71010, and 71015 on separate lines. We are removing CPT codes 75558, 75560, 75562, and 75564 because these codes are considered non-covered services and were incorrectly included on the Code List. We are removing HCPCS code C2637 because it is paid for as part of an ASC service and should not have been included on the Code List. (We note that when provided in an inpatient or outpatient hospital setting, this source *is* considered to be a Designated Health Service.) In addition, the short descriptor for the HCPCS code G0103 was incorrect, and therefore, we are revising. Also, we omitted CPT code 76801 and we are adding it to Addendum I.

III. Correction of Errors

A. Corrections to the Preamble

1. On page 66226, 3rd column, 4th paragraph, lines 5 through 7, the phrase ''we are applying a separate budget neutrality (BN) adjustor'' is corrected to read ''we applied a separate budget neutrality (BN) adjustor''.

2. On page 66227, at the top of the 1st column, the formula ''Payment = [(RVU work × budget neutrality adjustor × work GPCI) + (RVU PE × PE GPCI) + (MP RVU × MP GPCI)] × CF'' is corrected to read ''Payment = [(RVU work × budget neutrality adjustor (round product to two decimal places) × GPCI work) + (RVU PE × GPCI PE) + (RVU malpractice × GPCI malpractice)] × CF''.

3. On page 66241, in Table 4, Practice Expense Supply Item Additions for CY 2008, the 8th row, with the supply description ''fee, image analysis'' is corrected by deleting this row.

4. On page 66242, in Table 5, Practice Expense Equipment Item Additions for CY 2008,

a. In the 2nd row, in the 5th column, CPT codes ''7557'' and ''7558'' are corrected to read ''75557'' and ''75558''.

b. In the 5th row, the equipment description ''Camera, ocular photoscreening, w-laptop and software'' is corrected by deleting this row.

5. On page 66253, in the 2nd column, following the 2nd full paragraph, 2nd bullet, line 1, the term ''angioscopy'' is corrected to read ''angiography''.

6. On page 66254,

a. First column, after the 1st full paragraph, the title of item 2, lines 3 and 4, the phrase ''(CPT codes 17311 Through 17315)'' is corrected to read ''(CPT codes 17311 and 17313)''.

b. Second column, the 2nd full paragraph,

(1) Line 6, the phrase ''17311 through 17315'' is corrected to read ''17311 and 17313''.

(2) Line 11, following the phrase ''created in 2007.'' insert the sentence ''(**Note:** CPT codes 17312, 17314, and 17315 are not subject to the multiple surgery payment reduction because they are add-on codes.)''

7. On page 66262, 3rd column, 3rd full paragraph, lines 32 through 35, the Web site reference to ''*http://www.cmsm.hhs.gov/Competitive AcquisforBios/15____Approved ____Vendor.asp#TopOfPage''* is corrected to read ''*http://www.cms.hhs.gov/CompetitiveAcquisforBios/15____Approved ____Vendor.asp#TopOfPage.*''

8. On page 66263, 1st column, 1st partial paragraph, lines 20 and 21, the Web site reference to ''*http://www.cms.hhs.gov/manuals/downloads/pim83co2pdf*'' is corrected to read ''*http://www.cms.hhs.gov/Manuals/01_Overview.asp.*''

9. On page 66268, 1st column, the last paragraph, line 1, the phrase ''section 1847B(b)(4)(E)'' is corrected to read ''section 1847B(b)(4)(E)''.

10. On page 66270, 2nd column, 1st full paragraph, line 1, the phrase ''commercially-available'' is corrected to read ''commercially available''.

11. On page 66273, 3rd column, 1st full paragraph, lines 14 and 15, the Web site reference to ''*http://www.grants.nih.gov/grants/guide/rfa-files/FRA-HS-06-001.html*'' is corrected to read ''*http://www.grants.nih.gov/grants/guide/rfa-files/RFA-HS-06-001.html.*''

12. On page 66276, 3rd column, 3rd full paragraph, lines 10 through 13, the sentence ''It is not unusual for us to provide for discretionary reopening or reconsideration of final agency action'' is corrected by deleting the sentence.

13. On page 66285, 3rd column, 1st partial paragraph, line 3, the term ''Administrator'' is corrected to ''Administrative''.

14. On page 66287, 1st column, 5th full paragraph, line 6, the phrase ''by noting that term'' is corrected to read ''by noting that the term''.

15. On page 66291, 1st column, 2nd paragraph, line 14, the phrase ''procedure to another Medicare-enrolled'' is corrected to read ''procedure from another Medicare-enrolled''.

16. On page 66292, 3rd column, 2nd paragraph,

a. Line 6, the phrase ''a fixed-base IDTF does not–'' is corrected to read ''a fixed-base IDTF is prohibited from—''.

b. Line 7 (1st bullet), the term ''Share'' is corrected to read ''Sharing.''

c. Line 10 (2nd bullet), the phrase ''Lease or sublease'' is corrected to read ''Leasing or subleasing.''

d. Line 14 (3rd bullet), the term ''Share'' is corrected to read ''Sharing.''

17. On page 66301, 3rd column, 1st partial paragraph, lines 3 and 4, the phrase ''and should not be referring'' is corrected to read ''and should not be understood to refer''.

18. In Table 16, ''AMA RUC and HCPAC Recommendations and CMS' Decisions for New and Revised 2008 CPT Codes'', in the second column labeled ''Mod'', the ''26'' following CPT code 93503 is removed.

19. On page 66372, 3rd column, 1st partial paragraph, line 1, the reference to ''Addendum x'' is corrected to read ''Addendum I.''

20. On pages 66372 and 66373, Table 19, Additions to the Physician Self-Referral List of CPT/HCPCS Codes, the table is corrected by—

a. Deleting the following entries:

(1) Under the heading ''Radiology and Certain Other Imaging Services'',

Radiology and Certain Other Imaging Services	
75558	Cardiac mri flow/velocity.
75560	Cardiac mri flow/vel/stress.
75562	Card mri flow/vel w/dye.
75564	Ht mri w/flow/vel/strs & dye.

(2). Under the heading ''Radiation Therapy Services and Supplies'',

Radiation Therapy Services and Supplies	
C2637	Brachytx, Ytterbium-169

b. Correcting the following entries:

C1716	Brachytx, non-str, Gold-198.
C1717	Brachytx, non-str, HDR Ir-192.
C1719	Brachytx, NS, Non-HDRIr-192.
C2616	Brachytx, non-str, Yttrium-90.
C2634	Brachytx, non-str, HA, I-125.
C2635	Brachytx, non-str, HA, P-103.
C2636	Brachy linear, non-str, P-103.
C2640	Brachytx, stranded, P-103.
C2641	Brachytx, non-stranded, P-103.

21. On page 66383, Table 35, Calculation for the 2008 Anesthesia Conversion Factor,

a. Third row (2007 Combined Adjustment for PE and BN), 2nd column, the figure ''0.9089'' is corrected to read ''0.911''.

b. Fourth row (CY 2007 Pre-TRHCA Anesthesia Conversion Factor), 2nd column, the figure ''$15.3328'' is corrected to read ''$15.3682''.

c. Seventh row (CY 2008 Anesthesia CF after MEI and 2008 Adjustment Factor), 2nd column, the figure ''$14.5162'' is corrected to read ''$14.5497''.

d. Eighth row (2008 Combined Adjustment for PE and BN), 2nd column, the figure ''1.1250'' is corrected to read ''1.2277''.

e. Ninth row (CY 2008 Anesthesia Conversion Factor), 2nd column, the figure ''16.3307'' is corrected to read ''$17.8627''.

22. On page 66391, Table 39, Combined CY 2008 Total Allowed Charge Impact for the Remaining 5-Year Review of Work RVUs and Practice Expense Changes, OPPS Imagining Cap, and the CY 2008 Update, the 1st footnote ''*PE changes are CY 2008 second year transition changes. For fully implemented CY 2010 PE changes see Table 1.'' is corrected to read ''*PE changes are CY 2008 second year transition changes. For fully implemented CY 2010 PE changes see Table 38.''

23. On page 66392, Table 40, Impact of Final Rule with Comment Period and Estimated Physician Update on 2008 Payment for Selected Procedures, the columns for 2008 payment amount and the percent change are corrected to read as follows:

TABLE 40.—IMPACT OF FINAL RULE WITH COMMENT PERIOD AND PHYSICIAN UPDATE ON 2008 PAYMENT FOR SELECTED PROCEDURES

CPT/HCPCS	MOD	Description	Facility			Non-facility		
			2007	2008	Percent change	2007	2008	Percent change
11721	.....	Debride nail, 6 or more	$28.80	$24.53	−15	$39.03	$35.43	−9
17000	.....	Destruct premalg lesion	44.72	41.56	−7	63.29	60.30	−5
27130	.....	Total hip arthroplasty	1,360.52	1,195.11	−12	na	na	na
27244	.....	Treat thigh fracture	1,100.92	963.45	−12	na	na	na

TABLE 40.—IMPACT OF FINAL RULE WITH COMMENT PERIOD AND PHYSICIAN UPDATE ON 2008 PAYMENT FOR SELECTED PROCEDURES—Continued

CPT/HCPCS	MOD	Description	Facility			Non-facility		
			2007	2008	Percent change	2007	2008	Percent change
27447		Total knee arthroplasty	1,464.74	1,283.69	−12	na	na	na
33533		CABG, arterial, single	1,908.52	1,659.12	−13	na	na	na
35301		Rechanneling of artery	1,071.74	934.83	−13	na	na	na
43239		Upper GI endoscopy, biopsy	155.00	140.36	−9	325.16	294.35	−9
66821		After cataract laser surgery	253.53	223.15	−12	270.97	238.14	−12
66984		Cataract surg w/iol, 1 stage	641.98	560.08	−13	na	na	na
67210		Treatment of retinal lesion	556.34	488.20	−12	580.59	507.96	−13
71010		Chest x-ray	na	na	na	26.15	22.83	−13
71010	26	Chest x-ray	8.72	7.84	−10	8.72	7.84	−10
77056		Mammogram, both breasts	na	na	na	97.40	93.69	−4
77056	26	Mammogram, both breasts	41.31	37.48	−9	41.31	37.48	−9
77057		Mammogram, screening	na	na	na	81.86	73.93	−10
77057	26	Mammogram, screening	33.35	30.32	−9	33.35	30.32	−9
77427		Radiation tx management, x5	176.22	158.42	−10	176.22	158.42	−10
78465	26	Heart image (3d), multiple	73.14	66.43	−9	73.14	66.43	−9
88305	26	Tissue exam by pathologist	37.90	32.36	−15	37.90	32.36	−15
90801		Psy dx interview	129.99	112.08	−14	145.15	131.50	−9
90862		Medication management	44.72	39.18	−12	50.40	46.67	−7
90935		Hemodialysis, one evaluation	67.46	58.26	−14	na	na	na
92012		Eye exam established pat	34.11	38.50	13	61.77	62.69	1
92014		Eye exam & treatment	55.71	59.28	6	91.33	90.96	0
92980		Insert intracoronary stent	795.85	721.22	−9	na	na	na
93000		Electrocardiogram, complete	24.63	20.78	−16	24.63	20.78	−16
93010		Electrocardiogram report	8.34	7.50	−10	8.34	7.50	−10
93015		Cardiovascular stress test	104.22	93.01	−11	104.22	93.01	−11
93307	26	Echo exam of heart	46.99	42.24	−10	46.99	42.24	−10
93510	26	Left heart catheterization	242.92	215.65	−11	242.92	215.65	−11
98941		Chiropractic manipulation	28.80	25.55	−11	33.35	29.64	−11
99203		Office/outpatient visit, new	67.08	58.60	−13	91.71	81.42	−11
99213		Office/outpatient visit, est	42.07	37.48	−11	59.50	53.49	−10
99214		Office/outpatient visit, est	66.32	58.60	−12	90.20	80.40	−11
99222		Initial hospital care	119.00	104.59	−12	na	na	na
99223		Initial hospital care	173.57	153.65	−11	na	na	na
99231		Subsequent hospital care	35.62	31.68	−11	na	na	na
99232		Subsequent hospital care	63.67	56.55	−11	na	na	na
99233		Subsequent hospital care	90.95	81.08	−11	na	na	na
99236		Observ/hosp same date	205.40	179.20	−13	na	na	na
99239		Hospital discharge day	94.74	83.13	−12	na	na	na
99243		Office consultation	93.23	83.13	−11	122.41	109.36	−11
99244		Office consultation	145.91	130.14	−11	179.26	160.12	−11
99253		Inpatient consultation	108.77	97.09	−11	na	na	na
99254		Inpatient consultation	156.52	140.02	−11	na	na	na
99283		Emergency dept visit	60.64	52.81	−13	na	na	na
99284		Emergency dept visit	110.28	97.44	−12	na	na	na
99291		Critical care, first hour	208.82	182.61	−13	256.19	224.51	−12
99292		Critical care, add'l 30 min	104.60	91.64	−12	114.45	100.16	−12
99348		Home visit, est patient	na	na	na	66.32	68.14	3
99350		Home visit, est patient	na	na	na	150.83	139.34	−8
G0008		Admin influenza virus vac	na	na	na	18.95	18.40	−3
G0317		ESRD related svs 4+mo 20+yrs	283.09	245.63	−13	283.09	245.63	−13

23. On page 66393,

a. First column, after the 2nd full paragraph, the following paragraph is inserted as a result of corrections to Addendum D noted below in this notice. The insertion reads as follows:

''In 2008, the counties with the three highest GAFs were in California. Thirty-one payment localities had increases in the GAF of less than one percent. Thirty-eight payment localities had decreases of less than 1 percent. Fifteen payment localities had decreases of over 1 percent and eight payment localities had increases of over 1 percent.''

b. First column, the 3rd full paragraph and 4th partial paragraph are deleted as a result of corrections to Addendum D noted below in this notice.

c. Second column, the 1st partial paragraph is deleted as a result of corrections to Addendum D noted below in this notice.

B. Corrections to the Addenda

The corrections to Addenda B, C, D, E, F, and I will not appear in the Code of Federal Regulations.

1. On pages 66410 through 66543, Addendum B, Relative Value Units and Related Information Used in Determining Medicare Payments for 2008, the table is corrected to read as follows:

ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
0016T		C	Thermotx choroid vasc lesion	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0017T		C	Photocoagulat macular drusen	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0019T		C	Extracorp shock wv tx,ms nos	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0026T		C	Measure remnant lipoproteins	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0027T		C	Endoscopic epidural lysis	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0028T		C	Dexa body composition study	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0029T		C	Magnetic tx for incontinence	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0030T		C	Antiprothrombin antibody	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0031T		C	Speculoscopy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0032T		C	Speculoscopy w/direct sample	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0041T		C	Detect ur infect agnt w/cpas	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0042T		C	Ct perfusion w/contrast, cbf	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0043T		C	Co expired gas analysis	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0046T		C	Cath lavage, mammary duct(s)	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0047T		C	Cath lavage, mammary duct(s)	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0048T		C	Implant ventricular device	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0049T		C	External circulation assist	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0050T		C	Removal circulation assist	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0051T		C	Implant total heart system	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0052T		C	Replace component heart syst	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0053T		C	Replace component heart syst	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0058T		C	Cryopreservation, ovary tiss	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0059T		C	Cryopreservation, oocyte	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0060T		C	Electrical impedance scan	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0061T		C	Destruction of tumor, breast	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0062T		C	Rep intradisc annulus;1 lev	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0063T		C	Rep intradisc annulus;>1lev	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0064T		C	Spectroscop eval expired gas	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0066T		N	Ct colonography;screen	0.00	0.00	0.00	NA	NA	0.00	XXX
0066T	TC	N	Ct colonography;screen	0.00	0.00	0.00	NA	NA	0.00	XXX
0066T	26	N	Ct colonography;screen	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0067T		C	Ct colonography;dx	0.00	0.00	0.00	NA	NA	0.00	XXX
0067T	TC	C	Ct colonography;dx	0.00	0.00	0.00	NA	NA	0.00	XXX
0067T	26	C	Ct colonography;dx	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0068T		C	Interp/rept heart sound	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0069T		C	Analysis only heart sound	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0070T		C	Interp only heart sound	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0071T		C	U/s leiomyomata ablate <200	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0072T		C	U/s leiomyomata ablate >200	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0073T		A	Delivery, comp imrt	0.00	13.17	15.60	NA	NA	0.13	XXX
0075T		C	Perq stent/chest vert art	0.00	0.00	0.00	NA	NA	0.00	XXX
0075T	TC	C	Perq stent/chest vert art	0.00	0.00	0.00	NA	NA	0.00	XXX
0075T	26	C	Perq stent/chest vert art	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0076T		C	S&i stent/chest vert art	0.00	0.00	0.00	NA	NA	0.00	XXX
0076T	TC	C	S&i stent/chest vert art	0.00	0.00	0.00	NA	NA	0.00	XXX
0076T	26	C	S&i stent/chest vert art	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0077T		C	Cereb therm perfusion probe	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0078T		C	Endovasc aort repr w/device	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0079T		C	Endovasc visc extnsn repr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0080T		C	Endovasc aort repr rad s&i	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0081T		C	Endovasc visc extnsn s&i	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0084T		C	Temp prostate urethral stent	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0085T		C	Breath test heart reject	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0086T		C	L ventricle fill pressure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0087T		C	Sperm eval hyaluronan	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0088T		C	Rf tongue base vol reduxn	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0089T		C	Actigraphy testing, 3-day	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0090T		C	Cervical artific disc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0092T		C	Artific disc addl	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0093T		C	Cervical artific diskectomy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0095T		C	Artific diskectomy addl	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0096T		C	Rev cervical artific disc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0098T		C	Rev artific disc addl	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0099T		C	Implant corneal ring	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0100T		C	Prosth retina receive&gen	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0101T		C	Extracorp shockwv tx,hi enrg	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0102T		C	Extracorp shockwv tx,anesth	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0103T		C	Holotranscobalamin	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0104T		C	At rest cardio gas rebreathe	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0105T		C	Exerc cardio gas rebreathe	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0106T		C	Touch quant sensory test	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0107T		C	Vibrate quant sensory test	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0108T		C	Cool quant sensory test	0.00	0.00	0.00	0.00	0.00	0.00	XXX

[1] CPT codes and descriptions only are copyright 2007 American Medical Association. All Rights Reserved. Applicable FARS/DFARS Apply.

[2] If values are reflected for codes not payable by Medicare, please note that these values have been established as a courtesy to the general public and are not used for Medicare payment.

ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
0109T		C	Heat quant sensory test	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0110T		C	Nos quant sensory test	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0111T		C	Rbc membranes fatty acids	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0123T		C	Scleral fistulization	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0124T		C	Conjunctival drug placement	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0126T		C	Chd risk imt study	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0130T		C	Chron care drug investigatn	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0137T		C	Prostate saturation sampling	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0140T		C	Exhaled breath condensate ph	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0141T		I	Perq islet transplant	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0142T		I	Open islet transplant	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0143T		I	Laparoscopic islet transplnt	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0144T		C	CT heart wo dye; qual calc	0.00	0.00	0.00	NA	NA	0.00	XXX
0144T	TC	C	CT heart wo dye; qual calc	0.00	0.00	0.00	NA	NA	0.00	XXX
0144T	26	C	CT heart wo dye; qual calc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0145T		C	CT heart w/wo dye funct	0.00	0.00	0.00	NA	NA	0.00	XXX
0145T	TC	C	CT heart w/wo dye funct	0.00	0.00	0.00	NA	NA	0.00	XXX
0145T	26	C	CT heart w/wo dye funct	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0146T		C	CCTA w/wo dye	0.00	0.00	0.00	NA	NA	0.00	XXX
0146T	TC	C	CCTA w/wo dye	0.00	0.00	0.00	NA	NA	0.00	XXX
0146T	26	C	CCTA w/wo dye	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0147T		C	CCTA w/wo, quan calcium	0.00	0.00	0.00	NA	NA	0.00	XXX
0147T	TC	C	CCTA w/wo, quan calcium	0.00	0.00	0.00	NA	NA	0.00	XXX
0147T	26	C	CCTA w/wo, quan calcium	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0148T		C	CCTA w/wo, strxr	0.00	0.00	0.00	NA	NA	0.00	XXX
0148T	TC	C	CCTA w/wo, strxr	0.00	0.00	0.00	NA	NA	0.00	XXX
0148T	26	C	CCTA w/wo, strxr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0149T		C	CCTA w/wo, strxr quan calc	0.00	0.00	0.00	NA	NA	0.00	XXX
0149T	TC	C	CCTA w/wo, strxr quan calc	0.00	0.00	0.00	NA	NA	0.00	XXX
0149T	26	C	CCTA w/wo, strxr quan calc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0150T		C	CCTA w/wo, disease strxr	0.00	0.00	0.00	NA	NA	0.00	XXX
0150T	TC	C	CCTA w/wo, disease strxr	0.00	0.00	0.00	NA	NA	0.00	XXX
0150T	26	C	CCTA w/wo, disease strxr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0151T		C	CT heart funct add-on	0.00	0.00	0.00	NA	NA	0.00	XXX
0151T	TC	C	CT heart funct add-on	0.00	0.00	0.00	NA	NA	0.00	XXX
0151T	26	C	CT heart funct add-on	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0155T		C	Lap impl gast curve electrd	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0156T		C	Lap remv gast curve electrd	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0157T		C	Open impl gast curve electrd	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0158T		C	Open remv gast curve electrd	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0159T		C	Cad breast mri	0.00	0.00	0.00	NA	NA	0.00	ZZZ
0159T	TC	C	Cad breast mri	0.00	0.00	0.00	NA	NA	0.00	ZZZ
0159T	26	C	Cad breast mri	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
0160T		C	Tcranial magn stim tx plan	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0161T		C	Tcranial magn stim tx deliv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0162T		C	Anal program gast neurostim	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0163T		C	Lumb artif diskectomy addl	0.00	0.00	0.00	0.00	0.00	0.00	YYY
0164T		C	Remove lumb artif disc addl	0.00	0.00	0.00	0.00	0.00	0.00	YYY
0165T		C	Revise lumb artif disc addl	0.00	0.00	0.00	0.00	0.00	0.00	YYY
0166T		C	Tcath vsd close w/o bypass	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0167T		C	Tcath vsd close w bypass	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0168T		C	Rhinophototx light app bilat	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0169T		C	Place stereo cath brain	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0170T		C	Anorectal fistula plug rpr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0171T		C	Lumbar spine proces distract	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0172T		C	Lumbar spine process addl	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0173T		C	Iop monit io pressure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0174T		C	Cad cxr with interp	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0175T		C	Cad cxr remote	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0176T		C	Aqu canal dilat w/o retent	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0177T		C	Aqu canal dilat w retent	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0178T		C	64 lead ecg w i&r	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0179T		C	64 lead ecg w tracing	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0180T		C	64 lead ecg w i&r only	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0181T		C	Corneal hysteresis	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0182T		C	Hdr elect brachytherapy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0183T		C	Wound ultrasound	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0184T		C	Exc rectal tumor endoscopic	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0185T		C	Comptr probability analysis	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0186T		C	Suprachoroidal drug delivery	0.00	0.00	0.00	0.00	0.00	0.00	XXX
0187T		C	Ophthalmic dx image anterior	0.00	0.00	0.00	0.00	0.00	0.00	XXX
10021		A	Fna w/o image	1.27	2.18	2.17	0.37	0.46	0.10	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
10022		A	Fna w/image	1.27	2.15	2.35	0.41	0.41	0.08	XXX
10040		A	Acne surgery	1.19	1.33	1.17	0.98	0.88	0.05	010
10060		A	Drainage of skin abscess	1.19	1.51	1.36	1.08	1.01	0.12	010
10061		A	Drainage of skin abscess	2.42	2.07	1.95	1.51	1.50	0.26	010
10080		A	Drainage of pilonidal cyst	1.19	2.68	2.89	1.10	1.11	0.11	010
10081		A	Drainage of pilonidal cyst	2.47	3.49	3.78	1.45	1.47	0.24	010
10120		A	Remove foreign body	1.23	1.95	2.06	0.94	0.96	0.12	010
10121		A	Remove foreign body	2.71	3.51	3.51	1.65	1.72	0.33	010
10140		A	Drainage of hematoma/fluid	1.55	2.26	2.02	1.29	1.29	0.19	010
10160		A	Puncture drainage of lesion	1.22	1.85	1.72	1.08	1.08	0.14	010
10180		A	Complex drainage, wound	2.27	3.25	3.12	1.80	1.89	0.35	010
11000		A	Debride infected skin	0.60	0.72	0.65	0.16	0.19	0.07	000
11001		A	Debride infected skin add-on	0.30	0.23	0.23	0.08	0.10	0.04	ZZZ
11004		A	Debride genitalia & perineum	10.80	NA	NA	3.21	3.55	0.67	000
11005		A	Debride abdom wall	14.24	NA	NA	3.78	4.67	0.96	000
11006		A	Debride genit/per/abdom wall	13.10	NA	NA	3.96	4.40	1.28	000
11008		A	Remove mesh from abd wall	5.00	NA	NA	1.29	1.66	0.61	ZZZ
11010		A	Debride skin, fx	4.19	6.81	6.84	2.34	2.48	0.66	010
11011		A	Debride skin/muscle, fx	4.94	7.04	7.60	2.01	2.18	0.74	000
11012		A	Debride skin/muscle/bone, fx	6.87	9.01	10.56	3.11	3.47	1.16	000
11040		A	Debride skin, partial	0.50	0.68	0.60	0.16	0.18	0.06	000
11041		A	Debride skin, full	0.60	0.72	0.69	0.19	0.26	0.10	000
11042		A	Debride skin/tissue	0.80	0.95	0.96	0.24	0.34	0.13	000
11043		A	Debride tissue/muscle	3.04	3.51	3.44	2.60	2.60	0.32	010
11044		A	Debride tissue/muscle/bone	4.11	4.84	4.65	3.58	3.67	0.43	010
11055		R	Trim skin lesion	0.43	0.81	0.68	0.11	0.14	0.05	000
11056		R	Trim skin lesions, 2 to 4	0.61	0.88	0.76	0.16	0.19	0.07	000
11057		R	Trim skin lesions, over 4	0.79	0.99	0.86	0.20	0.25	0.10	000
11100		A	Biopsy, skin lesion	0.81	1.88	1.56	0.38	0.38	0.03	000
11101		A	Biopsy, skin add-on	0.41	0.41	0.37	0.20	0.19	0.02	ZZZ
11200		A	Removal of skin tags	0.79	1.23	1.13	0.90	0.83	0.04	010
11201		A	Remove skin tags add-on	0.29	0.16	0.16	0.11	0.12	0.02	ZZZ
11300		A	Shave skin lesion	0.51	1.19	1.09	0.21	0.21	0.03	000
11301		A	Shave skin lesion	0.85	1.51	1.31	0.38	0.38	0.04	000
11302		A	Shave skin lesion	1.05	1.76	1.53	0.48	0.47	0.05	000
11303		A	Shave skin lesion	1.24	2.03	1.81	0.55	0.54	0.07	000
11305		A	Shave skin lesion	0.67	1.07	0.96	0.20	0.24	0.07	000
11306		A	Shave skin lesion	0.99	1.43	1.26	0.38	0.40	0.07	000
11307		A	Shave skin lesion	1.14	1.70	1.49	0.47	0.48	0.07	000
11308		A	Shave skin lesion	1.41	1.71	1.58	0.49	0.54	0.13	000
11310		A	Shave skin lesion	0.73	1.38	1.25	0.31	0.32	0.04	000
11311		A	Shave skin lesion	1.05	1.64	1.43	0.48	0.48	0.05	000
11312		A	Shave skin lesion	1.20	1.92	1.67	0.56	0.55	0.06	000
11313		A	Shave skin lesion	1.62	2.19	2.00	0.73	0.72	0.10	000
11400		A	Exc tr-ext b9+marg 0.5 < cm	0.87	1.88	1.94	0.93	0.91	0.06	010
11401		A	Exc tr-ext b9+marg 0.6-1 cm	1.25	2.19	2.12	1.15	1.09	0.10	010
11402		A	Exc tr-ext b9+marg 1.1-2 cm	1.42	2.40	2.31	1.21	1.14	0.13	010
11403		A	Exc tr-ext b9+marg 2.1-3 cm	1.81	2.56	2.48	1.57	1.44	0.17	010
11404		A	Exc tr-ext b9+marg 3.1-4 cm	2.08	2.86	2.78	1.63	1.51	0.21	010
11406		A	Exc tr-ext b9+marg > 4.0 cm	3.47	3.54	3.30	2.10	1.87	0.32	010
11420		A	Exc h-f-nk-sp b9+marg 0.5 <	1.00	1.83	1.80	0.93	0.93	0.09	010
11421		A	Exc h-f-nk-sp b9+marg 0.6-1	1.44	2.22	2.14	1.16	1.14	0.13	010
11422		A	Exc h-f-nk-sp b9+marg 1.1-2	1.65	2.44	2.35	1.53	1.43	0.16	010
11423		A	Exc h-f-nk-sp b9+marg 2.1-3	2.03	2.67	2.63	1.66	1.55	0.20	010
11424		A	Exc h-f-nk-sp b9+marg 3.1-4	2.45	2.97	2.89	1.77	1.69	0.25	010
11426		A	Exc h-f-nk-sp b9+marg > 4 cm	4.04	3.59	3.54	2.31	2.21	0.44	010
11440		A	Exc face-mm b9+marg 0.5 < cm	1.02	2.00	2.10	1.31	1.31	0.08	010
11441		A	Exc face-mm b9+marg 0.6-1 cm	1.50	2.38	2.36	1.55	1.52	0.13	010
11442		A	Exc face-mm b9+marg 1.1-2 cm	1.74	2.65	2.59	1.66	1.61	0.16	010
11443		A	Exc face-mm b9+marg 2.1-3 cm	2.31	2.89	2.90	1.84	1.83	0.22	010
11444		A	Exc face-mm b9+marg 3.1-4 cm	3.16	3.32	3.40	2.10	2.14	0.30	010
11446		A	Exc face-mm b9+marg > 4 cm	4.75	4.10	4.07	2.68	2.73	0.43	010
11450		A	Removal, sweat gland lesion	3.14	5.13	5.08	2.41	2.22	0.34	090
11451		A	Removal, sweat gland lesion	4.35	6.38	6.49	2.91	2.73	0.53	090
11462		A	Removal, sweat gland lesion	2.92	5.33	5.22	2.47	2.24	0.32	090
11463		A	Removal, sweat gland lesion	4.35	6.53	6.68	2.94	2.81	0.54	090
11470		A	Removal, sweat gland lesion	3.66	5.47	5.27	2.63	2.45	0.40	090
11471		A	Removal, sweat gland lesion	4.81	6.51	6.61	3.01	2.89	0.58	090
11600		A	Exc tr-ext mlg+marg 0.5 < cm	1.58	2.74	2.69	1.14	1.05	0.10	010
11601		A	Exc tr-ext mlg+marg 0.6-1 cm	2.02	3.44	3.07	1.51	1.36	0.12	010
11602		A	Exc tr-ext mlg+marg 1.1-2 cm	2.22	3.85	3.34	1.69	1.47	0.12	010
11603		A	Exc tr-ext mlg+marg 2.1-3 cm	2.77	4.05	3.56	1.87	1.60	0.16	010

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
11604		A	Exc tr-ext mlg+marg 3.1-4 cm	3.12	4.34	3.86	1.93	1.66	0.20	010
11606		A	Exc tr-ext mlg+marg > 4 cm	4.97	5.50	4.78	2.46	2.10	0.36	010
11620		A	Exc h-f-nk-sp mlg+marg 0.5 <	1.59	2.85	2.72	1.19	1.07	0.09	010
11621		A	Exc h-f-nk-sp mlg+marg 0.6-1	2.03	3.51	3.10	1.54	1.39	0.12	010
11622		A	Exc h-f-nk-sp mlg+marg 1.1-2	2.36	3.90	3.43	1.75	1.57	0.14	010
11623		A	Exc h-f-nk-sp mlg+marg 2.1-3	3.06	4.12	3.73	1.95	1.77	0.20	010
11624		A	Exc h-f-nk-sp mlg+marg 3.1-4	3.57	4.43	4.09	2.08	1.93	0.27	010
11626		A	Exc h-f-nk-sp mlg+mar > 4 cm	4.56	4.96	4.80	2.33	2.36	0.45	010
11640		A	Exc face-mm malig+marg 0.5 <	1.62	3.06	2.86	1.29	1.20	0.11	010
11641		A	Exc face-mm malig+marg 0.6-1	2.12	3.64	3.33	1.61	1.57	0.16	010
11642		A	Exc face-mm malig+marg 1.1-2	2.57	4.04	3.72	1.84	1.78	0.19	010
11643		A	Exc face-mm malig+marg 2.1-3	3.37	4.28	4.04	2.11	2.04	0.26	010
11644		A	Exc face-mm malig+marg 3.1-4	4.29	5.07	4.88	2.47	2.46	0.37	010
11646		A	Exc face-mm mlg+marg > 4 cm	6.21	5.91	5.83	3.14	3.30	0.61	010
11719		R	Trim nail(s)	0.17	0.38	0.31	0.04	0.06	0.02	000
11720		A	Debride nail, 1-5	0.32	0.47	0.40	0.08	0.10	0.04	000
11721		A	Debride nail, 6 or more	0.54	0.55	0.49	0.14	0.17	0.07	000
11730		A	Removal of nail plate	1.10	1.33	1.18	0.28	0.36	0.14	000
11732		A	Remove nail plate, add-on	0.57	0.55	0.49	0.15	0.18	0.07	ZZZ
11740		A	Drain blood from under nail	0.37	0.80	0.67	0.43	0.39	0.04	000
11750		A	Removal of nail bed	2.40	2.96	2.56	1.88	1.82	0.22	010
11752		A	Remove nail bed/finger tip	3.48	4.06	3.53	2.78	2.88	0.35	010
11755		A	Biopsy, nail unit	1.31	2.03	1.80	0.76	0.76	0.14	000
11760		A	Repair of nail bed	1.60	3.40	3.01	1.43	1.61	0.21	010
11762		A	Reconstruction of nail bed	2.91	3.70	3.29	1.68	2.01	0.36	010
11765		A	Excision of nail fold, toe	0.71	2.67	2.23	1.01	0.88	0.08	010
11770		A	Removal of pilonidal lesion	2.63	3.46	3.47	1.52	1.51	0.33	010
11771		A	Removal of pilonidal lesion	5.98	6.64	6.14	3.69	3.50	0.74	090
11772		A	Removal of pilonidal lesion	7.23	8.04	7.77	5.56	5.31	0.89	090
11900		A	Injection into skin lesions	0.52	0.92	0.78	0.25	0.23	0.02	000
11901		A	Added skin lesions injection	0.80	1.01	0.83	0.39	0.37	0.03	000
11920		R	Correct skin color defects	1.61	2.35	3.02	1.09	1.09	0.24	000
11921		R	Correct skin color defects	1.93	2.66	3.31	1.26	1.26	0.29	000
11922		R	Correct skin color defects	0.49	0.92	1.03	0.22	0.24	0.07	ZZZ
11950		R	Therapy for contour defects	0.84	0.88	1.01	0.36	0.37	0.06	000
11951		R	Therapy for contour defects	1.19	0.90	1.20	0.36	0.43	0.11	000
11952		R	Therapy for contour defects	1.69	1.63	1.74	0.77	0.72	0.16	000
11954		R	Therapy for contour defects	1.85	1.79	2.12	0.77	0.83	0.25	000
11960		A	Insert tissue expander(s)	11.01	NA	NA	10.58	10.49	1.31	090
11970		A	Replace tissue expander	7.86	NA	NA	6.17	6.15	1.05	090
11971		A	Remove tissue expander(s)	3.21	7.40	8.26	4.02	3.91	0.32	090
11975		N	Insert contraceptive cap	1.48	1.54	1.48	0.34	0.45	0.17	XXX
11976		R	Removal of contraceptive cap	1.78	1.73	1.72	0.48	0.58	0.21	000
11977		N	Removal/reinsert contra cap	3.30	1.98	2.13	0.76	1.01	0.37	XXX
11980		A	Implant hormone pellet(s)	1.48	1.07	1.08	0.49	0.51	0.13	000
11981		A	Insert drug implant device	1.48	1.90	1.80	0.58	0.63	0.12	XXX
11982		A	Remove drug implant device	1.78	2.02	1.98	0.70	0.76	0.17	XXX
11983		A	Remove/insert drug implant	3.30	2.64	2.46	1.32	1.39	0.23	XXX
12001		A	Repair superficial wound(s)	1.72	1.73	1.86	0.73	0.75	0.15	010
12002		A	Repair superficial wound(s)	1.88	1.80	1.92	0.84	0.87	0.17	010
12004		A	Repair superficial wound(s)	2.26	2.08	2.20	0.92	0.97	0.21	010
12005		A	Repair superficial wound(s)	2.88	2.52	2.67	1.06	1.13	0.27	010
12006		A	Repair superficial wound(s)	3.68	3.06	3.23	1.30	1.40	0.35	010
12007		A	Repair superficial wound(s)	4.13	3.36	3.59	1.46	1.64	0.45	010
12011		A	Repair superficial wound(s)	1.78	1.91	2.02	0.76	0.77	0.16	010
12013		A	Repair superficial wound(s)	2.01	2.07	2.17	0.89	0.91	0.18	010
12014		A	Repair superficial wound(s)	2.48	2.29	2.43	0.98	1.02	0.23	010
12015		A	Repair superficial wound(s)	3.21	2.79	2.96	1.12	1.18	0.29	010
12016		A	Repair superficial wound(s)	3.94	3.17	3.36	1.28	1.40	0.37	010
12017		A	Repair superficial wound(s)	4.72	NA	NA	1.52	1.71	0.47	010
12018		A	Repair superficial wound(s)	5.54	NA	NA	1.92	2.09	0.64	010
12020		A	Closure of split wound	2.64	3.69	3.76	1.75	1.84	0.30	010
12021		A	Closure of split wound	1.86	1.85	1.84	1.33	1.37	0.24	010
12031		A	Layer closure of wound(s)	2.17	3.90	3.09	1.77	1.37	0.17	010
12032		A	Layer closure of wound(s)	2.49	5.22	4.53	2.28	2.04	0.16	010
12034		A	Layer closure of wound(s)	2.94	4.61	3.90	2.00	1.72	0.25	010
12035		A	Layer closure of wound(s)	3.44	5.30	5.25	2.11	2.13	0.39	010
12036		A	Layer closure of wound(s)	4.06	5.41	5.48	2.23	2.39	0.55	010
12037		A	Layer closure of wound(s)	4.68	5.99	6.04	2.63	2.80	0.66	010
12041		A	Layer closure of wound(s)	2.39	3.87	3.21	1.78	1.45	0.19	010
12042		A	Layer closure of wound(s)	2.76	4.50	3.88	2.13	1.79	0.17	010
12044		A	Layer closure of wound(s)	3.16	5.41	4.31	1.95	1.77	0.27	010

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
12045		A	Layer closure of wound(s)	3.65	5.03	5.15	2.06	2.17	0.41	010
12046		A	Layer closure of wound(s)	4.26	5.66	6.08	2.29	2.52	0.54	010
12047		A	Layer closure of wound(s)	4.66	6.50	6.42	2.66	2.87	0.58	010
12051		A	Layer closure of wound(s)	2.49	4.11	3.69	1.92	1.69	0.20	010
12052		A	Layer closure of wound(s)	2.81	4.87	4.04	2.56	2.00	0.17	010
12053		A	Layer closure of wound(s)	3.14	5.39	4.32	2.13	1.83	0.23	010
12054		A	Layer closure of wound(s)	3.47	5.43	4.50	2.06	1.84	0.30	010
12055		A	Layer closure of wound(s)	4.44	6.01	5.25	2.09	2.11	0.45	010
12056		A	Layer closure of wound(s)	5.25	6.57	6.66	2.58	2.82	0.59	010
12057		A	Layer closure of wound(s)	5.97	7.76	6.95	2.93	3.34	0.56	010
13100		A	Repair of wound or lesion	3.14	4.42	4.24	2.47	2.39	0.26	010
13101		A	Repair of wound or lesion	3.93	5.95	5.30	2.97	2.83	0.26	010
13102		A	Repair wound/lesion add-on	1.24	1.35	1.26	0.53	0.55	0.13	ZZZ
13120		A	Repair of wound or lesion	3.32	4.58	4.36	2.58	2.46	0.26	010
13121		A	Repair of wound or lesion	4.36	6.72	5.78	3.64	3.22	0.25	010
13122		A	Repair wound/lesion add-on	1.44	1.37	1.44	0.58	0.60	0.15	ZZZ
13131		A	Repair of wound or lesion	3.80	5.01	4.69	2.88	2.78	0.26	010
13132		A	Repair of wound or lesion	6.48	7.89	6.90	4.96	4.56	0.32	010
13133		A	Repair wound/lesion add-on	2.19	1.88	1.77	0.98	1.00	0.18	ZZZ
13150		A	Repair of wound or lesion	3.82	4.72	4.80	2.72	2.74	0.34	010
13151		A	Repair of wound or lesion	4.46	5.52	5.16	3.22	3.18	0.31	010
13152		A	Repair of wound or lesion	6.34	7.54	6.79	3.92	3.98	0.40	010
13153		A	Repair wound/lesion add-on	2.38	2.05	1.99	1.03	1.08	0.24	ZZZ
13160		A	Late closure of wound	11.84	NA	NA	7.02	7.09	1.54	090
14000		A	Skin tissue rearrangement	6.83	8.95	8.40	6.04	5.76	0.59	090
14001		A	Skin tissue rearrangement	9.60	11.02	10.22	7.49	7.28	0.82	090
14020		A	Skin tissue rearrangement	7.66	10.04	9.32	6.89	6.71	0.64	090
14021		A	Skin tissue rearrangement	11.18	12.47	11.23	8.66	8.47	0.81	090
14040		A	Skin tissue rearrangement	8.44	10.20	9.50	6.99	7.10	0.62	090
14041		A	Skin tissue rearrangement	12.67	13.58	12.09	9.35	9.01	0.73	090
14060		A	Skin tissue rearrangement	9.07	9.69	9.24	7.18	7.31	0.68	090
14061		A	Skin tissue rearrangement	13.67	14.84	13.22	10.18	9.84	0.76	090
14300		A	Skin tissue rearrangement	13.26	13.53	12.33	9.45	9.31	1.16	090
14350		A	Skin tissue rearrangement	10.82	NA	NA	6.90	7.02	1.34	090
15002		A	Wnd prep, ch/inf, trk/arm/lg	3.65	4.22	4.22	1.69	1.69	0.49	000
15003		A	Wnd prep, ch/inf addl 100 cm	0.80	0.90	0.90	0.26	0.26	0.11	ZZZ
15004		A	Wnd prep ch/inf, f/n/hf/g	4.58	4.88	4.88	2.02	2.02	0.62	000
15005		A	Wnd prep, f/n/hf/g, addl cm	1.60	1.24	1.24	0.53	0.53	0.22	ZZZ
15040		A	Harvest cultured skin graft	2.00	3.94	4.25	1.05	1.09	0.24	000
15050		A	Skin pinch graft	5.37	7.63	7.27	5.01	5.06	0.57	090
15100		A	Skin splt grft, trnk/arm/leg	9.74	9.77	11.18	6.68	7.25	1.28	090
15101		A	Skin splt grft t/a/l, add-on	1.72	2.47	3.10	0.85	1.01	0.24	ZZZ
15110		A	Epidrm autogrft trnk/arm/leg	10.88	8.75	9.71	6.36	6.68	1.31	090
15111		A	Epidrm autogrft t/a/l add-on	1.85	0.87	1.08	0.62	0.70	0.26	ZZZ
15115		A	Epidrm a-grft face/nck/hf/g	11.19	9.23	9.23	6.74	7.05	1.15	090
15116		A	Epidrm a-grft f/n/hf/g addl	2.50	1.19	1.39	0.86	0.99	0.33	ZZZ
15120		A	Skn splt a-grft fac/nck/hf/g	10.96	11.35	11.04	7.45	7.62	1.16	090
15121		A	Skn splt a-grft f/n/hf/g add	2.67	3.44	3.97	1.29	1.57	0.36	ZZZ
15130		A	Derm autograft, trnk/arm/leg	7.41	7.96	8.91	5.58	5.96	0.97	090
15131		A	Derm autograft t/a/l add-on	1.50	0.66	0.86	0.48	0.56	0.21	ZZZ
15135		A	Derm autograft face/nck/hf/g	10.91	9.49	9.68	7.05	7.59	1.23	090
15136		A	Derm autograft, f/n/hf/g add	1.50	0.66	0.77	0.51	0.59	0.20	ZZZ
15150		A	Cult epiderm grft t/arm/leg	9.30	7.05	7.75	5.76	6.10	1.14	090
15151		A	Cult epiderm grft t/a/l addl	2.00	0.88	1.09	0.67	0.76	0.28	ZZZ
15152		A	Cult epiderm graft t/a/l +%	2.50	1.05	1.30	0.84	0.95	0.35	ZZZ
15155		A	Cult epiderm graft, f/n/hf/g	10.05	7.66	7.74	6.31	6.64	1.05	090
15156		A	Cult epidrm grft f/n/hfg add	2.75	1.15	1.35	0.94	1.09	0.36	ZZZ
15157		A	Cult epiderm grft f/n/hfg +%	3.00	1.34	1.56	1.03	1.19	0.39	ZZZ
15170		A	Acell graft trunk/arms/legs	5.99	4.01	3.92	2.60	2.48	0.55	090
15171		A	Acell graft t/arm/leg add-on	1.55	0.60	0.64	0.46	0.54	0.19	ZZZ
15175		A	Acellular graft, f/n/hf/g	7.99	4.47	4.95	3.15	3.57	0.82	090
15176		A	Acell graft, f/n/hf/g add-on	2.45	1.04	1.07	0.79	0.89	0.29	ZZZ
15200		A	Skin full graft, trunk	8.97	9.91	9.66	6.35	6.28	0.98	090
15201		A	Skin full graft trunk add-on	1.32	2.02	2.29	0.47	0.54	0.19	ZZZ
15220		A	Skin full graft sclp/arm/leg	7.95	10.47	9.83	6.70	6.69	0.84	090
15221		A	Skin full graft add-on	1.19	2.00	2.16	0.50	0.53	0.16	ZZZ
15240		A	Skin full grft face/genit/hf	10.15	12.04	11.12	8.90	8.43	0.92	090
15241		A	Skin full graft add-on	1.86	2.54	2.49	0.81	0.86	0.23	ZZZ
15260		A	Skin full graft een & lips	11.39	13.02	11.62	9.34	8.96	0.69	090
15261		A	Skin full graft add-on	2.23	2.98	2.84	1.16	1.28	0.21	ZZZ
15300		A	Apply skinallogrft, t/arm/lg	4.65	3.44	3.32	2.15	2.19	0.49	090
15301		A	Apply sknallogrft t/a/l addl	1.00	0.46	0.46	0.32	0.36	0.14	ZZZ

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
15320		A	Apply skin allogrft f/n/hf/g	5.36	3.78	3.70	2.36	2.45	0.58	090
15321		A	Aply sknallogrft f/n/hfg add	1.50	0.69	0.69	0.51	0.55	0.21	ZZZ
15330		A	Aply acell alogrft t/arm/leg	3.99	3.50	3.34	2.14	2.18	0.49	090
15331		A	Aply acell grft t/a/l add-on	1.00	0.49	0.47	0.36	0.38	0.14	ZZZ
15335		A	Apply acell graft, f/n/hf/g	4.50	3.32	3.40	2.01	2.23	0.55	090
15336		A	Aply acell grft f/n/hf/g add	1.43	0.74	0.71	0.51	0.54	0.20	ZZZ
15340		A	Apply cult skin substitute	3.76	3.69	3.84	2.64	2.70	0.41	010
15341		A	Apply cult skin sub add-on	0.50	0.64	0.62	0.13	0.17	0.06	ZZZ
15360		A	Apply cult derm sub, t/a/l	3.93	4.85	4.66	3.54	3.31	0.43	090
15361		A	Aply cult derm sub t/a/l add	1.15	0.50	0.54	0.32	0.39	0.14	ZZZ
15365		A	Apply cult derm sub f/n/hf/g	4.21	4.22	4.38	3.10	3.15	0.46	090
15366		A	Apply cult derm f/hf/g add	1.45	0.67	0.68	0.47	0.53	0.17	ZZZ
15400		A	Apply skin xenograft, t/a/l	4.38	5.00	4.50	3.76	3.89	0.47	090
15401		A	Apply skn xenogrft t/a/l add	1.00	1.01	1.45	0.33	0.39	0.14	ZZZ
15420		A	Apply skin xgraft, f/n/hf/g	4.89	5.43	5.11	4.18	3.98	0.52	090
15421		A	Apply skn xgrft f/n/hf/g add	1.50	1.16	1.24	0.48	0.55	0.21	ZZZ
15430		A	Apply acellular xenograft	5.93	6.61	6.76	6.06	6.34	0.66	090
15431		C	Apply acellular xgraft add	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
15570		A	Form skin pedicle flap	10.00	10.09	10.70	6.27	6.52	1.34	090
15572		A	Form skin pedicle flap	9.94	9.79	9.64	6.66	6.56	1.20	090
15574		A	Form skin pedicle flap	10.52	10.55	10.62	7.04	7.42	1.20	090
15576		A	Form skin pedicle flap	9.24	9.67	9.72	6.52	6.70	0.87	090
15600		A	Skin graft	1.95	5.32	6.46	2.75	2.91	0.27	090
15610		A	Skin graft	2.46	5.57	5.13	3.05	3.24	0.35	090
15620		A	Skin graft	3.62	6.47	7.13	3.90	3.89	0.35	090
15630		A	Skin graft	3.95	7.08	7.06	4.32	4.23	0.34	090
15650		A	Transfer skin pedicle flap	4.64	7.28	7.21	4.39	4.30	0.42	090
15731		A	Forehead flap w/vasc pedicle	14.12	11.90	11.90	9.34	9.34	1.28	090
15732		A	Muscle-skin graft, head/neck	19.70	14.66	16.36	11.10	11.66	2.00	090
15734		A	Muscle-skin graft, trunk	19.62	15.70	16.91	11.85	12.12	2.62	090
15736		A	Muscle-skin graft, arm	16.92	13.40	15.82	9.60	10.41	2.46	090
15738		A	Muscle-skin graft, leg	18.92	13.78	15.88	10.20	10.96	2.66	090
15740		A	Island pedicle flap graft	11.57	13.58	11.86	9.43	8.84	0.63	090
15750		A	Neurovascular pedicle graft	12.73	NA	NA	8.86	8.95	1.42	090
15756		A	Free myo/skin flap microvasc	36.74	NA	NA	18.57	19.57	4.62	090
15757		A	Free skin flap, microvasc	36.95	NA	NA	17.87	19.74	3.90	090
15758		A	Free fascial flap, microvasc	36.70	NA	NA	17.58	19.58	4.24	090
15760		A	Composite skin graft	9.68	10.42	10.23	7.06	7.16	0.85	090
15770		A	Derma-fat-fascia graft	8.73	NA	NA	6.64	6.66	1.05	090
15775		R	Hair transplant punch grafts	3.95	2.88	3.56	1.23	1.26	0.52	000
15776		R	Hair transplant punch grafts	5.53	4.85	5.11	2.14	2.47	0.72	000
15780		A	Abrasion treatment of skin	8.50	11.24	11.38	6.53	7.39	0.67	090
15781		A	Abrasion treatment of skin	4.91	8.68	7.80	5.64	5.51	0.34	090
15782		A	Abrasion treatment of skin	4.36	8.72	9.29	4.97	5.76	0.34	090
15783		A	Abrasion treatment of skin	4.33	7.92	7.40	4.97	4.58	0.28	090
15786		A	Abrasion, lesion, single	2.05	3.90	3.63	1.25	1.28	0.11	010
15787		A	Abrasion, lesions, add-on	0.33	0.83	0.96	0.08	0.12	0.04	ZZZ
15788		R	Chemical peel, face, epiderm	2.09	9.47	8.09	4.13	3.60	0.11	090
15789		R	Chemical peel, face, dermal	4.91	9.43	8.76	5.83	5.32	0.20	090
15792		R	Chemical peel, nonfacial	1.86	8.98	8.04	4.58	4.52	0.13	090
15793		A	Chemical peel, nonfacial	3.82	8.10	7.20	4.90	4.64	0.19	090
15819		A	Plastic surgery, neck	10.45	NA	NA	6.68	6.93	0.97	090
15820		A	Revision of lower eyelid	6.09	6.39	6.68	5.20	5.38	0.40	090
15821		A	Revision of lower eyelid	6.66	6.57	6.96	5.28	5.50	0.45	090
15822		A	Revision of upper eyelid	4.51	5.23	5.53	4.09	4.29	0.37	090
15823		A	Revision of upper eyelid	8.12	7.39	7.62	6.11	6.27	0.50	090
15824		R	Removal of forehead wrinkles	0.00	0.00	0.00	0.00	0.00	0.00	000
15825		R	Removal of neck wrinkles	0.00	0.00	0.00	0.00	0.00	0.00	000
15826		R	Removal of brow wrinkles	0.00	0.00	0.00	0.00	0.00	0.00	000
15828		R	Removal of face wrinkles	0.00	0.00	0.00	0.00	0.00	0.00	000
15829		R	Removal of skin wrinkles	0.00	0.00	0.00	0.00	0.00	0.00	000
15830		R	Exc skin abd	16.90	NA	NA	9.82	9.82	2.93	090
15832		A	Excise excessive skin tissue	12.65	NA	NA	8.28	8.31	1.66	090
15833		A	Excise excessive skin tissue	11.70	NA	NA	7.50	7.86	1.49	090
15834		A	Excise excessive skin tissue	11.97	NA	NA	8.16	7.93	1.61	090
15835		A	Excise excessive skin tissue	12.79	NA	NA	7.86	7.70	1.60	090
15836		A	Excise excessive skin tissue	10.41	NA	NA	6.83	6.81	1.34	090
15837		A	Excise excessive skin tissue	9.37	8.68	8.62	5.79	6.58	1.18	090
15838		A	Excise excessive skin tissue	8.07	NA	NA	5.45	5.76	0.58	090
15839		A	Excise excessive skin tissue	10.32	9.76	9.30	6.47	6.43	1.22	090
15840		A	Graft for face nerve palsy	14.76	NA	NA	8.93	9.45	1.32	090
15841		A	Graft for face nerve palsy	25.69	NA	NA	13.54	14.27	2.55	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
15842		A	Flap for face nerve palsy	40.68	NA	NA	20.89	21.91	4.94	090
15845		A	Skin and muscle repair, face	14.04	NA	NA	8.36	8.84	0.81	090
15847		C	Exc skin abd add-on	0.00	0.00	0.00	0.00	0.00	0.00	YYY
15850		B	Removal of sutures	0.78	1.20	1.38	0.18	0.24	0.05	XXX
15851		A	Removal of sutures	0.86	1.33	1.51	0.24	0.27	0.06	000
15852		A	Dressing change not for burn	0.86	NA	NA	0.25	0.29	0.09	000
15860		A	Test for blood flow in graft	1.95	NA	NA	0.64	0.71	0.27	000
15876		R	Suction assisted lipectomy	0.00	0.00	0.00	0.00	0.00	0.00	000
15877		R	Suction assisted lipectomy	0.00	0.00	0.00	0.00	0.00	0.00	000
15878		R	Suction assisted lipectomy	0.00	0.00	0.00	0.00	0.00	0.00	000
15879		R	Suction assisted lipectomy	0.00	0.00	0.00	0.00	0.00	0.00	000
15920		A	Removal of tail bone ulcer	8.15	NA	NA	5.35	5.45	1.04	090
15922		A	Removal of tail bone ulcer	10.23	NA	NA	7.17	7.19	1.42	090
15931		A	Remove sacrum pressure sore	9.96	NA	NA	5.56	5.63	1.25	090
15933		A	Remove sacrum pressure sore	11.60	NA	NA	7.31	7.58	1.52	090
15934		A	Remove sacrum pressure sore	13.54	NA	NA	7.73	7.88	1.79	090
15935		A	Remove sacrum pressure sore	15.58	NA	NA	9.18	9.75	2.10	090
15936		A	Remove sacrum pressure sore	13.04	NA	NA	7.42	7.82	1.77	090
15937		A	Remove sacrum pressure sore	15.00	NA	NA	8.94	9.38	2.07	090
15940		A	Remove hip pressure sore	10.11	NA	NA	5.81	5.99	1.31	090
15941		A	Remove hip pressure sore	12.24	NA	NA	8.43	8.94	1.66	090
15944		A	Remove hip pressure sore	12.27	NA	NA	8.14	8.37	1.65	090
15945		A	Remove hip pressure sore	13.57	NA	NA	8.81	9.23	1.85	090
15946		A	Remove hip pressure sore	23.80	NA	NA	13.71	14.04	3.17	090
15950		A	Remove thigh pressure sore	7.91	NA	NA	5.40	5.41	1.04	090
15951		A	Remove thigh pressure sore	11.41	NA	NA	7.34	7.60	1.49	090
15952		A	Remove thigh pressure sore	12.14	NA	NA	7.46	7.61	1.60	090
15953		A	Remove thigh pressure sore	13.39	NA	NA	8.23	8.62	1.80	090
15956		A	Remove thigh pressure sore	16.59	NA	NA	9.55	10.16	2.22	090
15958		A	Remove thigh pressure sore	16.55	NA	NA	10.43	10.74	2.26	090
15999		C	Removal of pressure sore	0.00	0.00	0.00	0.00	0.00	0.00	YYY
16000		A	Initial treatment of burn(s)	0.89	0.72	0.79	0.23	0.25	0.08	000
16020		A	Dress/debrid p-thick burn, s	0.80	1.11	1.20	0.56	0.57	0.08	000
16025		A	Dress/debrid p-thick burn, m	1.85	1.57	1.67	0.86	0.91	0.19	000
16030		A	Dress/debrid p-thick burn, l	2.08	2.08	2.13	1.02	1.07	0.24	000
16035		A	Incision of burn scab, initi	3.74	NA	NA	1.22	1.40	0.46	000
16036		A	Escharotomy; addÆl incision	1.50	NA	NA	0.46	0.53	0.20	ZZZ
17000		A	Destruct premalg lesion	0.62	1.41	1.19	0.74	0.64	0.03	010
17003		A	Destruct premalg les, 2-14	0.07	0.10	0.11	0.03	0.05	0.01	ZZZ
17004		A	Destroy premlg lesions 15+	1.82	2.44	2.37	1.38	1.48	0.11	010
17106		A	Destruction of skin lesions	4.62	4.69	4.65	3.28	3.31	0.35	090
17107		A	Destruction of skin lesions	9.19	6.98	7.09	4.95	5.20	0.63	090
17108		A	Destruction of skin lesions	13.22	8.87	9.07	6.39	7.03	0.54	090
17110		A	Destruct b9 lesion, 1-14	0.67	1.79	1.70	0.88	0.79	0.05	010
17111		A	Destruct lesion, 15 or more	0.94	2.25	1.96	1.11	0.96	0.05	010
17250		A	Chemical cautery, tissue	0.50	1.32	1.27	0.38	0.36	0.06	000
17260		A	Destruction of skin lesions	0.93	1.41	1.34	0.71	0.69	0.04	010
17261		A	Destruction of skin lesions	1.19	2.49	2.05	1.07	0.95	0.05	010
17262		A	Destruction of skin lesions	1.60	2.84	2.36	1.27	1.15	0.06	010
17263		A	Destruction of skin lesions	1.81	3.07	2.56	1.37	1.23	0.07	010
17264		A	Destruction of skin lesions	1.96	3.27	2.75	1.44	1.28	0.08	010
17266		A	Destruction of skin lesions	2.36	3.50	3.00	1.59	1.40	0.09	010
17270		A	Destruction of skin lesions	1.34	2.44	2.07	1.10	0.98	0.05	010
17271		A	Destruction of skin lesions	1.51	2.66	2.22	1.22	1.10	0.06	010
17272		A	Destruction of skin lesions	1.79	2.97	2.49	1.37	1.24	0.07	010
17273		A	Destruction of skin lesions	2.07	3.21	2.71	1.49	1.35	0.08	010
17274		A	Destruction of skin lesions	2.61	3.61	3.09	1.74	1.59	0.10	010
17276		A	Destruction of skin lesions	3.22	3.89	3.42	1.97	1.82	0.16	010
17280		A	Destruction of skin lesions	1.19	2.36	1.99	1.03	0.92	0.05	010
17281		A	Destruction of skin lesions	1.74	2.74	2.32	1.33	1.21	0.07	010
17282		A	Destruction of skin lesions	2.06	3.14	2.65	1.49	1.36	0.08	010
17283		A	Destruction of skin lesions	2.66	3.56	3.05	1.77	1.63	0.11	010
17284		A	Destruction of skin lesions	3.23	3.97	3.45	2.03	1.89	0.13	010
17286		A	Destruction of skin lesions	4.45	4.45	4.06	2.49	2.47	0.23	010
17311		A	Mohs, 1 stage, h/n/hf/g	6.20	10.71	10.71	3.05	3.05	0.24	000
17312		A	Mohs addl stage	3.30	6.89	6.89	1.62	1.62	0.13	ZZZ
17313		A	Mohs, 1 stage, t/a/l	5.56	9.88	9.88	2.74	2.74	0.22	000
17314		A	Mohs, addl stage, t/a/l	3.06	6.37	6.37	1.50	1.50	0.12	ZZZ
17315		A	Mohs surg, addl block	0.87	1.14	1.14	0.43	0.43	0.03	ZZZ
17340		A	Cryotherapy of skin	0.76	0.35	0.36	0.38	0.37	0.05	010
17360		A	Skin peel therapy	1.44	1.86	1.65	1.01	0.94	0.06	010
17380		R	Hair removal by electrolysis	0.00	0.00	0.00	0.00	0.00	0.00	000

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
17999		C	Skin tissue procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
19000		A	Drainage of breast lesion	0.84	1.91	1.95	0.26	0.29	0.08	000
19001		A	Drain breast lesion add-on	0.42	0.26	0.25	0.14	0.14	0.04	ZZZ
19020		A	Incision of breast lesion	3.74	6.63	6.48	3.04	2.86	0.45	090
19030		A	Injection for breast x-ray	1.53	2.67	2.77	0.54	0.52	0.09	000
19100		A	Bx breast percut w/o image	1.27	2.08	2.08	0.33	0.37	0.16	000
19101		A	Biopsy of breast, open	3.20	4.37	4.44	1.78	1.85	0.39	010
19102		A	Bx breast percut w/image	2.00	3.47	3.65	0.68	0.67	0.14	000
19103		A	Bx breast percut w/device	3.69	10.10	10.80	1.19	1.21	0.30	000
19105		A	Cryosurg ablate fa, each	3.69	46.51	46.51	1.00	1.00	0.30	000
19110		A	Nipple exploration	4.35	6.07	5.93	3.10	2.98	0.57	090
19112		A	Excise breast duct fistula	3.72	6.23	6.15	3.13	2.91	0.48	090
19120		A	Removal of breast lesion	5.84	5.09	4.81	3.37	3.21	0.73	090
19125		A	Excision, breast lesion	6.59	5.56	5.17	3.65	3.47	0.80	090
19126		A	Excision, addl breast lesion	2.93	NA	NA	0.75	0.87	0.38	ZZZ
19260		A	Removal of chest wall lesion	17.60	NA	NA	10.15	10.65	2.14	090
19271		A	Revision of chest wall	21.86	NA	NA	15.83	16.90	2.63	090
19272		A	Extensive chest wall surgery	24.82	NA	NA	16.97	17.95	3.00	090
19290		A	Place needle wire, breast	1.27	2.89	2.87	0.45	0.43	0.07	000
19291		A	Place needle wire, breast	0.63	1.14	1.17	0.22	0.21	0.04	ZZZ
19295		A	Place breast clip, percut	0.00	2.28	2.49	NA	NA	0.01	ZZZ
19296		A	Place po breast cath for rad	3.63	86.03	105.75	1.19	1.36	0.36	000
19297		A	Place breast cath for rad	1.72	NA	NA	0.44	0.54	0.17	ZZZ
19298		A	Place breast rad tube/caths	6.00	22.02	32.10	2.11	2.26	0.43	000
19300		A	Removal of breast tissue	5.20	8.06	7.60	3.86	3.63	0.69	090
19301		A	Partical mastectomy	10.00	NA	NA	4.63	4.02	0.79	090
19302		A	P-mastectomy w/ln removal	13.88	NA	NA	6.14	6.24	1.80	090
19303		A	Mast, simple, complete	15.67	NA	NA	7.00	6.01	1.18	090
19304		A	Mast, subq	7.81	NA	NA	4.94	4.85	1.04	090
19305		A	Mast, radical	17.23	NA	NA	8.12	8.04	1.93	090
19306		A	Mast, rad, urban type	17.85	NA	NA	8.72	8.48	2.08	090
19307		A	Mast, mod rad	17.95	NA	NA	8.77	8.49	2.13	090
19316		A	Suspension of breast	10.98	NA	NA	6.95	7.23	1.64	090
19318		A	Reduction of large breast	15.91	NA	NA	9.91	10.54	2.93	090
19324		A	Enlarge breast	6.65	NA	NA	4.47	4.68	0.84	090
19325		A	Enlarge breast with implant	8.52	NA	NA	6.41	6.47	1.33	090
19328		A	Removal of breast implant	6.35	NA	NA	4.99	5.01	0.91	090
19330		A	Removal of implant material	8.39	NA	NA	5.95	6.00	1.26	090
19340		A	Immediate breast prosthesis	6.32	NA	NA	2.81	2.96	1.06	ZZZ
19342		A	Delayed breast prosthesis	12.40	NA	NA	8.93	8.93	1.84	090
19350		A	Breast reconstruction	8.99	9.89	11.87	6.59	6.88	1.41	090
19355		A	Correct inverted nipple(s)	8.37	7.41	8.83	4.68	4.69	0.92	090
19357		A	Breast reconstruction	20.57	NA	NA	15.39	15.51	2.94	090
19361		A	Breast reconstr w/lat flap	23.17	NA	NA	16.80	14.62	2.93	090
19364		A	Breast reconstruction	42.40	NA	NA	22.17	22.87	6.24	090
19366		A	Breast reconstruction	21.70	NA	NA	9.91	10.75	3.25	090
19367		A	Breast reconstruction	26.59	NA	NA	15.19	15.95	4.04	090
19368		A	Breast reconstruction	33.61	NA	NA	18.04	18.48	5.54	090
19369		A	Breast reconstruction	31.02	NA	NA	16.33	17.37	4.51	090
19370		A	Surgery of breast capsule	8.99	NA	NA	6.79	6.85	1.29	090
19371		A	Removal of breast capsule	10.42	NA	NA	7.69	7.76	1.62	090
19380		A	Revise breast reconstruction	10.21	NA	NA	7.61	7.66	1.44	090
19396		A	Design custom breast implant	2.17	4.53	2.81	1.28	1.14	0.30	000
19499		C	Breast surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
20000		A	Incision of abscess	2.14	2.78	2.74	1.53	1.63	0.25	010
20005		A	Incision of deep abscess	3.55	3.67	3.58	2.01	2.13	0.46	010
20100		A	Explore wound, neck	10.33	NA	NA	3.58	4.02	1.21	010
20101		A	Explore wound, chest	3.22	6.60	6.26	1.53	1.57	0.44	010
20102		A	Explore wound, abdomen	3.95	6.95	7.21	1.84	1.87	0.49	010
20103		A	Explore wound, extremity	5.31	7.81	8.20	2.79	3.09	0.75	010
20150		A	Excise epiphyseal bar	14.60	NA	NA	7.65	7.34	2.04	090
20200		A	Muscle biopsy	1.46	3.09	3.06	0.69	0.72	0.23	000
20205		A	Deep muscle biopsy	2.35	3.83	3.86	1.10	1.14	0.33	000
20206		A	Needle biopsy, muscle	0.99	5.22	5.86	0.57	0.60	0.07	000
20220		A	Bone biopsy, trocar/needle	1.27	2.71	3.63	0.68	0.73	0.08	000
20225		A	Bone biopsy, trocar/needle	1.87	12.00	18.23	1.02	1.08	0.22	000
20240		A	Bone biopsy, excisional	3.25	NA	NA	2.02	2.29	0.44	010
20245		A	Bone biopsy, excisional	8.77	NA	NA	5.75	6.16	1.31	010
20250		A	Open bone biopsy	5.16	NA	NA	3.63	3.57	1.02	010
20251		A	Open bone biopsy	5.69	NA	NA	3.85	4.00	1.15	010
20500		A	Injection of sinus tract	1.25	1.34	1.80	0.88	1.20	0.12	010
20501		A	Inject sinus tract for x-ray	0.76	2.37	2.64	0.27	0.26	0.04	000

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
20520		A	Removal of foreign body	1.87	2.61	2.76	1.45	1.61	0.21	010
20525		A	Removal of foreign body	3.51	7.11	8.13	2.21	2.42	0.51	010
20526		A	Ther injection, carp tunnel	0.94	0.81	0.89	0.41	0.46	0.13	000
20550		A	Inj tendon sheath/ligament	0.75	0.63	0.67	0.28	0.26	0.09	000
20551		A	Inj tendon origin/insertion	0.75	0.64	0.66	0.29	0.31	0.08	000
20552		A	Inj trigger point, 1/2 muscl	0.66	0.58	0.65	0.24	0.22	0.05	000
20553		A	Inject trigger points, =/> 3	0.75	0.64	0.73	0.26	0.24	0.04	000
20555		A	Place ndl musc/tis for rt	6.00	NA	NA	2.18	2.18	0.43	000
20600		A	Drain/inject, joint/bursa	0.66	0.66	0.66	0.31	0.33	0.08	000
20605		A	Drain/inject, joint/bursa	0.68	0.74	0.75	0.32	0.34	0.08	000
20610		A	Drain/inject, joint/bursa	0.79	1.07	1.01	0.40	0.41	0.11	000
20612		A	Aspirate/inj ganglion cyst	0.70	0.70	0.70	0.32	0.34	0.10	000
20615		A	Treatment of bone cyst	2.30	2.71	3.11	1.42	1.63	0.20	010
20650		A	Insert and remove bone pin	2.25	2.46	2.41	1.45	1.50	0.31	010
20660		A	Apply, rem fixation device	4.00	1.50	2.28	1.50	1.55	0.59	000
20661		A	Application of head brace	5.14	NA	NA	6.05	5.48	1.14	090
20662		A	Application of pelvis brace	6.26	NA	NA	4.81	5.17	0.56	090
20663		A	Application of thigh brace	5.62	NA	NA	4.86	4.84	0.94	090
20664		A	Halo brace application	9.86	NA	NA	7.81	7.43	1.75	090
20665		A	Removal of fixation device	1.33	1.37	1.76	0.98	1.16	0.19	010
20670		A	Removal of support implant	1.76	6.63	9.08	1.67	1.89	0.28	010
20680		A	Removal of support implant	5.90	8.14	8.47	4.07	3.89	0.56	090
20690		A	Apply bone fixation device	8.65	NA	NA	4.91	3.71	0.59	090
20692		A	Apply bone fixation device	16.00	NA	NA	9.81	6.79	1.05	090
20693		A	Adjust bone fixation device	5.97	NA	NA	4.49	4.97	0.98	090
20694		A	Remove bone fixation device	4.20	5.31	6.23	3.53	3.78	0.71	090
20802		A	Replantation, arm, complete	42.30	NA	NA	13.23	17.10	3.82	090
20805		A	Replant forearm, complete	51.14	NA	NA	17.99	26.16	4.85	090
20808		A	Replantation hand, complete	62.77	NA	NA	30.34	36.29	6.88	090
20816		A	Replantation digit, complete	31.74	NA	NA	16.37	27.09	4.53	090
20822		A	Replantation digit, complete	26.42	NA	NA	15.07	24.84	4.19	090
20824		A	Replantation thumb, complete	31.74	NA	NA	16.21	26.39	4.62	090
20827		A	Replantation thumb, complete	27.24	NA	NA	14.75	25.62	3.67	090
20838		A	Replantation foot, complete	42.56	NA	NA	14.03	18.16	1.12	090
20900		A	Removal of bone for graft	5.77	9.23	8.83	4.90	5.29	0.94	090
20902		A	Removal of bone for graft	7.98	NA	NA	5.98	6.43	1.30	090
20910		A	Remove cartilage for graft	5.41	NA	NA	4.57	4.88	0.71	090
20912		A	Remove cartilage for graft	6.42	NA	NA	4.95	5.37	0.69	090
20920		A	Removal of fascia for graft	5.42	NA	NA	4.34	4.28	0.66	090
20922		A	Removal of fascia for graft	6.84	7.56	7.55	5.00	4.93	0.70	090
20924		A	Removal of tendon for graft	6.59	NA	NA	4.97	5.43	1.04	090
20926		A	Removal of tissue for graft	5.70	NA	NA	4.50	4.62	0.87	090
20930		B	Sp bone algrft morsel add-on	0.00	0.00	0.00	0.00	0.00	0.00	XXX
20931		A	Sp bone algrft struct add-on	1.81	NA	NA	0.68	0.80	0.43	ZZZ
20936		B	Sp bone agrft local add-on	0.00	0.00	0.00	0.00	0.00	0.00	XXX
20937		A	Sp bone agrft morsel add-on	2.79	NA	NA	1.08	1.26	0.54	ZZZ
20938		A	Sp bone agrft struct add-on	3.02	NA	NA	1.15	1.35	0.64	ZZZ
20950		A	Fluid pressure, muscle	1.26	4.23	5.54	0.88	0.94	0.20	000
20955		A	Fibula bone graft, microvasc	40.02	NA	NA	18.55	21.42	4.90	090
20956		A	Iliac bone graft, microvasc	40.93	NA	NA	20.34	22.55	7.03	090
20957		A	Mt bone graft, microvasc	42.33	NA	NA	15.89	17.42	7.07	090
20962		A	Other bone graft, microvasc	39.21	NA	NA	21.32	23.93	6.57	090
20969		A	Bone/skin graft, microvasc	45.11	NA	NA	21.12	23.88	4.80	090
20970		A	Bone/skin graft, iliac crest	44.26	NA	NA	20.92	23.16	6.62	090
20972		A	Bone/skin graft, metatarsal	44.19	NA	NA	14.93	17.76	5.32	090
20973		A	Bone/skin graft, great toe	46.95	NA	NA	14.16	19.67	5.56	090
20974		A	Electrical bone stimulation	0.62	0.98	0.83	0.48	0.51	0.11	000
20975		A	Electrical bone stimulation	2.60	NA	NA	1.46	1.58	0.51	000
20979		A	Us bone stimulation	0.62	0.61	0.71	0.20	0.27	0.09	000
20982		A	Ablate, bone tumor(s) perq	7.27	80.09	94.85	2.69	2.83	0.69	000
20985		A	Cptr-asst dir ms px	2.50	0.99	0.99	0.99	0.99	0.48	ZZZ
20986		C	Cptr-asst dir ms px io img	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
20987		C	Cptr-asst dir ms px pre img	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
20999		C	Musculoskeletal surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
21010		A	Incision of jaw joint	10.90	NA	NA	6.29	6.69	1.11	090
21015		A	Resection of facial tumor	5.59	NA	NA	4.31	4.66	0.70	090
21025		A	Excision of bone, lower jaw	11.07	12.55	12.40	8.75	9.05	1.32	090
21026		A	Excision of facial bone(s)	5.54	8.83	8.35	5.94	6.13	0.60	090
21029		A	Contour of face bone lesion	8.26	9.56	9.47	6.52	6.77	0.94	090
21030		A	Excise max/zygoma b9 tumor	4.80	7.19	6.76	4.69	4.86	0.54	090
21031		A	Remove exostosis, mandible	3.26	5.92	5.54	3.47	3.55	0.48	090
21032		A	Remove exostosis, maxilla	3.28	6.04	5.70	3.37	3.44	0.47	090

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21034		A	Excise max/zygoma mlg tumor	17.17	13.94	14.94	10.12	11.40	1.72	090
21040		A	Excise mandible lesion	4.80	7.20	6.80	4.64	4.68	0.54	090
21044		A	Removal of jaw bone lesion	12.61	NA	NA	8.11	8.74	1.12	090
21045		A	Extensive jaw surgery	18.13	NA	NA	10.79	11.58	1.52	090
21046		A	Remove mandible cyst complex	13.97	NA	NA	11.50	11.70	1.86	090
21047		A	Excise lwr jaw cyst w/repair	19.83	NA	NA	10.22	11.83	2.13	090
21048		A	Remove maxilla cyst complex	14.47	NA	NA	11.39	11.77	1.77	090
21049		A	Excis uppr jaw cyst w/repair	19.08	NA	NA	10.29	11.66	1.59	090
21050		A	Removal of jaw joint	11.54	NA	NA	8.21	8.83	1.47	090
21060		A	Remove jaw joint cartilage	10.91	NA	NA	7.20	7.90	1.38	090
21070		A	Remove coronoid process	8.50	NA	NA	6.27	6.69	1.27	090
21073		A	Mnpj of tmj w/anesth	3.33	5.50	5.50	2.31	2.31	0.43	090
21076		A	Prepare face/oral prosthesis	13.40	8.02	10.19	4.69	7.35	2.00	010
21077		A	Prepare face/oral prosthesis	33.70	18.44	24.89	11.83	18.93	4.56	090
21079		A	Prepare face/oral prosthesis	22.31	13.97	17.74	8.10	12.63	3.16	090
21080		A	Prepare face/oral prosthesis	25.06	16.16	20.33	9.02	14.20	3.75	090
21081		A	Prepare face/oral prosthesis	22.85	15.02	18.67	8.41	12.95	3.21	090
21082		A	Prepare face/oral prosthesis	20.84	14.91	17.13	8.27	12.01	3.12	090
21083		A	Prepare face/oral prosthesis	19.27	14.91	16.86	7.78	11.11	2.89	090
21084		A	Prepare face/oral prosthesis	22.48	16.85	19.65	8.95	13.33	2.19	090
21085		A	Prepare face/oral prosthesis	8.99	6.93	7.61	3.52	5.15	1.27	010
21086		A	Prepare face/oral prosthesis	24.88	12.91	18.34	8.45	13.95	3.72	090
21087		A	Prepare face/oral prosthesis	24.88	13.05	18.17	8.55	13.88	3.45	090
21088		C	Prepare face/oral prosthesis	0.00	0.00	0.00	0.00	0.00	0.00	090
21089		C	Prepare face/oral prosthesis	0.00	0.00	0.00	0.00	0.00	0.00	090
21100		A	Maxillofacial fixation	4.56	14.87	13.20	5.53	5.14	0.34	090
21110		A	Interdental fixation	5.80	13.06	11.31	9.74	9.05	0.72	090
21116		A	Injection, jaw joint x-ray	0.81	2.52	3.42	0.23	0.28	0.06	000
21120		A	Reconstruction of chin	4.99	9.65	10.12	6.65	7.07	0.60	090
21121		A	Reconstruction of chin	7.70	10.65	10.19	7.59	7.71	0.90	090
21122		A	Reconstruction of chin	8.59	NA	NA	8.46	8.54	1.07	090
21123		A	Reconstruction of chin	11.22	NA	NA	7.03	8.92	1.40	090
21125		A	Augmentation, lower jaw bone	10.68	64.01	59.63	6.43	7.38	0.79	090
21127		A	Augmentation, lower jaw bone	12.24	85.03	63.93	7.50	8.48	1.52	090
21137		A	Reduction of forehead	10.12	NA	NA	7.44	7.59	1.32	090
21138		A	Reduction of forehead	12.73	NA	NA	7.79	8.66	1.75	090
21139		A	Reduction of forehead	14.90	NA	NA	6.99	9.03	1.18	090
21141		A	Reconstruct midface, lefort	19.27	NA	NA	11.87	12.76	2.36	090
21142		A	Reconstruct midface, lefort	19.98	NA	NA	10.08	11.46	2.39	090
21143		A	Reconstruct midface, lefort	20.75	NA	NA	11.81	13.06	1.66	090
21145		A	Reconstruct midface, lefort	23.64	NA	NA	12.98	13.44	2.85	090
21146		A	Reconstruct midface, lefort	24.54	NA	NA	9.18	12.26	3.10	090
21147		A	Reconstruct midface, lefort	26.14	NA	NA	14.31	14.68	1.85	090
21150		A	Reconstruct midface, lefort	25.78	NA	NA	16.93	16.85	2.56	090
21151		A	Reconstruct midface, lefort	28.84	NA	NA	11.61	17.29	2.31	090
21154		A	Reconstruct midface, lefort	31.05	NA	NA	17.89	20.52	2.49	090
21155		A	Reconstruct midface, lefort	34.98	NA	NA	18.17	21.04	6.66	090
21159		A	Reconstruct midface, lefort	42.90	NA	NA	15.13	22.12	8.20	090
21160		A	Reconstruct midface, lefort	46.95	NA	NA	23.24	25.37	4.14	090
21172		A	Reconstruct orbit/forehead	28.07	NA	NA	13.75	13.75	3.56	090
21175		A	Reconstruct orbit/forehead	33.43	NA	NA	13.53	15.67	4.84	090
21179		A	Reconstruct entire forehead	22.53	NA	NA	11.22	12.68	2.81	090
21180		A	Reconstruct entire forehead	25.46	NA	NA	13.00	14.19	3.49	090
21181		A	Contour cranial bone lesion	10.18	NA	NA	6.83	7.15	1.32	090
21182		A	Reconstruct cranial bone	32.45	NA	NA	15.27	17.20	2.81	090
21183		A	Reconstruct cranial bone	35.57	NA	NA	19.23	20.03	4.48	090
21184		A	Reconstruct cranial bone	38.49	NA	NA	15.63	18.79	5.72	090
21188		A	Reconstruction of midface	22.97	NA	NA	15.65	17.27	1.70	090
21193		A	Reconst lwr jaw w/o graft	18.65	NA	NA	9.82	11.24	2.24	090
21194		A	Reconst lwr jaw w/graft	21.54	NA	NA	12.13	12.95	2.03	090
21195		A	Reconst lwr jaw w/o fixation	18.88	NA	NA	13.08	13.95	1.64	090
21196		A	Reconst lwr jaw w/fixation	20.55	NA	NA	13.95	14.83	2.08	090
21198		A	Reconstr lwr jaw segment	15.48	NA	NA	11.89	12.30	1.44	090
21199		A	Reconstr lwr jaw w/advance	16.62	NA	NA	7.57	8.35	1.39	090
21206		A	Reconstruct upper jaw bone	15.36	NA	NA	10.89	11.77	1.33	090
21208		A	Augmentation of facial bones	11.15	33.18	27.76	8.01	8.80	1.09	090
21209		A	Reduction of facial bones	7.58	12.20	11.50	7.40	7.73	0.90	090
21210		A	Face bone graft	11.40	43.50	34.19	7.64	8.50	1.30	090
21215		A	Lower jaw bone graft	11.94	86.14	64.02	7.97	8.67	1.53	090
21230		A	Rib cartilage graft	11.06	NA	NA	7.02	7.53	1.29	090
21235		A	Ear cartilage graft	7.31	10.12	9.98	6.19	6.30	0.61	090
21240		A	Reconstruction of jaw joint	15.77	NA	NA	9.44	10.75	2.25	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
21242		A	Reconstruction of jaw joint	14.32	NA	NA	9.02	10.27	1.79	090
21243		A	Reconstruction of jaw joint	24.03	NA	NA	14.16	15.80	3.26	090
21244		A	Reconstruction of lower jaw	13.35	NA	NA	11.53	11.81	1.25	090
21245		A	Reconstruction of jaw	12.88	14.22	14.31	8.62	9.24	1.19	090
21246		A	Reconstruction of jaw	12.78	NA	NA	7.43	8.24	1.35	090
21247		A	Reconstruct lower jaw bone	24.05	NA	NA	12.70	15.03	2.84	090
21248		A	Reconstruction of jaw	12.54	12.61	12.38	7.52	8.46	1.55	090
21249		A	Reconstruction of jaw	18.57	15.74	16.24	9.62	11.16	2.49	090
21255		A	Reconstruct lower jaw bone	18.14	NA	NA	14.05	15.10	2.39	090
21256		A	Reconstruction of orbit	17.42	NA	NA	9.59	10.70	1.50	090
21260		A	Revise eye sockets	17.74	NA	NA	12.96	12.87	0.97	090
21261		A	Revise eye sockets	33.78	NA	NA	14.75	19.50	3.43	090
21263		A	Revise eye sockets	30.72	NA	NA	14.05	16.57	2.63	090
21267		A	Revise eye sockets	20.45	NA	NA	16.05	17.92	1.71	090
21268		A	Revise eye sockets	26.78	NA	NA	13.14	16.68	3.66	090
21270		A	Augmentation, cheek bone	10.52	11.16	11.41	5.90	6.58	0.72	090
21275		A	Revision, orbitofacial bones	11.65	NA	NA	7.16	7.66	1.29	090
21280		A	Revision of eyelid	6.92	NA	NA	5.66	5.79	0.42	090
21282		A	Revision of eyelid	4.11	NA	NA	4.16	4.32	0.26	090
21295		A	Revision of jaw muscle/bone	1.82	NA	NA	2.23	2.38	0.16	090
21296		A	Revision of jaw muscle/bone	4.67	NA	NA	5.43	5.17	0.34	090
21299		C	Cranio/maxillofacial surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
21310		A	Treatment of nose fracture	0.58	2.00	2.14	0.11	0.13	0.05	000
21315		A	Treatment of nose fracture	1.78	4.72	4.48	1.78	1.83	0.14	010
21320		A	Treatment of nose fracture	1.86	4.30	4.11	1.36	1.49	0.18	010
21325		A	Treatment of nose fracture	4.07	NA	NA	6.98	7.80	0.31	090
21330		A	Treatment of nose fracture	5.68	NA	NA	7.63	8.67	0.56	090
21335		A	Treatment of nose fracture	8.91	NA	NA	8.48	9.05	0.74	090
21336		A	Treat nasal septal fracture	6.56	NA	NA	8.67	9.14	0.55	090
21337		A	Treat nasal septal fracture	3.26	6.15	6.14	3.56	3.57	0.28	090
21338		A	Treat nasoethmoid fracture	6.76	NA	NA	9.93	11.98	0.82	090
21339		A	Treat nasoethmoid fracture	8.39	NA	NA	9.84	11.87	0.96	090
21340		A	Treatment of nose fracture	11.33	NA	NA	7.25	7.83	1.15	090
21343		A	Treatment of sinus fracture	14.11	NA	NA	12.80	14.14	1.47	090
21344		A	Treatment of sinus fracture	21.36	NA	NA	13.06	14.79	2.44	090
21345		A	Treat nose/jaw fracture	8.87	10.50	10.17	6.56	6.87	0.92	090
21346		A	Treat nose/jaw fracture	11.29	NA	NA	10.83	11.52	1.21	090
21347		A	Treat nose/jaw fracture	13.37	NA	NA	11.74	13.97	1.47	090
21348		A	Treat nose/jaw fracture	17.36	NA	NA	11.00	11.06	2.49	090
21355		A	Treat cheek bone fracture	4.32	5.91	6.07	3.25	3.37	0.34	010
21356		A	Treat cheek bone fracture	4.70	6.98	7.05	4.06	4.30	0.46	010
21360		A	Treat cheek bone fracture	7.03	NA	NA	5.40	5.67	0.74	090
21365		A	Treat cheek bone fracture	16.52	NA	NA	9.10	9.97	1.70	090
21366		A	Treat cheek bone fracture	18.44	NA	NA	10.51	10.92	2.50	090
21385		A	Treat eye socket fracture	9.46	NA	NA	7.14	7.71	0.97	090
21386		A	Treat eye socket fracture	9.46	NA	NA	6.01	6.54	0.97	090
21387		A	Treat eye socket fracture	10.00	NA	NA	7.45	8.21	1.08	090
21390		A	Treat eye socket fracture	11.07	NA	NA	7.01	7.41	0.90	090
21395		A	Treat eye socket fracture	14.62	NA	NA	8.34	8.69	1.44	090
21400		A	Treat eye socket fracture	1.44	2.71	2.66	1.96	1.92	0.15	090
21401		A	Treat eye socket fracture	3.57	7.04	7.52	3.05	3.27	0.38	090
21406		A	Treat eye socket fracture	7.31	NA	NA	5.29	5.69	0.73	090
21407		A	Treat eye socket fracture	8.91	NA	NA	5.92	6.39	0.94	090
21408		A	Treat eye socket fracture	12.67	NA	NA	7.45	8.17	1.44	090
21421		A	Treat mouth roof fracture	5.80	12.47	10.90	9.22	8.76	0.73	090
21422		A	Treat mouth roof fracture	8.62	NA	NA	7.05	7.56	0.99	090
21423		A	Treat mouth roof fracture	10.71	NA	NA	7.40	8.37	1.27	090
21431		A	Treat craniofacial fracture	7.74	NA	NA	10.85	10.19	0.70	090
21432		A	Treat craniofacial fracture	8.76	NA	NA	6.81	7.44	0.81	090
21433		A	Treat craniofacial fracture	26.13	NA	NA	12.14	14.28	2.79	090
21435		A	Treat craniofacial fracture	20.02	NA	NA	11.08	11.90	1.99	090
21436		A	Treat craniofacial fracture	30.01	NA	NA	13.15	15.69	3.10	090
21440		A	Treat dental ridge fracture	3.28	10.07	8.59	7.46	6.81	0.38	090
21445		A	Treat dental ridge fracture	6.04	12.29	11.02	8.47	8.42	0.78	090
21450		A	Treat lower jaw fracture	3.55	10.51	8.95	7.72	7.30	0.33	090
21451		A	Treat lower jaw fracture	5.46	12.99	11.17	9.68	9.04	0.63	090
21452		A	Treat lower jaw fracture	2.29	12.04	12.54	6.06	5.34	0.27	090
21453		A	Treat lower jaw fracture	6.40	14.81	12.78	11.66	11.20	0.74	090
21454		A	Treat lower jaw fracture	7.17	NA	NA	5.72	6.00	0.82	090
21461		A	Treat lower jaw fracture	9.07	41.73	33.10	12.82	12.74	0.98	090
21462		A	Treat lower jaw fracture	10.77	43.02	35.32	13.41	13.07	1.27	090
21465		A	Treat lower jaw fracture	12.88	NA	NA	8.12	8.97	1.50	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
21470		A	Treat lower jaw fracture	17.24	NA	NA	10.18	11.10	1.97	090
21480		A	Reset dislocated jaw	0.61	1.52	1.65	0.18	0.18	0.06	000
21485		A	Reset dislocated jaw	4.58	12.10	10.16	9.11	8.39	0.51	090
21490		A	Repair dislocated jaw	12.71	NA	NA	8.13	8.91	1.97	090
21495		A	Treat hyoid bone fracture	6.55	NA	NA	10.48	9.45	0.46	090
21497		A	Interdental wiring	4.45	12.23	10.34	9.35	8.50	0.50	090
21499		C	Head surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
21501		A	Drain neck/chest lesion	3.87	6.56	6.49	3.52	3.67	0.43	090
21502		A	Drain chest lesion	7.43	NA	NA	4.56	5.10	0.97	090
21510		A	Drainage of bone lesion	6.06	NA	NA	4.81	5.24	0.80	090
21550		A	Biopsy of neck/chest	2.08	4.36	3.97	1.79	1.75	0.16	010
21555		A	Remove lesion, neck/chest	4.40	5.79	5.65	3.43	3.31	0.56	090
21556		A	Remove lesion, neck/chest	5.63	NA	NA	4.14	4.12	0.65	090
21557		A	Remove tumor, neck/chest	8.91	NA	NA	4.51	4.94	1.08	090
21600		A	Partial removal of rib	7.14	NA	NA	5.97	5.85	0.99	090
21610		A	Partial removal of rib	15.76	NA	NA	8.90	8.89	3.08	090
21615		A	Removal of rib	10.31	NA	NA	5.17	5.93	1.45	090
21616		A	Removal of rib and nerves	12.54	NA	NA	6.52	7.27	1.87	090
21620		A	Partial removal of sternum	7.16	NA	NA	4.76	5.37	0.98	090
21627		A	Sternal debridement	7.18	NA	NA	5.55	5.93	1.02	090
21630		A	Extensive sternum surgery	19.01	NA	NA	10.36	11.10	2.59	090
21632		A	Extensive sternum surgery	19.51	NA	NA	9.43	10.27	2.66	090
21685		A	Hyoid myotomy & suspension	14.89	NA	NA	8.77	9.37	1.06	090
21700		A	Revision of neck muscle	6.23	NA	NA	4.40	4.42	0.32	090
21705		A	Revision of neck muscle/rib	9.83	NA	NA	4.36	4.97	1.43	090
21720		A	Revision of neck muscle	5.72	NA	NA	4.11	3.29	0.91	090
21725		A	Revision of neck muscle	7.10	NA	NA	5.15	5.30	1.21	090
21740		A	Reconstruction of sternum	17.47	NA	NA	8.21	8.36	2.37	090
21742		C	Repair stern/nuss w/o scope	0.00	0.00	0.00	0.00	0.00	0.00	090
21743		C	Repair sternum/nuss w/scope	0.00	0.00	0.00	0.00	0.00	0.00	090
21750		A	Repair of sternum separation	11.35	NA	NA	5.32	5.72	1.63	090
21800		A	Treatment of rib fracture	0.98	1.36	1.35	1.43	1.38	0.09	090
21805		A	Treatment of rib fracture	2.80	NA	NA	3.27	3.24	0.38	090
21810		A	Treatment of rib fracture(s)	6.92	NA	NA	5.38	5.17	0.94	090
21820		A	Treat sternum fracture	1.31	1.83	1.83	1.89	1.83	0.16	090
21825		A	Treat sternum fracture	7.65	NA	NA	5.38	5.89	1.11	090
21899		C	Neck/chest surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
21920		A	Biopsy soft tissue of back	2.08	4.44	3.86	1.88	1.68	0.14	010
21925		A	Biopsy soft tissue of back	4.54	5.35	5.26	3.36	3.30	0.60	090
21930		A	Remove lesion, back or flank	5.06	6.05	5.88	3.78	3.59	0.66	090
21935		A	Remove tumor, back	18.38	NA	NA	8.45	9.04	2.48	090
22010		A	I&d, p-spine, c/t/cerv-thor	12.57	NA	NA	8.36	8.62	1.74	090
22015		A	I&d, p-spine, l/s/ls	12.46	NA	NA	8.34	8.59	1.72	090
22100		A	Remove part of neck vertebra	10.80	NA	NA	8.20	7.87	2.14	090
22101		A	Remove part, thorax vertebra	10.88	NA	NA	8.12	7.94	1.91	090
22102		A	Remove part, lumbar vertebra	10.88	NA	NA	7.93	8.02	1.88	090
22103		A	Remove extra spine segment	2.34	NA	NA	0.90	1.05	0.44	ZZZ
22110		A	Remove part of neck vertebra	13.80	NA	NA	9.12	9.15	2.77	090
22112		A	Remove part, thorax vertebra	13.87	NA	NA	9.03	9.16	2.53	090
22114		A	Remove part, lumbar vertebra	13.87	NA	NA	9.01	9.14	2.64	090
22116		A	Remove extra spine segment	2.32	NA	NA	0.89	1.03	0.50	ZZZ
22206		A	Cut spine 3 col, thor	37.00	NA	NA	17.73	17.73	6.23	090
22207		A	Cut spine 3 col, lumb	36.50	NA	NA	17.61	17.61	6.07	090
22208		A	Cut spine 3 col, addl seg	9.66	3.73	3.73	3.73	3.73	2.07	ZZZ
22210		A	Revision of neck spine	25.13	NA	NA	14.56	14.99	5.46	090
22212		A	Revision of thorax spine	20.74	NA	NA	12.45	12.87	3.91	090
22214		A	Revision of lumbar spine	20.77	NA	NA	12.54	13.18	3.92	090
22216		A	Revise, extra spine segment	6.03	NA	NA	2.32	2.73	1.29	ZZZ
22220		A	Revision of neck spine	22.69	NA	NA	13.36	13.50	5.08	090
22222		A	Revision of thorax spine	22.84	NA	NA	10.47	10.80	4.13	090
22224		A	Revision of lumbar spine	22.84	NA	NA	12.90	13.57	4.19	090
22226		A	Revise, extra spine segment	6.03	NA	NA	2.28	2.69	1.29	ZZZ
22305		A	Treat spine process fracture	2.08	2.15	2.23	1.80	1.86	0.39	090
22310		A	Treat spine fracture	3.69	2.99	2.90	2.50	2.43	0.50	090
22315		A	Treat spine fracture	9.91	9.89	9.79	7.44	7.39	1.86	090
22318		A	Treat odontoid fx w/o graft	22.54	NA	NA	13.27	13.33	5.30	090
22319		A	Treat odontoid fx w/graft	25.15	NA	NA	13.46	14.09	6.05	090
22325		A	Treat spine fracture	19.62	NA	NA	12.15	12.12	3.88	090
22326		A	Treat neck spine fracture	20.64	NA	NA	12.03	12.37	4.43	090
22327		A	Treat thorax spine fracture	20.52	NA	NA	12.34	12.36	3.99	090
22328		A	Treat each add spine fx	4.60	NA	NA	1.76	2.01	0.94	ZZZ
22505		A	Manipulation of spine	1.87	NA	NA	1.10	1.02	0.36	010

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
22520		A	Percut vertebroplasty thor	9.17	43.83	52.77	4.58	4.84	1.72	010
22521		A	Percut vertebroplasty lumb	8.60	45.01	50.51	4.36	4.65	1.60	010
22522		A	Percut vertebroplasty addÆl	4.30	NA	NA	1.51	1.59	0.82	ZZZ
22523		A	Percut kyphoplasty, thor	9.21	NA	NA	4.67	5.29	1.72	010
22524		A	Percut kyphoplasty, lumbar	8.81	NA	NA	4.53	5.11	1.60	010
22525		A	Percut kyphoplasty, add-on	4.47	NA	NA	1.69	1.98	0.82	ZZZ
22526		A	Idet, single level	6.07	46.73	46.73	2.05	2.05	1.16	010
22527		A	Idet, 1 or more levels	3.03	40.40	40.40	0.70	0.70	0.58	ZZZ
22532		A	Lat thorax spine fusion	25.81	NA	NA	13.79	14.31	4.35	090
22533		A	Lat lumbar spine fusion	24.61	NA	NA	13.58	13.59	3.16	090
22534		A	Lat thor/lumb, addÆl seg	5.99	NA	NA	2.28	2.66	1.25	ZZZ
22548		A	Neck spine fusion	26.86	NA	NA	14.94	15.38	5.61	090
22554		A	Neck spine fusion	17.54	NA	NA	10.65	11.50	4.46	090
22556		A	Thorax spine fusion	24.50	NA	NA	12.96	13.85	4.35	090
22558		A	Lumbar spine fusion	23.33	NA	NA	11.44	12.37	3.16	090
22585		A	Additional spinal fusion	5.52	NA	NA	2.06	2.43	1.25	ZZZ
22590		A	Spine & skull spinal fusion	21.56	NA	NA	13.08	13.21	4.79	090
22595		A	Neck spinal fusion	20.44	NA	NA	12.65	12.75	4.41	090
22600		A	Neck spine fusion	17.20	NA	NA	11.20	11.20	3.73	090
22610		A	Thorax spine fusion	17.08	NA	NA	10.82	11.12	3.53	090
22612		A	Lumbar spine fusion	23.38	NA	NA	12.50	13.36	4.47	090
22614		A	Spine fusion, extra segment	6.43	NA	NA	2.46	2.90	1.38	ZZZ
22630		A	Lumbar spine fusion	21.89	NA	NA	12.54	13.08	4.73	090
22632		A	Spine fusion, extra segment	5.22	NA	NA	1.99	2.33	1.16	ZZZ
22800		A	Fusion of spine	19.30	NA	NA	11.16	11.97	3.76	090
22802		A	Fusion of spine	31.91	NA	NA	16.00	17.80	6.17	090
22804		A	Fusion of spine	37.30	NA	NA	18.13	20.42	7.00	090
22808		A	Fusion of spine	27.31	NA	NA	14.06	15.19	4.93	090
22810		A	Fusion of spine	31.30	NA	NA	14.92	16.64	5.15	090
22812		A	Fusion of spine	34.00	NA	NA	17.39	18.73	5.30	090
22818		A	Kyphectomy, 1-2 segments	34.18	NA	NA	16.63	17.75	6.47	090
22819		A	Kyphectomy, 3 or more	39.18	NA	NA	18.88	19.47	7.67	090
22830		A	Exploration of spinal fusion	11.13	NA	NA	7.06	7.51	2.30	090
22840		A	Insert spine fixation device	12.52	NA	NA	4.78	5.64	2.79	ZZZ
22841		B	Insert spine fixation device	0.00	0.00	0.00	0.00	0.00	0.00	XXX
22842		A	Insert spine fixation device	12.56	NA	NA	4.80	5.65	2.75	ZZZ
22843		A	Insert spine fixation device	13.44	NA	NA	5.16	5.88	2.86	ZZZ
22844		A	Insert spine fixation device	16.42	NA	NA	6.41	7.58	3.19	ZZZ
22845		A	Insert spine fixation device	11.94	NA	NA	4.49	5.28	2.86	ZZZ
22846		A	Insert spine fixation device	12.40	NA	NA	4.66	5.50	2.96	ZZZ
22847		A	Insert spine fixation device	13.78	NA	NA	5.20	6.11	3.00	ZZZ
22848		A	Insert pelv fixation device	5.99	NA	NA	2.34	2.76	1.15	ZZZ
22849		A	Reinsert spinal fixation	19.08	NA	NA	10.17	10.95	3.90	090
22850		A	Remove spine fixation device	9.74	NA	NA	6.41	6.70	2.05	090
22851		A	Apply spine prosth device	6.70	NA	NA	2.54	2.95	1.49	ZZZ
22852		A	Remove spine fixation device	9.29	NA	NA	6.18	6.49	1.90	090
22855		A	Remove spine fixation device	15.77	NA	NA	9.18	9.43	3.52	090
22857		R	Lumbar artif diskectomy	26.93	NA	NA	14.82	14.82	3.56	090
22862		R	Revise lumbar artif disc	32.43	NA	NA	16.09	16.09	5.36	090
22865		R	Remove lumb artif disc	31.55	NA	NA	15.74	15.74	5.18	090
22899		C	Spine surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
22900		A	Remove abdominal wall lesion	6.14	NA	NA	3.54	3.38	0.76	090
22999		C	Abdomen surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
23000		A	Removal of calcium deposits	4.40	7.89	8.21	3.74	4.08	0.68	090
23020		A	Release shoulder joint	9.24	NA	NA	6.49	7.02	1.54	090
23030		A	Drain shoulder lesion	3.44	6.29	6.84	2.40	2.65	0.57	010
23031		A	Drain shoulder bursa	2.76	6.52	7.19	2.22	2.47	0.46	010
23035		A	Drain shoulder bone lesion	9.04	NA	NA	6.46	7.36	1.47	090
23040		A	Exploratory shoulder surgery	9.63	NA	NA	6.75	7.31	1.60	090
23044		A	Exploratory shoulder surgery	7.48	NA	NA	5.52	5.98	1.24	090
23065		A	Biopsy shoulder tissues	2.28	2.96	2.72	1.74	1.68	0.20	010
23066		A	Biopsy shoulder tissues	4.21	7.76	7.72	3.61	3.80	0.63	090
23075		A	Removal of shoulder lesion	2.41	3.70	3.68	1.72	1.75	0.34	010
23076		A	Removal of shoulder lesion	7.77	NA	NA	5.32	5.44	1.13	090
23077		A	Remove tumor of shoulder	18.08	NA	NA	9.61	9.92	2.34	090
23100		A	Biopsy of shoulder joint	6.09	NA	NA	5.00	5.33	1.04	090
23101		A	Shoulder joint surgery	5.63	NA	NA	4.54	4.94	0.96	090
23105		A	Remove shoulder joint lining	8.36	NA	NA	6.10	6.61	1.42	090
23106		A	Incision of collarbone joint	6.02	NA	NA	4.79	5.25	0.99	090
23107		A	Explore treat shoulder joint	8.75	NA	NA	6.26	6.83	1.49	090
23120		A	Partial removal, collar bone	7.23	NA	NA	5.47	5.97	1.23	090
23125		A	Removal of collar bone	9.52	NA	NA	6.39	6.98	1.62	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
23130		A	Remove shoulder bone, part	7.63	NA	NA	6.08	6.61	1.30	090
23140		A	Removal of bone lesion	7.01	NA	NA	4.90	5.07	1.08	090
23145		A	Removal of bone lesion	9.28	NA	NA	6.49	6.97	1.49	090
23146		A	Removal of bone lesion	7.96	NA	NA	5.92	6.52	1.35	090
23150		A	Removal of humerus lesion	8.79	NA	NA	6.26	6.59	1.32	090
23155		A	Removal of humerus lesion	10.72	NA	NA	7.26	7.79	1.81	090
23156		A	Removal of humerus lesion	8.99	NA	NA	6.29	6.84	1.50	090
23170		A	Remove collar bone lesion	7.10	NA	NA	5.00	5.51	1.12	090
23172		A	Remove shoulder blade lesion	7.20	NA	NA	5.52	5.90	1.01	090
23174		A	Remove humerus lesion	9.90	NA	NA	7.18	7.77	1.65	090
23180		A	Remove collar bone lesion	8.85	NA	NA	6.42	7.71	1.47	090
23182		A	Remove shoulder blade lesion	8.47	NA	NA	6.43	7.49	1.37	090
23184		A	Remove humerus lesion	9.76	NA	NA	6.93	8.12	1.63	090
23190		A	Partial removal of scapula	7.36	NA	NA	5.31	5.74	1.17	090
23195		A	Removal of head of humerus	10.24	NA	NA	6.92	7.33	1.71	090
23200		A	Removal of collar bone	12.69	NA	NA	7.12	7.92	1.94	090
23210		A	Removal of shoulder blade	13.16	NA	NA	7.81	8.41	2.03	090
23220		A	Partial removal of humerus	15.36	NA	NA	9.15	9.99	2.49	090
23221		A	Partial removal of humerus	18.41	NA	NA	10.62	11.17	3.06	090
23222		A	Partial removal of humerus	25.44	NA	NA	13.35	14.57	3.95	090
23330		A	Remove shoulder foreign body	1.87	3.36	3.52	1.51	1.70	0.24	010
23331		A	Remove shoulder foreign body	7.51	NA	NA	5.84	6.32	1.27	090
23332		A	Remove shoulder foreign body	12.23	NA	NA	7.97	8.65	2.03	090
23350		A	Injection for shoulder x-ray	1.00	2.73	3.10	0.35	0.34	0.06	000
23395		A	Muscle transfer,shoulder/arm	18.29	NA	NA	11.21	12.04	2.94	090
23397		A	Muscle transfers	16.62	NA	NA	9.56	10.47	2.74	090
23400		A	Fixation of shoulder blade	13.73	NA	NA	8.55	9.31	2.30	090
23405		A	Incision of tendon & muscle	8.43	NA	NA	5.92	6.42	1.45	090
23406		A	Incise tendon(s) & muscle(s)	10.90	NA	NA	6.91	7.63	1.88	090
23410		A	Repair rotator cuff, acute	12.63	NA	NA	7.78	8.60	2.17	090
23412		A	Repair rotator cuff, chronic	13.55	NA	NA	8.16	9.03	2.32	090
23415		A	Release of shoulder ligament	10.09	NA	NA	6.59	7.29	1.74	090
23420		A	Repair of shoulder	14.75	NA	NA	9.71	10.28	2.32	090
23430		A	Repair biceps tendon	10.05	NA	NA	6.78	7.44	1.74	090
23440		A	Remove/transplant tendon	10.53	NA	NA	6.78	7.52	1.83	090
23450		A	Repair shoulder capsule	13.58	NA	NA	8.18	9.02	2.33	090
23455		A	Repair shoulder capsule	14.55	NA	NA	8.56	9.50	2.50	090
23460		A	Repair shoulder capsule	15.68	NA	NA	9.37	10.37	2.67	090
23462		A	Repair shoulder capsule	15.60	NA	NA	9.09	9.92	2.60	090
23465		A	Repair shoulder capsule	16.16	NA	NA	9.50	10.34	2.77	090
23466		A	Repair shoulder capsule	15.55	NA	NA	10.00	10.69	2.47	090
23470		A	Reconstruct shoulder joint	17.75	NA	NA	10.13	11.19	2.99	090
23472		A	Reconstruct shoulder joint	22.47	NA	NA	12.15	13.28	3.67	090
23480		A	Revision of collar bone	11.42	NA	NA	7.30	8.04	1.95	090
23485		A	Revision of collar bone	13.79	NA	NA	8.21	9.05	2.34	090
23490		A	Reinforce clavicle	12.04	NA	NA	6.75	7.73	1.47	090
23491		A	Reinforce shoulder bones	14.40	NA	NA	8.72	9.72	2.47	090
23500		A	Treat clavicle fracture	2.13	2.64	2.76	2.71	2.62	0.30	090
23505		A	Treat clavicle fracture	3.74	4.01	4.21	3.62	3.73	0.61	090
23515		A	Treat clavicle fracture	9.53	NA	NA	7.01	6.78	1.28	090
23520		A	Treat clavicle dislocation	2.21	2.77	2.81	2.84	2.79	0.34	090
23525		A	Treat clavicle dislocation	3.67	4.17	4.35	3.64	3.79	0.46	090
23530		A	Treat clavicle dislocation	7.37	NA	NA	5.31	5.62	1.20	090
23532		A	Treat clavicle dislocation	8.08	NA	NA	6.02	6.50	1.38	090
23540		A	Treat clavicle dislocation	2.28	2.67	2.77	2.74	2.55	0.29	090
23545		A	Treat clavicle dislocation	3.32	3.74	3.97	3.26	3.31	0.35	090
23550		A	Treat clavicle dislocation	7.48	NA	NA	5.54	5.96	1.25	090
23552		A	Treat clavicle dislocation	8.70	NA	NA	6.26	6.79	1.46	090
23570		A	Treat shoulder blade fx	2.28	2.78	2.90	2.92	2.91	0.36	090
23575		A	Treat shoulder blade fx	4.12	4.59	4.74	4.08	4.20	0.59	090
23585		A	Treat scapula fracture	14.07	NA	NA	8.51	8.08	1.54	090
23600		A	Treat humerus fracture	3.00	4.07	4.31	3.65	3.60	0.48	090
23605		A	Treat humerus fracture	4.94	5.38	5.77	4.60	4.85	0.84	090
23615		A	Treat humerus fracture	12.12	NA	NA	8.06	8.45	1.62	090
23616		A	Treat humerus fracture	18.19	NA	NA	10.46	12.30	3.70	090
23620		A	Treat humerus fracture	2.46	3.41	3.51	3.15	3.07	0.40	090
23625		A	Treat humerus fracture	3.99	4.45	4.69	3.92	4.10	0.67	090
23630		A	Treat humerus fracture	10.39	NA	NA	7.37	7.00	1.27	090
23650		A	Treat shoulder dislocation	3.44	3.29	3.53	2.83	2.79	0.30	090
23655		A	Treat shoulder dislocation	4.64	NA	NA	4.15	4.16	0.69	090
23660		A	Treat shoulder dislocation	7.55	NA	NA	5.69	6.04	1.29	090
23665		A	Treat dislocation/fracture	4.54	4.85	5.09	4.27	4.49	0.71	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
23670		A	Treat dislocation/fracture	12.12	NA	NA	7.93	7.38	1.36	090
23675		A	Treat dislocation/fracture	6.13	6.13	6.48	5.13	5.49	1.01	090
23680		A	Treat dislocation/fracture	12.99	NA	NA	8.24	8.17	1.76	090
23700		A	Fixation of shoulder	2.54	NA	NA	1.90	2.04	0.44	010
23800		A	Fusion of shoulder joint	14.59	NA	NA	8.87	9.64	2.36	090
23802		A	Fusion of shoulder joint	18.17	NA	NA	11.22	10.70	2.71	090
23900		A	Amputation of arm & girdle	20.57	NA	NA	10.43	11.07	3.19	090
23920		A	Amputation at shoulder joint	16.03	NA	NA	9.22	9.58	2.47	090
23921		A	Amputation follow-up surgery	5.61	NA	NA	4.85	4.97	0.78	090
23929		C	Shoulder surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
23930		A	Drainage of arm lesion	2.96	4.98	5.65	1.98	2.15	0.43	010
23931		A	Drainage of arm bursa	1.81	4.36	5.14	1.75	1.96	0.28	010
23935		A	Drain arm/elbow bone lesion	6.27	NA	NA	5.10	5.51	1.05	090
24000		A	Exploratory elbow surgery	5.99	NA	NA	4.75	5.08	0.97	090
24006		A	Release elbow joint	9.62	NA	NA	6.60	7.18	1.50	090
24065		A	Biopsy arm/elbow soft tissue	2.10	4.15	3.68	1.92	1.83	0.17	010
24066		A	Biopsy arm/elbow soft tissue	5.26	8.27	8.61	3.92	4.03	0.80	090
24075		A	Remove arm/elbow lesion	3.96	7.19	7.27	3.27	3.33	0.56	090
24076		A	Remove arm/elbow lesion	6.36	NA	NA	4.59	4.72	0.95	090
24077		A	Remove tumor of arm/elbow	11.95	NA	NA	6.86	7.30	1.73	090
24100		A	Biopsy elbow joint lining	4.98	NA	NA	4.09	4.31	0.85	090
24101		A	Explore/treat elbow joint	6.19	NA	NA	5.05	5.49	1.03	090
24102		A	Remove elbow joint lining	8.15	NA	NA	5.81	6.34	1.33	090
24105		A	Removal of elbow bursa	3.67	NA	NA	4.03	4.21	0.61	090
24110		A	Remove humerus lesion	7.46	NA	NA	5.65	6.16	1.28	090
24115		A	Remove/graft bone lesion	10.00	NA	NA	4.32	5.77	1.68	090
24116		A	Remove/graft bone lesion	12.11	NA	NA	7.68	8.38	2.06	090
24120		A	Remove elbow lesion	6.71	NA	NA	5.18	5.55	1.10	090
24125		A	Remove/graft bone lesion	8.02	NA	NA	5.99	6.08	1.06	090
24126		A	Remove/graft bone lesion	8.50	NA	NA	6.01	6.52	1.16	090
24130		A	Removal of head of radius	6.31	NA	NA	5.13	5.58	1.04	090
24134		A	Removal of arm bone lesion	10.10	NA	NA	6.91	7.88	1.64	090
24136		A	Remove radius bone lesion	8.29	NA	NA	5.77	6.50	1.38	090
24138		A	Remove elbow bone lesion	8.33	NA	NA	6.49	7.14	1.34	090
24140		A	Partial removal of arm bone	9.43	NA	NA	6.58	7.84	1.51	090
24145		A	Partial removal of radius	7.70	NA	NA	5.64	6.85	1.25	090
24147		A	Partial removal of elbow	7.69	NA	NA	6.28	7.44	1.30	090
24149		A	Radical resection of elbow	15.92	NA	NA	10.77	11.20	2.35	090
24150		A	Extensive humerus surgery	13.70	NA	NA	8.50	9.25	2.33	090
24151		A	Extensive humerus surgery	16.08	NA	NA	9.70	10.61	2.60	090
24152		A	Extensive radius surgery	10.24	NA	NA	6.17	6.95	1.48	090
24153		A	Extensive radius surgery	11.73	NA	NA	4.87	5.22	0.74	090
24155		A	Removal of elbow joint	11.97	NA	NA	7.42	7.91	1.93	090
24160		A	Remove elbow joint implant	7.89	NA	NA	5.83	6.36	1.30	090
24164		A	Remove radius head implant	6.34	NA	NA	4.90	5.34	1.03	090
24200		A	Removal of arm foreign body	1.78	2.74	3.08	1.36	1.49	0.20	010
24201		A	Removal of arm foreign body	4.61	7.80	8.81	3.66	3.95	0.72	090
24220		A	Injection for elbow x-ray	1.31	2.66	3.15	0.46	0.45	0.08	000
24300		A	Manipulate elbow w/anesth	3.86	NA	NA	5.16	5.44	0.65	090
24301		A	Muscle/tendon transfer	10.26	NA	NA	6.83	7.51	1.66	090
24305		A	Arm tendon lengthening	7.51	NA	NA	5.66	6.19	1.15	090
24310		A	Revision of arm tendon	6.03	NA	NA	4.73	5.16	0.96	090
24320		A	Repair of arm tendon	10.74	NA	NA	7.03	7.28	1.74	090
24330		A	Revision of arm muscles	9.67	NA	NA	6.64	7.26	1.60	090
24331		A	Revision of arm muscles	10.83	NA	NA	6.95	7.82	1.78	090
24332		A	Tenolysis, triceps	7.77	NA	NA	5.92	6.35	1.23	090
24340		A	Repair of biceps tendon	7.96	NA	NA	5.96	6.47	1.36	090
24341		A	Repair arm tendon/muscle	9.24	NA	NA	7.53	7.72	1.36	090
24342		A	Repair of ruptured tendon	10.74	NA	NA	7.07	7.79	1.86	090
24343		A	Repr elbow lat ligmnt w/tiss	8.99	NA	NA	6.99	7.57	1.43	090
24344		A	Reconstruct elbow lat ligmnt	14.97	NA	NA	9.96	10.74	2.37	090
24345		A	Repr elbw med ligmnt w/tissu	8.99	NA	NA	6.94	7.48	1.44	090
24346		A	Reconstruct elbow med ligmnt	14.97	NA	NA	10.04	10.69	2.34	090
24357		A	Repair elbow, perc	5.32	NA	NA	4.72	5.15	0.87	090
24358		A	Repair elbow w/deb, open	6.54	NA	NA	5.28	5.73	1.07	090
24359		A	Repair elbow deb/attch open	8.86	NA	NA	6.20	6.20	1.41	090
24360		A	Reconstruct elbow joint	12.53	NA	NA	7.84	8.66	2.06	090
24361		A	Reconstruct elbow joint	14.27	NA	NA	8.76	9.67	2.19	090
24362		A	Reconstruct elbow joint	15.18	NA	NA	5.74	7.89	2.61	090
24363		A	Replace elbow joint	22.47	NA	NA	12.18	12.95	3.02	090
24365		A	Reconstruct head of radius	8.51	NA	NA	5.97	6.59	1.41	090
24366		A	Reconstruct head of radius	9.25	NA	NA	6.31	6.93	1.52	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
24400		A	Revision of humerus	11.19	NA	NA	7.50	8.18	1.93	090
24410		A	Revision of humerus	14.96	NA	NA	9.25	9.78	2.58	090
24420		A	Revision of humerus	13.58	NA	NA	8.51	9.53	2.18	090
24430		A	Repair of humerus	15.07	NA	NA	9.23	9.49	2.22	090
24435		A	Repair humerus with graft	14.74	NA	NA	9.82	10.35	2.28	090
24470		A	Revision of elbow joint	8.81	NA	NA	5.66	6.69	1.48	090
24495		A	Decompression of forearm	8.30	NA	NA	6.41	7.58	1.18	090
24498		A	Reinforce humerus	12.16	NA	NA	7.67	8.47	2.07	090
24500		A	Treat humerus fracture	3.29	4.45	4.65	3.81	3.75	0.50	090
24505		A	Treat humerus fracture	5.25	5.84	6.22	4.88	5.14	0.89	090
24515		A	Treat humerus fracture	11.97	NA	NA	8.04	8.72	2.03	090
24516		A	Treat humerus fracture	12.07	NA	NA	7.65	8.38	2.03	090
24530		A	Treat humerus fracture	3.57	4.73	4.97	4.00	4.02	0.57	090
24535		A	Treat humerus fracture	6.96	6.82	7.33	5.86	6.24	1.18	090
24538		A	Treat humerus fracture	9.63	NA	NA	7.19	7.95	1.64	090
24545		A	Treat humerus fracture	12.99	NA	NA	8.28	8.37	1.83	090
24546		A	Treat humerus fracture	14.73	NA	NA	9.11	10.22	2.74	090
24560		A	Treat humerus fracture	2.87	4.11	4.30	3.43	3.31	0.44	090
24565		A	Treat humerus fracture	5.64	5.94	6.28	5.05	5.29	0.93	090
24566		A	Treat humerus fracture	8.86	NA	NA	6.80	7.48	1.30	090
24575		A	Treat humerus fracture	9.53	NA	NA	6.97	7.69	1.87	090
24576		A	Treat humerus fracture	2.94	4.41	4.59	3.71	3.71	0.46	090
24577		A	Treat humerus fracture	5.87	6.04	6.49	5.08	5.47	0.95	090
24579		A	Treat humerus fracture	11.26	NA	NA	7.74	8.29	2.03	090
24582		A	Treat humerus fracture	9.89	NA	NA	8.18	8.65	1.48	090
24586		A	Treat elbow fracture	15.64	NA	NA	9.33	10.28	2.65	090
24587		A	Treat elbow fracture	15.65	NA	NA	9.32	10.17	2.53	090
24600		A	Treat elbow dislocation	4.28	3.86	4.36	3.28	3.39	0.50	090
24605		A	Treat elbow dislocation	5.50	NA	NA	4.91	5.14	0.89	090
24615		A	Treat elbow dislocation	9.72	NA	NA	6.56	7.19	1.60	090
24620		A	Treat elbow fracture	7.07	NA	NA	5.49	5.87	1.07	090
24635		A	Treat elbow fracture	8.64	NA	NA	6.55	10.31	2.29	090
24640		A	Treat elbow dislocation	1.22	1.53	1.69	0.83	0.81	0.12	010
24650		A	Treat radius fracture	2.22	3.43	3.60	2.99	2.87	0.35	090
24655		A	Treat radius fracture	4.48	5.18	5.57	4.40	4.60	0.70	090
24665		A	Treat radius fracture	8.22	NA	NA	6.51	7.01	1.41	090
24666		A	Treat radius fracture	9.74	NA	NA	6.96	7.51	1.62	090
24670		A	Treat ulnar fracture	2.60	3.73	3.92	3.15	3.11	0.41	090
24675		A	Treat ulnar fracture	4.79	5.38	5.69	4.57	4.77	0.81	090
24685		A	Treat ulnar fracture	8.21	NA	NA	6.52	7.02	1.52	090
24800		A	Fusion of elbow joint	11.27	NA	NA	6.89	7.82	1.63	090
24802		A	Fusion/graft of elbow joint	14.18	NA	NA	8.03	9.21	2.38	090
24900		A	Amputation of upper arm	10.04	NA	NA	6.42	6.74	1.53	090
24920		A	Amputation of upper arm	10.02	NA	NA	6.04	6.49	1.61	090
24925		A	Amputation follow-up surgery	7.19	NA	NA	4.95	5.52	1.14	090
24930		A	Amputation follow-up surgery	10.72	NA	NA	6.20	6.72	1.68	090
24931		A	Amputate upper arm & implant	13.32	NA	NA	5.08	5.40	1.90	090
24935		A	Revision of amputation	16.30	NA	NA	10.47	9.25	2.14	090
24940		C	Revision of upper arm	0.00	0.00	0.00	0.00	0.00	0.00	090
24999		C	Upper arm/elbow surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
25000		A	Incision of tendon sheath	3.44	NA	NA	3.98	5.43	0.55	090
25001		A	Incise flexor carpi radialis	3.68	NA	NA	3.95	4.09	0.55	090
25020		A	Decompress forearm 1 space	5.97	NA	NA	6.95	8.26	0.93	090
25023		A	Decompress forearm 1 space	13.69	NA	NA	11.33	13.14	2.04	090
25024		A	Decompress forearm 2 spaces	10.62	NA	NA	7.08	7.28	1.36	090
25025		A	Decompress forearm 2 spaces	17.77	NA	NA	9.70	9.84	1.83	090
25028		A	Drainage of forearm lesion	5.30	NA	NA	6.20	7.18	0.81	090
25031		A	Drainage of forearm bursa	4.18	NA	NA	3.49	5.71	0.63	090
25035		A	Treat forearm bone lesion	7.54	NA	NA	5.63	9.61	1.24	090
25040		A	Explore/treat wrist joint	7.41	NA	NA	5.40	6.35	1.15	090
25065		A	Biopsy forearm soft tissues	2.01	4.33	3.78	1.98	1.94	0.15	010
25066		A	Biopsy forearm soft tissues	4.18	NA	NA	3.84	5.45	0.64	090
25075		A	Removal forearm lesion subcu	3.78	NA	NA	3.31	4.60	0.55	090
25076		A	Removal forearm lesion deep	4.97	NA	NA	4.11	6.83	0.74	090
25077		A	Remove tumor, forearm/wrist	9.90	NA	NA	6.18	9.14	1.42	090
25085		A	Incision of wrist capsule	5.55	NA	NA	4.62	5.87	0.85	090
25100		A	Biopsy of wrist joint	3.94	NA	NA	3.77	4.53	0.59	090
25101		A	Explore/treat wrist joint	4.74	NA	NA	4.35	5.12	0.75	090
25105		A	Remove wrist joint lining	5.91	NA	NA	4.98	6.14	0.92	090
25107		A	Remove wrist joint cartilage	7.50	NA	NA	6.24	7.29	0.99	090
25109		A	Excise tendon forearm/wrist	6.81	NA	NA	5.24	5.24	0.96	090
25110		A	Remove wrist tendon lesion	3.96	NA	NA	3.62	5.34	0.62	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
25111		A	Remove wrist tendon lesion	3.44	NA	NA	3.62	4.16	0.53	090
25112		A	Reremove wrist tendon lesion	4.58	NA	NA	4.08	4.67	0.70	090
25115		A	Remove wrist/forearm lesion	9.89	NA	NA	7.34	10.69	1.31	090
25116		A	Remove wrist/forearm lesion	7.38	NA	NA	6.19	9.67	1.11	090
25118		A	Excise wrist tendon sheath	4.42	NA	NA	4.15	4.95	0.68	090
25119		A	Partial removal of ulna	6.10	NA	NA	5.07	6.33	0.96	090
25120		A	Removal of forearm lesion	6.16	NA	NA	5.10	8.60	1.00	090
25125		A	Remove/graft forearm lesion	7.55	NA	NA	5.68	9.27	1.06	090
25126		A	Remove/graft forearm lesion	7.62	NA	NA	5.86	9.44	1.27	090
25130		A	Removal of wrist lesion	5.32	NA	NA	4.73	5.58	0.80	090
25135		A	Remove & graft wrist lesion	6.96	NA	NA	5.62	6.57	1.02	090
25136		A	Remove & graft wrist lesion	6.03	NA	NA	5.10	5.85	1.03	090
25145		A	Remove forearm bone lesion	6.43	NA	NA	5.21	8.64	1.01	090
25150		A	Partial removal of ulna	7.27	NA	NA	5.53	6.87	1.14	090
25151		A	Partial removal of radius	7.57	NA	NA	5.65	9.19	1.18	090
25170		A	Extensive forearm surgery	11.34	NA	NA	7.37	11.26	1.78	090
25210		A	Removal of wrist bone	6.01	NA	NA	5.05	5.92	0.88	090
25215		A	Removal of wrist bones	8.02	NA	NA	6.03	7.40	1.19	090
25230		A	Partial removal of radius	5.28	NA	NA	4.50	5.32	0.79	090
25240		A	Partial removal of ulna	5.22	NA	NA	4.47	5.71	0.81	090
25246		A	Injection for wrist x-ray	1.45	2.73	3.09	0.53	0.50	0.09	000
25248		A	Remove forearm foreign body	5.20	NA	NA	4.05	6.29	0.72	090
25250		A	Removal of wrist prosthesis	6.66	NA	NA	5.27	5.69	1.01	090
25251		A	Removal of wrist prosthesis	9.70	NA	NA	6.75	7.33	1.26	090
25259		A	Manipulate wrist w/anesthes	3.86	NA	NA	5.16	5.44	0.62	090
25260		A	Repair forearm tendon/muscle	7.89	NA	NA	6.38	9.85	1.19	090
25263		A	Repair forearm tendon/muscle	7.90	NA	NA	6.10	9.68	1.18	090
25265		A	Repair forearm tendon/muscle	9.96	NA	NA	7.11	10.71	1.47	090
25270		A	Repair forearm tendon/muscle	6.06	NA	NA	4.97	8.50	0.95	090
25272		A	Repair forearm tendon/muscle	7.10	NA	NA	5.49	9.14	1.11	090
25274		A	Repair forearm tendon/muscle	8.82	NA	NA	6.37	10.00	1.36	090
25275		A	Repair forearm tendon sheath	8.82	NA	NA	6.48	7.03	1.31	090
25280		A	Revise wrist/forearm tendon	7.28	NA	NA	5.56	9.10	1.08	090
25290		A	Incise wrist/forearm tendon	5.34	NA	NA	4.50	9.75	0.82	090
25295		A	Release wrist/forearm tendon	6.61	NA	NA	5.29	8.73	1.00	090
25300		A	Fusion of tendons at wrist	8.88	NA	NA	6.66	7.56	1.26	090
25301		A	Fusion of tendons at wrist	8.47	NA	NA	6.19	7.13	1.29	090
25310		A	Transplant forearm tendon	8.26	NA	NA	5.94	9.49	1.21	090
25312		A	Transplant forearm tendon	9.70	NA	NA	6.71	10.33	1.41	090
25315		A	Revise palsy hand tendon(s)	10.56	NA	NA	7.11	10.76	1.58	090
25316		A	Revise palsy hand tendon(s)	12.76	NA	NA	7.82	12.03	1.75	090
25320		A	Repair/revise wrist joint	12.38	NA	NA	9.87	10.63	1.61	090
25332		A	Revise wrist joint	11.60	NA	NA	7.61	8.40	1.84	090
25335		A	Realignment of hand	13.25	NA	NA	8.31	9.95	1.93	090
25337		A	Reconstruct ulna/radioulnar	11.44	NA	NA	8.63	9.86	1.61	090
25350		A	Revision of radius	8.97	NA	NA	6.35	10.17	1.46	090
25355		A	Revision of radius	10.41	NA	NA	6.75	10.68	1.74	090
25360		A	Revision of ulna	8.62	NA	NA	6.24	10.06	1.41	090
25365		A	Revise radius & ulna	12.77	NA	NA	8.18	11.92	2.16	090
25370		A	Revise radius or ulna	13.93	NA	NA	9.01	12.55	2.29	090
25375		A	Revise radius & ulna	13.41	NA	NA	8.37	12.40	2.27	090
25390		A	Shorten radius or ulna	10.58	NA	NA	7.07	10.83	1.65	090
25391		A	Lengthen radius or ulna	14.14	NA	NA	8.67	12.62	2.22	090
25392		A	Shorten radius & ulna	14.44	NA	NA	8.91	12.44	2.11	090
25393		A	Lengthen radius & ulna	16.42	NA	NA	9.57	13.58	2.77	090
25394		A	Repair carpal bone, shorten	10.71	NA	NA	6.95	7.51	1.59	090
25400		A	Repair radius or ulna	11.16	NA	NA	7.27	11.23	1.83	090
25405		A	Repair/graft radius or ulna	14.87	NA	NA	8.93	13.11	2.33	090
25415		A	Repair radius & ulna	13.66	NA	NA	8.80	12.66	2.18	090
25420		A	Repair/graft radius & ulna	16.89	NA	NA	9.93	14.11	2.62	090
25425		A	Repair/graft radius or ulna	13.58	NA	NA	8.49	14.94	2.09	090
25426		A	Repair/graft radius & ulna	16.31	NA	NA	9.20	12.88	2.55	090
25430		A	Vasc graft into carpal bone	9.57	NA	NA	7.04	7.19	1.27	090
25431		A	Repair nonunion carpal bone	10.75	NA	NA	7.16	7.78	1.91	090
25440		A	Repair/graft wrist bone	10.56	NA	NA	6.90	8.15	1.63	090
25441		A	Reconstruct wrist joint	13.15	NA	NA	8.11	9.06	2.08	090
25442		A	Reconstruct wrist joint	10.98	NA	NA	7.51	8.20	1.53	090
25443		A	Reconstruct wrist joint	10.52	NA	NA	7.22	8.00	1.37	090
25444		A	Reconstruct wrist joint	11.28	NA	NA	7.44	8.24	1.72	090
25445		A	Reconstruct wrist joint	9.76	NA	NA	6.70	7.35	1.55	090
25446		A	Wrist replacement	17.16	NA	NA	9.99	10.96	2.48	090
25447		A	Repair wrist joint(s)	10.95	NA	NA	7.87	8.27	1.61	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
25449		A	Remove wrist joint implant	14.80	NA	NA	8.96	9.82	2.22	090
25450		A	Revision of wrist joint	7.94	NA	NA	3.84	7.02	1.36	090
25455		A	Revision of wrist joint	9.57	NA	NA	6.85	8.86	0.96	090
25490		A	Reinforce radius	9.61	NA	NA	6.58	10.16	1.43	090
25491		A	Reinforce ulna	10.03	NA	NA	6.79	10.63	1.60	090
25492		A	Reinforce radius and ulna	12.52	NA	NA	8.34	11.82	2.15	090
25500		A	Treat fracture of radius	2.51	3.31	3.44	2.86	2.79	0.35	090
25505		A	Treat fracture of radius	5.30	5.83	6.19	4.98	5.20	0.90	090
25515		A	Treat fracture of radius	8.64	NA	NA	6.47	6.97	1.59	090
25520		A	Treat fracture of radius	6.35	5.70	6.28	5.14	5.60	1.08	090
25525		A	Treat fracture of radius	10.37	NA	NA	7.42	8.71	2.13	090
25526		A	Treat fracture of radius	12.96	NA	NA	8.69	11.10	2.20	090
25530		A	Treat fracture of ulna	2.15	3.48	3.62	2.98	2.92	0.34	090
25535		A	Treat fracture of ulna	5.22	5.57	5.79	4.84	5.07	0.89	090
25545		A	Treat fracture of ulna	7.78	NA	NA	6.23	6.95	1.53	090
25560		A	Treat fracture radius & ulna	2.50	3.37	3.53	2.85	2.73	0.35	090
25565		A	Treat fracture radius & ulna	5.71	5.91	6.31	4.93	5.18	0.93	090
25574		A	Treat fracture radius & ulna	8.64	NA	NA	6.55	6.88	1.21	090
25575		A	Treat fracture radius/ulna	12.10	NA	NA	8.37	8.94	1.82	090
25600		A	Treat fracture radius/ulna	2.69	3.68	3.89	3.17	3.07	0.42	090
25605		A	Treat fracture radius/ulna	7.02	6.87	7.05	6.14	6.18	1.00	090
25606		A	Treat fx distal radial	8.10	NA	NA	6.70	7.83	1.26	090
25607		A	Treat fx rad extra-articul	9.35	NA	NA	7.20	7.20	1.36	090
25608		A	Treat fx rad intra-articul	10.86	NA	NA	7.80	7.80	1.84	090
25609		A	Treat fx radial 3+ frag	14.12	NA	NA	9.66	9.66	2.38	090
25622		A	Treat wrist bone fracture	2.68	3.91	4.09	3.36	3.23	0.41	090
25624		A	Treat wrist bone fracture	4.62	5.64	5.97	4.78	4.92	0.76	090
25628		A	Treat wrist bone fracture	9.51	NA	NA	6.85	7.34	1.37	090
25630		A	Treat wrist bone fracture	2.94	3.76	3.97	3.25	3.10	0.45	090
25635		A	Treat wrist bone fracture	4.47	5.12	5.53	4.34	4.12	0.74	090
25645		A	Treat wrist bone fracture	7.31	NA	NA	5.56	6.10	1.20	090
25650		A	Treat wrist bone fracture	3.12	3.85	4.08	3.45	3.31	0.45	090
25651		A	Pin ulnar styloid fracture	5.68	NA	NA	5.15	5.32	0.86	090
25652		A	Treat fracture ulnar styloid	7.92	NA	NA	6.16	6.58	1.21	090
25660		A	Treat wrist dislocation	4.84	NA	NA	4.33	4.52	0.58	090
25670		A	Treat wrist dislocation	7.98	NA	NA	5.82	6.41	1.28	090
25671		A	Pin radioulnar dislocation	6.32	NA	NA	5.54	5.85	1.00	090
25675		A	Treat wrist dislocation	4.75	4.72	5.19	4.00	4.32	0.62	090
25676		A	Treat wrist dislocation	8.17	NA	NA	6.14	6.72	1.34	090
25680		A	Treat wrist fracture	6.08	NA	NA	4.39	4.56	0.78	090
25685		A	Treat wrist fracture	9.97	NA	NA	6.63	7.21	1.60	090
25690		A	Treat wrist dislocation	5.58	NA	NA	4.85	5.18	0.88	090
25695		A	Treat wrist dislocation	8.40	NA	NA	6.01	6.55	1.32	090
25800		A	Fusion of wrist joint	9.95	NA	NA	6.80	7.95	1.57	090
25805		A	Fusion/graft of wrist joint	11.59	NA	NA	7.68	8.97	1.81	090
25810		A	Fusion/graft of wrist joint	11.75	NA	NA	8.04	8.98	1.68	090
25820		A	Fusion of hand bones	7.52	NA	NA	6.41	7.13	1.22	090
25825		A	Fuse hand bones with graft	9.54	NA	NA	7.66	8.45	1.41	090
25830		A	Fusion, radioulnar jnt/ulna	10.69	NA	NA	10.59	12.50	1.55	090
25900		A	Amputation of forearm	9.46	NA	NA	6.74	9.66	1.30	090
25905		A	Amputation of forearm	9.48	NA	NA	6.07	9.19	1.40	090
25907		A	Amputation follow-up surgery	7.98	NA	NA	5.77	8.77	1.10	090
25909		A	Amputation follow-up surgery	9.20	NA	NA	6.33	9.31	1.44	090
25915		A	Amputation of forearm	17.38	NA	NA	5.98	12.43	2.94	090
25920		A	Amputate hand at wrist	8.92	NA	NA	6.59	7.22	1.35	090
25922		A	Amputate hand at wrist	7.54	NA	NA	6.28	6.67	1.12	090
25924		A	Amputation follow-up surgery	8.70	NA	NA	6.13	7.11	1.32	090
25927		A	Amputation of hand	8.98	NA	NA	8.66	10.17	1.27	090
25929		A	Amputation follow-up surgery	7.71	NA	NA	5.67	5.77	1.14	090
25931		A	Amputation follow-up surgery	7.93	NA	NA	8.33	9.90	1.15	090
25999		C	Forearm or wrist surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
26010		A	Drainage of finger abscess	1.56	4.06	4.81	1.52	1.57	0.18	010
26011		A	Drainage of finger abscess	2.21	6.25	7.54	1.96	2.14	0.33	010
26020		A	Drain hand tendon sheath	4.97	NA	NA	4.74	5.05	0.73	090
26025		A	Drainage of palm bursa	4.99	NA	NA	4.46	4.79	0.76	090
26030		A	Drainage of palm bursa(s)	6.16	NA	NA	5.00	5.36	0.92	090
26034		A	Treat hand bone lesion	6.49	NA	NA	5.58	5.97	1.01	090
26035		A	Decompress fingers/hand	11.14	NA	NA	8.13	8.00	1.47	090
26037		A	Decompress fingers/hand	7.48	NA	NA	5.50	5.91	1.13	090
26040		A	Release palm contracture	3.38	NA	NA	3.60	3.83	0.53	090
26045		A	Release palm contracture	5.62	NA	NA	4.89	5.27	0.93	090
26055		A	Incise finger tendon sheath	3.00	9.05	11.70	3.83	3.88	0.43	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
26060		A	Incision of finger tendon	2.85	NA	NA	3.06	3.28	0.45	090
26070		A	Explore/treat hand joint	3.73	NA	NA	3.06	3.21	0.48	090
26075		A	Explore/treat finger joint	3.83	NA	NA	3.37	3.58	0.53	090
26080		A	Explore/treat finger joint	4.36	NA	NA	4.32	4.59	0.66	090
26100		A	Biopsy hand joint lining	3.71	NA	NA	3.67	3.90	0.54	090
26105		A	Biopsy finger joint lining	3.75	NA	NA	3.68	3.96	0.59	090
26110		A	Biopsy finger joint lining	3.57	NA	NA	3.61	3.83	0.53	090
26115		A	Removal hand lesion subcut	3.92	9.84	11.47	4.23	4.50	0.59	090
26116		A	Removal hand lesion, deep	5.61	NA	NA	5.31	5.66	0.84	090
26117		A	Remove tumor, hand/finger	8.62	NA	NA	6.19	6.63	1.26	090
26121		A	Release palm contracture	7.61	NA	NA	5.93	6.45	1.17	090
26123		A	Release palm contracture	10.63	NA	NA	8.22	8.54	1.43	090
26125		A	Release palm contracture	4.60	NA	NA	1.87	2.16	0.70	ZZZ
26130		A	Remove wrist joint lining	5.48	NA	NA	4.89	5.12	0.94	090
26135		A	Revise finger joint, each	7.02	NA	NA	5.47	5.97	1.07	090
26140		A	Revise finger joint, each	6.23	NA	NA	5.17	5.61	0.92	090
26145		A	Tendon excision, palm/finger	6.38	NA	NA	5.19	5.62	0.97	090
26160		A	Remove tendon sheath lesion	3.46	9.04	10.71	3.94	4.03	0.49	090
26170		A	Removal of palm tendon, each	4.82	NA	NA	4.37	4.66	0.69	090
26180		A	Removal of finger tendon	5.24	NA	NA	4.71	5.06	0.78	090
26185		A	Remove finger bone	6.32	NA	NA	5.73	5.89	0.81	090
26200		A	Remove hand bone lesion	5.56	NA	NA	4.56	4.96	0.88	090
26205		A	Remove/graft bone lesion	7.82	NA	NA	5.85	6.37	1.20	090
26210		A	Removal of finger lesion	5.21	NA	NA	4.74	5.08	0.79	090
26215		A	Remove/graft finger lesion	7.16	NA	NA	5.54	5.93	0.98	090
26230		A	Partial removal of hand bone	6.38	NA	NA	4.95	5.43	1.01	090
26235		A	Partial removal, finger bone	6.24	NA	NA	4.95	5.38	0.95	090
26236		A	Partial removal, finger bone	5.37	NA	NA	4.58	4.95	0.81	090
26250		A	Extensive hand surgery	7.61	NA	NA	5.72	6.08	1.07	090
26255		A	Extensive hand surgery	12.80	NA	NA	8.29	8.83	1.69	090
26260		A	Extensive finger surgery	7.09	NA	NA	5.47	5.83	1.01	090
26261		A	Extensive finger surgery	9.28	NA	NA	6.73	6.45	1.14	090
26262		A	Partial removal of finger	5.72	NA	NA	4.75	5.04	0.88	090
26320		A	Removal of implant from hand	4.02	NA	NA	3.79	4.05	0.59	090
26340		A	Manipulate finger w/anesth	2.62	NA	NA	4.61	4.74	0.39	090
26350		A	Repair finger/hand tendon	6.07	NA	NA	9.54	12.08	0.93	090
26352		A	Repair/graft hand tendon	7.75	NA	NA	10.07	12.72	1.13	090
26356		A	Repair finger/hand tendon	10.22	NA	NA	13.72	16.05	1.21	090
26357		A	Repair finger/hand tendon	8.65	NA	NA	10.36	13.00	1.33	090
26358		A	Repair/graft hand tendon	9.22	NA	NA	10.96	13.81	1.38	090
26370		A	Repair finger/hand tendon	7.17	NA	NA	9.51	12.31	1.12	090
26372		A	Repair/graft hand tendon	8.89	NA	NA	10.54	13.54	1.40	090
26373		A	Repair finger/hand tendon	8.29	NA	NA	10.17	13.11	1.23	090
26390		A	Revise hand/finger tendon	9.31	NA	NA	9.21	11.25	1.40	090
26392		A	Repair/graft hand tendon	10.38	NA	NA	11.17	13.95	1.57	090
26410		A	Repair hand tendon	4.68	NA	NA	7.64	9.79	0.73	090
26412		A	Repair/graft hand tendon	6.37	NA	NA	8.63	10.95	0.97	090
26415		A	Excision, hand/finger tendon	8.40	NA	NA	7.47	9.63	0.98	090
26416		A	Graft hand or finger tendon	9.44	NA	NA	9.05	11.83	0.79	090
26418		A	Repair finger tendon	4.33	NA	NA	8.15	10.24	0.67	090
26420		A	Repair/graft finger tendon	6.83	NA	NA	8.81	11.22	1.07	090
26426		A	Repair finger/hand tendon	6.21	NA	NA	5.12	9.14	0.95	090
26428		A	Repair/graft finger tendon	7.28	NA	NA	9.26	11.57	1.09	090
26432		A	Repair finger tendon	4.07	NA	NA	6.79	8.53	0.64	090
26433		A	Repair finger tendon	4.61	NA	NA	7.02	8.91	0.72	090
26434		A	Repair/graft finger tendon	6.15	NA	NA	7.94	9.74	0.93	090
26437		A	Realignment of tendons	5.88	NA	NA	7.82	9.69	0.89	090
26440		A	Release palm/finger tendon	5.07	NA	NA	8.49	10.97	0.75	090
26442		A	Release palm & finger tendon	9.50	NA	NA	11.83	13.89	1.20	090
26445		A	Release hand/finger tendon	4.36	NA	NA	8.24	10.69	0.65	090
26449		A	Release forearm/hand tendon	8.34	NA	NA	7.28	11.53	1.06	090
26450		A	Incision of palm tendon	3.71	NA	NA	5.19	6.26	0.59	090
26455		A	Incision of finger tendon	3.68	NA	NA	5.15	6.22	0.58	090
26460		A	Incise hand/finger tendon	3.50	NA	NA	5.12	6.13	0.55	090
26471		A	Fusion of finger tendons	5.79	NA	NA	7.80	9.52	0.88	090
26474		A	Fusion of finger tendons	5.38	NA	NA	7.61	9.50	0.76	090
26476		A	Tendon lengthening	5.24	NA	NA	7.36	9.15	0.79	090
26477		A	Tendon shortening	5.21	NA	NA	7.58	9.32	0.81	090
26478		A	Lengthening of hand tendon	5.86	NA	NA	7.79	9.81	0.90	090
26479		A	Shortening of hand tendon	5.80	NA	NA	7.74	9.65	0.92	090
26480		A	Transplant hand tendon	6.76	NA	NA	9.67	12.36	1.02	090
26483		A	Transplant/graft hand tendon	8.36	NA	NA	10.23	12.87	1.26	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
26485		A	Transplant palm tendon	7.77	NA	NA	10.09	12.73	1.15	090
26489		A	Transplant/graft palm tendon	9.74	NA	NA	10.83	11.45	1.26	090
26490		A	Revise thumb tendon	8.48	NA	NA	8.88	10.86	1.21	090
26492		A	Tendon transfer with graft	9.70	NA	NA	9.83	11.72	1.40	090
26494		A	Hand tendon/muscle transfer	8.54	NA	NA	9.24	11.11	1.28	090
26496		A	Revise thumb tendon	9.66	NA	NA	9.58	11.41	1.45	090
26497		A	Finger tendon transfer	9.64	NA	NA	9.54	11.56	1.41	090
26498		A	Finger tendon transfer	14.07	NA	NA	11.66	13.92	2.11	090
26499		A	Revision of finger	9.05	NA	NA	8.86	10.95	1.35	090
26500		A	Hand tendon reconstruction	6.02	NA	NA	7.75	9.60	0.90	090
26502		A	Hand tendon reconstruction	7.20	NA	NA	8.33	10.18	1.13	090
26508		A	Release thumb contracture	6.07	NA	NA	7.80	9.74	0.98	090
26510		A	Thumb tendon transfer	5.49	NA	NA	7.64	9.49	0.79	090
26516		A	Fusion of knuckle joint	7.21	NA	NA	8.31	10.28	1.10	090
26517		A	Fusion of knuckle joints	8.96	NA	NA	9.00	11.26	1.41	090
26518		A	Fusion of knuckle joints	9.15	NA	NA	8.97	11.18	1.35	090
26520		A	Release knuckle contracture	5.36	NA	NA	8.87	11.39	0.80	090
26525		A	Release finger contracture	5.39	NA	NA	8.89	11.44	0.81	090
26530		A	Revise knuckle joint	6.76	NA	NA	5.41	5.78	1.04	090
26531		A	Revise knuckle with implant	7.99	NA	NA	6.17	6.65	1.17	090
26535		A	Revise finger joint	5.30	NA	NA	4.09	3.92	0.71	090
26536		A	Revise/implant finger joint	6.44	NA	NA	9.25	9.45	0.96	090
26540		A	Repair hand joint	6.49	NA	NA	8.06	9.97	0.99	090
26541		A	Repair hand joint with graft	8.69	NA	NA	9.12	11.26	1.28	090
26542		A	Repair hand joint with graft	6.84	NA	NA	8.20	10.12	1.02	090
26545		A	Reconstruct finger joint	6.99	NA	NA	8.46	10.30	1.05	090
26546		A	Repair nonunion hand	10.53	NA	NA	11.43	13.24	1.44	090
26548		A	Reconstruct finger joint	8.10	NA	NA	8.81	10.83	1.20	090
26550		A	Construct thumb replacement	21.54	NA	NA	14.55	16.07	2.46	090
26551		A	Great toe-hand transfer	48.23	NA	NA	17.17	24.82	7.98	090
26553		A	Single transfer, toe-hand	47.92	NA	NA	27.38	25.04	2.42	090
26554		A	Double transfer, toe-hand	56.73	NA	NA	35.82	36.69	9.44	090
26555		A	Positional change of finger	16.94	NA	NA	14.01	16.10	2.49	090
26556		A	Toe joint transfer	49.43	NA	NA	18.05	25.70	2.58	090
26560		A	Repair of web finger	5.43	NA	NA	6.65	8.23	0.85	090
26561		A	Repair of web finger	10.98	NA	NA	9.51	10.93	1.45	090
26562		A	Repair of web finger	16.40	NA	NA	8.77	12.96	2.24	090
26565		A	Correct metacarpal flaw	6.80	NA	NA	8.16	10.08	1.00	090
26567		A	Correct finger deformity	6.88	NA	NA	8.12	10.04	1.04	090
26568		A	Lengthen metacarpal/finger	9.15	NA	NA	10.70	13.07	1.49	090
26580		A	Repair hand deformity	19.50	NA	NA	9.74	11.70	2.29	090
26587		A	Reconstruct extra finger	14.36	NA	NA	8.02	8.62	1.53	090
26590		A	Repair finger deformity	18.51	NA	NA	12.43	13.19	2.78	090
26591		A	Repair muscles of hand	3.30	NA	NA	6.22	7.92	0.48	090
26593		A	Release muscles of hand	5.38	NA	NA	7.80	9.47	0.78	090
26596		A	Excision constricting tissue	9.02	NA	NA	7.49	8.16	1.43	090
26600		A	Treat metacarpal fracture	2.48	3.84	3.73	3.49	3.07	0.30	090
26605		A	Treat metacarpal fracture	2.92	4.09	4.32	3.51	3.58	0.49	090
26607		A	Treat metacarpal fracture	5.40	NA	NA	4.89	5.58	0.87	090
26608		A	Treat metacarpal fracture	5.43	NA	NA	5.23	5.74	0.88	090
26615		A	Treat metacarpal fracture	6.91	NA	NA	6.02	5.66	0.86	090
26641		A	Treat thumb dislocation	4.01	4.04	4.30	3.40	3.47	0.39	090
26645		A	Treat thumb fracture	4.47	4.61	4.89	3.92	4.06	0.67	090
26650		A	Treat thumb fracture	5.19	NA	NA	4.89	5.79	0.94	090
26665		A	Treat thumb fracture	7.78	NA	NA	6.32	6.47	0.90	090
26670		A	Treat hand dislocation	3.74	3.62	3.94	3.03	2.99	0.39	090
26675		A	Treat hand dislocation	4.71	5.26	5.37	4.52	4.49	0.77	090
26676		A	Pin hand dislocation	5.60	NA	NA	5.57	6.13	0.91	090
26685		A	Treat hand dislocation	6.91	NA	NA	5.97	6.06	1.09	090
26686		A	Treat hand dislocation	8.06	NA	NA	6.08	6.49	1.24	090
26700		A	Treat knuckle dislocation	3.74	3.30	3.53	2.93	2.90	0.35	090
26705		A	Treat knuckle dislocation	4.26	4.75	5.04	4.04	4.17	0.66	090
26706		A	Pin knuckle dislocation	5.19	NA	NA	4.70	4.90	0.81	090
26715		A	Treat knuckle dislocation	6.87	NA	NA	6.00	5.76	0.91	090
26720		A	Treat finger fracture, each	1.70	2.58	2.68	2.30	2.18	0.24	090
26725		A	Treat finger fracture, each	3.39	4.09	4.43	3.41	3.46	0.53	090
26727		A	Treat finger fracture, each	5.30	NA	NA	5.18	5.71	0.84	090
26735		A	Treat finger fracture, each	7.26	NA	NA	6.13	5.84	0.95	090
26740		A	Treat finger fracture, each	1.99	3.01	3.07	2.72	2.71	0.31	090
26742		A	Treat finger fracture, each	3.90	4.27	4.63	3.57	3.72	0.58	090
26746		A	Treat finger fracture, each	9.59	NA	NA	7.20	6.38	0.91	090
26750		A	Treat finger fracture, each	1.74	2.25	2.37	2.26	2.14	0.22	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
26755		A	Treat finger fracture, each	3.15	3.75	4.08	2.94	2.97	0.42	090
26756		A	Pin finger fracture, each	4.46	NA	NA	4.86	5.29	0.71	090
26765		A	Treat finger fracture, each	5.70	NA	NA	5.47	4.93	0.66	090
26770		A	Treat finger dislocation	3.07	2.92	3.18	2.55	2.48	0.27	090
26775		A	Treat finger dislocation	3.78	4.62	4.91	3.88	3.85	0.54	090
26776		A	Pin finger dislocation	4.87	NA	NA	4.99	5.50	0.77	090
26785		A	Treat finger dislocation	6.44	NA	NA	5.78	5.15	0.68	090
26820		A	Thumb fusion with graft	8.33	NA	NA	8.97	11.11	1.30	090
26841		A	Fusion of thumb	7.21	NA	NA	8.77	11.00	1.18	090
26842		A	Thumb fusion with graft	8.37	NA	NA	9.02	11.20	1.32	090
26843		A	Fusion of hand joint	7.67	NA	NA	8.57	10.46	1.15	090
26844		A	Fusion/graft of hand joint	8.86	NA	NA	9.16	11.27	1.33	090
26850		A	Fusion of knuckle	7.03	NA	NA	8.27	10.24	1.06	090
26852		A	Fusion of knuckle with graft	8.59	NA	NA	9.14	11.02	1.22	090
26860		A	Fusion of finger joint	4.76	NA	NA	7.54	9.37	0.73	090
26861		A	Fusion of finger jnt, add-on	1.74	NA	NA	0.70	0.82	0.27	ZZZ
26862		A	Fusion/graft of finger joint	7.44	NA	NA	8.67	10.51	1.10	090
26863		A	Fuse/graft added joint	3.89	NA	NA	1.58	1.85	0.56	ZZZ
26910		A	Amputate metacarpal bone	7.67	NA	NA	8.28	9.75	1.16	090
26951		A	Amputation of finger/thumb	5.85	NA	NA	8.40	9.28	0.71	090
26952		A	Amputation of finger/thumb	6.37	NA	NA	7.91	9.79	0.95	090
26989		C	Hand/finger surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
26990		A	Drainage of pelvis lesion	7.84	NA	NA	6.21	6.71	1.22	090
26991		A	Drainage of pelvis bursa	6.97	8.62	9.89	4.88	5.16	1.11	090
26992		A	Drainage of bone lesion	13.37	NA	NA	8.42	9.40	2.17	090
27000		A	Incision of hip tendon	5.66	NA	NA	4.51	4.90	0.98	090
27001		A	Incision of hip tendon	7.05	NA	NA	5.23	5.66	1.24	090
27003		A	Incision of hip tendon	7.70	NA	NA	5.73	6.11	1.12	090
27005		A	Incision of hip tendon	9.96	NA	NA	6.49	7.15	1.73	090
27006		A	Incision of hip tendons	9.99	NA	NA	6.76	7.37	1.70	090
27025		A	Incision of hip/thigh fascia	12.66	NA	NA	8.21	8.38	1.85	090
27030		A	Drainage of hip joint	13.54	NA	NA	8.04	8.84	2.27	090
27033		A	Exploration of hip joint	13.99	NA	NA	8.40	9.16	2.33	090
27035		A	Denervation of hip joint	17.23	NA	NA	8.53	9.88	2.16	090
27036		A	Excision of hip joint/muscle	14.18	NA	NA	8.92	9.47	2.27	090
27040		A	Biopsy of soft tissues	2.89	5.19	5.22	1.87	1.94	0.27	010
27041		A	Biopsy of soft tissues	10.07	NA	NA	5.74	6.19	1.35	090
27047		A	Remove hip/pelvis lesion	7.51	7.03	7.07	4.50	4.63	1.03	090
27048		A	Remove hip/pelvis lesion	6.44	NA	NA	4.61	4.70	0.92	090
27049		A	Remove tumor, hip/pelvis	15.20	NA	NA	8.17	8.29	2.07	090
27050		A	Biopsy of sacroiliac joint	4.65	NA	NA	3.01	3.72	0.60	090
27052		A	Biopsy of hip joint	7.27	NA	NA	5.65	5.77	1.08	090
27054		A	Removal of hip joint lining	9.09	NA	NA	6.49	6.92	1.47	090
27060		A	Removal of ischial bursa	5.78	NA	NA	4.37	4.37	0.80	090
27062		A	Remove femur lesion/bursa	5.66	NA	NA	4.60	4.90	0.93	090
27065		A	Removal of hip bone lesion	6.44	NA	NA	4.99	5.22	1.01	090
27066		A	Removal of hip bone lesion	11.06	NA	NA	7.44	7.94	1.80	090
27067		A	Remove/graft hip bone lesion	14.57	NA	NA	8.85	9.76	1.85	090
27070		A	Partial removal of hip bone	11.44	NA	NA	8.03	8.59	1.75	090
27071		A	Partial removal of hip bone	12.25	NA	NA	8.48	9.31	1.93	090
27075		A	Extensive hip surgery	36.77	NA	NA	16.15	17.68	5.66	090
27076		A	Extensive hip surgery	24.25	NA	NA	12.83	13.68	3.71	090
27077		A	Extensive hip surgery	42.54	NA	NA	19.95	21.31	6.14	090
27078		A	Extensive hip surgery	14.54	NA	NA	8.82	9.38	2.23	090
27079		A	Extensive hip surgery	14.91	NA	NA	8.01	8.78	1.95	090
27080		A	Removal of tail bone	6.80	NA	NA	4.59	4.71	0.93	090
27086		A	Remove hip foreign body	1.89	3.66	4.11	1.48	1.65	0.25	010
27087		A	Remove hip foreign body	8.72	NA	NA	5.66	6.16	1.35	090
27090		A	Removal of hip prosthesis	11.57	NA	NA	7.41	8.10	1.95	090
27091		A	Removal of hip prosthesis	24.15	NA	NA	12.91	13.46	3.85	090
27093		A	Injection for hip x-ray	1.30	3.15	3.81	0.47	0.48	0.13	000
27095		A	Injection for hip x-ray	1.50	3.71	4.72	0.51	0.51	0.14	000
27096		A	Inject sacroiliac joint	1.40	2.52	3.44	0.33	0.33	0.08	000
27097		A	Revision of hip tendon	9.16	NA	NA	6.34	6.38	1.57	090
27098		A	Transfer tendon to pelvis	9.20	NA	NA	4.91	5.97	0.95	090
27100		A	Transfer of abdominal muscle	11.21	NA	NA	7.40	8.04	1.86	090
27105		A	Transfer of spinal muscle	11.90	NA	NA	7.36	8.26	1.73	090
27110		A	Transfer of iliopsoas muscle	13.63	NA	NA	8.28	8.70	2.19	090
27111		A	Transfer of iliopsoas muscle	12.46	NA	NA	8.07	8.61	1.95	090
27120		A	Reconstruction of hip socket	19.10	NA	NA	10.82	11.33	3.09	090
27122		A	Reconstruction of hip socket	15.95	NA	NA	9.44	10.24	2.62	090
27125		A	Partial hip replacement	16.46	NA	NA	9.60	10.11	2.55	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
27130		A	Total hip arthroplasty	21.61	NA	NA	11.77	12.54	3.51	090
27132		A	Total hip arthroplasty	25.49	NA	NA	13.43	14.54	4.05	090
27134		A	Revise hip joint replacement	30.13	NA	NA	14.69	16.25	4.95	090
27137		A	Revise hip joint replacement	22.55	NA	NA	11.73	12.84	3.68	090
27138		A	Revise hip joint replacement	23.55	NA	NA	12.12	13.26	3.85	090
27140		A	Transplant femur ridge	12.66	NA	NA	7.88	8.65	2.12	090
27146		A	Incision of hip bone	18.72	NA	NA	10.69	11.42	2.97	090
27147		A	Revision of hip bone	21.87	NA	NA	12.02	12.64	3.58	090
27151		A	Incision of hip bones	23.92	NA	NA	12.89	10.42	3.92	090
27156		A	Revision of hip bones	26.03	NA	NA	13.72	14.90	4.22	090
27158		A	Revision of pelvis	20.89	NA	NA	11.52	11.25	3.17	090
27161		A	Incision of neck of femur	17.74	NA	NA	10.36	11.24	2.95	090
27165		A	Incision/fixation of femur	20.06	NA	NA	11.58	12.25	3.11	090
27170		A	Repair/graft femur head/neck	17.46	NA	NA	9.76	10.53	2.82	090
27175		A	Treat slipped epiphysis	9.29	NA	NA	5.17	5.92	1.46	090
27176		A	Treat slipped epiphysis	12.78	NA	NA	8.18	8.60	2.23	090
27177		A	Treat slipped epiphysis	15.94	NA	NA	9.64	10.27	2.62	090
27178		A	Treat slipped epiphysis	12.78	NA	NA	7.98	8.20	2.09	090
27179		A	Revise head/neck of femur	13.83	NA	NA	8.57	9.29	2.26	090
27181		A	Treat slipped epiphysis	15.98	NA	NA	9.74	9.98	1.57	090
27185		A	Revision of femur epiphysis	9.67	NA	NA	6.65	7.08	2.40	090
27187		A	Reinforce hip bones	14.09	NA	NA	8.69	9.51	2.38	090
27193		A	Treat pelvic ring fracture	5.98	4.63	4.86	4.76	4.92	0.96	090
27194		A	Treat pelvic ring fracture	10.08	NA	NA	6.61	7.13	1.65	090
27200		A	Treat tail bone fracture	1.87	2.08	2.15	2.22	2.19	0.28	090
27202		A	Treat tail bone fracture	7.25	NA	NA	4.91	10.89	1.06	090
27215		A	Treat pelvic fracture(s)	10.45	NA	NA	6.55	6.82	1.98	090
27216		A	Treat pelvic ring fracture	15.73	NA	NA	9.14	9.37	2.64	090
27217		A	Treat pelvic ring fracture	14.65	NA	NA	8.63	9.39	2.42	090
27218		A	Treat pelvic ring fracture	20.93	NA	NA	11.33	11.37	3.49	090
27220		A	Treat hip socket fracture	6.72	5.25	5.49	5.15	5.39	1.07	090
27222		A	Treat hip socket fracture	13.97	NA	NA	8.52	9.25	2.20	090
27226		A	Treat hip wall fracture	15.45	NA	NA	8.93	8.37	2.49	090
27227		A	Treat hip fracture(s)	25.21	NA	NA	13.38	14.39	4.06	090
27228		A	Treat hip fracture(s)	29.13	NA	NA	14.85	16.24	4.67	090
27230		A	Treat thigh fracture	5.69	4.93	5.23	4.87	4.98	0.95	090
27232		A	Treat thigh fracture	11.66	NA	NA	6.10	6.64	1.86	090
27235		A	Treat thigh fracture	12.88	NA	NA	7.98	8.72	2.12	090
27236		A	Treat thigh fracture	17.43	NA	NA	10.14	10.60	2.72	090
27238		A	Treat thigh fracture	5.64	NA	NA	4.65	4.90	0.89	090
27240		A	Treat thigh fracture	13.66	NA	NA	8.21	8.84	2.17	090
27244		A	Treat thigh fracture	17.08	NA	NA	9.62	10.46	2.78	090
27245		A	Treat thigh fracture	21.09	NA	NA	11.34	12.55	3.53	090
27246		A	Treat thigh fracture	4.75	3.91	4.18	3.95	4.18	0.81	090
27248		A	Treat thigh fracture	10.64	NA	NA	6.38	7.30	1.82	090
27250		A	Treat hip dislocation	7.21	NA	NA	4.30	4.46	0.62	090
27252		A	Treat hip dislocation	10.92	NA	NA	6.49	6.96	1.66	090
27253		A	Treat hip dislocation	13.46	NA	NA	8.17	8.98	2.25	090
27254		A	Treat hip dislocation	18.80	NA	NA	10.54	11.28	3.18	090
27256		A	Treat hip dislocation	4.25	2.52	3.02	1.41	1.75	0.46	010
27257		A	Treat hip dislocation	5.35	NA	NA	2.54	2.68	0.69	010
27258		A	Treat hip dislocation	16.04	NA	NA	9.48	10.18	2.65	090
27259		A	Treat hip dislocation	23.03	NA	NA	12.78	13.45	3.75	090
27265		A	Treat hip dislocation	5.12	NA	NA	3.95	4.37	0.63	090
27266		A	Treat hip dislocation	7.67	NA	NA	5.51	5.93	1.29	090
27267		A	Cltx thigh fx	5.38	NA	NA	4.40	4.40	0.89	090
27268		A	Cltx thigh fx w/mnpj	7.00	NA	NA	5.02	5.02	1.16	090
27269		A	Optx thigh fx	18.75	NA	NA	9.89	9.89	2.93	090
27275		A	Manipulation of hip joint	2.29	NA	NA	1.85	1.98	0.39	010
27280		A	Fusion of sacroiliac joint	14.49	NA	NA	8.88	9.58	2.54	090
27282		A	Fusion of pubic bones	11.71	NA	NA	7.78	7.89	1.87	090
27284		A	Fusion of hip joint	24.91	NA	NA	12.01	13.39	3.93	090
27286		A	Fusion of hip joint	24.97	NA	NA	12.61	14.21	3.13	090
27290		A	Amputation of leg at hip	24.38	NA	NA	12.11	13.09	3.44	090
27295		A	Amputation of leg at hip	19.54	NA	NA	9.59	10.45	2.96	090
27299		C	Pelvis/hip joint surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
27301		A	Drain thigh/knee lesion	6.67	8.20	9.14	4.65	4.89	1.04	090
27303		A	Drainage of bone lesion	8.52	NA	NA	5.99	6.49	1.43	090
27305		A	Incise thigh tendon & fascia	6.09	NA	NA	4.68	4.93	1.01	090
27306		A	Incision of thigh tendon	4.66	NA	NA	4.08	4.40	0.85	090
27307		A	Incision of thigh tendons	5.97	NA	NA	4.74	5.06	1.04	090
27310		A	Exploration of knee joint	9.88	NA	NA	6.78	7.18	1.61	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
27323		A	Biopsy, thigh soft tissues	2.30	4.20	3.86	1.93	1.91	0.24	010
27324		A	Biopsy, thigh soft tissues	4.95	NA	NA	3.82	4.00	0.75	090
27325		A	Neurectomy, hamstring	7.09	NA	NA	4.99	4.97	1.09	090
27326		A	Neurectomy, popliteal	6.36	NA	NA	5.12	5.18	1.06	090
27327		A	Removal of thigh lesion	4.52	6.04	6.02	3.58	3.65	0.64	090
27328		A	Removal of thigh lesion	5.62	NA	NA	4.07	4.22	0.84	090
27329		A	Remove tumor, thigh/knee	15.68	NA	NA	8.47	8.75	2.15	090
27330		A	Biopsy, knee joint lining	5.02	NA	NA	4.26	4.42	0.86	090
27331		A	Explore/treat knee joint	5.93	NA	NA	4.80	5.16	1.02	090
27332		A	Removal of knee cartilage	8.34	NA	NA	6.12	6.62	1.43	090
27333		A	Removal of knee cartilage	7.43	NA	NA	5.69	6.18	1.26	090
27334		A	Remove knee joint lining	9.07	NA	NA	6.43	6.92	1.51	090
27335		A	Remove knee joint lining	10.43	NA	NA	7.02	7.62	1.75	090
27340		A	Removal of kneecap bursa	4.23	NA	NA	4.04	4.30	0.72	090
27345		A	Removal of knee cyst	5.98	NA	NA	4.89	5.26	1.00	090
27347		A	Remove knee cyst	6.58	NA	NA	5.26	5.34	0.98	090
27350		A	Removal of kneecap	8.54	NA	NA	6.25	6.75	1.41	090
27355		A	Remove femur lesion	7.89	NA	NA	5.81	6.29	1.32	090
27356		A	Remove femur lesion/graft	9.97	NA	NA	6.84	7.34	1.65	090
27357		A	Remove femur lesion/graft	11.02	NA	NA	7.48	8.09	1.96	090
27358		A	Remove femur lesion/fixation	4.73	NA	NA	1.81	2.17	0.82	ZZZ
27360		A	Partial removal, leg bone(s)	11.34	NA	NA	8.05	8.81	1.84	090
27365		A	Extensive leg surgery	17.93	NA	NA	10.42	11.05	2.80	090
27370		A	Injection for knee x-ray	0.96	3.00	3.36	0.36	0.34	0.08	000
27372		A	Removal of foreign body	5.12	8.31	9.18	4.04	4.36	0.84	090
27380		A	Repair of kneecap tendon	7.34	NA	NA	6.06	6.67	1.24	090
27381		A	Repair/graft kneecap tendon	10.64	NA	NA	7.56	8.33	1.80	090
27385		A	Repair of thigh muscle	8.00	NA	NA	6.31	6.97	1.36	090
27386		A	Repair/graft of thigh muscle	10.99	NA	NA	7.93	8.72	1.86	090
27390		A	Incision of thigh tendon	5.44	NA	NA	4.47	4.79	0.92	090
27391		A	Incision of thigh tendons	7.38	NA	NA	5.55	6.06	1.23	090
27392		A	Incision of thigh tendons	9.51	NA	NA	6.67	7.13	1.57	090
27393		A	Lengthening of thigh tendon	6.50	NA	NA	4.96	5.40	1.10	090
27394		A	Lengthening of thigh tendons	8.68	NA	NA	6.15	6.69	1.47	090
27395		A	Lengthening of thigh tendons	12.10	NA	NA	7.93	8.63	2.05	090
27396		A	Transplant of thigh tendon	8.04	NA	NA	5.83	6.42	1.34	090
27397		A	Transplants of thigh tendons	12.46	NA	NA	8.35	8.70	1.83	090
27400		A	Revise thigh muscles/tendons	9.21	NA	NA	6.51	6.88	1.31	090
27403		A	Repair of knee cartilage	8.51	NA	NA	6.03	6.61	1.44	090
27405		A	Repair of knee ligament	8.96	NA	NA	6.39	6.94	1.51	090
27407		A	Repair of knee ligament	10.71	NA	NA	6.83	7.58	1.79	090
27409		A	Repair of knee ligaments	13.57	NA	NA	8.26	9.11	2.25	090
27412		A	Autochondrocyte implant knee	24.53	NA	NA	13.66	14.23	4.36	090
27415		A	Osteochondral knee allograft	19.79	NA	NA	11.79	12.17	4.36	090
27416		A	Osteochondral knee autograft	14.00	NA	NA	8.39	8.39	2.32	090
27418		A	Repair degenerated kneecap	11.46	NA	NA	7.57	8.24	1.89	090
27420		A	Revision of unstable kneecap	10.14	NA	NA	6.91	7.51	1.72	090
27422		A	Revision of unstable kneecap	10.09	NA	NA	6.88	7.50	1.71	090
27424		A	Revision/removal of kneecap	10.12	NA	NA	6.90	7.50	1.71	090
27425		A	Lat retinacular release open	5.28	NA	NA	4.70	5.12	0.90	090
27427		A	Reconstruction, knee	9.67	NA	NA	6.70	7.25	1.63	090
27428		A	Reconstruction, knee	15.33	NA	NA	10.05	10.65	2.43	090
27429		A	Reconstruction, knee	17.24	NA	NA	11.26	11.84	2.71	090
27430		A	Revision of thigh muscles	10.04	NA	NA	6.84	7.42	1.70	090
27435		A	Incision of knee joint	10.68	NA	NA	7.59	8.04	1.70	090
27437		A	Revise kneecap	8.82	NA	NA	6.19	6.72	1.49	090
27438		A	Revise kneecap with implant	11.77	NA	NA	7.50	8.02	1.96	090
27440		A	Revision of knee joint	10.97	NA	NA	7.00	6.50	1.82	090
27441		A	Revision of knee joint	11.42	NA	NA	7.36	7.04	1.89	090
27442		A	Revision of knee joint	12.25	NA	NA	7.64	8.28	2.10	090
27443		A	Revision of knee joint	11.29	NA	NA	7.35	8.04	1.91	090
27445		A	Revision of knee joint	18.52	NA	NA	10.42	11.39	3.09	090
27446		A	Revision of knee joint	16.26	NA	NA	9.29	10.28	2.81	090
27447		A	Total knee arthroplasty	23.04	NA	NA	12.58	13.59	3.80	090
27448		A	Incision of thigh	11.48	NA	NA	7.32	7.96	1.95	090
27450		A	Incision of thigh	14.47	NA	NA	8.84	9.71	2.43	090
27454		A	Realignment of thigh bone	18.97	NA	NA	10.73	11.62	3.13	090
27455		A	Realignment of knee	13.24	NA	NA	8.31	9.10	2.25	090
27457		A	Realignment of knee	13.92	NA	NA	8.23	9.08	2.35	090
27465		A	Shortening of thigh bone	18.44	NA	NA	10.29	10.26	2.48	090
27466		A	Lengthening of thigh bone	17.13	NA	NA	10.06	10.95	2.78	090
27468		A	Shorten/lengthen thighs	19.82	NA	NA	11.17	11.77	3.31	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
27470		A	Repair of thigh	16.97	NA	NA	10.16	10.98	2.80	090
27472		A	Repair/graft of thigh	18.57	NA	NA	10.64	11.67	3.08	090
27475		A	Surgery to stop leg growth	8.82	NA	NA	6.20	6.71	1.36	090
27477		A	Surgery to stop leg growth	10.03	NA	NA	6.60	7.17	1.74	090
27479		A	Surgery to stop leg growth	13.04	NA	NA	8.85	9.25	2.79	090
27485		A	Surgery to stop leg growth	9.02	NA	NA	6.22	6.81	1.53	090
27486		A	Revise/replace knee joint	20.92	NA	NA	11.63	12.57	3.37	090
27487		A	Revise/replace knee joint	26.91	NA	NA	13.98	15.27	4.40	090
27488		A	Removal of knee prosthesis	17.40	NA	NA	10.25	10.98	2.75	090
27495		A	Reinforce thigh	16.40	NA	NA	9.60	10.51	2.72	090
27496		A	Decompression of thigh/knee	6.66	NA	NA	4.98	5.29	0.99	090
27497		A	Decompression of thigh/knee	7.70	NA	NA	4.99	5.21	1.15	090
27498		A	Decompression of thigh/knee	8.54	NA	NA	5.19	5.57	1.24	090
27499		A	Decompression of thigh/knee	9.31	NA	NA	5.98	6.40	1.47	090
27500		A	Treatment of thigh fracture	6.21	5.36	5.75	4.58	4.79	1.02	090
27501		A	Treatment of thigh fracture	6.34	5.01	5.40	4.92	5.15	1.03	090
27502		A	Treatment of thigh fracture	11.24	NA	NA	6.86	7.49	1.79	090
27503		A	Treatment of thigh fracture	11.13	NA	NA	7.22	7.75	1.85	090
27506		A	Treatment of thigh fracture	19.42	NA	NA	11.37	12.08	3.04	090
27507		A	Treatment of thigh fracture	14.39	NA	NA	8.13	8.99	2.43	090
27508		A	Treatment of thigh fracture	6.08	5.69	6.08	5.05	5.27	0.97	090
27509		A	Treatment of thigh fracture	8.02	NA	NA	6.54	7.25	1.34	090
27510		A	Treatment of thigh fracture	9.68	NA	NA	6.27	6.80	1.53	090
27511		A	Treatment of thigh fracture	14.97	NA	NA	8.11	9.66	2.38	090
27513		A	Treatment of thigh fracture	19.11	NA	NA	9.75	11.82	3.13	090
27514		A	Treatment of thigh fracture	14.46	NA	NA	7.89	10.62	3.01	090
27516		A	Treat thigh fx growth plate	5.45	5.72	6.04	5.07	5.30	0.81	090
27517		A	Treat thigh fx growth plate	8.98	NA	NA	6.42	6.94	1.22	090
27519		A	Treat thigh fx growth plate	13.11	NA	NA	7.39	9.49	2.56	090
27520		A	Treat kneecap fracture	2.93	4.10	4.32	3.53	3.48	0.47	090
27524		A	Treat kneecap fracture	10.25	NA	NA	6.94	7.59	1.75	090
27530		A	Treat knee fracture	3.97	4.82	5.07	4.26	4.34	0.65	090
27532		A	Treat knee fracture	7.43	6.40	6.88	5.63	6.04	1.26	090
27535		A	Treat knee fracture	13.27	NA	NA	7.45	8.78	2.01	090
27536		A	Treat knee fracture	17.19	NA	NA	10.20	10.91	2.74	090
27538		A	Treat knee fracture(s)	4.95	5.51	5.83	4.89	5.05	0.84	090
27540		A	Treat knee fracture	11.16	NA	NA	7.39	8.45	2.28	090
27550		A	Treat knee dislocation	5.84	5.21	5.62	4.51	4.72	0.76	090
27552		A	Treat knee dislocation	8.04	NA	NA	6.09	6.52	1.36	090
27556		A	Treat knee dislocation	12.86	NA	NA	7.26	9.46	2.51	090
27557		A	Treat knee dislocation	15.76	NA	NA	8.45	10.79	2.98	090
27558		A	Treat knee dislocation	18.25	NA	NA	9.29	11.17	3.09	090
27560		A	Treat kneecap dislocation	3.88	4.25	4.54	3.72	3.45	0.40	090
27562		A	Treat kneecap dislocation	5.86	NA	NA	4.61	4.69	0.94	090
27566		A	Treat kneecap dislocation	12.59	NA	NA	7.89	8.61	2.13	090
27570		A	Fixation of knee joint	1.76	NA	NA	1.62	1.70	0.30	010
27580		A	Fusion of knee	20.90	NA	NA	12.19	13.50	3.38	090
27590		A	Amputate leg at thigh	13.35	NA	NA	6.02	6.35	1.75	090
27591		A	Amputate leg at thigh	13.82	NA	NA	7.35	8.00	2.03	090
27592		A	Amputate leg at thigh	10.86	NA	NA	5.45	5.81	1.45	090
27594		A	Amputation follow-up surgery	7.17	NA	NA	4.73	4.95	1.02	090
27596		A	Amputation follow-up surgery	11.15	NA	NA	5.98	6.40	1.57	090
27598		A	Amputate lower leg at knee	11.08	NA	NA	6.20	6.61	1.65	090
27599		C	Leg surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
27600		A	Decompression of lower leg	5.94	NA	NA	3.80	4.16	0.86	090
27601		A	Decompression of lower leg	5.94	NA	NA	4.18	4.51	0.80	090
27602		A	Decompression of lower leg	7.71	NA	NA	4.29	4.71	1.10	090
27603		A	Drain lower leg lesion	5.12	7.05	7.27	3.90	4.03	0.74	090
27604		A	Drain lower leg bursa	4.51	6.49	6.29	3.43	3.69	0.69	090
27605		A	Incision of achilles tendon	2.89	5.16	6.42	1.74	2.03	0.41	010
27606		A	Incision of achilles tendon	4.15	NA	NA	2.63	2.99	0.69	010
27607		A	Treat lower leg bone lesion	8.51	NA	NA	5.70	5.94	1.31	090
27610		A	Explore/treat ankle joint	9.01	NA	NA	6.11	6.56	1.40	090
27612		A	Exploration of ankle joint	8.01	NA	NA	5.18	5.64	1.13	090
27613		A	Biopsy lower leg soft tissue	2.19	3.91	3.57	1.78	1.79	0.20	010
27614		A	Biopsy lower leg soft tissue	5.71	7.76	7.45	3.94	4.19	0.78	090
27615		A	Remove tumor, lower leg	12.93	NA	NA	7.28	8.34	1.84	090
27618		A	Remove lower leg lesion	5.14	6.44	6.23	3.80	3.90	0.72	090
27619		A	Remove lower leg lesion	8.47	10.00	9.76	5.28	5.62	1.25	090
27620		A	Explore/treat ankle joint	6.04	NA	NA	4.57	5.02	0.97	090
27625		A	Remove ankle joint lining	8.37	NA	NA	5.50	5.98	1.28	090
27626		A	Remove ankle joint lining	8.98	NA	NA	5.78	6.35	1.48	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
27630		A	Removal of tendon lesion	4.85	7.99	7.77	3.81	4.09	0.74	090
27635		A	Remove lower leg bone lesion	7.91	NA	NA	5.63	6.19	1.31	090
27637		A	Remove/graft leg bone lesion	10.17	NA	NA	6.91	7.60	1.66	090
27638		A	Remove/graft leg bone lesion	10.87	NA	NA	7.05	7.67	1.85	090
27640		A	Partial removal of tibia	12.10	NA	NA	7.47	8.89	1.89	090
27641		A	Partial removal of fibula	9.73	NA	NA	6.09	7.22	1.46	090
27645		A	Extensive lower leg surgery	14.78	NA	NA	8.74	10.40	2.42	090
27646		A	Extensive lower leg surgery	13.21	NA	NA	7.64	9.34	2.06	090
27647		A	Extensive ankle/heel surgery	12.85	NA	NA	6.54	7.08	1.76	090
27648		A	Injection for ankle x-ray	0.96	2.88	3.20	0.34	0.34	0.08	000
27650		A	Repair achilles tendon	9.94	NA	NA	6.16	6.84	1.59	090
27652		A	Repair/graft achilles tendon	10.64	NA	NA	6.44	7.24	1.72	090
27654		A	Repair of achilles tendon	10.32	NA	NA	5.99	6.57	1.58	090
27656		A	Repair leg fascia defect	4.62	7.96	8.25	3.58	3.68	0.69	090
27658		A	Repair of leg tendon, each	5.03	NA	NA	3.89	4.22	0.79	090
27659		A	Repair of leg tendon, each	6.99	NA	NA	4.68	5.16	1.09	090
27664		A	Repair of leg tendon, each	4.64	NA	NA	3.88	4.22	0.76	090
27665		A	Repair of leg tendon, each	5.46	NA	NA	4.33	4.65	0.89	090
27675		A	Repair lower leg tendons	7.24	NA	NA	4.67	5.21	1.11	090
27676		A	Repair lower leg tendons	8.61	NA	NA	5.73	6.24	1.37	090
27680		A	Release of lower leg tendon	5.79	NA	NA	4.16	4.64	0.93	090
27681		A	Release of lower leg tendons	6.94	NA	NA	5.09	5.51	1.15	090
27685		A	Revision of lower leg tendon	6.57	8.78	8.04	4.57	5.02	0.97	090
27686		A	Revise lower leg tendons	7.64	NA	NA	5.29	5.89	1.24	090
27687		A	Revision of calf tendon	6.30	NA	NA	4.47	4.90	1.00	090
27690		A	Revise lower leg tendon	8.96	NA	NA	5.37	5.86	1.33	090
27691		A	Revise lower leg tendon	10.28	NA	NA	6.66	7.21	1.64	090
27692		A	Revise additional leg tendon	1.87	NA	NA	0.71	0.82	0.32	ZZZ
27695		A	Repair of ankle ligament	6.58	NA	NA	4.88	5.38	1.05	090
27696		A	Repair of ankle ligaments	8.46	NA	NA	5.26	5.85	1.28	090
27698		A	Repair of ankle ligament	9.49	NA	NA	5.87	6.41	1.47	090
27700		A	Revision of ankle joint	9.54	NA	NA	5.21	5.45	1.30	090
27702		A	Reconstruct ankle joint	14.28	NA	NA	8.65	9.56	2.38	090
27703		A	Reconstruction, ankle joint	16.79	NA	NA	9.78	10.51	2.77	090
27704		A	Removal of ankle implant	7.69	NA	NA	5.62	5.61	1.27	090
27705		A	Incision of tibia	10.74	NA	NA	6.96	7.57	1.81	090
27707		A	Incision of fibula	4.67	NA	NA	4.49	4.71	0.76	090
27709		A	Incision of tibia & fibula	17.32	NA	NA	9.96	9.05	1.74	090
27712		A	Realignment of lower leg	15.67	NA	NA	9.45	10.10	2.48	090
27715		A	Revision of lower leg	15.36	NA	NA	9.04	9.91	2.50	090
27720		A	Repair of tibia	12.22	NA	NA	7.93	8.67	2.05	090
27722		A	Repair/graft of tibia	12.31	NA	NA	7.89	8.51	2.06	090
27724		A	Repair/graft of tibia	19.18	NA	NA	10.29	11.33	3.17	090
27725		A	Repair of lower leg	17.15	NA	NA	10.59	11.25	2.72	090
27726		A	Repair fibula nonunion	14.20	NA	NA	7.68	7.68	1.43	090
27727		A	Repair of lower leg	14.69	NA	NA	9.07	9.71	2.44	090
27730		A	Repair of tibia epiphysis	7.59	NA	NA	5.31	5.87	1.73	090
27732		A	Repair of fibula epiphysis	5.37	NA	NA	4.17	4.55	0.77	090
27734		A	Repair lower leg epiphyses	8.72	NA	NA	6.17	6.23	1.35	090
27740		A	Repair of leg epiphyses	9.49	NA	NA	6.61	7.30	1.62	090
27742		A	Repair of leg epiphyses	10.49	NA	NA	4.60	5.08	1.80	090
27745		A	Reinforce tibia	10.37	NA	NA	7.00	7.58	1.76	090
27750		A	Treatment of tibia fracture	3.26	4.32	4.54	3.74	3.79	0.55	090
27752		A	Treatment of tibia fracture	6.15	5.95	6.30	5.11	5.39	1.01	090
27756		A	Treatment of tibia fracture	7.33	NA	NA	5.76	6.11	1.17	090
27758		A	Treatment of tibia fracture	12.40	NA	NA	8.03	8.61	2.04	090
27759		A	Treatment of tibia fracture	14.31	NA	NA	8.67	9.50	2.39	090
27760		A	Cltx medial ankle fx	3.09	4.28	4.48	3.68	3.63	0.48	090
27762		A	Cltx med ankle fx w/mnpj	5.33	5.48	5.91	4.65	4.97	0.85	090
27766		A	Optx medial ankle fx	7.73	NA	NA	6.13	6.68	1.44	090
27767		A	Cltx post ankle fx	2.50	3.62	3.62	3.65	3.65	0.30	090
27768		A	Cltx post ankle fx w/mnpj	5.00	NA	NA	4.30	4.30	0.79	090
27769		A	Optx post ankle fx	10.00	NA	NA	6.08	6.08	1.45	090
27780		A	Treatment of fibula fracture	2.72	3.87	4.02	3.31	3.26	0.41	090
27781		A	Treatment of fibula fracture	4.47	4.88	5.19	4.26	4.45	0.73	090
27784		A	Treatment of fibula fracture	9.51	NA	NA	6.85	6.66	1.23	090
27786		A	Treatment of ankle fracture	2.91	4.05	4.26	3.43	3.38	0.46	090
27788		A	Treatment of ankle fracture	4.52	4.97	5.31	4.23	4.44	0.74	090
27792		A	Treatment of ankle fracture	9.55	NA	NA	6.81	6.89	1.32	090
27808		A	Treatment of ankle fracture	2.91	4.40	4.60	3.71	3.70	0.46	090
27810		A	Treatment of ankle fracture	5.20	5.41	5.83	4.55	4.85	0.82	090
27814		A	Treatment of ankle fracture	10.46	NA	NA	7.24	7.90	1.86	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
27816		A	Treatment of ankle fracture	2.96	3.99	4.19	3.33	3.37	0.43	090
27818		A	Treatment of ankle fracture	5.57	5.41	5.89	4.44	4.81	0.82	090
27822		A	Treatment of ankle fracture	11.03	NA	NA	8.21	9.43	1.92	090
27823		A	Treatment of ankle fracture	12.98	NA	NA	8.94	10.21	2.26	090
27824		A	Treat lower leg fracture	3.20	3.65	3.86	3.47	3.52	0.45	090
27825		A	Treat lower leg fracture	6.60	5.78	6.19	4.76	5.07	1.02	090
27826		A	Treat lower leg fracture	10.92	NA	NA	8.21	8.52	1.47	090
27827		A	Treat lower leg fracture	14.56	NA	NA	10.19	11.48	2.44	090
27828		A	Treat lower leg fracture	18.20	NA	NA	11.58	12.76	2.82	090
27829		A	Treat lower leg joint	8.64	NA	NA	6.97	6.88	0.95	090
27830		A	Treat lower leg dislocation	3.85	4.09	4.24	3.56	3.71	0.54	090
27831		A	Treat lower leg dislocation	4.62	NA	NA	4.06	4.26	0.73	090
27832		A	Treat lower leg dislocation	10.01	NA	NA	6.83	6.50	1.03	090
27840		A	Treat ankle dislocation	4.65	NA	NA	3.65	3.71	0.46	090
27842		A	Treat ankle dislocation	6.34	NA	NA	4.85	4.98	1.00	090
27846		A	Treat ankle dislocation	10.16	NA	NA	6.77	7.35	1.71	090
27848		A	Treat ankle dislocation	11.56	NA	NA	7.32	8.52	1.95	090
27860		A	Fixation of ankle joint	2.36	NA	NA	1.69	1.84	0.39	010
27870		A	Fusion of ankle joint, open	15.21	NA	NA	9.08	9.81	2.37	090
27871		A	Fusion of tibiofibular joint	9.42	NA	NA	6.54	7.06	1.59	090
27880		A	Amputation of lower leg	15.24	NA	NA	6.65	6.89	1.76	090
27881		A	Amputation of lower leg	13.32	NA	NA	7.38	8.12	1.99	090
27882		A	Amputation of lower leg	9.67	NA	NA	4.91	5.70	1.29	090
27884		A	Amputation follow-up surgery	8.64	NA	NA	5.11	5.43	1.22	090
27886		A	Amputation follow-up surgery	9.88	NA	NA	5.65	6.08	1.40	090
27888		A	Amputation of foot at ankle	10.23	NA	NA	6.01	6.76	1.51	090
27889		A	Amputation of foot at ankle	10.72	NA	NA	5.44	5.96	1.46	090
27892		A	Decompression of leg	7.82	NA	NA	5.10	5.35	1.10	090
27893		A	Decompression of leg	7.78	NA	NA	5.13	5.30	1.10	090
27894		A	Decompression of leg	12.42	NA	NA	7.34	7.56	1.65	090
27899		C	Leg/ankle surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
28001		A	Drainage of bursa of foot	2.75	4.00	3.49	1.61	1.78	0.33	010
28002		A	Treatment of foot infection	5.78	6.68	5.83	3.57	3.67	0.61	010
28003		A	Treatment of foot infection	8.95	7.78	7.01	4.56	4.89	1.12	090
28005		A	Treat foot bone lesion	9.30	NA	NA	5.53	5.79	1.16	090
28008		A	Incision of foot fascia	4.50	6.17	5.36	3.00	3.10	0.57	090
28010		A	Incision of toe tendon	2.89	2.86	2.62	2.35	2.36	0.36	090
28011		A	Incision of toe tendons	4.19	3.80	3.55	3.03	3.17	0.59	090
28020		A	Exploration of foot joint	5.06	7.37	6.69	3.58	3.86	0.72	090
28022		A	Exploration of foot joint	4.72	6.93	6.06	3.33	3.59	0.62	090
28024		A	Exploration of toe joint	4.43	6.56	5.89	3.12	3.52	0.58	090
28035		A	Decompression of tibia nerve	5.14	7.28	6.57	3.55	3.82	0.70	090
28043		A	Excision of foot lesion	3.58	4.78	4.30	2.73	2.95	0.46	090
28045		A	Excision of foot lesion	4.77	7.03	6.20	3.24	3.42	0.63	090
28046		A	Resection of tumor, foot	10.55	10.37	9.57	5.76	6.12	1.36	090
28050		A	Biopsy of foot joint lining	4.30	6.95	5.92	3.30	3.44	0.60	090
28052		A	Biopsy of foot joint lining	3.98	6.30	5.61	2.87	3.15	0.53	090
28054		A	Biopsy of toe joint lining	3.49	6.25	5.49	2.80	3.01	0.46	090
28055		A	Neurectomy, foot	6.20	NA	NA	3.44	3.55	0.74	090
28060		A	Partial removal, foot fascia	5.29	7.08	6.28	3.54	3.71	0.70	090
28062		A	Removal of foot fascia	6.58	7.83	7.17	3.82	3.92	0.83	090
28070		A	Removal of foot joint lining	5.15	7.37	6.29	3.54	3.68	0.73	090
28072		A	Removal of foot joint lining	4.63	7.57	6.55	3.60	3.95	0.68	090
28080		A	Removal of foot lesion	4.65	7.67	6.39	4.19	3.94	0.47	090
28086		A	Excise foot tendon sheath	4.83	7.87	7.93	3.81	4.25	0.76	090
28088		A	Excise foot tendon sheath	3.90	7.00	6.38	3.19	3.54	0.61	090
28090		A	Removal of foot lesion	4.46	6.77	5.96	3.18	3.32	0.59	090
28092		A	Removal of toe lesions	3.69	6.47	5.84	2.99	3.26	0.49	090
28100		A	Removal of ankle/heel lesion	5.72	8.10	8.03	4.00	4.34	0.82	090
28102		A	Remove/graft foot lesion	7.80	NA	NA	4.84	5.40	1.14	090
28103		A	Remove/graft foot lesion	6.56	NA	NA	4.03	4.32	0.91	090
28104		A	Removal of foot lesion	5.17	7.23	6.36	3.47	3.69	0.70	090
28106		A	Remove/graft foot lesion	7.23	NA	NA	4.23	4.33	0.97	090
28107		A	Remove/graft foot lesion	5.62	7.70	7.11	3.66	3.93	0.74	090
28108		A	Removal of toe lesions	4.21	6.35	5.47	2.99	3.12	0.53	090
28110		A	Part removal of metatarsal	4.13	6.93	6.07	3.06	3.14	0.54	090
28111		A	Part removal of metatarsal	5.06	7.10	6.69	3.20	3.43	0.67	090
28112		A	Part removal of metatarsal	4.54	7.19	6.50	3.24	3.41	0.61	090
28113		A	Part removal of metatarsal	5.88	8.37	7.21	4.61	4.46	0.63	090
28114		A	Removal of metatarsal heads	11.61	13.40	12.51	8.30	8.34	1.42	090
28116		A	Revision of foot	8.94	9.45	8.12	5.34	5.26	1.03	090
28118		A	Removal of heel bone	6.02	7.93	7.09	4.02	4.18	0.84	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
28119		A	Removal of heel spur	5.45	7.22	6.32	3.58	3.65	0.70	090
28120		A	Part removal of ankle/heel	5.64	8.09	7.69	3.97	4.19	0.77	090
28122		A	Partial removal of foot bone	7.56	8.47	7.65	4.78	5.02	0.98	090
28124		A	Partial removal of toe	4.88	6.78	5.88	3.46	3.56	0.60	090
28126		A	Partial removal of toe	3.56	5.96	5.09	2.66	2.83	0.45	090
28130		A	Removal of ankle bone	9.30	NA	NA	6.16	6.44	1.26	090
28140		A	Removal of metatarsal	7.03	7.82	7.52	4.12	4.44	0.92	090
28150		A	Removal of toe	4.14	6.36	5.60	2.98	3.13	0.53	090
28153		A	Partial removal of toe	3.71	6.21	5.26	2.89	2.79	0.47	090
28160		A	Partial removal of toe	3.79	6.31	5.44	2.93	3.13	0.49	090
28171		A	Extensive foot surgery	9.85	NA	NA	5.26	5.34	1.33	090
28173		A	Extensive foot surgery	9.05	8.74	8.16	4.61	4.91	1.12	090
28175		A	Extensive foot surgery	6.17	7.14	6.43	3.63	3.67	0.73	090
28190		A	Removal of foot foreign body	1.98	4.01	3.70	1.34	1.41	0.22	010
28192		A	Removal of foot foreign body	4.69	6.72	6.10	3.19	3.42	0.61	090
28193		A	Removal of foot foreign body	5.79	7.34	6.47	3.63	3.78	0.73	090
28200		A	Repair of foot tendon	4.65	6.88	5.99	3.23	3.39	0.61	090
28202		A	Repair/graft of foot tendon	6.96	7.77	7.49	3.94	4.21	0.91	090
28208		A	Repair of foot tendon	4.42	6.70	5.75	3.19	3.24	0.58	090
28210		A	Repair/graft of foot tendon	6.41	7.63	6.92	3.93	3.98	0.81	090
28220		A	Release of foot tendon	4.58	6.42	5.54	3.08	3.25	0.57	090
28222		A	Release of foot tendons	5.67	6.93	6.09	3.35	3.73	0.69	090
28225		A	Release of foot tendon	3.70	6.02	5.15	2.72	2.81	0.46	090
28226		A	Release of foot tendons	4.58	6.89	5.84	3.25	3.50	0.58	090
28230		A	Incision of foot tendon(s)	4.28	6.27	5.47	2.88	3.27	0.55	090
28232		A	Incision of toe tendon	3.43	5.94	5.23	2.68	2.99	0.44	090
28234		A	Incision of foot tendon	3.43	6.30	5.48	3.06	3.21	0.44	090
28238		A	Revision of foot tendon	7.85	8.39	7.82	4.37	4.65	1.06	090
28240		A	Release of big toe	4.40	6.36	5.49	2.95	3.22	0.58	090
28250		A	Revision of foot fascia	5.97	7.56	6.59	3.82	3.98	0.82	090
28260		A	Release of midfoot joint	8.08	8.45	7.39	4.61	4.80	1.14	090
28261		A	Revision of foot tendon	12.91	10.68	9.64	6.33	6.82	1.57	090
28262		A	Revision of foot and ankle	17.01	15.54	14.55	9.74	10.33	2.60	090
28264		A	Release of midfoot joint	10.53	10.32	9.03	5.95	6.62	1.54	090
28270		A	Release of foot contracture	4.82	6.92	5.90	3.44	3.59	0.62	090
28272		A	Release of toe joint, each	3.84	5.84	5.01	2.65	2.75	0.46	090
28280		A	Fusion of toes	5.24	7.29	6.77	3.54	4.01	0.73	090
28285		A	Repair of hammertoe	4.65	6.71	5.79	3.35	3.39	0.59	090
28286		A	Repair of hammertoe	4.61	6.53	5.66	3.06	3.16	0.57	090
28288		A	Partial removal of foot bone	5.81	8.60	7.27	4.69	4.79	0.65	090
28289		A	Repair hallux rigidus	8.11	9.43	8.71	5.34	5.55	1.02	090
28290		A	Correction of bunion	5.72	8.19	7.22	3.96	4.34	0.82	090
28292		A	Correction of bunion	8.72	10.35	8.91	6.16	5.85	0.91	090
28293		A	Correction of bunion	11.10	14.48	12.61	6.92	6.51	1.13	090
28294		A	Correction of bunion	8.63	9.46	8.45	4.77	4.74	1.09	090
28296		A	Correction of bunion	9.31	9.58	8.87	4.79	5.10	1.19	090
28297		A	Correction of bunion	9.31	10.47	9.71	5.33	5.80	1.32	090
28298		A	Correction of bunion	8.01	9.30	8.26	4.59	4.79	1.05	090
28299		A	Correction of bunion	11.39	10.55	9.66	5.73	5.90	1.37	090
28300		A	Incision of heel bone	9.61	NA	NA	6.04	6.54	1.54	090
28302		A	Incision of ankle bone	9.62	NA	NA	6.21	6.55	1.42	090
28304		A	Incision of midfoot bones	9.29	9.56	8.75	5.08	5.41	1.27	090
28305		A	Incise/graft midfoot bones	10.63	NA	NA	5.79	6.26	1.27	090
28306		A	Incision of metatarsal	5.91	8.42	7.63	3.89	4.03	0.84	090
28307		A	Incision of metatarsal	6.39	9.28	10.15	4.33	4.81	0.90	090
28308		A	Incision of metatarsal	5.36	7.92	6.83	3.83	3.75	0.70	090
28309		A	Incision of metatarsals	13.96	NA	NA	7.69	7.82	2.05	090
28310		A	Revision of big toe	5.48	7.55	6.65	3.42	3.49	0.70	090
28312		A	Revision of toe	4.60	7.38	6.41	3.23	3.43	0.63	090
28313		A	Repair deformity of toe	5.06	7.27	6.28	3.61	4.22	0.73	090
28315		A	Removal of sesamoid bone	4.91	6.68	5.79	3.22	3.28	0.63	090
28320		A	Repair of foot bones	9.25	NA	NA	5.69	6.20	1.43	090
28322		A	Repair of metatarsals	8.41	9.75	9.46	5.32	5.83	1.27	090
28340		A	Resect enlarged toe tissue	7.04	8.10	7.27	4.08	4.16	0.84	090
28341		A	Resect enlarged toe	8.60	8.60	7.77	4.42	4.62	1.01	090
28344		A	Repair extra toe(s)	4.31	6.42	6.08	2.93	3.28	0.51	090
28345		A	Repair webbed toe(s)	5.98	7.62	6.91	3.79	4.23	0.80	090
28360		A	Reconstruct cleft foot	14.67	NA	NA	6.35	8.42	2.29	090
28400		A	Treatment of heel fracture	2.22	3.37	3.50	2.92	2.99	0.35	090
28405		A	Treatment of heel fracture	4.63	4.43	4.63	3.68	4.15	0.73	090
28406		A	Treatment of heel fracture	6.44	NA	NA	5.56	6.18	1.11	090
28415		A	Treat heel fracture	15.96	NA	NA	10.25	11.77	2.67	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
28420		A	Treat/graft heel fracture	17.29	NA	NA	10.28	11.60	2.81	090
28430		A	Treatment of ankle fracture	2.14	3.12	3.26	2.57	2.57	0.31	090
28435		A	Treatment of ankle fracture	3.45	3.99	3.93	3.26	3.50	0.55	090
28436		A	Treatment of ankle fracture	4.78	NA	NA	4.75	5.33	0.81	090
28445		A	Treat ankle fracture	15.53	NA	NA	9.49	10.26	2.59	090
28446		A	Osteochondral talus autogrft	17.50	NA	NA	10.36	10.36	2.45	090
28450		A	Treat midfoot fracture, each	1.95	2.92	3.02	2.42	2.45	0.28	090
28455		A	Treat midfoot fracture, each	3.15	3.74	3.58	3.10	3.26	0.44	090
28456		A	Treat midfoot fracture	2.75	NA	NA	3.73	3.94	0.44	090
28465		A	Treat midfoot fracture, each	8.64	NA	NA	6.07	6.19	1.10	090
28470		A	Treat metatarsal fracture	1.99	2.80	2.96	2.36	2.40	0.30	090
28475		A	Treat metatarsal fracture	2.97	3.13	3.23	2.52	2.86	0.44	090
28476		A	Treat metatarsal fracture	3.46	NA	NA	4.33	4.65	0.54	090
28485		A	Treat metatarsal fracture	7.28	NA	NA	5.56	5.51	0.83	090
28490		A	Treat big toe fracture	1.12	2.09	2.05	1.67	1.65	0.14	090
28495		A	Treat big toe fracture	1.62	2.46	2.32	1.87	1.97	0.20	090
28496		A	Treat big toe fracture	2.39	7.42	7.83	2.99	3.09	0.36	090
28505		A	Treat big toe fracture	7.28	8.46	8.28	4.82	4.36	0.56	090
28510		A	Treatment of toe fracture	1.12	1.69	1.61	1.61	1.57	0.14	090
28515		A	Treatment of toe fracture	1.50	2.22	2.06	1.82	1.86	0.18	090
28525		A	Treat toe fracture	5.46	8.12	7.82	4.32	3.88	0.49	090
28530		A	Treat sesamoid bone fracture	1.08	1.62	1.53	1.34	1.39	0.14	090
28531		A	Treat sesamoid bone fracture	2.51	6.55	6.91	2.43	2.25	0.34	090
28540		A	Treat foot dislocation	2.10	2.75	2.58	2.31	2.36	0.26	090
28545		A	Treat foot dislocation	2.51	3.43	2.89	2.81	2.58	0.37	090
28546		A	Treat foot dislocation	3.28	8.06	7.49	3.64	4.01	0.52	090
28555		A	Repair foot dislocation	9.49	10.81	10.36	6.29	5.99	1.04	090
28570		A	Treat foot dislocation	1.70	2.49	2.46	1.91	2.12	0.23	090
28575		A	Treat foot dislocation	3.38	4.42	4.07	3.72	3.72	0.56	090
28576		A	Treat foot dislocation	4.48	NA	NA	4.06	4.12	0.69	090
28585		A	Repair foot dislocation	10.92	11.57	9.45	6.97	6.41	1.25	090
28600		A	Treat foot dislocation	1.94	3.03	2.92	2.37	2.53	0.27	090
28605		A	Treat foot dislocation	2.78	3.89	3.51	3.27	3.20	0.40	090
28606		A	Treat foot dislocation	4.97	NA	NA	4.12	4.40	0.82	090
28615		A	Repair foot dislocation	10.46	NA	NA	8.14	8.09	1.30	090
28630		A	Treat toe dislocation	1.72	1.85	1.71	0.91	0.95	0.20	010
28635		A	Treat toe dislocation	1.93	2.27	2.15	1.33	1.43	0.26	010
28636		A	Treat toe dislocation	2.77	4.39	4.13	2.05	2.34	0.43	010
28645		A	Repair toe dislocation	7.28	8.34	6.65	4.62	3.95	0.57	090
28660		A	Treat toe dislocation	1.25	1.30	1.28	0.78	0.79	0.13	010
28665		A	Treat toe dislocation	1.94	1.82	1.63	1.33	1.38	0.26	010
28666		A	Treat toe dislocation	2.66	NA	NA	1.83	2.21	0.43	010
28675		A	Repair of toe dislocation	5.46	8.24	7.69	4.45	3.90	0.45	090
28705		A	Fusion of foot bones	20.12	NA	NA	10.66	11.55	3.09	090
28715		A	Fusion of foot bones	14.40	NA	NA	8.49	9.12	2.17	090
28725		A	Fusion of foot bones	11.97	NA	NA	6.82	7.53	1.87	090
28730		A	Fusion of foot bones	12.21	NA	NA	7.76	8.12	1.71	090
28735		A	Fusion of foot bones	12.03	NA	NA	6.97	7.40	1.69	090
28737		A	Revision of foot bones	10.83	NA	NA	6.07	6.44	1.47	090
28740		A	Fusion of foot bones	9.09	10.87	10.87	5.99	6.23	1.22	090
28750		A	Fusion of big toe joint	8.37	10.77	11.34	5.88	6.27	1.13	090
28755		A	Fusion of big toe joint	4.79	7.26	6.68	3.35	3.55	0.65	090
28760		A	Fusion of big toe joint	8.94	9.87	8.92	5.27	5.39	1.05	090
28800		A	Amputation of midfoot	8.65	NA	NA	5.01	5.40	1.15	090
28805		A	Amputation thru metatarsal	12.55	NA	NA	5.90	5.77	1.18	090
28810		A	Amputation toe & metatarsal	6.52	NA	NA	4.06	4.27	0.86	090
28820		A	Amputation of toe	4.89	7.65	7.60	3.55	3.67	0.61	090
28825		A	Partial amputation of toe	3.71	7.13	7.06	3.13	3.30	0.50	090
28890		A	High energy eswt, plantar f	3.36	4.57	5.14	2.20	2.14	0.41	090
28899		C	Foot/toes surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
29000		A	Application of body cast	2.25	4.01	3.49	1.64	1.69	0.41	000
29010		A	Application of body cast	2.06	4.38	3.83	1.62	1.70	0.45	000
29015		A	Application of body cast	2.41	3.61	3.29	1.56	1.58	0.28	000
29020		A	Application of body cast	2.11	3.81	3.50	1.41	1.41	0.28	000
29025		A	Application of body cast	2.40	4.04	3.59	1.76	1.81	0.44	000
29035		A	Application of body cast	1.77	3.70	3.66	1.48	1.53	0.28	000
29040		A	Application of body cast	2.22	3.28	2.87	1.34	1.42	0.36	000
29044		A	Application of body cast	2.12	3.58	3.77	1.47	1.69	0.35	000
29046		A	Application of body cast	2.41	4.49	3.86	1.91	2.00	0.42	000
29049		A	Application of figure eight	0.89	1.12	1.21	0.59	0.56	0.13	000
29055		A	Application of shoulder cast	1.78	2.82	2.90	1.23	1.35	0.30	000
29058		A	Application of shoulder cast	1.31	1.26	1.41	0.67	0.70	0.17	000

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
29065		A	Application of long arm cast	0.87	1.28	1.30	0.70	0.73	0.15	000
29075		A	Application of forearm cast	0.77	1.24	1.25	0.66	0.67	0.13	000
29085		A	Apply hand/wrist cast	0.87	1.26	1.27	0.68	0.66	0.14	000
29086		A	Apply finger cast	0.62	1.08	1.02	0.55	0.52	0.07	000
29105		A	Apply long arm splint	0.87	1.09	1.16	0.53	0.52	0.12	000
29125		A	Apply forearm splint	0.59	0.97	0.99	0.42	0.41	0.07	000
29126		A	Apply forearm splint	0.77	1.01	1.11	0.48	0.47	0.07	000
29130		A	Application of finger splint	0.50	0.43	0.45	0.18	0.18	0.06	000
29131		A	Application of finger splint	0.55	0.59	0.66	0.24	0.24	0.03	000
29200		A	Strapping of chest	0.65	0.61	0.66	0.35	0.34	0.04	000
29220		A	Strapping of low back	0.64	0.65	0.69	0.38	0.38	0.04	000
29240		A	Strapping of shoulder	0.71	0.68	0.76	0.40	0.38	0.06	000
29260		A	Strapping of elbow or wrist	0.55	0.67	0.71	0.37	0.35	0.05	000
29280		A	Strapping of hand or finger	0.51	0.67	0.73	0.37	0.35	0.03	000
29305		A	Application of hip cast	2.03	3.29	3.31	1.56	1.66	0.35	000
29325		A	Application of hip casts	2.32	3.33	3.43	1.58	1.77	0.40	000
29345		A	Application of long leg cast	1.40	1.66	1.72	0.94	1.00	0.24	000
29355		A	Application of long leg cast	1.53	1.62	1.66	0.94	1.03	0.26	000
29358		A	Apply long leg cast brace	1.43	2.01	2.04	0.91	1.00	0.25	000
29365		A	Application of long leg cast	1.18	1.58	1.62	0.86	0.90	0.20	000
29405		A	Apply short leg cast	0.86	1.20	1.21	0.65	0.68	0.14	000
29425		A	Apply short leg cast	1.01	1.22	1.23	0.66	0.70	0.15	000
29435		A	Apply short leg cast	1.18	1.53	1.54	0.81	0.87	0.20	000
29440		A	Addition of walker to cast	0.57	0.64	0.67	0.26	0.26	0.08	000
29445		A	Apply rigid leg cast	1.78	1.56	1.68	0.89	0.92	0.27	000
29450		A	Application of leg cast	2.08	1.59	1.53	0.90	0.99	0.27	000
29505		A	Application, long leg splint	0.69	1.07	1.13	0.45	0.45	0.08	000
29515		A	Application lower leg splint	0.73	0.96	0.91	0.46	0.46	0.09	000
29520		A	Strapping of hip	0.54	0.66	0.75	0.37	0.42	0.03	000
29530		A	Strapping of knee	0.57	0.66	0.72	0.37	0.35	0.05	000
29540		A	Strapping of ankle and/or ft	0.51	0.55	0.48	0.31	0.31	0.06	000
29550		A	Strapping of toes	0.47	0.56	0.49	0.30	0.29	0.06	000
29580		A	Application of paste boot	0.55	0.71	0.68	0.33	0.34	0.07	000
29590		A	Application of foot splint	0.76	0.59	0.55	0.26	0.27	0.09	000
29700		A	Removal/revision of cast	0.57	0.95	0.92	0.25	0.26	0.08	000
29705		A	Removal/revision of cast	0.76	0.76	0.79	0.36	0.37	0.13	000
29710		A	Removal/revision of cast	1.34	1.32	1.43	0.55	0.63	0.20	000
29715		A	Removal/revision of cast	0.94	1.20	1.19	0.43	0.42	0.09	000
29720		A	Repair of body cast	0.68	1.17	1.16	0.35	0.37	0.12	000
29730		A	Windowing of cast	0.75	0.74	0.77	0.34	0.34	0.12	000
29740		A	Wedging of cast	1.12	1.03	1.09	0.47	0.48	0.18	000
29750		A	Wedging of clubfoot cast	1.26	1.07	1.06	0.52	0.55	0.21	000
29799		C	Casting/strapping procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
29800		A	Jaw arthroscopy/surgery	6.73	NA	NA	4.63	5.80	0.99	090
29804		A	Jaw arthroscopy/surgery	8.71	NA	NA	5.70	6.66	1.38	090
29805		A	Shoulder arthroscopy, dx	5.94	NA	NA	4.71	5.19	1.02	090
29806		A	Shoulder arthroscopy/surgery	14.95	NA	NA	9.36	10.26	2.50	090
29807		A	Shoulder arthroscopy/surgery	14.48	NA	NA	9.20	10.10	2.42	090
29819		A	Shoulder arthroscopy/surgery	7.68	NA	NA	5.63	6.21	1.32	090
29820		A	Shoulder arthroscopy/surgery	7.12	NA	NA	5.18	5.70	1.22	090
29821		A	Shoulder arthroscopy/surgery	7.78	NA	NA	5.66	6.23	1.33	090
29822		A	Shoulder arthroscopy/surgery	7.49	NA	NA	5.58	6.14	1.28	090
29823		A	Shoulder arthroscopy/surgery	8.24	NA	NA	6.05	6.64	1.41	090
29824		A	Shoulder arthroscopy/surgery	8.82	NA	NA	6.54	7.03	1.42	090
29825		A	Shoulder arthroscopy/surgery	7.68	NA	NA	5.64	6.20	1.32	090
29826		A	Shoulder arthroscopy/surgery	9.05	NA	NA	6.18	6.86	1.55	090
29827		A	Arthroscop rotator cuff repr	15.44	NA	NA	9.32	10.43	2.67	090
29828		A	Arthroscopy biceps tenodesis	13.00	NA	NA	8.18	8.18	2.17	090
29830		A	Elbow arthroscopy	5.80	NA	NA	4.49	4.92	0.99	090
29834		A	Elbow arthroscopy/surgery	6.33	NA	NA	4.86	5.35	1.08	090
29835		A	Elbow arthroscopy/surgery	6.53	NA	NA	4.97	5.43	1.13	090
29836		A	Elbow arthroscopy/surgery	7.61	NA	NA	5.54	6.17	1.22	090
29837		A	Elbow arthroscopy/surgery	6.92	NA	NA	5.07	5.60	1.19	090
29838		A	Elbow arthroscopy/surgery	7.77	NA	NA	5.66	6.28	1.30	090
29840		A	Wrist arthroscopy	5.59	NA	NA	4.63	4.98	0.84	090
29843		A	Wrist arthroscopy/surgery	6.06	NA	NA	4.81	5.22	0.92	090
29844		A	Wrist arthroscopy/surgery	6.42	NA	NA	4.88	5.35	1.04	090
29845		A	Wrist arthroscopy/surgery	7.58	NA	NA	5.60	6.04	0.99	090
29846		A	Wrist arthroscopy/surgery	6.80	NA	NA	5.11	5.59	1.07	090
29847		A	Wrist arthroscopy/surgery	7.13	NA	NA	5.28	5.74	1.08	090
29848		A	Wrist endoscopy/surgery	6.24	NA	NA	5.28	5.44	0.86	090
29850		A	Knee arthroscopy/surgery	8.18	NA	NA	4.72	4.88	1.25	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
29851		A	Knee arthroscopy/surgery	13.08	NA	NA	8.22	9.01	2.35	090
29855		A	Tibial arthroscopy/surgery	10.60	NA	NA	7.28	8.03	1.85	090
29856		A	Tibial arthroscopy/surgery	14.12	NA	NA	8.70	9.69	2.40	090
29860		A	Hip arthroscopy, dx	8.85	NA	NA	6.25	6.60	1.36	090
29861		A	Hip arthroscopy/surgery	9.95	NA	NA	6.40	6.87	1.59	090
29862		A	Hip arthroscopy/surgery	10.97	NA	NA	7.57	8.07	1.62	090
29863		A	Hip arthroscopy/surgery	10.97	NA	NA	7.49	8.00	1.42	090
29866		A	Autgrft implnt, knee w/scope	14.48	NA	NA	9.47	10.41	2.40	090
29867		A	Allgrft implnt, knee w/scope	18.18	NA	NA	11.04	12.13	2.79	090
29868		A	Meniscal trnspl, knee w/scpe	24.89	NA	NA	13.80	15.30	4.36	090
29870		A	Knee arthroscopy, dx	5.11	NA	NA	4.18	4.53	0.85	090
29871		A	Knee arthroscopy/drainage	6.60	NA	NA	5.06	5.47	1.14	090
29873		A	Knee arthroscopy/surgery	6.09	NA	NA	5.60	6.09	1.04	090
29874		A	Knee arthroscopy/surgery	7.10	NA	NA	5.09	5.58	1.11	090
29875		A	Knee arthroscopy/surgery	6.36	NA	NA	4.89	5.37	1.09	090
29876		A	Knee arthroscopy/surgery	8.72	NA	NA	6.19	6.61	1.37	090
29877		A	Knee arthroscopy/surgery	8.15	NA	NA	5.98	6.36	1.28	090
29879		A	Knee arthroscopy/surgery	8.84	NA	NA	6.23	6.68	1.39	090
29880		A	Knee arthroscopy/surgery	9.30	NA	NA	6.43	6.90	1.47	090
29881		A	Knee arthroscopy/surgery	8.56	NA	NA	6.14	6.55	1.34	090
29882		A	Knee arthroscopy/surgery	9.45	NA	NA	6.46	6.85	1.50	090
29883		A	Knee arthroscopy/surgery	11.61	NA	NA	7.59	8.33	1.93	090
29884		A	Knee arthroscopy/surgery	8.13	NA	NA	5.96	6.33	1.27	090
29885		A	Knee arthroscopy/surgery	10.03	NA	NA	7.03	7.50	1.58	090
29886		A	Knee arthroscopy/surgery	8.34	NA	NA	6.04	6.45	1.30	090
29887		A	Knee arthroscopy/surgery	9.98	NA	NA	6.97	7.45	1.57	090
29888		A	Knee arthroscopy/surgery	14.14	NA	NA	8.27	9.24	2.42	090
29889		A	Knee arthroscopy/surgery	17.15	NA	NA	10.62	11.53	2.79	090
29891		A	Ankle arthroscopy/surgery	9.47	NA	NA	6.65	7.08	1.39	090
29892		A	Ankle arthroscopy/surgery	10.07	NA	NA	6.39	7.07	1.41	090
29893		A	Scope, plantar fasciotomy	6.08	8.84	7.56	4.67	4.33	0.63	090
29894		A	Ankle arthroscopy/surgery	7.26	NA	NA	4.72	5.10	1.15	090
29895		A	Ankle arthroscopy/surgery	7.04	NA	NA	4.52	5.00	1.11	090
29897		A	Ankle arthroscopy/surgery	7.23	NA	NA	4.82	5.35	1.17	090
29898		A	Ankle arthroscopy/surgery	8.38	NA	NA	5.24	5.72	1.28	090
29899		A	Ankle arthroscopy/surgery	15.21	NA	NA	9.21	9.88	2.41	090
29900		A	Mcp joint arthroscopy, dx	5.74	NA	NA	4.67	5.27	0.94	090
29901		A	Mcp joint arthroscopy, surg	6.45	NA	NA	5.10	5.68	1.06	090
29902		A	Mcp joint arthroscopy, surg	7.02	NA	NA	4.71	5.63	1.12	090
29904		A	Subtalar arthro w/fb rmvl	8.50	NA	NA	5.89	5.89	1.25	090
29905		A	Subtalar arthro w/exc	9.00	NA	NA	6.52	6.52	1.32	090
29906		A	Subtalar arthro w/deb	9.47	NA	NA	6.88	6.88	1.39	090
29907		A	Subtalar arthro w/fusion	12.00	NA	NA	7.87	7.87	1.90	090
29999		C	Arthroscopy of joint	0.00	0.00	0.00	0.00	0.00	0.00	YYY
30000		A	Drainage of nose lesion	1.45	4.02	4.04	1.34	1.37	0.12	010
30020		A	Drainage of nose lesion	1.45	4.17	3.72	1.39	1.43	0.12	010
30100		A	Intranasal biopsy	0.94	2.58	2.28	0.75	0.78	0.07	000
30110		A	Removal of nose polyp(s)	1.65	3.90	3.57	1.45	1.51	0.14	010
30115		A	Removal of nose polyp(s)	4.38	NA	NA	5.99	5.88	0.41	090
30117		A	Removal of intranasal lesion	3.20	18.17	15.66	4.92	4.77	0.26	090
30118		A	Removal of intranasal lesion	9.81	NA	NA	8.56	8.88	0.78	090
30120		A	Revision of nose	5.31	7.08	6.79	5.09	5.55	0.52	090
30124		A	Removal of nose lesion	3.14	NA	NA	3.68	3.65	0.25	090
30125		A	Removal of nose lesion	7.21	NA	NA	7.41	7.87	0.63	090
30130		A	Excise inferior turbinate	3.41	NA	NA	5.64	5.62	0.31	090
30140		A	Resect inferior turbinate	3.48	NA	NA	7.11	6.65	0.35	090
30150		A	Partial removal of nose	9.44	NA	NA	9.04	10.03	0.93	090
30160		A	Removal of nose	9.88	NA	NA	8.88	9.55	0.88	090
30200		A	Injection treatment of nose	0.78	2.02	1.82	0.67	0.71	0.06	000
30210		A	Nasal sinus therapy	1.10	2.51	2.31	1.27	1.29	0.09	010
30220		A	Insert nasal septal button	1.56	5.82	5.03	1.43	1.48	0.12	010
30300		A	Remove nasal foreign body	1.06	4.30	4.46	1.87	1.89	0.08	010
30310		A	Remove nasal foreign body	1.98	NA	NA	2.91	3.01	0.16	010
30320		A	Remove nasal foreign body	4.56	NA	NA	6.36	6.70	0.39	090
30400		R	Reconstruction of nose	10.58	NA	NA	13.92	14.71	1.04	090
30410		R	Reconstruction of nose	13.72	NA	NA	15.34	16.86	1.42	090
30420		R	Reconstruction of nose	16.62	NA	NA	15.84	16.88	1.46	090
30430		R	Revision of nose	7.96	NA	NA	13.25	14.64	0.77	090
30435		R	Revision of nose	12.45	NA	NA	15.43	17.40	1.22	090
30450		R	Revision of nose	19.38	NA	NA	16.90	19.40	1.97	090
30460		A	Revision of nose	10.24	NA	NA	7.49	8.72	1.03	090
30462		A	Revision of nose	20.12	NA	NA	14.66	17.46	2.54	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
30465		A	Repair nasal stenosis	12.20	NA	NA	11.08	11.53	1.06	090
30520		A	Repair of nasal septum	6.85	NA	NA	8.05	7.36	0.46	090
30540		A	Repair nasal defect	7.81	NA	NA	8.55	8.92	0.67	090
30545		A	Repair nasal defect	11.50	NA	NA	11.09	11.50	1.71	090
30560		A	Release of nasal adhesions	1.28	5.28	5.03	2.03	2.08	0.10	010
30580		A	Repair upper jaw fistula	6.76	8.14	7.96	4.69	5.24	0.89	090
30600		A	Repair mouth/nose fistula	6.07	7.68	7.60	4.18	4.60	0.70	090
30620		A	Intranasal reconstruction	6.04	NA	NA	8.67	8.76	0.57	090
30630		A	Repair nasal septum defect	7.18	NA	NA	7.73	7.84	0.61	090
30801		A	Ablate inf turbinate, superf	1.11	4.30	4.22	2.12	2.02	0.09	010
30802		A	Cauterization, inner nose	2.05	4.98	4.79	2.51	2.44	0.16	010
30901		A	Control of nosebleed	1.21	1.27	1.32	0.31	0.31	0.11	000
30903		A	Control of nosebleed	1.54	3.28	3.00	0.43	0.46	0.13	000
30905		A	Control of nosebleed	1.97	3.94	3.73	0.51	0.63	0.17	000
30906		A	Repeat control of nosebleed	2.45	4.29	4.09	0.76	0.98	0.20	000
30915		A	Ligation, nasal sinus artery	7.36	NA	NA	6.46	6.58	0.58	090
30920		A	Ligation, upper jaw artery	11.03	NA	NA	8.97	8.97	0.80	090
30930		A	Ther fx, nasal inf turbinate	1.28	NA	NA	1.64	1.63	0.12	010
30999		C	Nasal surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
31000		A	Irrigation, maxillary sinus	1.17	3.22	3.03	1.34	1.37	0.09	010
31002		A	Irrigation, sphenoid sinus	1.93	NA	NA	2.69	2.97	0.15	010
31020		A	Exploration, maxillary sinus	2.99	8.61	8.57	5.55	5.37	0.29	090
31030		A	Exploration, maxillary sinus	5.95	10.41	10.96	6.45	6.56	0.60	090
31032		A	Explore sinus, remove polyps	6.61	NA	NA	7.00	7.12	0.59	090
31040		A	Exploration behind upper jaw	9.66	NA	NA	7.38	8.60	0.87	090
31050		A	Exploration, sphenoid sinus	5.31	NA	NA	6.51	6.43	0.49	090
31051		A	Sphenoid sinus surgery	7.16	NA	NA	8.37	8.31	0.62	090
31070		A	Exploration of frontal sinus	4.32	NA	NA	6.19	6.06	0.38	090
31075		A	Exploration of frontal sinus	9.40	NA	NA	9.33	9.53	0.75	090
31080		A	Removal of frontal sinus	12.54	NA	NA	10.63	12.08	1.23	090
31081		A	Removal of frontal sinus	13.99	NA	NA	15.38	14.69	2.47	090
31084		A	Removal of frontal sinus	14.75	NA	NA	12.88	13.20	1.19	090
31085		A	Removal of frontal sinus	15.44	NA	NA	14.44	14.20	1.73	090
31086		A	Removal of frontal sinus	14.16	NA	NA	12.79	13.04	1.07	090
31087		A	Removal of frontal sinus	14.39	NA	NA	11.65	12.10	1.44	090
31090		A	Exploration of sinuses	10.88	NA	NA	13.41	12.99	0.94	090
31200		A	Removal of ethmoid sinus	5.03	NA	NA	7.44	8.33	0.29	090
31201		A	Removal of ethmoid sinus	8.49	NA	NA	9.00	9.09	0.82	090
31205		A	Removal of ethmoid sinus	10.47	NA	NA	9.52	10.70	0.67	090
31225		A	Removal of upper jaw	26.44	NA	NA	17.90	17.87	1.59	090
31230		A	Removal of upper jaw	30.56	NA	NA	19.50	19.44	1.78	090
31231		A	Nasal endoscopy, dx	1.10	3.60	3.49	0.77	0.82	0.09	000
31233		A	Nasal/sinus endoscopy, dx	2.18	4.27	4.28	1.12	1.30	0.20	000
31235		A	Nasal/sinus endoscopy, dx	2.64	4.65	4.78	1.26	1.49	0.26	000
31237		A	Nasal/sinus endoscopy, surg	2.98	4.90	5.05	1.39	1.64	0.28	000
31238		A	Nasal/sinus endoscopy, surg	3.26	4.83	5.03	1.48	1.79	0.27	000
31239		A	Nasal/sinus endoscopy, surg	9.23	NA	NA	6.43	7.21	0.62	010
31240		A	Nasal/sinus endoscopy, surg	2.61	NA	NA	1.27	1.50	0.24	000
31254		A	Revision of ethmoid sinus	4.64	NA	NA	1.94	2.39	0.45	000
31255		A	Removal of ethmoid sinus	6.95	NA	NA	2.69	3.40	0.73	000
31256		A	Exploration maxillary sinus	3.29	NA	NA	1.49	1.80	0.33	000
31267		A	Endoscopy, maxillary sinus	5.45	NA	NA	2.20	2.75	0.55	000
31276		A	Sinus endoscopy, surgical	8.84	NA	NA	3.31	4.21	0.92	000
31287		A	Nasal/sinus endoscopy, surg	3.91	NA	NA	1.69	2.07	0.39	000
31288		A	Nasal/sinus endoscopy, surg	4.57	NA	NA	1.91	2.36	0.46	000
31290		A	Nasal/sinus endoscopy, surg	18.50	NA	NA	9.05	10.55	1.40	010
31291		A	Nasal/sinus endoscopy, surg	19.45	NA	NA	9.54	11.01	1.69	010
31292		A	Nasal/sinus endoscopy, surg	15.79	NA	NA	8.06	9.34	1.21	010
31293		A	Nasal/sinus endoscopy, surg	17.36	NA	NA	8.69	10.04	1.28	010
31294		A	Nasal/sinus endoscopy, surg	20.20	NA	NA	9.67	11.28	1.53	010
31299		C	Sinus surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
31300		A	Removal of larynx lesion	15.71	NA	NA	14.59	14.79	1.17	090
31320		A	Diagnostic incision, larynx	5.62	NA	NA	10.15	10.23	0.46	090
31360		A	Removal of larynx	29.57	NA	NA	20.08	18.41	1.38	090
31365		A	Removal of larynx	38.47	NA	NA	23.00	21.69	1.98	090
31367		A	Partial removal of larynx	30.23	NA	NA	22.52	22.21	1.79	090
31368		A	Partial removal of larynx	33.85	NA	NA	24.61	25.06	2.21	090
31370		A	Partial removal of larynx	27.23	NA	NA	22.16	22.22	1.75	090
31375		A	Partial removal of larynx	25.73	NA	NA	21.16	20.78	1.63	090
31380		A	Partial removal of larynx	25.23	NA	NA	20.81	20.71	1.71	090
31382		A	Partial removal of larynx	28.23	NA	NA	22.71	22.17	1.68	090
31390		A	Removal of larynx & pharynx	42.17	NA	NA	25.99	25.19	2.24	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
31395		A	Reconstruct larynx & pharynx	43.46	NA	NA	28.53	28.42	2.49	090
31400		A	Revision of larynx	11.48	NA	NA	12.50	13.14	0.83	090
31420		A	Removal of epiglottis	11.32	NA	NA	8.59	9.07	0.83	090
31500		A	Insert emergency airway	2.33	NA	NA	0.42	0.48	0.17	000
31502		A	Change of windpipe airway	0.65	NA	NA	0.21	0.25	0.05	000
31505		A	Diagnostic laryngoscopy	0.61	1.43	1.44	0.59	0.60	0.05	000
31510		A	Laryngoscopy with biopsy	1.92	3.23	3.26	1.00	1.13	0.16	000
31511		A	Remove foreign body, larynx	2.16	2.94	3.03	1.03	1.04	0.19	000
31512		A	Removal of larynx lesion	2.07	2.97	3.09	1.06	1.21	0.18	000
31513		A	Injection into vocal cord	2.10	NA	NA	1.09	1.27	0.17	000
31515		A	Laryngoscopy for aspiration	1.80	3.20	3.37	0.88	0.97	0.14	000
31520		A	Dx laryngoscopy, newborn	2.56	NA	NA	1.21	1.38	0.20	000
31525		A	Dx laryngoscopy excl nb	2.63	3.45	3.55	1.23	1.44	0.21	000
31526		A	Dx laryngoscopy w/oper scope	2.57	NA	NA	1.25	1.48	0.21	000
31527		A	Laryngoscopy for treatment	3.27	NA	NA	1.40	1.64	0.26	000
31528		A	Laryngoscopy and dilation	2.37	NA	NA	1.09	1.27	0.19	000
31529		A	Laryngoscopy and dilation	2.68	NA	NA	1.25	1.48	0.22	000
31530		A	Laryngoscopy w/fb removal	3.38	NA	NA	1.45	1.70	0.29	000
31531		A	Laryngoscopy w/fb & op scope	3.58	NA	NA	1.59	1.93	0.29	000
31535		A	Laryngoscopy w/biopsy	3.16	NA	NA	1.44	1.72	0.26	000
31536		A	Laryngoscopy w/bx & op scope	3.55	NA	NA	1.57	1.91	0.29	000
31540		A	Laryngoscopy w/exc of tumor	4.12	NA	NA	1.76	2.15	0.33	000
31541		A	Larynscop w/tumr exc + scope	4.52	NA	NA	1.89	2.34	0.37	000
31545		A	Remove vc lesion w/scope	6.30	NA	NA	2.52	2.99	0.37	000
31546		A	Remove vc lesion scope/graft	9.73	NA	NA	3.43	4.20	0.78	000
31560		A	Laryngoscop w/arytenoidectom	5.45	NA	NA	2.16	2.65	0.43	000
31561		A	Larynscop, remve cart + scop	5.99	NA	NA	2.32	2.85	0.49	000
31570		A	Laryngoscope w/vc inj	3.86	4.26	4.97	1.65	2.02	0.31	000
31571		A	Laryngoscop w/vc inj + scope	4.26	NA	NA	1.81	2.21	0.35	000
31575		A	Diagnostic laryngoscopy	1.10	1.70	1.80	0.76	0.83	0.09	000
31576		A	Laryngoscopy with biopsy	1.97	3.52	3.59	1.04	1.17	0.14	000
31577		A	Remove foreign body, larynx	2.47	3.38	3.57	1.17	1.35	0.21	000
31578		A	Removal of larynx lesion	2.84	4.00	4.14	1.34	1.43	0.23	000
31579		A	Diagnostic laryngoscopy	2.26	2.87	3.32	1.15	1.31	0.18	000
31580		A	Revision of larynx	14.46	NA	NA	13.83	14.88	1.00	090
31582		A	Revision of larynx	22.87	NA	NA	22.57	24.19	1.76	090
31584		A	Treat larynx fracture	20.35	NA	NA	15.28	16.72	1.72	090
31587		A	Revision of larynx	15.12	NA	NA	8.64	8.96	0.97	090
31588		A	Revision of larynx	14.62	NA	NA	12.52	13.07	1.06	090
31590		A	Reinnervate larynx	7.63	NA	NA	12.80	14.17	0.84	090
31595		A	Larynx nerve surgery	8.75	NA	NA	9.65	10.10	0.68	090
31599		C	Larynx surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
31600		A	Incision of windpipe	7.17	NA	NA	2.28	2.74	0.80	000
31601		A	Incision of windpipe	4.44	NA	NA	1.74	2.07	0.40	000
31603		A	Incision of windpipe	4.14	NA	NA	1.19	1.45	0.44	000
31605		A	Incision of windpipe	3.57	NA	NA	0.82	1.00	0.40	000
31610		A	Incision of windpipe	9.29	NA	NA	7.73	8.00	0.79	090
31611		A	Surgery/speech prosthesis	5.92	NA	NA	7.08	7.07	0.46	090
31612		A	Puncture/clear windpipe	0.91	1.09	1.09	0.26	0.30	0.08	000
31613		A	Repair windpipe opening	4.63	NA	NA	6.14	6.07	0.42	090
31614		A	Repair windpipe opening	8.47	NA	NA	9.59	9.15	0.58	090
31615		A	Visualization of windpipe	2.09	2.38	2.49	1.05	1.12	0.16	000
31620		A	Endobronchial us add-on	1.40	6.02	5.83	0.33	0.44	0.11	ZZZ
31622		A	Dx bronchoscope/wash	2.78	5.24	5.45	0.90	0.98	0.18	000
31623		A	Dx bronchoscope/brush	2.88	5.98	6.20	0.89	0.97	0.13	000
31624		A	Dx bronchoscope/lavage	2.88	5.34	5.56	0.89	0.97	0.13	000
31625		A	Bronchoscopy w/biopsy(s)	3.36	5.48	5.65	1.01	1.11	0.18	000
31628		A	Bronchoscopy/lung bx, each	3.80	6.96	6.99	1.10	1.20	0.18	000
31629		A	Bronchoscopy/needle bx, each	4.09	12.01	13.14	1.17	1.28	0.16	000
31630		A	Bronchoscopy dilate/fx repr	3.81	NA	NA	1.27	1.49	0.32	000
31631		A	Bronchoscopy, dilate w/stent	4.36	NA	NA	1.42	1.59	0.34	000
31632		A	Bronchoscopy/lung bx, addÆl	1.03	0.86	0.83	0.24	0.27	0.18	ZZZ
31633		A	Bronchoscopy/needle bx addÆl	1.32	0.99	0.95	0.31	0.35	0.16	ZZZ
31635		A	Bronchoscopy w/fb removal	3.67	5.20	5.66	1.13	1.28	0.24	000
31636		A	Bronchoscopy, bronch stents	4.30	NA	NA	1.34	1.55	0.31	000
31637		A	Bronchoscopy, stent add-on	1.58	NA	NA	0.41	0.48	0.13	ZZZ
31638		A	Bronchoscopy, revise stent	4.88	NA	NA	1.54	1.76	0.22	000
31640		A	Bronchoscopy w/tumor excise	4.93	NA	NA	1.53	1.80	0.46	000
31641		A	Bronchoscopy, treat blockage	5.02	NA	NA	1.49	1.69	0.35	000
31643		A	Diag bronchoscope/catheter	3.49	NA	NA	1.04	1.13	0.20	000
31645		A	Bronchoscopy, clear airways	3.16	4.72	4.93	0.96	1.04	0.16	000
31646		A	Bronchoscopy, reclear airway	2.72	4.42	4.64	0.85	0.92	0.14	000

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
31656		A	Bronchoscopy, inj for x-ray	2.17	5.69	6.49	0.68	0.76	0.15	000
31715		A	Injection for bronchus x-ray	1.11	NA	NA	0.25	0.30	0.07	000
31717		A	Bronchial brush biopsy	2.12	5.84	7.05	0.72	0.75	0.14	000
31720		A	Clearance of airways	1.06	NA	NA	0.27	0.30	0.07	000
31725		A	Clearance of airways	1.96	NA	NA	0.41	0.49	0.14	000
31730		A	Intro, windpipe wire/tube	2.85	25.74	13.97	0.74	0.87	0.21	000
31750		A	Repair of windpipe	15.19	NA	NA	17.46	17.51	1.05	090
31755		A	Repair of windpipe	17.19	NA	NA	24.00	24.27	1.29	090
31760		A	Repair of windpipe	23.36	NA	NA	9.78	10.25	2.95	090
31766		A	Reconstruction of windpipe	31.58	NA	NA	11.70	12.68	4.53	090
31770		A	Repair/graft of bronchus	23.48	NA	NA	8.54	9.39	2.84	090
31775		A	Reconstruct bronchus	24.51	NA	NA	9.52	10.66	3.02	090
31780		A	Reconstruct windpipe	19.70	NA	NA	8.80	9.93	1.65	090
31781		A	Reconstruct windpipe	24.77	NA	NA	9.67	10.90	2.25	090
31785		A	Remove windpipe lesion	18.29	NA	NA	7.68	8.93	1.59	090
31786		A	Remove windpipe lesion	25.34	NA	NA	9.62	11.36	3.30	090
31800		A	Repair of windpipe injury	8.10	NA	NA	8.68	8.97	0.79	090
31805		A	Repair of windpipe injury	13.34	NA	NA	6.22	6.72	1.83	090
31820		A	Closure of windpipe lesion	4.58	5.86	5.76	3.26	3.46	0.38	090
31825		A	Repair of windpipe defect	6.98	7.45	7.56	4.48	4.93	0.53	090
31830		A	Revise windpipe scar	4.54	5.93	5.85	3.56	3.77	0.44	090
31899		C	Airways surgical procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
32035		A	Exploration of chest	11.20	NA	NA	6.09	5.97	1.26	090
32036		A	Exploration of chest	12.21	NA	NA	6.30	6.37	1.43	090
32095		A	Biopsy through chest wall	10.06	NA	NA	5.10	5.24	1.22	090
32100		A	Exploration/biopsy of chest	16.08	NA	NA	7.01	7.42	2.24	090
32110		A	Explore/repair chest	25.15	NA	NA	9.88	10.31	3.22	090
32120		A	Re-exploration of chest	14.27	NA	NA	6.78	6.93	1.63	090
32124		A	Explore chest free adhesions	15.33	NA	NA	6.96	7.09	1.90	090
32140		A	Removal of lung lesion(s)	16.54	NA	NA	7.40	7.54	1.97	090
32141		A	Remove/treat lung lesions	27.10	NA	NA	10.19	8.87	2.01	090
32150		A	Removal of lung lesion(s)	16.70	NA	NA	7.51	7.56	2.01	090
32151		A	Remove lung foreign body	16.82	NA	NA	7.92	7.96	2.04	090
32160		A	Open chest heart massage	13.02	NA	NA	5.84	5.56	1.31	090
32200		A	Drain, open, lung lesion	18.48	NA	NA	8.77	8.69	2.14	090
32201		A	Drain, percut, lung lesion	3.99	19.87	20.29	1.43	1.36	0.24	000
32215		A	Treat chest lining	12.93	NA	NA	6.24	6.57	1.69	090
32220		A	Release of lung	26.41	NA	NA	11.91	12.44	3.57	090
32225		A	Partial release of lung	16.63	NA	NA	7.46	7.56	2.07	090
32310		A	Removal of chest lining	15.16	NA	NA	6.93	7.16	2.00	090
32320		A	Free/remove chest lining	27.04	NA	NA	11.46	11.81	3.52	090
32400		A	Needle biopsy chest lining	1.76	2.15	2.14	0.57	0.56	0.10	000
32402		A	Open biopsy chest lining	8.89	NA	NA	4.69	4.90	1.07	090
32405		A	Biopsy, lung or mediastinum	1.93	0.69	0.68	0.69	0.66	0.11	000
32420		A	Puncture/clear lung	2.18	NA	NA	0.71	0.70	0.12	000
32421		A	Thoracentesis for aspiration	1.54	2.41	2.73	0.47	0.47	0.08	000
32422		A	Thoracentesis w/tube insert	2.19	2.88	3.05	1.03	1.05	0.12	000
32440		A	Removal of lung	27.17	NA	NA	10.92	11.91	3.69	090
32442		A	Sleeve pneumonectomy	56.37	NA	NA	18.74	16.75	3.85	090
32445		A	Removal of lung	63.60	NA	NA	22.80	18.43	3.72	090
32480		A	Partial removal of lung	25.71	NA	NA	10.19	11.13	3.50	090
32482		A	Bilobectomy	27.28	NA	NA	11.10	12.01	3.67	090
32484		A	Segmentectomy	25.30	NA	NA	9.57	10.48	3.04	090
32486		A	Sleeve lobectomy	42.80	NA	NA	14.62	13.94	3.52	090
32488		A	Completion pneumonectomy	42.83	NA	NA	15.58	14.68	3.81	090
32491		R	Lung volume reduction	25.09	NA	NA	10.43	11.53	2.99	090
32500		A	Partial removal of lung	24.48	NA	NA	10.27	11.32	3.26	090
32501		A	Repair bronchus add-on	4.68	NA	NA	1.34	1.44	0.65	ZZZ
32503		A	Resect apical lung tumor	31.61	NA	NA	12.09	13.58	4.38	090
32504		A	Resect apical lung tum/chest	36.41	NA	NA	13.48	15.08	5.09	090
32540		A	Removal of lung lesion	30.22	NA	NA	11.49	10.56	2.08	090
32550		A	Insert pleural cath	4.17	14.97	17.47	1.51	1.58	0.42	000
32551		A	Insertion of chest tube	3.29	NA	NA	0.97	1.16	0.43	000
32560		A	Treat lung lining chemically	2.19	5.06	5.76	0.58	0.64	0.23	000
32601		A	Thoracoscopy, diagnostic	5.45	NA	NA	2.07	2.21	0.80	000
32602		A	Thoracoscopy, diagnostic	5.95	NA	NA	2.22	2.37	0.87	000
32603		A	Thoracoscopy, diagnostic	7.80	NA	NA	2.74	2.89	1.14	000
32604		A	Thoracoscopy, diagnostic	8.77	NA	NA	3.05	3.25	1.25	000
32605		A	Thoracoscopy, diagnostic	6.92	NA	NA	2.58	2.74	1.00	000
32606		A	Thoracoscopy, diagnostic	8.39	NA	NA	2.97	3.15	1.22	000
32650		A	Thoracoscopy, surgical	10.77	NA	NA	5.24	6.00	1.58	090
32651		A	Thoracoscopy, surgical	18.70	NA	NA	7.70	7.47	1.87	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
32652		A	Thoracoscopy, surgical	29.00	NA	NA	11.14	10.64	2.73	090
32653		A	Thoracoscopy, surgical	18.09	NA	NA	7.46	7.22	1.89	090
32654		A	Thoracoscopy, surgical	20.44	NA	NA	7.96	7.75	1.63	090
32655		A	Thoracoscopy, surgical	16.09	NA	NA	6.88	7.06	1.90	090
32656		A	Thoracoscopy, surgical	13.18	NA	NA	5.96	6.95	1.90	090
32657		A	Thoracoscopy, surgical	12.85	NA	NA	5.97	6.83	2.00	090
32658		A	Thoracoscopy, surgical	11.65	NA	NA	5.50	6.43	1.70	090
32659		A	Thoracoscopy, surgical	11.86	NA	NA	5.80	6.63	1.62	090
32660		A	Thoracoscopy, surgical	17.69	NA	NA	7.59	8.54	2.09	090
32661		A	Thoracoscopy, surgical	13.27	NA	NA	6.05	6.92	1.93	090
32662		A	Thoracoscopy, surgical	14.91	NA	NA	6.64	7.74	2.18	090
32663		A	Thoracoscopy, surgical	24.56	NA	NA	9.40	10.08	2.73	090
32664		A	Thoracoscopy, surgical	14.22	NA	NA	5.62	6.62	2.33	090
32665		A	Thoracoscopy, surgical	21.45	NA	NA	8.57	8.35	2.16	090
32800		A	Repair lung hernia	15.59	NA	NA	6.93	7.17	1.99	090
32810		A	Close chest after drainage	14.83	NA	NA	6.98	7.25	1.94	090
32815		A	Close bronchial fistula	49.79	NA	NA	18.60	14.79	3.28	090
32820		A	Reconstruct injured chest	22.33	NA	NA	10.57	11.37	2.53	090
32850		X	Donor pneumonectomy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
32851		A	Lung transplant, single	40.94	NA	NA	20.19	23.94	5.58	090
32852		A	Lung transplant with bypass	44.65	NA	NA	22.58	27.88	6.02	090
32853		A	Lung transplant, double	50.11	NA	NA	22.80	27.29	7.07	090
32854		A	Lung transplant with bypass	53.88	NA	NA	25.79	30.27	7.22	090
32855		C	Prepare donor lung, single	0.00	0.00	0.00	0.00	0.00	0.00	XXX
32856		C	Prepare donor lung, double	0.00	0.00	0.00	0.00	0.00	0.00	XXX
32900		A	Removal of rib(s)	23.69	NA	NA	9.57	9.73	2.94	090
32905		A	Revise & repair chest wall	23.17	NA	NA	9.53	9.84	3.16	090
32906		A	Revise & repair chest wall	29.18	NA	NA	11.04	11.55	3.98	090
32940		A	Revision of lung	21.22	NA	NA	8.49	8.99	2.89	090
32960		A	Therapeutic pneumothorax	1.84	1.61	1.68	0.68	0.62	0.16	000
32997		A	Total lung lavage	7.31	NA	NA	1.84	1.88	0.55	000
32998		A	Perq rf ablate tx, pul tumor	5.68	70.26	70.26	1.99	1.99	0.36	000
32999		C	Chest surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
33010		A	Drainage of heart sac	2.24	NA	NA	1.04	0.91	0.14	000
33011		A	Repeat drainage of heart sac	2.24	NA	NA	1.13	0.97	0.15	000
33015		A	Incision of heart sac	8.44	NA	NA	5.16	5.05	0.65	090
33020		A	Incision of heart sac	14.87	NA	NA	6.37	6.58	1.80	090
33025		A	Incision of heart sac	13.65	NA	NA	5.85	6.10	1.81	090
33030		A	Partial removal of heart sac	22.27	NA	NA	9.12	9.33	2.84	090
33031		A	Partial removal of heart sac	25.30	NA	NA	9.58	9.81	3.14	090
33050		A	Removal of heart sac lesion	16.85	NA	NA	7.37	7.61	2.15	090
33120		A	Removal of heart lesion	27.33	NA	NA	10.57	11.08	3.70	090
33130		A	Removal of heart lesion	24.05	NA	NA	9.37	9.75	3.01	090
33140		A	Heart revascularize (tmr)	28.26	NA	NA	10.31	10.60	2.86	090
33141		A	Heart tmr w/other procedure	2.54	NA	NA	0.78	1.18	0.69	ZZZ
33202		A	Insert epicard eltrd, open	13.15	NA	NA	6.08	6.08	1.71	090
33203		A	Insert epicard eltrd, endo	13.92	NA	NA	6.13	6.13	1.39	090
33206		A	Insertion of heart pacemaker	7.31	NA	NA	5.13	4.79	0.52	090
33207		A	Insertion of heart pacemaker	8.00	NA	NA	5.23	4.94	0.59	090
33208		A	Insertion of heart pacemaker	8.72	NA	NA	5.66	5.21	0.56	090
33210		A	Insertion of heart electrode	3.30	NA	NA	1.66	1.46	0.18	000
33211		A	Insertion of heart electrode	3.39	NA	NA	1.59	1.45	0.21	000
33212		A	Insertion of pulse generator	5.51	NA	NA	3.71	3.53	0.43	090
33213		A	Insertion of pulse generator	6.36	NA	NA	4.21	3.97	0.45	090
33214		A	Upgrade of pacemaker system	7.78	NA	NA	5.36	5.13	0.58	090
33215		A	Reposition pacing-defib lead	4.89	NA	NA	3.49	3.33	0.37	090
33216		A	Insert lead pace-defib, one	5.81	NA	NA	4.54	4.37	0.36	090
33217		A	Insert lead pace-defib, dual	5.78	NA	NA	4.43	4.33	0.39	090
33218		A	Repair lead pace-defib, one	5.97	NA	NA	4.82	4.56	0.37	090
33220		A	Repair lead pace-defib, dual	6.05	NA	NA	4.78	4.53	0.37	090
33222		A	Revise pocket, pacemaker	5.01	NA	NA	4.30	4.30	0.42	090
33223		A	Revise pocket, pacing-defib	6.49	NA	NA	4.88	4.74	0.45	090
33224		A	Insert pacing lead & connect	9.04	NA	NA	4.91	4.45	0.54	000
33225		A	L ventric pacing lead add-on	8.33	NA	NA	4.35	3.80	0.45	ZZZ
33226		A	Reposition l ventric lead	8.68	NA	NA	4.74	4.28	0.59	000
33233		A	Removal of pacemaker system	3.33	NA	NA	3.27	3.27	0.22	090
33234		A	Removal of pacemaker system	7.85	NA	NA	5.49	5.20	0.56	090
33235		A	Removal pacemaker electrode	9.93	NA	NA	7.24	7.03	0.73	090
33236		A	Remove electrode/thoracotomy	12.64	NA	NA	6.38	6.91	1.69	090
33237		A	Remove electrode/thoracotomy	13.75	NA	NA	8.02	7.90	1.59	090
33238		A	Remove electrode/thoracotomy	15.28	NA	NA	8.05	8.13	2.03	090
33240		A	Insert pulse generator	7.61	NA	NA	5.25	4.92	0.41	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
33241		A	Remove pulse generator	3.26	NA	NA	3.00	2.98	0.18	090
33243		A	Remove eltrd/thoracotomy	23.42	NA	NA	10.94	11.20	2.10	090
33244		A	Remove eltrd, transven	13.84	NA	NA	9.44	9.17	0.99	090
33249		A	Eltrd/insert pace-defib	15.02	NA	NA	10.16	9.26	0.77	090
33250		A	Ablate heart dysrhythm focus	25.78	NA	NA	10.89	10.96	3.19	090
33251		A	Ablate heart dysrhythm focus	28.80	NA	NA	10.97	11.32	3.60	090
33254		A	Ablate atria, lmtd	23.58	NA	NA	9.77	9.77	3.35	090
33255		A	Ablate atria w/o bypass, ext	28.91	NA	NA	11.37	11.37	3.94	090
33256		A	Ablate atria w/bypass, exten	34.77	NA	NA	13.12	13.12	4.95	090
33257		A	Ablate atria, lmtd, add-on	9.63	NA	NA	5.47	5.47	0.89	ZZZ
33258		A	Ablate atria, x10sv, add-on	11.00	NA	NA	5.99	5.99	1.09	ZZZ
33259		A	Ablate atria w/bypass add-on	14.14	NA	NA	7.80	7.80	1.78	ZZZ
33261		A	Ablate heart dysrhythm focus	28.80	NA	NA	11.69	11.73	3.46	090
33265		A	Ablate atria, lmtd, endo	23.58	NA	NA	9.77	9.77	3.35	090
33266		A	Ablate atria, x10sv, endo	32.91	NA	NA	12.57	12.57	4.80	090
33282		A	Implant pat-active ht record	4.70	NA	NA	4.24	4.13	0.23	090
33284		A	Remove pat-active ht record	3.04	NA	NA	3.38	3.45	0.14	090
33300		A	Repair of heart wound	44.89	NA	NA	15.06	12.15	2.66	090
33305		A	Repair of heart wound	76.85	NA	NA	25.14	17.88	3.13	090
33310		A	Exploratory heart surgery	20.22	NA	NA	8.36	8.97	2.59	090
33315		A	Exploratory heart surgery	26.05	NA	NA	10.36	10.62	3.28	090
33320		A	Repair major blood vessel(s)	18.46	NA	NA	8.01	8.11	2.08	090
33321		A	Repair major vessel	20.71	NA	NA	8.38	9.08	2.91	090
33322		A	Repair major blood vessel(s)	24.30	NA	NA	9.55	9.96	2.86	090
33330		A	Insert major vessel graft	25.17	NA	NA	9.50	9.89	2.82	090
33332		A	Insert major vessel graft	24.46	NA	NA	9.46	9.99	3.03	090
33335		A	Insert major vessel graft	33.79	NA	NA	12.49	12.92	4.28	090
33400		A	Repair of aortic valve	41.37	NA	NA	14.58	15.13	4.11	090
33401		A	Valvuloplasty, open	24.41	NA	NA	10.28	11.89	3.57	090
33403		A	Valvuloplasty, w/cp bypass	25.39	NA	NA	12.53	13.42	3.55	090
33404		A	Prepare heart-aorta conduit	31.25	NA	NA	12.02	13.28	4.33	090
33405		A	Replacement of aortic valve	41.19	NA	NA	15.12	16.71	5.33	090
33406		A	Replacement of aortic valve	52.55	NA	NA	18.39	18.76	5.45	090
33410		A	Replacement of aortic valve	46.28	NA	NA	16.53	16.56	4.69	090
33411		A	Replacement of aortic valve	61.94	NA	NA	21.11	19.93	5.48	090
33412		A	Replacement of aortic valve	43.77	NA	NA	16.22	18.32	6.39	090
33413		A	Replacement of aortic valve	59.74	NA	NA	23.55	22.19	6.53	090
33414		A	Repair of aortic valve	39.29	NA	NA	14.29	14.21	4.57	090
33415		A	Revision, subvalvular tissue	37.19	NA	NA	13.15	12.59	4.14	090
33416		A	Revise ventricle muscle	36.43	NA	NA	13.24	13.38	4.57	090
33417		A	Repair of aortic valve	29.17	NA	NA	11.71	12.66	4.10	090
33420		A	Revision of mitral valve	25.67	NA	NA	9.50	9.53	1.82	090
33422		A	Revision of mitral valve	29.61	NA	NA	11.36	12.51	3.94	090
33425		A	Repair of mitral valve	49.83	NA	NA	17.61	15.34	4.07	090
33426		A	Repair of mitral valve	43.15	NA	NA	15.76	16.45	5.03	090
33427		A	Repair of mitral valve	44.70	NA	NA	15.70	17.54	6.09	090
33430		A	Replacement of mitral valve	50.75	NA	NA	18.57	17.93	5.10	090
33460		A	Revision of tricuspid valve	44.62	NA	NA	14.72	13.01	3.45	090
33463		A	Valvuloplasty, tricuspid	56.95	NA	NA	19.73	16.33	3.87	090
33464		A	Valvuloplasty, tricuspid	44.49	NA	NA	15.85	14.69	4.15	090
33465		A	Replace tricuspid valve	50.59	NA	NA	17.65	15.31	4.39	090
33468		A	Revision of tricuspid valve	32.82	NA	NA	15.25	14.45	4.07	090
33470		A	Revision of pulmonary valve	21.32	NA	NA	7.93	9.31	1.03	090
33471		A	Valvotomy, pulmonary valve	22.83	NA	NA	11.60	10.68	3.39	090
33472		A	Revision of pulmonary valve	22.90	NA	NA	8.79	10.33	3.55	090
33474		A	Revision of pulmonary valve	39.27	NA	NA	12.95	11.92	3.22	090
33475		A	Replacement, pulmonary valve	42.27	NA	NA	15.07	15.22	4.93	090
33476		A	Revision of heart chamber	26.41	NA	NA	10.37	11.17	2.42	090
33478		A	Revision of heart chamber	27.38	NA	NA	11.02	12.04	3.89	090
33496		A	Repair, prosth valve clot	29.71	NA	NA	11.10	11.93	4.13	090
33500		A	Repair heart vessel fistula	27.82	NA	NA	11.04	11.25	3.87	090
33501		A	Repair heart vessel fistula	19.43	NA	NA	8.00	8.14	1.91	090
33502		A	Coronary artery correction	21.69	NA	NA	9.34	10.21	3.00	090
33503		A	Coronary artery graft	22.29	NA	NA	12.33	11.03	1.78	090
33504		A	Coronary artery graft	25.30	NA	NA	10.59	11.20	3.36	090
33505		A	Repair artery w/tunnel	38.35	NA	NA	15.14	14.03	2.19	090
33506		A	Repair artery, translocation	37.80	NA	NA	12.71	13.64	4.66	090
33507		A	Repair art, intramural	31.35	NA	NA	11.10	12.37	4.06	090
33508		A	Endoscopic vein harvest	0.31	NA	NA	0.09	0.10	0.04	ZZZ
33510		A	CABG, vein, single	34.87	NA	NA	12.92	14.63	4.41	090
33511		A	CABG, vein, two	38.34	NA	NA	14.16	15.62	4.56	090
33512		A	CABG, vein, three	43.87	NA	NA	15.95	16.78	4.67	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
33513		A	CABG, vein, four	45.26	NA	NA	16.38	17.09	4.88	090
33514		A	CABG, vein, five	47.97	NA	NA	17.36	17.71	4.77	090
33516		A	Cabg, vein, six or more	49.65	NA	NA	17.97	18.39	5.13	090
33517		A	CABG, artery-vein, single	3.61	NA	NA	1.08	0.96	0.39	ZZZ
33518		A	CABG, artery-vein, two	7.93	NA	NA	2.37	1.97	0.73	ZZZ
33519		A	CABG, artery-vein, three	10.49	NA	NA	3.14	2.73	1.04	ZZZ
33521		A	CABG, artery-vein, four	12.59	NA	NA	3.78	3.42	1.37	ZZZ
33522		A	CABG, artery-vein, five	14.14	NA	NA	4.24	4.02	1.78	ZZZ
33523		A	Cabg, art-vein, six or more	16.08	NA	NA	4.78	4.66	2.13	ZZZ
33530		A	Coronary artery, bypass/reop	10.13	NA	NA	2.95	2.43	0.88	ZZZ
33533		A	CABG, arterial, single	33.64	NA	NA	12.57	14.52	4.56	090
33534		A	CABG, arterial, two	39.77	NA	NA	14.75	16.24	4.70	090
33535		A	CABG, arterial, three	44.64	NA	NA	16.31	17.22	5.03	090
33536		A	Cabg, arterial, four or more	48.32	NA	NA	17.34	17.82	5.44	090
33542		A	Removal of heart lesion	48.08	NA	NA	16.90	14.95	4.38	090
33545		A	Repair of heart damage	56.93	NA	NA	20.16	17.90	5.21	090
33548		A	Restore/remodel, ventricle	53.96	NA	NA	19.35	19.33	5.53	090
33572		A	Open coronary endarterectomy	4.44	NA	NA	1.31	1.38	0.65	ZZZ
33600		A	Closure of valve	30.15	NA	NA	12.15	12.34	4.42	090
33602		A	Closure of valve	29.18	NA	NA	11.17	11.81	3.82	090
33606		A	Anastomosis/artery-aorta	31.37	NA	NA	11.92	12.80	4.41	090
33608		A	Repair anomaly w/conduit	31.72	NA	NA	12.86	13.49	4.74	090
33610		A	Repair by enlargement	31.24	NA	NA	13.56	13.58	4.56	090
33611		A	Repair double ventricle	35.49	NA	NA	12.37	13.26	4.37	090
33612		A	Repair double ventricle	36.49	NA	NA	14.32	14.74	5.30	090
33615		A	Repair, modified fontan	35.76	NA	NA	13.80	13.48	4.32	090
33617		A	Repair single ventricle	38.96	NA	NA	13.96	14.98	5.66	090
33619		A	Repair single ventricle	48.60	NA	NA	17.99	19.40	6.46	090
33641		A	Repair heart septum defect	29.50	NA	NA	10.89	10.24	3.23	090
33645		A	Revision of heart veins	27.98	NA	NA	10.68	11.23	3.79	090
33647		A	Repair heart septum defects	29.37	NA	NA	12.72	13.25	3.32	090
33660		A	Repair of heart defects	31.75	NA	NA	11.83	12.66	4.49	090
33665		A	Repair of heart defects	34.77	NA	NA	12.17	13.01	4.00	090
33670		A	Repair of heart chambers	36.58	NA	NA	15.64	14.41	4.65	090
33675		A	Close mult vsd	35.87	NA	NA	15.76	15.76	4.95	090
33676		A	Close mult vsd w/resection	36.87	NA	NA	16.06	16.06	5.44	090
33677		A	Cl mult vsd w/rem pul band	38.37	NA	NA	16.63	16.63	5.68	090
33681		A	Repair heart septum defect	32.16	NA	NA	12.89	13.79	4.45	090
33684		A	Repair heart septum defect	34.29	NA	NA	13.29	13.46	3.39	090
33688		A	Repair heart septum defect	34.67	NA	NA	11.63	11.05	4.73	090
33690		A	Reinforce pulmonary artery	20.20	NA	NA	8.64	9.40	1.97	090
33692		A	Repair of heart defects	31.38	NA	NA	19.59	16.76	4.58	090
33694		A	Repair of heart defects	35.49	NA	NA	10.05	12.14	5.28	090
33697		A	Repair of heart defects	37.49	NA	NA	16.95	15.91	4.09	090
33702		A	Repair of heart defects	27.11	NA	NA	10.53	11.55	3.68	090
33710		A	Repair of heart defects	30.28	NA	NA	11.26	12.62	4.43	090
33720		A	Repair of heart defect	27.13	NA	NA	10.69	11.49	3.84	090
33722		A	Repair of heart defect	29.05	NA	NA	10.61	12.24	1.30	090
33724		A	Repair venous anomaly	27.55	NA	NA	10.38	10.38	4.00	090
33726		A	Repair pul venous stenosis	37.04	NA	NA	13.23	13.23	5.03	090
33730		A	Repair heart-vein defect(s)	36.01	NA	NA	12.87	13.50	5.03	090
33732		A	Repair heart-vein defect	28.80	NA	NA	12.66	13.03	3.68	090
33735		A	Revision of heart chamber	22.04	NA	NA	11.04	10.00	1.92	090
33736		A	Revision of heart chamber	24.16	NA	NA	12.07	11.96	3.09	090
33737		A	Revision of heart chamber	22.34	NA	NA	9.13	10.03	3.25	090
33750		A	Major vessel shunt	22.06	NA	NA	9.43	9.82	1.16	090
33755		A	Major vessel shunt	22.44	NA	NA	7.80	8.30	3.26	090
33762		A	Major vessel shunt	22.44	NA	NA	8.69	9.43	3.14	090
33764		A	Major vessel shunt & graft	22.44	NA	NA	8.95	9.59	3.01	090
33766		A	Major vessel shunt	23.41	NA	NA	8.48	10.08	3.70	090
33767		A	Major vessel shunt	25.14	NA	NA	8.51	10.12	3.82	090
33768		A	Cavopulmonary shunting	8.00	NA	NA	1.84	2.25	1.19	ZZZ
33770		A	Repair great vessels defect	39.02	NA	NA	11.92	13.30	5.74	090
33771		A	Repair great vessels defect	40.58	NA	NA	13.09	12.74	5.68	090
33774		A	Repair great vessels defect	31.54	NA	NA	12.21	13.44	4.81	090
33775		A	Repair great vessels defect	32.83	NA	NA	10.11	12.55	4.99	090
33776		A	Repair great vessels defect	34.53	NA	NA	10.25	13.03	5.09	090
33777		A	Repair great vessels defect	33.95	NA	NA	9.93	12.78	5.49	090
33778		A	Repair great vessels defect	42.62	NA	NA	14.93	15.92	6.20	090
33779		A	Repair great vessels defect	43.15	NA	NA	12.46	13.92	2.92	090
33780		A	Repair great vessels defect	43.85	NA	NA	13.15	16.12	3.68	090
33781		A	Repair great vessels defect	43.16	NA	NA	11.13	12.23	5.97	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
33786		A	Repair arterial trunk	41.74	NA	NA	14.10	15.41	5.71	090
33788		A	Revision of pulmonary artery	27.26	NA	NA	8.25	10.10	4.03	090
33800		A	Aortic suspension	17.23	NA	NA	6.82	7.47	2.46	090
33802		A	Repair vessel defect	18.24	NA	NA	7.95	8.59	2.27	090
33803		A	Repair vessel defect	20.18	NA	NA	6.39	8.08	3.20	090
33813		A	Repair septal defect	21.23	NA	NA	8.82	9.87	3.13	090
33814		A	Repair septal defect	26.41	NA	NA	10.41	11.53	3.85	090
33820		A	Revise major vessel	16.61	NA	NA	6.96	7.66	2.35	090
33822		A	Revise major vessel	17.63	NA	NA	5.94	7.45	2.68	090
33824		A	Revise major vessel	20.10	NA	NA	8.46	9.22	2.89	090
33840		A	Remove aorta constriction	21.21	NA	NA	9.34	9.82	2.16	090
33845		A	Remove aorta constriction	22.77	NA	NA	9.39	10.37	3.22	090
33851		A	Remove aorta constriction	21.85	NA	NA	8.88	9.78	3.18	090
33852		A	Repair septal defect	24.28	NA	NA	14.77	13.07	2.16	090
33853		A	Repair septal defect	32.35	NA	NA	12.26	13.54	4.48	090
33860		A	Ascending aortic graft	59.33	NA	NA	20.22	18.34	5.76	090
33861		A	Ascending aortic graft	43.94	NA	NA	15.71	16.71	6.37	090
33863		A	Ascending aortic graft	58.71	NA	NA	19.61	19.15	6.59	090
33864		A	Ascending aortic graft	60.00	NA	NA	20.11	20.11	6.73	090
33870		A	Transverse aortic arch graft	45.93	NA	NA	16.29	17.34	6.62	090
33875		A	Thoracic aortic graft	35.68	NA	NA	12.92	13.51	4.89	090
33877		A	Thoracoabdominal graft	68.85	NA	NA	21.03	18.68	5.94	090
33880		A	Endovasc taa repr incl subcl	34.48	NA	NA	10.93	12.20	2.75	090
33881		A	Endovasc taa repr w/o subcl	29.48	NA	NA	9.67	10.82	2.33	090
33883		A	Insert endovasc prosth, taa	20.99	NA	NA	7.24	8.21	2.11	090
33884		A	Endovasc prosth, taa, add-on	8.20	NA	NA	2.08	2.33	0.86	ZZZ
33886		A	Endovasc prosth, delayed	17.99	NA	NA	6.34	7.29	1.80	090
33889		A	Artery transpose/endovas taa	15.92	NA	NA	3.98	4.58	2.18	000
33891		A	Car-car bp grft/endovas taa	20.00	NA	NA	5.82	6.39	2.73	000
33910		A	Remove lung artery emboli	29.59	NA	NA	11.35	11.39	3.70	090
33915		A	Remove lung artery emboli	24.83	NA	NA	9.12	9.38	1.44	090
33916		A	Surgery of great vessel	28.30	NA	NA	10.83	11.09	3.67	090
33917		A	Repair pulmonary artery	25.14	NA	NA	10.04	11.12	3.70	090
33920		A	Repair pulmonary atresia	32.58	NA	NA	9.47	11.65	4.38	090
33922		A	Transect pulmonary artery	24.09	NA	NA	10.25	10.58	3.10	090
33924		A	Remove pulmonary shunt	5.49	NA	NA	1.59	1.72	0.82	ZZZ
33925		A	Rpr pul art unifocal w/o cpb	31.25	NA	NA	16.44	15.56	4.61	090
33926		A	Repr pul art, unifocal w/cpb	44.68	NA	NA	14.81	16.25	6.22	090
33930		X	Removal of donor heart/lung	0.00	0.00	0.00	0.00	0.00	0.00	XXX
33933		C	Prepare donor heart/lung	0.00	0.00	0.00	0.00	0.00	0.00	XXX
33935		R	Transplantation, heart/lung	61.68	NA	NA	22.96	25.87	9.06	090
33940		X	Removal of donor heart	0.00	0.00	0.00	0.00	0.00	0.00	XXX
33944		C	Prepare donor heart	0.00	0.00	0.00	0.00	0.00	0.00	XXX
33945		R	Transplantation of heart	89.08	NA	NA	30.40	25.90	6.26	090
33960		A	External circulation assist	19.33	NA	NA	5.26	5.08	2.67	000
33961		A	External circulation assist	10.91	NA	NA	2.99	3.30	0.88	ZZZ
33967		A	Insert ia percut device	4.84	NA	NA	2.41	2.13	0.35	000
33968		A	Remove aortic assist device	0.64	NA	NA	0.26	0.24	0.07	000
33970		A	Aortic circulation assist	6.74	NA	NA	2.54	2.41	0.82	000
33971		A	Aortic circulation assist	11.91	NA	NA	6.01	6.01	1.25	090
33973		A	Insert balloon device	9.75	NA	NA	3.94	3.63	1.26	000
33974		A	Remove intra-aortic balloon	14.93	NA	NA	7.74	7.81	1.74	090
33975		A	Implant ventricular device	20.97	NA	NA	6.30	6.29	3.07	XXX
33976		A	Implant ventricular device	22.97	NA	NA	7.67	7.61	3.26	XXX
33977		A	Remove ventricular device	20.07	NA	NA	9.42	10.25	2.81	090
33978		A	Remove ventricular device	22.51	NA	NA	10.43	11.09	3.31	090
33979		A	Insert intracorporeal device	45.93	NA	NA	13.29	14.11	6.97	XXX
33980		A	Remove intracorporeal device	64.86	NA	NA	23.09	24.17	8.59	090
33999		C	Cardiac surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
34001		A	Removal of artery clot	17.78	NA	NA	6.37	6.54	1.85	090
34051		A	Removal of artery clot	16.91	NA	NA	7.44	7.61	2.21	090
34101		A	Removal of artery clot	10.85	NA	NA	4.30	4.83	1.41	090
34111		A	Removal of arm artery clot	10.85	NA	NA	4.28	4.82	1.40	090
34151		A	Removal of artery clot	26.41	NA	NA	8.66	9.53	3.56	090
34201		A	Removal of artery clot	19.38	NA	NA	6.55	5.98	1.45	090
34203		A	Removal of leg artery clot	17.73	NA	NA	6.38	7.22	2.36	090
34401		A	Removal of vein clot	26.41	NA	NA	9.27	9.97	3.10	090
34421		A	Removal of vein clot	13.29	NA	NA	5.20	5.75	1.55	090
34451		A	Removal of vein clot	28.41	NA	NA	9.39	10.42	3.84	090
34471		A	Removal of vein clot	21.00	NA	NA	7.87	6.59	1.18	090
34490		A	Removal of vein clot	10.83	NA	NA	4.35	4.89	1.41	090
34501		A	Repair valve, femoral vein	16.74	NA	NA	6.43	7.46	2.35	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
34502		A	Reconstruct vena cava	27.86	NA	NA	10.49	11.39	3.63	090
34510		A	Transposition of vein valve	19.80	NA	NA	7.53	8.47	2.33	090
34520		A	Cross-over vein graft	19.05	NA	NA	7.02	7.74	2.29	090
34530		A	Leg vein fusion	17.77	NA	NA	6.77	7.69	1.74	090
34800		A	Endovas aaa repr w/sm tube	21.46	NA	NA	7.25	8.21	2.46	090
34802		A	Endovas aaa repr w/2-p part	23.71	NA	NA	8.18	8.99	2.33	090
34803		A	Endovas aaa repr w/3-p part	24.74	NA	NA	8.02	9.12	2.01	090
34804		A	Endovas aaa repr w/1-p part	23.71	NA	NA	8.07	8.94	2.30	090
34805		A	Endovas aaa repr w/long tube	22.59	NA	NA	7.27	8.46	2.01	090
34806		A	Aneurysm press sensor add-on	2.06	0.51	0.51	0.51	0.51	0.30	ZZZ
34808		A	Endovas iliac a device addon	4.12	NA	NA	1.05	1.21	0.59	ZZZ
34812		A	Xpose for endoprosth, femorl	6.74	NA	NA	1.67	1.95	1.18	000
34813		A	Femoral endovas graft add-on	4.79	NA	NA	1.16	1.36	0.67	ZZZ
34820		A	Xpose for endoprosth, iliac	9.74	NA	NA	2.45	2.84	1.50	000
34825		A	Endovasc extend prosth, init	12.72	NA	NA	5.15	5.65	1.28	090
34826		A	Endovasc exten prosth, addÆl	4.12	NA	NA	1.14	1.25	0.44	ZZZ
34830		A	Open aortic tube prosth repr	35.10	NA	NA	10.34	12.02	4.55	090
34831		A	Open aortoiliac prosth repr	37.85	NA	NA	11.28	11.51	4.89	090
34832		A	Open aortofemor prosth repr	37.85	NA	NA	11.81	13.22	4.85	090
34833		A	Xpose for endoprosth, iliac	11.98	NA	NA	3.29	3.86	1.70	000
34834		A	Xpose, endoprosth, brachial	5.34	NA	NA	1.57	1.88	0.76	000
34900		A	Endovasc iliac repr w/graft	16.77	NA	NA	6.06	6.82	2.00	090
35001		A	Repair defect of artery	20.70	NA	NA	7.71	8.63	2.81	090
35002		A	Repair artery rupture, neck	22.12	NA	NA	7.52	8.61	3.00	090
35005		A	Repair defect of artery	19.18	NA	NA	8.53	8.69	1.77	090
35011		A	Repair defect of artery	18.50	NA	NA	6.30	7.14	2.55	090
35013		A	Repair artery rupture, arm	23.10	NA	NA	7.77	8.72	3.10	090
35021		A	Repair defect of artery	22.09	NA	NA	8.47	8.94	2.87	090
35022		A	Repair artery rupture, chest	25.62	NA	NA	10.59	10.22	3.17	090
35045		A	Repair defect of arm artery	17.94	NA	NA	6.28	6.89	2.45	090
35081		A	Repair defect of artery	33.37	NA	NA	10.71	11.09	4.01	090
35082		A	Repair artery rupture, aorta	41.93	NA	NA	12.78	14.04	5.44	090
35091		A	Repair defect of artery	35.35	NA	NA	10.00	11.79	5.14	090
35092		A	Repair artery rupture, aorta	50.81	NA	NA	14.51	16.08	6.40	090
35102		A	Repair defect of artery	36.37	NA	NA	11.30	11.83	4.48	090
35103		A	Repair artery rupture, groin	43.49	NA	NA	12.64	14.25	5.76	090
35111		A	Repair defect of artery	26.17	NA	NA	8.51	9.49	3.47	090
35112		A	Repair artery rupture,spleen	32.44	NA	NA	10.08	11.02	4.08	090
35121		A	Repair defect of artery	31.41	NA	NA	9.98	11.17	4.30	090
35122		A	Repair artery rupture, belly	37.76	NA	NA	11.52	12.66	4.75	090
35131		A	Repair defect of artery	26.29	NA	NA	8.64	9.69	3.80	090
35132		A	Repair artery rupture, groin	32.44	NA	NA	10.29	11.34	4.30	090
35141		A	Repair defect of artery	20.83	NA	NA	6.94	7.93	2.90	090
35142		A	Repair artery rupture, thigh	25.03	NA	NA	8.25	9.31	3.36	090
35151		A	Repair defect of artery	23.61	NA	NA	7.65	8.82	3.24	090
35152		A	Repair artery rupture, knee	27.53	NA	NA	9.12	10.25	3.61	090
35180		A	Repair blood vessel lesion	15.01	NA	NA	6.26	6.60	1.00	090
35182		A	Repair blood vessel lesion	31.58	NA	NA	10.84	11.82	4.36	090
35184		A	Repair blood vessel lesion	18.72	NA	NA	6.51	7.40	2.53	090
35188		A	Repair blood vessel lesion	15.05	NA	NA	6.29	6.96	2.16	090
35189		A	Repair blood vessel lesion	29.85	NA	NA	10.68	11.32	4.01	090
35190		A	Repair blood vessel lesion	13.33	NA	NA	5.24	5.86	1.80	090
35201		A	Repair blood vessel lesion	16.84	NA	NA	6.32	7.16	2.34	090
35206		A	Repair blood vessel lesion	13.76	NA	NA	5.30	5.93	1.87	090
35207		A	Repair blood vessel lesion	10.85	NA	NA	6.64	7.00	1.48	090
35211		A	Repair blood vessel lesion	24.50	NA	NA	9.72	10.17	3.20	090
35216		A	Repair blood vessel lesion	36.47	NA	NA	13.58	11.28	2.65	090
35221		A	Repair blood vessel lesion	26.54	NA	NA	8.34	9.14	3.37	090
35226		A	Repair blood vessel lesion	15.22	NA	NA	5.80	6.62	2.02	090
35231		A	Repair blood vessel lesion	21.08	NA	NA	7.73	8.75	2.89	090
35236		A	Repair blood vessel lesion	17.94	NA	NA	6.30	7.09	2.43	090
35241		A	Repair blood vessel lesion	25.50	NA	NA	10.03	10.58	3.53	090
35246		A	Repair blood vessel lesion	28.15	NA	NA	10.11	10.77	3.86	090
35251		A	Repair blood vessel lesion	31.83	NA	NA	9.46	10.63	4.13	090
35256		A	Repair blood vessel lesion	18.98	NA	NA	6.38	7.36	2.63	090
35261		A	Repair blood vessel lesion	18.88	NA	NA	6.98	7.50	2.61	090
35266		A	Repair blood vessel lesion	15.75	NA	NA	5.47	6.24	2.10	090
35271		A	Repair blood vessel lesion	24.50	NA	NA	9.69	10.10	3.16	090
35276		A	Repair blood vessel lesion	25.72	NA	NA	9.79	10.50	3.49	090
35281		A	Repair blood vessel lesion	29.93	NA	NA	9.29	10.50	3.97	090
35286		A	Repair blood vessel lesion	17.06	NA	NA	6.31	7.18	2.35	090
35301		A	Rechanneling of artery	19.53	NA	NA	6.69	7.56	2.68	090

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35302		A	Rechanneling of artery	21.27	NA	NA	6.91	6.91	2.98	090
35303		A	Rechanneling of artery	23.52	NA	NA	7.46	7.46	3.26	090
35304		A	Rechanneling of artery	24.52	NA	NA	7.71	7.71	3.41	090
35305		A	Rechanneling of artery	23.52	NA	NA	7.46	7.46	3.26	090
35306		A	Rechanneling of artery	9.25	NA	NA	2.28	2.28	1.34	ZZZ
35311		A	Rechanneling of artery	28.52	NA	NA	9.64	10.69	3.42	090
35321		A	Rechanneling of artery	16.51	NA	NA	5.78	6.58	2.25	090
35331		A	Rechanneling of artery	27.61	NA	NA	8.82	10.03	3.83	090
35341		A	Rechanneling of artery	26.10	NA	NA	8.25	9.56	3.78	090
35351		A	Rechanneling of artery	24.53	NA	NA	7.65	8.62	3.35	090
35355		A	Rechanneling of artery	19.78	NA	NA	6.36	7.22	2.67	090
35361		A	Rechanneling of artery	30.11	NA	NA	9.60	10.65	4.15	090
35363		A	Rechanneling of artery	32.22	NA	NA	10.44	11.52	4.33	090
35371		A	Rechanneling of artery	15.23	NA	NA	5.33	6.14	2.14	090
35372		A	Rechanneling of artery	18.50	NA	NA	6.13	7.09	2.63	090
35390		A	Reoperation, carotid add-on	3.19	NA	NA	0.82	0.94	0.46	ZZZ
35400		A	Angioscopy	3.00	NA	NA	0.72	0.91	0.43	ZZZ
35450		A	Repair arterial blockage	10.05	NA	NA	2.97	3.27	1.25	000
35452		A	Repair arterial blockage	6.90	NA	NA	2.06	2.33	0.94	000
35454		A	Repair arterial blockage	6.03	NA	NA	1.76	2.04	0.87	000
35456		A	Repair arterial blockage	7.34	NA	NA	2.12	2.44	1.04	000
35458		A	Repair arterial blockage	9.48	NA	NA	2.80	3.14	1.26	000
35459		A	Repair arterial blockage	8.62	NA	NA	2.65	2.91	1.21	000
35460		A	Repair venous blockage	6.03	NA	NA	1.75	2.01	0.83	000
35470		A	Repair arterial blockage	8.62	61.19	75.06	3.44	3.40	0.69	000
35471		A	Repair arterial blockage	10.05	66.05	83.19	4.69	4.32	0.67	000
35472		A	Repair arterial blockage	6.90	47.53	55.97	2.81	2.78	0.58	000
35473		A	Repair arterial blockage	6.03	46.56	53.22	2.50	2.46	0.51	000
35474		A	Repair arterial blockage	7.35	60.44	74.11	2.98	2.94	0.57	000
35475		R	Repair arterial blockage	9.48	48.69	52.41	3.39	3.47	0.62	000
35476		A	Repair venous blockage	6.03	37.15	40.96	2.23	2.29	0.34	000
35480		A	Atherectomy, open	11.06	NA	NA	4.05	4.04	1.28	000
35481		A	Atherectomy, open	7.60	NA	NA	2.57	2.72	1.13	000
35482		A	Atherectomy, open	6.64	NA	NA	2.01	2.29	0.89	000
35483		A	Atherectomy, open	8.09	NA	NA	2.57	2.79	1.15	000
35484		A	Atherectomy, open	10.42	NA	NA	2.90	3.34	1.27	000
35485		A	Atherectomy, open	9.48	NA	NA	2.87	3.20	1.35	000
35490		A	Atherectomy, percutaneous	11.06	NA	NA	5.18	4.94	0.71	000
35491		A	Atherectomy, percutaneous	7.60	NA	NA	3.86	3.57	0.74	000
35492		A	Atherectomy, percutaneous	6.64	NA	NA	3.49	3.34	0.43	000
35493		A	Atherectomy, percutaneous	8.09	NA	NA	3.97	3.88	0.56	000
35494		A	Atherectomy, percutaneous	10.42	NA	NA	5.15	4.81	0.59	000
35495		A	Atherectomy, percutaneous	9.48	NA	NA	4.45	4.42	0.69	000
35500		A	Harvest vein for bypass	6.44	NA	NA	1.60	1.81	0.93	ZZZ
35501		A	Artery bypass graft	28.99	NA	NA	11.07	9.77	4.10	090
35506		A	Artery bypass graft	25.23	NA	NA	8.32	8.89	2.87	090
35508		A	Artery bypass graft	25.99	NA	NA	8.77	9.11	2.78	090
35509		A	Artery bypass graft	27.99	NA	NA	10.79	9.78	3.92	090
35510		A	Artery bypass graft	24.29	NA	NA	7.70	8.94	2.12	090
35511		A	Artery bypass graft	22.12	NA	NA	7.66	8.51	2.91	090
35512		A	Artery bypass graft	23.79	NA	NA	7.48	8.74	2.12	090
35515		A	Artery bypass graft	25.99	NA	NA	9.09	9.19	2.78	090
35516		A	Artery bypass graft	24.11	NA	NA	7.46	7.13	2.34	090
35518		A	Artery bypass graft	22.57	NA	NA	7.33	8.15	3.03	090
35521		A	Artery bypass graft	24.00	NA	NA	7.95	8.89	3.13	090
35522		A	Artery bypass graft	23.05	NA	NA	7.40	8.58	2.12	090
35523		A	Artery bypass graft	24.00	NA	NA	9.22	9.22	2.14	090
35525		A	Artery bypass graft	21.59	NA	NA	7.04	8.21	2.12	090
35526		A	Artery bypass graft	31.47	NA	NA	14.04	13.28	3.63	090
35531		A	Artery bypass graft	38.98	NA	NA	11.48	12.98	5.18	090
35533		A	Artery bypass graft	29.79	NA	NA	9.50	10.61	3.85	090
35536		A	Artery bypass graft	33.60	NA	NA	9.51	11.23	4.62	090
35537		A	Artery bypass graft	41.75	NA	NA	13.10	13.10	5.72	090
35538		A	Artery bypass graft	46.82	NA	NA	14.45	14.45	6.39	090
35539		A	Artery bypass graft	43.98	NA	NA	13.47	13.47	6.02	090
35540		A	Artery bypass graft	49.20	NA	NA	14.82	14.82	6.76	090
35548		A	Artery bypass graft	22.57	NA	NA	7.74	8.58	2.98	090
35549		A	Artery bypass graft	24.34	NA	NA	8.74	9.56	3.30	090
35551		A	Artery bypass graft	27.72	NA	NA	9.38	10.44	3.75	090
35556		A	Artery bypass graft	26.62	NA	NA	8.64	9.18	3.10	090
35558		A	Artery bypass graft	23.00	NA	NA	7.87	8.71	3.00	090
35560		A	Artery bypass graft	33.90	NA	NA	10.63	11.97	4.75	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
35563		A	Artery bypass graft	25.99	NA	NA	8.88	9.70	3.52	090
35565		A	Artery bypass graft	25.00	NA	NA	8.17	9.15	3.30	090
35566		A	Artery bypass graft	32.22	NA	NA	9.85	10.62	3.83	090
35571		A	Artery bypass graft	25.39	NA	NA	8.09	9.47	3.43	090
35572		A	Harvest femoropopliteal vein	6.81	NA	NA	1.92	2.08	0.99	ZZZ
35583		A	Vein bypass graft	27.62	NA	NA	8.64	9.40	3.17	090
35585		A	Vein bypass graft	32.22	NA	NA	10.11	11.17	4.02	090
35587		A	Vein bypass graft	26.08	NA	NA	8.51	9.98	3.52	090
35600		A	Harvest art for cabg add-on	4.94	NA	NA	1.52	1.57	0.73	ZZZ
35601		A	Artery bypass graft	26.99	NA	NA	10.43	9.53	3.72	090
35606		A	Artery bypass graft	22.36	NA	NA	7.30	8.16	2.70	090
35612		A	Artery bypass graft	16.71	NA	NA	6.31	7.10	2.09	090
35616		A	Artery bypass graft	21.74	NA	NA	7.13	7.62	2.20	090
35621		A	Artery bypass graft	20.95	NA	NA	6.78	7.73	2.92	090
35623		A	Bypass graft, not vein	25.79	NA	NA	8.44	9.47	3.46	090
35626		A	Artery bypass graft	29.06	NA	NA	10.28	11.13	4.08	090
35631		A	Artery bypass graft	35.90	NA	NA	10.56	12.20	4.96	090
35636		A	Artery bypass graft	31.62	NA	NA	9.72	11.01	4.10	090
35637		A	Artery bypass graft	32.92	NA	NA	10.65	10.65	4.44	090
35638		A	Artery bypass graft	33.47	NA	NA	10.79	10.79	4.52	090
35642		A	Artery bypass graft	18.85	NA	NA	6.22	7.45	2.28	090
35645		A	Artery bypass graft	18.34	NA	NA	7.98	8.13	2.50	090
35646		A	Artery bypass graft	32.84	NA	NA	10.45	11.78	4.44	090
35647		A	Artery bypass graft	29.62	NA	NA	9.66	10.72	3.99	090
35650		A	Artery bypass graft	20.08	NA	NA	6.93	7.65	2.72	090
35651		A	Artery bypass graft	25.97	NA	NA	8.71	9.72	3.36	090
35654		A	Artery bypass graft	26.17	NA	NA	8.36	9.51	3.53	090
35656		A	Artery bypass graft	20.39	NA	NA	6.84	7.72	2.80	090
35661		A	Artery bypass graft	20.22	NA	NA	7.04	7.99	2.72	090
35663		A	Artery bypass graft	23.80	NA	NA	7.90	8.94	3.11	090
35665		A	Artery bypass graft	22.22	NA	NA	7.36	8.41	3.01	090
35666		A	Artery bypass graft	23.53	NA	NA	8.51	9.58	3.16	090
35671		A	Artery bypass graft	20.64	NA	NA	7.63	8.50	2.78	090
35681		A	Composite bypass graft	1.60	NA	NA	0.40	0.47	0.23	ZZZ
35682		A	Composite bypass graft	7.19	NA	NA	1.70	2.04	1.03	ZZZ
35683		A	Composite bypass graft	8.49	NA	NA	1.96	2.39	1.20	ZZZ
35685		A	Bypass graft patency/patch	4.04	NA	NA	0.96	1.15	0.58	ZZZ
35686		A	Bypass graft/av fist patency	3.34	NA	NA	0.85	0.99	0.47	ZZZ
35691		A	Arterial transposition	18.32	NA	NA	5.95	7.18	2.59	090
35693		A	Arterial transposition	15.64	NA	NA	6.12	6.92	2.22	090
35694		A	Arterial transposition	19.19	NA	NA	6.32	7.46	2.70	090
35695		A	Arterial transposition	19.97	NA	NA	6.71	7.63	2.74	090
35697		A	Reimplant artery each	3.00	NA	NA	0.74	0.88	0.41	ZZZ
35700		A	Reoperation, bypass graft	3.08	NA	NA	0.77	0.89	0.44	ZZZ
35701		A	Exploration, carotid artery	9.11	NA	NA	4.32	4.73	1.12	090
35721		A	Exploration, femoral artery	7.66	NA	NA	3.83	4.13	1.03	090
35741		A	Exploration popliteal artery	8.61	NA	NA	3.87	4.26	1.12	090
35761		A	Exploration of artery/vein	5.84	NA	NA	3.44	3.72	0.75	090
35800		A	Explore neck vessels	7.99	NA	NA	3.95	4.30	0.95	090
35820		A	Explore chest vessels	36.81	NA	NA	12.91	10.06	1.95	090
35840		A	Explore abdominal vessels	10.87	NA	NA	4.81	5.05	1.34	090
35860		A	Explore limb vessels	6.72	NA	NA	3.38	3.71	0.78	090
35870		A	Repair vessel graft defect	24.39	NA	NA	7.92	8.85	3.01	090
35875		A	Removal of clot in graft	10.64	NA	NA	4.29	4.74	1.41	090
35876		A	Removal of clot in graft	17.74	NA	NA	5.95	6.73	2.40	090
35879		A	Revise graft w/vein	17.28	NA	NA	5.98	6.83	2.28	090
35881		A	Revise graft w/vein	19.22	NA	NA	6.46	7.57	2.56	090
35883		A	Revise graft w/nonauto graft	23.07	NA	NA	8.50	8.50	3.19	090
35884		A	Revise graft w/vein	24.57	NA	NA	8.94	8.94	3.41	090
35901		A	Excision, graft, neck	8.26	NA	NA	4.24	4.77	1.15	090
35903		A	Excision, graft, extremity	9.44	NA	NA	4.60	5.38	1.30	090
35905		A	Excision, graft, thorax	33.39	NA	NA	10.66	11.92	4.44	090
35907		A	Excision, graft, abdomen	37.14	NA	NA	10.89	12.53	4.92	090
36000		A	Place needle in vein	0.18	0.46	0.51	0.06	0.06	0.01	XXX
36002		A	Pseudoaneurysm injection trt	1.96	2.24	2.55	0.86	0.91	0.17	000
36005		A	Injection ext venography	0.95	8.47	8.06	0.39	0.35	0.05	000
36010		A	Place catheter in vein	2.43	11.10	15.21	0.78	0.79	0.20	XXX
36011		A	Place catheter in vein	3.14	19.63	23.73	1.01	1.03	0.27	XXX
36012		A	Place catheter in vein	3.51	20.26	19.61	1.28	1.23	0.23	XXX
36013		A	Place catheter in artery	2.52	18.79	20.08	0.93	0.81	0.25	XXX
36014		A	Place catheter in artery	3.02	18.96	19.55	1.11	1.07	0.19	XXX
36015		A	Place catheter in artery	3.51	18.56	21.12	1.05	1.12	0.21	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
36100		A	Establish access to artery	3.02	11.25	11.66	1.21	1.16	0.26	XXX
36120		A	Establish access to artery	2.01	9.21	9.96	0.59	0.62	0.14	XXX
36140		A	Establish access to artery	2.01	10.49	11.63	0.71	0.67	0.16	XXX
36145		A	Artery to vein shunt	2.01	10.29	11.43	0.66	0.66	0.11	XXX
36160		A	Establish access to aorta	2.52	11.55	12.52	1.05	0.95	0.26	XXX
36200		A	Place catheter in aorta	3.02	13.67	15.10	1.02	1.01	0.24	XXX
36215		A	Place catheter in artery	4.67	25.97	26.51	1.89	1.75	0.27	XXX
36216		A	Place catheter in artery	5.27	28.06	28.58	2.09	1.94	0.31	XXX
36217		A	Place catheter in artery	6.29	45.91	50.69	2.43	2.30	0.44	XXX
36218		A	Place catheter in artery	1.01	3.77	4.43	0.39	0.36	0.07	ZZZ
36245		A	Place catheter in artery	4.67	28.80	30.46	2.12	1.90	0.31	XXX
36246		A	Place catheter in artery	5.27	27.45	28.72	1.99	1.91	0.38	XXX
36247		A	Place catheter in artery	6.29	45.20	47.37	2.36	2.25	0.47	XXX
36248		A	Place catheter in artery	1.01	3.18	3.61	0.38	0.36	0.07	ZZZ
36260		A	Insertion of infusion pump	9.82	NA	NA	4.65	4.76	1.29	090
36261		A	Revision of infusion pump	5.55	NA	NA	3.06	3.36	0.70	090
36262		A	Removal of infusion pump	4.05	NA	NA	2.71	2.73	0.54	090
36299		C	Vessel injection procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
36400		A	Bl draw < 3 yrs fem/jugular	0.38	0.28	0.28	0.09	0.09	0.03	XXX
36405		A	Bl draw < 3 yrs scalp vein	0.31	0.27	0.27	0.08	0.08	0.03	XXX
36406		A	Bl draw < 3 yrs other vein	0.18	0.25	0.26	0.04	0.05	0.01	XXX
36410		A	Non-routine bl draw > 3 yrs	0.18	0.32	0.30	0.05	0.05	0.01	XXX
36415		X	Routine venipuncture	0.00	0.00	0.00	0.00	0.00	0.00	XXX
36416		B	Capillary blood draw	0.00	0.00	0.00	0.00	0.00	0.00	XXX
36420		A	Vein access cutdown < 1 yr	1.01	NA	NA	0.21	0.24	0.07	XXX
36425		A	Vein access cutdown > 1 yr	0.76	NA	NA	0.21	0.21	0.06	XXX
36430		A	Blood transfusion service	0.00	0.94	0.97	NA	NA	0.06	XXX
36440		A	Bl push transfuse, 2 yr or <	1.03	NA	NA	0.25	0.27	0.10	XXX
36450		A	Bl exchange/transfuse, nb	2.23	NA	NA	0.77	0.74	0.21	XXX
36455		A	Bl exchange/transfuse non-nb	2.43	NA	NA	0.67	0.84	0.15	XXX
36460		A	Transfusion service, fetal	6.58	NA	NA	1.81	2.03	0.79	XXX
36468		R	Injection(s), spider veins	0.00	0.00	0.00	0.00	0.00	0.00	000
36469		R	Injection(s), spider veins	0.00	0.00	0.00	0.00	0.00	0.00	000
36470		A	Injection therapy of vein	1.09	2.41	2.55	0.64	0.69	0.12	010
36471		A	Injection therapy of veins	1.60	2.56	2.82	0.79	0.88	0.19	010
36475		A	Endovenous rf, 1st vein	6.72	35.78	43.60	1.88	2.21	0.37	000
36476		A	Endovenous rf, vein add-on	3.38	6.14	7.01	0.83	0.98	0.18	ZZZ
36478		A	Endovenous laser, 1st vein	6.72	26.98	36.90	2.04	2.29	0.37	000
36479		A	Endovenous laser vein addon	3.38	6.36	7.18	0.95	1.04	0.18	ZZZ
36481		A	Insertion of catheter, vein	6.98	NA	NA	2.36	2.48	0.55	000
36500		A	Insertion of catheter, vein	3.51	NA	NA	1.25	1.31	0.20	000
36510		A	Insertion of catheter, vein	1.09	1.08	2.48	0.30	0.45	0.10	000
36511		A	Apheresis wbc	1.74	NA	NA	0.58	0.65	0.08	000
36512		A	Apheresis rbc	1.74	NA	NA	0.60	0.67	0.08	000
36513		A	Apheresis platelets	1.74	NA	NA	0.55	0.64	0.17	000
36514		A	Apheresis plasma	1.74	10.51	13.74	0.53	0.62	0.08	000
36515		A	Apheresis, adsorp/reinfuse	1.74	45.51	55.93	0.48	0.57	0.08	000
36516		A	Apheresis, selective	1.22	49.59	66.85	0.39	0.43	0.08	000
36522		A	Photopheresis	1.67	37.44	34.92	0.94	0.95	0.13	000
36555		A	Insert non-tunnel cv cath	2.68	3.81	4.78	0.59	0.69	0.11	000
36556		A	Insert non-tunnel cv cath	2.50	2.86	4.24	0.55	0.65	0.19	000
36557		A	Insert tunneled cv cath	5.11	15.11	18.13	2.29	2.47	0.57	010
36558		A	Insert tunneled cv cath	4.81	14.85	17.95	2.36	2.46	0.57	010
36560		A	Insert tunneled cv cath	6.26	21.33	25.51	2.72	2.88	0.57	010
36561		A	Insert tunneled cv cath	6.01	22.27	25.94	2.64	2.80	0.57	010
36563		A	Insert tunneled cv cath	6.21	23.11	24.94	2.60	2.79	0.84	010
36565		A	Insert tunneled cv cath	6.01	17.53	21.12	2.47	2.71	0.57	010
36566		A	Insert tunneled cv cath	6.51	111.95	68.73	2.60	2.86	0.57	010
36568		A	Insert picc cath	1.92	5.88	6.70	0.59	0.59	0.11	000
36569		A	Insert picc cath	1.82	4.47	5.91	0.67	0.62	0.19	000
36570		A	Insert picvad cath	5.33	21.25	27.22	2.10	2.41	0.57	010
36571		A	Insert picvad cath	5.31	24.53	28.90	2.45	2.58	0.57	010
36575		A	Repair tunneled cv cath	0.67	3.31	3.68	0.23	0.25	0.20	000
36576		A	Repair tunneled cv cath	3.21	5.91	6.43	1.57	1.71	0.19	010
36578		A	Replace tunneled cv cath	3.51	9.18	10.16	2.00	2.15	0.19	010
36580		A	Replace cvad cath	1.31	3.96	5.45	0.43	0.42	0.19	000
36581		A	Replace tunneled cv cath	3.45	15.51	17.51	1.74	1.83	0.19	010
36582		A	Replace tunneled cv cath	5.21	21.55	23.79	2.46	2.66	0.19	010
36583		A	Replace tunneled cv cath	5.26	21.60	23.82	2.49	2.68	0.19	010
36584		A	Replace picc cath	1.20	3.97	5.47	0.61	0.58	0.19	000
36585		A	Replace picvad cath	4.81	22.57	25.20	2.43	2.58	0.19	010
36589		A	Removal tunneled cv cath	2.27	1.86	2.05	1.23	1.31	0.24	010

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
36590		A	Removal tunneled cv cath	3.32	3.62	3.50	1.60	1.66	0.44	010
36591		T	Draw blood off venous device	0.00	0.54	0.54	NA	NA	0.01	XXX
36592		T	Collect blood from picc	0.00	0.67	0.67	NA	NA	0.01	XXX
36593		A	Declot vascular device	0.00	0.82	0.60	NA	NA	0.37	XXX
36595		A	Mech remov tunneled cv cath	3.59	10.84	14.05	1.38	1.41	0.21	000
36596		A	Mech remov tunneled cv cath	0.75	2.58	3.13	0.43	0.47	0.05	000
36597		A	Reposition venous catheter	1.21	2.04	2.22	0.46	0.45	0.07	000
36598		T	Inj w/fluor, eval cv device	0.74	2.22	2.43	0.27	1.46	0.05	000
36600		A	Withdrawal of arterial blood	0.32	0.50	0.49	0.07	0.08	0.02	XXX
36620		A	Insertion catheter, artery	1.15	NA	NA	0.15	0.19	0.07	000
36625		A	Insertion catheter, artery	2.11	NA	NA	0.50	0.52	0.26	000
36640		A	Insertion catheter, artery	2.10	NA	NA	0.91	0.97	0.21	000
36660		A	Insertion catheter, artery	1.40	NA	NA	0.41	0.42	0.14	000
36680		A	Insert needle, bone cavity	1.20	NA	NA	0.28	0.39	0.11	000
36800		A	Insertion of cannula	2.43	NA	NA	1.53	1.67	0.25	000
36810		A	Insertion of cannula	3.96	NA	NA	1.32	1.50	0.45	000
36815		A	Insertion of cannula	2.62	NA	NA	1.04	1.10	0.35	000
36818		A	Av fuse, uppr arm, cephalic	11.81	NA	NA	4.49	5.26	1.90	090
36819		A	Av fuse, uppr arm, basilic	14.39	NA	NA	5.12	5.75	1.96	090
36820		A	Av fusion/forearm vein	14.39	NA	NA	5.24	5.82	1.95	090
36821		A	Av fusion direct any site	9.15	NA	NA	3.94	4.30	1.23	090
36822		A	Insertion of cannula(s)	5.51	NA	NA	3.75	4.06	0.79	090
36823		A	Insertion of cannula(s)	22.82	NA	NA	8.64	9.01	2.89	090
36825		A	Artery-vein autograft	10.00	NA	NA	4.23	4.64	1.35	090
36830		A	Artery-vein nonautograft	12.00	NA	NA	4.13	4.68	1.66	090
36831		A	Open thrombect av fistula	8.01	NA	NA	3.19	3.57	1.09	090
36832		A	Av fistula revision, open	10.50	NA	NA	3.75	4.23	1.44	090
36833		A	Av fistula revision	11.95	NA	NA	4.12	4.66	1.65	090
36834		A	Repair A-V aneurysm	11.11	NA	NA	4.22	4.50	1.37	090
36835		A	Artery to vein shunt	7.43	NA	NA	3.74	4.03	0.98	090
36838		A	Dist revas ligation, hemo	21.59	NA	NA	7.05	8.22	3.02	090
36860		A	External cannula declotting	2.01	3.36	2.57	0.63	0.65	0.11	000
36861		A	Cannula declotting	2.52	NA	NA	1.22	1.35	0.27	000
36870		A	Percut thrombect av fistula	5.17	40.83	46.94	2.76	2.96	0.29	090
37140		A	Revision of circulation	25.12	NA	NA	8.93	9.71	2.02	090
37145		A	Revision of circulation	26.13	NA	NA	10.46	10.66	3.26	090
37160		A	Revision of circulation	23.13	NA	NA	7.93	8.60	2.82	090
37180		A	Revision of circulation	26.13	NA	NA	9.28	9.79	3.35	090
37181		A	Splice spleen/kidney veins	28.26	NA	NA	8.84	9.92	3.41	090
37182		A	Insert hepatic shunt (tips)	16.97	NA	NA	6.33	6.20	1.00	000
37183		A	Remove hepatic shunt (tips)	7.99	NA	NA	3.09	3.05	0.47	000
37184		A	Prim art mech thrombectomy	8.66	49.97	60.86	3.24	3.29	0.55	000
37185		A	Prim art m-thrombect add-on	3.28	16.39	19.65	1.12	1.12	0.21	ZZZ
37186		A	Sec art m-thrombect add-on	4.92	34.94	42.18	1.79	1.72	0.32	ZZZ
37187		A	Venous mech thrombectomy	8.03	48.27	59.25	2.99	3.07	0.51	000
37188		A	Venous m-thrombectomy add-on	5.71	42.27	52.14	2.18	2.27	0.37	000
37195		C	Thrombolytic therapy, stroke	0.00	0.00	0.00	0.00	0.00	0.00	XXX
37200		A	Transcatheter biopsy	4.55	NA	NA	1.65	1.58	0.27	000
37201		A	Transcatheter therapy infuse	4.99	NA	NA	2.33	2.44	0.33	000
37202		A	Transcatheter therapy infuse	5.67	NA	NA	3.34	3.19	0.43	000
37203		A	Transcatheter retrieval	5.02	30.14	31.52	2.07	2.06	0.29	000
37204		A	Transcatheter occlusion	18.11	NA	NA	6.24	6.07	1.48	000
37205		A	Transcath iv stent, percut	8.27	108.78	56.26	3.25	3.50	0.60	000
37206		A	Transcath iv stent/perc addl	4.12	66.53	33.98	1.58	1.50	0.31	ZZZ
37207		A	Transcath iv stent, open	8.27	NA	NA	2.38	2.77	1.17	000
37208		A	Transcath iv stent/open addl	4.12	NA	NA	1.01	1.19	0.59	ZZZ
37209		A	Change iv cath at thromb tx	2.27	NA	NA	0.77	0.75	0.15	000
37210		A	Embolization uterine fibroid	10.60	83.31	83.31	3.68	3.68	0.60	000
37215		R	Transcath stent, cca w/eps	19.58	NA	NA	9.94	9.52	1.09	090
37216		N	Transcath stent, cca w/o eps	18.85	NA	NA	5.76	7.29	1.04	090
37250		A	Iv us first vessel add-on	2.10	NA	NA	0.77	0.76	0.21	ZZZ
37251		A	Iv us each add vessel add-on	1.60	NA	NA	0.50	0.52	0.19	ZZZ
37500		A	Endoscopy ligate perf veins	11.54	NA	NA	5.35	6.10	1.54	090
37501		C	Vascular endoscopy procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
37565		A	Ligation of neck vein	11.97	NA	NA	5.14	5.38	1.33	090
37600		A	Ligation of neck artery	12.34	NA	NA	4.92	5.78	1.41	090
37605		A	Ligation of neck artery	14.20	NA	NA	5.45	6.18	1.99	090
37606		A	Ligation of neck artery	8.72	NA	NA	4.86	4.71	1.23	090
37607		A	Ligation of a-v fistula	6.19	NA	NA	3.03	3.29	0.85	090
37609		A	Temporal artery procedure	3.02	4.20	4.35	1.82	1.89	0.36	010
37615		A	Ligation of neck artery	7.72	NA	NA	4.09	4.10	0.68	090
37616		A	Ligation of chest artery	18.89	NA	NA	7.93	8.01	2.33	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
37617		A	Ligation of abdomen artery	23.71	NA	NA	7.89	8.53	2.98	090
37618		A	Ligation of extremity artery	5.95	NA	NA	3.37	3.49	0.67	090
37620		A	Revision of major vein	11.49	NA	NA	5.45	5.58	0.91	090
37650		A	Revision of major vein	8.41	NA	NA	4.23	4.46	1.01	090
37660		A	Revision of major vein	22.20	NA	NA	7.59	8.33	2.49	090
37700		A	Revise leg vein	3.76	NA	NA	2.39	2.59	0.53	090
37718		A	Ligate/strip short leg vein	7.05	NA	NA	3.48	3.77	0.14	090
37722		A	Ligate/strip long leg vein	8.08	NA	NA	3.69	4.05	0.86	090
37735		A	Removal of leg veins/lesion	10.81	NA	NA	4.69	5.10	1.48	090
37760		A	Ligation, leg veins, open	10.69	NA	NA	4.48	4.91	1.44	090
37765		A	Phleb veins extrem 10-20	7.63	NA	NA	3.57	4.09	0.48	090
37766		A	Phleb veins extrem 20+	9.58	NA	NA	4.13	4.73	0.48	090
37780		A	Revision of leg vein	3.87	NA	NA	2.39	2.62	0.53	090
37785		A	Ligate/divide/excise vein	3.87	4.92	5.06	2.58	2.65	0.54	090
37788		A	Revascularization, penis	23.21	NA	NA	12.05	10.57	2.26	090
37790		A	Penile venous occlusion	8.37	NA	NA	5.15	4.76	0.59	090
37799		C	Vascular surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
38100		A	Removal of spleen, total	19.47	NA	NA	6.85	6.51	1.92	090
38101		A	Removal of spleen, partial	19.47	NA	NA	6.92	6.72	2.05	090
38102		A	Removal of spleen, total	4.79	NA	NA	1.23	1.43	0.63	ZZZ
38115		A	Repair of ruptured spleen	21.80	NA	NA	7.44	7.04	2.09	090
38120		A	Laparoscopy, splenectomy	16.97	NA	NA	6.93	7.16	2.25	090
38129		C	Laparoscope proc, spleen	0.00	0.00	0.00	0.00	0.00	0.00	YYY
38200		A	Injection for spleen x-ray	2.64	NA	NA	1.09	0.99	0.14	000
38204		B	Bl donor search management	2.00	0.46	0.46	0.46	0.46	0.06	XXX
38205		R	Harvest allogenic stem cells	1.50	NA	NA	0.53	0.60	0.07	000
38206		R	Harvest auto stem cells	1.50	NA	NA	0.55	0.61	0.07	000
38207		I	Cryopreserve stem cells	0.89	0.40	0.40	0.40	0.40	0.01	XXX
38208		I	Thaw preserved stem cells	0.56	0.25	0.25	0.25	0.25	0.02	XXX
38209		I	Wash harvest stem cells	0.24	0.11	0.11	0.11	0.11	0.01	XXX
38210		I	T-cell depletion of harvest	1.57	0.71	0.71	0.71	0.71	0.03	XXX
38211		I	Tumor cell deplete of harvst	1.42	0.64	0.64	0.64	0.64	0.02	XXX
38212		I	Rbc depletion of harvest	0.94	0.42	0.42	0.42	0.42	0.02	XXX
38213		I	Platelet deplete of harvest	0.24	0.11	0.11	0.11	0.11	0.01	XXX
38214		I	Volume deplete of harvest	0.81	0.36	0.36	0.36	0.36	0.01	XXX
38215		I	Harvest stem cell concentrte	0.94	0.42	0.42	0.42	0.42	0.02	XXX
38220		A	Bone marrow aspiration	1.08	2.68	3.20	0.45	0.48	0.05	XXX
38221		A	Bone marrow biopsy	1.37	2.79	3.36	0.57	0.61	0.07	XXX
38230		R	Bone marrow collection	4.80	NA	NA	3.13	3.18	0.48	010
38240		R	Bone marrow/stem transplant	2.24	NA	NA	0.94	0.98	0.11	XXX
38241		R	Bone marrow/stem transplant	2.24	NA	NA	0.94	0.99	0.11	XXX
38242		A	Lymphocyte infuse transplant	1.71	NA	NA	0.67	0.73	0.08	000
38300		A	Drainage, lymph node lesion	2.28	4.22	4.26	2.04	2.05	0.25	010
38305		A	Drainage, lymph node lesion	6.55	NA	NA	4.20	4.32	0.88	090
38308		A	Incision of lymph channels	6.73	NA	NA	3.54	3.64	0.85	090
38380		A	Thoracic duct procedure	8.34	NA	NA	5.06	5.37	0.74	090
38381		A	Thoracic duct procedure	13.32	NA	NA	6.08	6.48	1.85	090
38382		A	Thoracic duct procedure	10.51	NA	NA	5.43	5.60	1.37	090
38500		A	Biopsy/removal, lymph nodes	3.76	3.75	3.72	2.03	2.06	0.49	010
38505		A	Needle biopsy, lymph nodes	1.14	2.11	2.08	0.74	0.76	0.09	000
38510		A	Biopsy/removal, lymph nodes	6.69	5.38	5.47	3.09	3.29	0.72	010
38520		A	Biopsy/removal, lymph nodes	6.95	NA	NA	3.75	3.90	0.84	090
38525		A	Biopsy/removal, lymph nodes	6.35	NA	NA	3.47	3.38	0.80	090
38530		A	Biopsy/removal, lymph nodes	8.26	NA	NA	4.12	4.26	1.12	090
38542		A	Explore deep node(s), neck	6.08	NA	NA	3.97	4.22	0.60	090
38550		A	Removal, neck/armpit lesion	6.99	NA	NA	4.28	4.10	0.88	090
38555		A	Removal, neck/armpit lesion	15.42	NA	NA	7.45	7.99	1.76	090
38562		A	Removal, pelvic lymph nodes	10.92	NA	NA	5.77	5.77	1.20	090
38564		A	Removal, abdomen lymph nodes	11.29	NA	NA	5.21	5.23	1.32	090
38570		A	Laparoscopy, lymph node biop	9.28	NA	NA	4.04	4.00	1.13	010
38571		A	Laparoscopy, lymphadenectomy	14.70	NA	NA	6.80	6.22	1.15	010
38572		A	Laparoscopy, lymphadenectomy	16.86	NA	NA	5.94	6.51	1.91	010
38589		C	Laparoscope proc, lymphatic	0.00	0.00	0.00	0.00	0.00	0.00	YYY
38700		A	Removal of lymph nodes, neck	12.68	NA	NA	6.51	6.38	0.72	090
38720		A	Removal of lymph nodes, neck	21.72	NA	NA	10.18	9.77	1.20	090
38724		A	Removal of lymph nodes, neck	23.72	NA	NA	10.93	10.38	1.28	090
38740		A	Remove armpit lymph nodes	10.57	NA	NA	5.00	4.97	1.32	090
38745		A	Remove armpit lymph nodes	13.71	NA	NA	6.05	6.06	1.74	090
38746		A	Remove thoracic lymph nodes	4.88	NA	NA	1.42	1.51	0.72	ZZZ
38747		A	Remove abdominal lymph nodes	4.88	NA	NA	1.27	1.47	0.64	ZZZ
38760		A	Remove groin lymph nodes	13.49	NA	NA	5.92	6.02	1.72	090
38765		A	Remove groin lymph nodes	21.78	NA	NA	8.35	8.58	2.48	090

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38770		A	Remove pelvis lymph nodes	13.98	NA	NA	6.72	6.23	1.40	090
38780		A	Remove abdomen lymph nodes	17.56	NA	NA	7.99	8.09	1.89	090
38790		A	Inject for lymphatic x-ray	1.29	NA	NA	0.75	0.75	0.13	000
38792		A	Identify sentinel node	0.52	NA	NA	0.49	0.46	0.06	000
38794		A	Access thoracic lymph duct	4.51	NA	NA	3.18	3.31	0.32	090
38999		C	Blood/lymph system procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
39000		A	Exploration of chest	7.49	NA	NA	4.27	4.46	0.89	090
39010		A	Exploration of chest	13.11	NA	NA	6.34	6.94	1.76	090
39200		A	Removal chest lesion	15.04	NA	NA	6.20	6.87	2.03	090
39220		A	Removal chest lesion	19.47	NA	NA	8.00	8.68	2.46	090
39400		A	Visualization of chest	8.00	NA	NA	4.15	4.50	0.82	010
39499		C	Chest procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
39501		A	Repair diaphragm laceration	13.89	NA	NA	5.82	6.14	1.78	090
39502		A	Repair paraesophageal hernia	17.09	NA	NA	6.59	6.87	2.17	090
39503		A	Repair of diaphragm hernia	108.67	NA	NA	27.41	30.40	10.98	090
39520		A	Repair of diaphragm hernia	16.63	NA	NA	6.80	7.42	2.24	090
39530		A	Repair of diaphragm hernia	16.22	NA	NA	6.23	6.68	2.11	090
39531		A	Repair of diaphragm hernia	17.23	NA	NA	6.58	6.98	2.22	090
39540		A	Repair of diaphragm hernia	14.51	NA	NA	5.70	5.96	1.80	090
39541		A	Repair of diaphragm hernia	15.67	NA	NA	6.07	6.33	1.93	090
39545		A	Revision of diaphragm	14.58	NA	NA	6.93	7.24	1.84	090
39560		A	Resect diaphragm, simple	12.97	NA	NA	5.52	5.90	1.59	090
39561		A	Resect diaphragm, complex	19.75	NA	NA	9.32	9.33	2.45	090
39599		C	Diaphragm surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
40490		A	Biopsy of lip	1.22	2.08	1.85	0.58	0.59	0.05	000
40500		A	Partial excision of lip	4.35	7.91	7.40	4.36	4.35	0.38	090
40510		A	Partial excision of lip	4.74	6.74	6.68	3.62	3.82	0.49	090
40520		A	Partial excision of lip	4.71	7.00	7.27	3.82	3.97	0.52	090
40525		A	Reconstruct lip with flap	7.61	NA	NA	5.33	5.82	0.85	090
40527		A	Reconstruct lip with flap	9.20	NA	NA	6.14	6.75	0.97	090
40530		A	Partial removal of lip	5.45	7.59	7.70	4.27	4.42	0.55	090
40650		A	Repair lip	3.69	5.99	6.39	3.17	3.23	0.38	090
40652		A	Repair lip	4.32	7.26	7.50	4.12	4.19	0.52	090
40654		A	Repair lip	5.37	8.09	8.35	4.68	4.81	0.60	090
40700		A	Repair cleft lip/nasal	13.97	NA	NA	8.66	8.87	0.95	090
40701		A	Repair cleft lip/nasal	17.03	NA	NA	7.82	9.58	1.65	090
40702		A	Repair cleft lip/nasal	14.09	NA	NA	5.82	7.03	1.23	090
40720		A	Repair cleft lip/nasal	14.54	NA	NA	9.53	9.71	1.80	090
40761		A	Repair cleft lip/nasal	15.69	NA	NA	9.29	9.79	1.94	090
40799		C	Lip surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
40800		A	Drainage of mouth lesion	1.19	3.84	3.40	1.88	1.83	0.13	010
40801		A	Drainage of mouth lesion	2.57	4.88	4.45	2.58	2.66	0.31	010
40804		A	Removal, foreign body, mouth	1.26	3.79	3.59	1.83	1.85	0.11	010
40805		A	Removal, foreign body, mouth	2.73	5.14	4.81	2.66	2.74	0.32	010
40806		A	Incision of lip fold	0.31	2.43	2.13	0.51	0.50	0.04	000
40808		A	Biopsy of mouth lesion	0.98	3.61	3.13	1.62	1.55	0.10	010
40810		A	Excision of mouth lesion	1.33	3.69	3.29	1.72	1.69	0.13	010
40812		A	Excise/repair mouth lesion	2.33	4.54	4.13	2.28	2.34	0.28	010
40814		A	Excise/repair mouth lesion	3.45	5.69	5.32	3.70	3.79	0.41	090
40816		A	Excision of mouth lesion	3.70	5.91	5.54	3.77	3.89	0.40	090
40818		A	Excise oral mucosa for graft	2.72	5.83	5.50	3.75	3.86	0.21	090
40819		A	Excise lip or cheek fold	2.45	4.93	4.51	3.11	3.10	0.29	090
40820		A	Treatment of mouth lesion	1.30	5.30	4.62	2.94	2.69	0.11	010
40830		A	Repair mouth laceration	1.78	4.04	3.88	2.00	2.05	0.19	010
40831		A	Repair mouth laceration	2.50	5.24	4.95	2.70	2.88	0.30	010
40840		R	Reconstruction of mouth	9.03	10.03	9.91	5.59	6.28	1.08	090
40842		R	Reconstruction of mouth	9.03	10.22	10.14	5.72	6.25	1.08	090
40843		R	Reconstruction of mouth	12.62	11.34	11.65	5.75	6.78	1.39	090
40844		R	Reconstruction of mouth	16.57	15.23	15.50	9.12	10.34	2.00	090
40845		R	Reconstruction of mouth	19.13	16.04	16.55	10.22	11.72	2.01	090
40899		C	Mouth surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
41000		A	Drainage of mouth lesion	1.32	2.56	2.44	1.33	1.37	0.12	010
41005		A	Drainage of mouth lesion	1.28	4.33	3.83	1.77	1.75	0.12	010
41006		A	Drainage of mouth lesion	3.28	5.44	5.11	2.82	3.00	0.35	090
41007		A	Drainage of mouth lesion	3.14	5.35	5.24	2.72	2.87	0.31	090
41008		A	Drainage of mouth lesion	3.40	5.52	5.10	2.85	3.02	0.42	090
41009		A	Drainage of mouth lesion	3.63	5.83	5.40	3.15	3.36	0.47	090
41010		A	Incision of tongue fold	1.08	3.90	3.66	1.56	1.58	0.07	010
41015		A	Drainage of mouth lesion	4.00	6.29	5.85	3.98	4.06	0.46	090
41016		A	Drainage of mouth lesion	4.11	6.23	5.92	4.07	4.15	0.53	090
41017		A	Drainage of mouth lesion	4.11	6.37	6.01	4.12	4.21	0.53	090
41018		A	Drainage of mouth lesion	5.14	6.76	6.45	4.48	4.53	0.68	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
41019		A	Place needles h&n for rt	8.84	NA	NA	3.28	3.28	0.59	000
41100		A	Biopsy of tongue	1.39	2.68	2.55	1.17	1.29	0.15	010
41105		A	Biopsy of tongue	1.44	2.68	2.49	1.20	1.26	0.13	010
41108		A	Biopsy of floor of mouth	1.07	2.52	2.30	1.08	1.11	0.10	010
41110		A	Excision of tongue lesion	1.53	3.66	3.32	1.65	1.64	0.13	010
41112		A	Excision of tongue lesion	2.77	5.26	4.87	3.24	3.23	0.28	090
41113		A	Excision of tongue lesion	3.23	5.52	5.13	3.39	3.43	0.34	090
41114		A	Excision of tongue lesion	8.71	NA	NA	6.30	6.75	0.83	090
41115		A	Excision of tongue fold	1.76	4.19	3.74	1.72	1.79	0.18	010
41116		A	Excision of mouth lesion	2.47	5.56	4.96	2.80	2.80	0.23	090
41120		A	Partial removal of tongue	10.91	NA	NA	14.34	14.83	0.79	090
41130		A	Partial removal of tongue	15.51	NA	NA	15.89	16.05	0.93	090
41135		A	Tongue and neck surgery	29.83	NA	NA	21.87	22.55	1.89	090
41140		A	Removal of tongue	28.81	NA	NA	23.59	25.14	2.27	090
41145		A	Tongue removal, neck surgery	37.59	NA	NA	28.83	29.70	2.55	090
41150		A	Tongue, mouth, jaw surgery	29.52	NA	NA	23.05	23.89	1.95	090
41153		A	Tongue, mouth, neck surgery	33.28	NA	NA	23.95	24.49	2.01	090
41155		A	Tongue, jaw, & neck surgery	43.96	NA	NA	27.62	27.22	2.34	090
41250		A	Repair tongue laceration	1.93	3.86	3.30	1.61	1.39	0.18	010
41251		A	Repair tongue laceration	2.29	3.49	3.38	1.78	1.66	0.22	010
41252		A	Repair tongue laceration	2.99	4.60	4.24	2.12	2.19	0.29	010
41500		A	Fixation of tongue	3.74	NA	NA	7.53	7.49	0.30	090
41510		A	Tongue to lip surgery	3.45	NA	NA	6.48	7.21	0.20	090
41520		A	Reconstruction, tongue fold	2.77	5.81	5.22	3.26	3.44	0.27	090
41599		C	Tongue and mouth surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
41800		A	Drainage of gum lesion	1.21	4.80	3.70	2.12	1.70	0.12	010
41805		A	Removal foreign body, gum	1.28	4.64	3.66	2.70	2.46	0.13	010
41806		A	Removal foreign body,jawbone	2.73	5.83	4.71	3.34	3.19	0.37	010
41820		R	Excision, gum, each quadrant	0.00	0.00	0.00	0.00	0.00	0.00	000
41821		R	Excision of gum flap	0.00	0.00	0.00	0.00	0.00	0.00	000
41822		R	Excision of gum lesion	2.35	4.80	4.35	1.85	1.86	0.31	010
41823		R	Excision of gum lesion	3.63	6.46	6.01	3.73	3.87	0.47	090
41825		A	Excision of gum lesion	1.35	3.69	3.38	1.47	1.86	0.15	010
41826		A	Excision of gum lesion	2.35	5.09	3.76	2.58	2.34	0.30	010
41827		A	Excision of gum lesion	3.72	6.65	6.08	3.38	3.52	0.35	090
41828		R	Excision of gum lesion	3.11	4.09	3.95	1.64	2.30	0.44	010
41830		R	Removal of gum tissue	3.38	5.99	5.47	3.12	3.37	0.44	010
41850		R	Treatment of gum lesion	0.00	0.00	0.00	0.00	0.00	0.00	000
41870		R	Gum graft	0.00	0.00	0.00	0.00	0.00	0.00	000
41872		R	Repair gum	2.90	6.05	5.53	3.31	3.38	0.30	090
41874		R	Repair tooth socket	3.13	5.67	5.25	2.72	2.95	0.45	090
41899		C	Dental surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
42000		A	Drainage mouth roof lesion	1.25	2.48	2.52	1.21	1.23	0.12	010
42100		A	Biopsy roof of mouth	1.33	2.27	2.18	1.26	1.31	0.13	010
42104		A	Excision lesion, mouth roof	1.66	3.58	3.06	1.67	1.61	0.16	010
42106		A	Excision lesion, mouth roof	2.12	4.45	3.84	2.07	2.26	0.25	010
42107		A	Excision lesion, mouth roof	4.48	6.54	6.13	3.69	3.82	0.44	090
42120		A	Remove palate/lesion	11.70	NA	NA	12.29	12.03	0.52	090
42140		A	Excision of uvula	1.65	4.58	4.15	2.12	2.11	0.13	090
42145		A	Repair palate, pharynx/uvula	9.63	NA	NA	7.49	7.49	0.65	090
42160		A	Treatment mouth roof lesion	1.82	3.78	4.01	1.69	1.99	0.17	010
42180		A	Repair palate	2.52	3.38	3.22	1.86	1.98	0.21	010
42182		A	Repair palate	3.84	3.99	3.93	2.40	2.71	0.40	010
42200		A	Reconstruct cleft palate	12.41	NA	NA	8.63	9.42	1.27	090
42205		A	Reconstruct cleft palate	13.57	NA	NA	7.37	8.72	1.58	090
42210		A	Reconstruct cleft palate	14.91	NA	NA	10.25	10.86	2.17	090
42215		A	Reconstruct cleft palate	8.88	NA	NA	7.42	8.25	1.31	090
42220		A	Reconstruct cleft palate	7.07	NA	NA	7.22	7.00	0.73	090
42225		A	Reconstruct cleft palate	9.66	NA	NA	12.25	14.66	0.86	090
42226		A	Lengthening of palate	10.24	NA	NA	11.91	13.31	1.01	090
42227		A	Lengthening of palate	9.81	NA	NA	11.22	13.39	0.98	090
42235		A	Repair palate	7.92	NA	NA	10.35	11.11	0.72	090
42260		A	Repair nose to lip fistula	10.10	9.74	9.97	6.03	6.55	1.26	090
42280		A	Preparation, palate mold	1.56	2.23	2.10	0.83	0.99	0.19	010
42281		A	Insertion, palate prosthesis	1.95	3.03	2.83	1.69	1.78	0.17	010
42299		C	Palate/uvula surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
42300		A	Drainage of salivary gland	1.95	3.14	2.98	1.74	1.78	0.16	010
42305		A	Drainage of salivary gland	6.23	NA	NA	3.99	4.36	0.51	090
42310		A	Drainage of salivary gland	1.58	2.29	2.28	1.39	1.46	0.13	010
42320		A	Drainage of salivary gland	2.37	3.74	3.51	1.88	1.99	0.21	010
42330		A	Removal of salivary stone	2.23	3.41	3.28	1.73	1.79	0.19	010
42335		A	Removal of salivary stone	3.35	5.77	5.34	2.85	3.00	0.29	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
42340		A	Removal of salivary stone	4.64	6.71	6.38	3.48	3.71	0.42	090
42400		A	Biopsy of salivary gland	0.78	2.00	1.82	0.65	0.68	0.06	000
42405		A	Biopsy of salivary gland	3.31	3.97	3.98	2.15	2.30	0.28	010
42408		A	Excision of salivary cyst	4.58	6.42	6.17	3.27	3.44	0.45	090
42409		A	Drainage of salivary cyst	2.85	5.32	4.92	2.53	2.65	0.27	090
42410		A	Excise parotid gland/lesion	9.46	NA	NA	5.37	5.80	0.91	090
42415		A	Excise parotid gland/lesion	17.99	NA	NA	8.63	9.75	1.43	090
42420		A	Excise parotid gland/lesion	20.87	NA	NA	9.58	10.98	1.65	090
42425		A	Excise parotid gland/lesion	13.31	NA	NA	6.84	7.72	1.05	090
42426		A	Excise parotid gland/lesion	22.54	NA	NA	10.01	11.52	1.81	090
42440		A	Excise submaxillary gland	7.05	NA	NA	3.86	4.33	0.59	090
42450		A	Excise sublingual gland	4.66	6.38	6.14	4.03	4.14	0.42	090
42500		A	Repair salivary duct	4.34	6.12	5.90	3.86	4.02	0.41	090
42505		A	Repair salivary duct	6.23	7.28	7.20	4.71	5.04	0.55	090
42507		A	Parotid duct diversion	6.16	NA	NA	6.34	6.44	0.49	090
42508		A	Parotid duct diversion	9.22	NA	NA	8.08	8.21	1.04	090
42509		A	Parotid duct diversion	11.65	NA	NA	8.92	9.56	0.93	090
42510		A	Parotid duct diversion	8.26	NA	NA	6.90	7.35	0.66	090
42550		A	Injection for salivary x-ray	1.25	2.28	2.75	0.44	0.43	0.07	000
42600		A	Closure of salivary fistula	4.86	6.57	6.58	3.43	3.77	0.43	090
42650		A	Dilation of salivary duct	0.77	1.29	1.19	0.66	0.68	0.07	000
42660		A	Dilation of salivary duct	1.13	1.46	1.40	0.75	0.80	0.09	000
42665		A	Ligation of salivary duct	2.57	5.00	4.59	2.40	2.50	0.23	090
42699		C	Salivary surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
42700		A	Drainage of tonsil abscess	1.64	2.97	2.81	1.65	1.67	0.13	010
42720		A	Drainage of throat abscess	6.31	4.70	4.76	3.17	3.48	0.44	010
42725		A	Drainage of throat abscess	12.28	NA	NA	7.09	7.65	0.91	090
42800		A	Biopsy of throat	1.41	2.47	2.33	1.30	1.35	0.11	010
42802		A	Biopsy of throat	1.56	4.14	4.45	1.67	1.87	0.12	010
42804		A	Biopsy of upper nose/throat	1.26	3.59	3.66	1.50	1.62	0.10	010
42806		A	Biopsy of upper nose/throat	1.60	3.83	3.95	1.61	1.77	0.13	010
42808		A	Excise pharynx lesion	2.32	3.22	3.16	1.60	1.77	0.19	010
42809		A	Remove pharynx foreign body	1.83	2.23	2.28	1.32	1.32	0.16	010
42810		A	Excision of neck cyst	3.30	6.23	5.97	3.73	3.64	0.29	090
42815		A	Excision of neck cyst	7.23	NA	NA	6.26	6.34	0.61	090
42820		A	Remove tonsils and adenoids	4.17	NA	NA	2.85	3.07	0.31	090
42821		A	Remove tonsils and adenoids	4.31	NA	NA	2.99	3.25	0.35	090
42825		A	Removal of tonsils	3.45	NA	NA	2.90	3.04	0.25	090
42826		A	Removal of tonsils	3.40	NA	NA	2.69	2.86	0.27	090
42830		A	Removal of adenoids	2.60	NA	NA	2.43	2.50	0.20	090
42831		A	Removal of adenoids	2.75	NA	NA	2.66	2.75	0.22	090
42835		A	Removal of adenoids	2.33	NA	NA	1.78	2.12	0.21	090
42836		A	Removal of adenoids	3.21	NA	NA	2.65	2.81	0.26	090
42842		A	Extensive surgery of throat	12.02	NA	NA	12.05	11.52	0.71	090
42844		A	Extensive surgery of throat	17.57	NA	NA	15.48	15.86	1.16	090
42845		A	Extensive surgery of throat	32.35	NA	NA	21.17	22.18	1.99	090
42860		A	Excision of tonsil tags	2.25	NA	NA	2.30	2.35	0.18	090
42870		A	Excision of lingual tonsil	5.44	NA	NA	8.71	8.64	0.44	090
42890		A	Partial removal of pharynx	18.92	NA	NA	15.26	14.71	1.05	090
42892		A	Revision of pharyngeal walls	25.77	NA	NA	19.22	18.20	1.28	090
42894		A	Revision of pharyngeal walls	33.61	NA	NA	23.55	22.79	1.87	090
42900		A	Repair throat wound	5.26	NA	NA	2.96	3.31	0.50	010
42950		A	Reconstruction of throat	8.16	NA	NA	11.08	11.47	0.72	090
42953		A	Repair throat, esophagus	9.33	NA	NA	13.79	15.56	0.88	090
42955		A	Surgical opening of throat	7.92	NA	NA	10.11	10.39	0.80	090
42960		A	Control throat bleeding	2.35	NA	NA	1.72	1.84	0.19	010
42961		A	Control throat bleeding	5.69	NA	NA	4.49	4.72	0.45	090
42962		A	Control throat bleeding	7.31	NA	NA	5.19	5.55	0.58	090
42970		A	Control nose/throat bleeding	5.76	NA	NA	3.59	3.88	0.39	090
42971		A	Control nose/throat bleeding	6.54	NA	NA	4.51	4.81	0.51	090
42972		A	Control nose/throat bleeding	7.53	NA	NA	4.99	5.35	0.62	090
42999		C	Throat surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43020		A	Incision of esophagus	8.14	NA	NA	4.58	5.00	0.87	090
43030		A	Throat muscle surgery	7.91	NA	NA	4.52	5.01	0.70	090
43045		A	Incision of esophagus	21.70	NA	NA	9.31	10.01	2.59	090
43100		A	Excision of esophagus lesion	9.55	NA	NA	5.21	5.72	0.93	090
43101		A	Excision of esophagus lesion	16.99	NA	NA	7.17	7.53	2.32	090
43107		A	Removal of esophagus	43.97	NA	NA	16.27	17.27	5.24	090
43108		A	Removal of esophagus	82.66	NA	NA	24.49	19.35	4.08	090
43112		A	Removal of esophagus	47.27	NA	NA	17.02	18.20	5.81	090
43113		A	Removal of esophagus	79.85	NA	NA	25.37	20.24	4.43	090
43116		A	Partial removal of esophagus	92.78	NA	NA	30.34	23.52	3.06	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
43117		A	Partial removal of esophagus	43.52	NA	NA	15.16	16.22	5.19	090
43118		A	Partial removal of esophagus	66.86	NA	NA	21.53	17.66	4.11	090
43121		A	Partial removal of esophagus	51.22	NA	NA	18.29	15.98	3.91	090
43122		A	Partial removal of esophagus	43.97	NA	NA	15.62	16.51	5.42	090
43123		A	Partial removal of esophagus	82.91	NA	NA	25.78	19.95	4.16	090
43124		A	Removal of esophagus	68.83	NA	NA	24.37	18.73	3.74	090
43130		A	Removal of esophagus pouch	12.41	NA	NA	6.38	6.97	1.16	090
43135		A	Removal of esophagus pouch	26.09	NA	NA	9.93	9.01	2.34	090
43200		A	Esophagus endoscopy	1.59	3.73	3.93	0.98	1.02	0.13	000
43201		A	Esoph scope w/submucous inj	2.09	5.63	5.13	1.19	1.15	0.15	000
43202		A	Esophagus endoscopy, biopsy	1.89	5.17	5.36	0.98	0.96	0.15	000
43204		A	Esoph scope w/sclerosis inj	3.76	NA	NA	2.01	1.76	0.30	000
43205		A	Esophagus endoscopy/ligation	3.78	NA	NA	2.06	1.79	0.28	000
43215		A	Esophagus endoscopy	2.60	NA	NA	1.29	1.24	0.22	000
43216		A	Esophagus endoscopy/lesion	2.40	3.08	2.07	1.26	1.16	0.20	000
43217		A	Esophagus endoscopy	2.90	6.58	6.77	1.38	1.28	0.26	000
43219		A	Esophagus endoscopy	2.80	NA	NA	1.55	1.45	0.24	000
43220		A	Esoph endoscopy, dilation	2.10	NA	NA	1.13	1.05	0.17	000
43226		A	Esoph endoscopy, dilation	2.34	NA	NA	1.29	1.16	0.19	000
43227		A	Esoph endoscopy, repair	3.59	NA	NA	1.77	1.61	0.28	000
43228		A	Esoph endoscopy, ablation	3.76	NA	NA	1.89	1.72	0.34	000
43231		A	Esoph endoscopy w/us exam	3.19	NA	NA	1.76	1.53	0.23	000
43232		A	Esoph endoscopy w/us fn bx	4.47	NA	NA	2.39	2.10	0.34	000
43234		A	Upper GI endoscopy, exam	2.01	4.98	5.16	1.02	0.94	0.17	000
43235		A	Uppr gi endoscopy, diagnosis	2.39	5.29	5.23	1.35	1.18	0.19	000
43236		A	Uppr gi scope w/submuc inj	2.92	6.72	6.56	1.65	1.43	0.21	000
43237		A	Endoscopic us exam, esoph	3.98	NA	NA	2.16	1.88	0.43	000
43238		A	Uppr gi endoscopy w/us fn bx	5.02	NA	NA	2.57	2.27	0.43	000
43239		A	Upper GI endoscopy, biopsy	2.87	6.06	5.89	1.56	1.37	0.22	000
43240		A	Esoph endoscope w/drain cyst	6.85	NA	NA	3.29	2.95	0.56	000
43241		A	Upper GI endoscopy with tube	2.59	NA	NA	1.40	1.25	0.21	000
43242		A	Uppr gi endoscopy w/us fn bx	7.30	NA	NA	3.68	3.21	0.53	000
43243		A	Upper gi endoscopy & inject	4.56	NA	NA	2.36	2.08	0.33	000
43244		A	Upper GI endoscopy/ligation	5.04	NA	NA	2.65	2.31	0.37	000
43245		A	Uppr gi scope dilate strictr	3.18	NA	NA	1.63	1.46	0.26	000
43246		A	Place gastrostomy tube	4.32	NA	NA	2.11	1.90	0.34	000
43247		A	Operative upper GI endoscopy	3.38	NA	NA	1.79	1.58	0.27	000
43248		A	Uppr gi endoscopy/guide wire	3.15	NA	NA	1.77	1.54	0.23	000
43249		A	Esoph endoscopy, dilation	2.90	NA	NA	1.62	1.41	0.22	000
43250		A	Upper GI endoscopy/tumor	3.20	NA	NA	1.61	1.46	0.26	000
43251		A	Operative upper GI endoscopy	3.69	NA	NA	1.92	1.70	0.29	000
43255		A	Operative upper GI endoscopy	4.81	NA	NA	2.53	2.21	0.35	000
43256		A	Uppr gi endoscopy w/stent	4.34	NA	NA	2.25	1.98	0.32	000
43257		A	Uppr gi scope w/thrml txmnt	5.50	NA	NA	2.14	2.17	0.36	000
43258		A	Operative upper GI endoscopy	4.54	NA	NA	2.37	2.08	0.33	000
43259		A	Endoscopic ultrasound exam	5.19	NA	NA	2.69	2.34	0.35	000
43260		A	Endo cholangiopancreatograph	5.95	NA	NA	3.06	2.67	0.43	000
43261		A	Endo cholangiopancreatograph	6.26	NA	NA	3.20	2.80	0.46	000
43262		A	Endo cholangiopancreatograph	7.38	NA	NA	3.73	3.26	0.54	000
43263		A	Endo cholangiopancreatograph	7.28	NA	NA	3.64	3.20	0.54	000
43264		A	Endo cholangiopancreatograph	8.89	NA	NA	4.44	3.88	0.65	000
43265		A	Endo cholangiopancreatograph	10.00	NA	NA	4.99	4.34	0.73	000
43267		A	Endo cholangiopancreatograph	7.38	NA	NA	3.39	3.09	0.54	000
43268		A	Endo cholangiopancreatograph	7.38	NA	NA	3.89	3.39	0.54	000
43269		A	Endo cholangiopancreatograph	8.20	NA	NA	4.10	3.59	0.60	000
43271		A	Endo cholangiopancreatograph	7.38	NA	NA	3.71	3.25	0.54	000
43272		A	Endo cholangiopancreatograph	7.38	NA	NA	3.78	3.28	0.54	000
43280		A	Laparoscopy, fundoplasty	18.00	NA	NA	6.66	6.96	2.28	090
43289		C	Laparoscope proc, esoph	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43300		A	Repair of esophagus	9.21	NA	NA	5.41	5.90	1.12	090
43305		A	Repair esophagus and fistula	17.98	NA	NA	8.34	9.52	1.54	090
43310		A	Repair of esophagus	26.18	NA	NA	9.82	10.44	3.61	090
43312		A	Repair esophagus and fistula	29.23	NA	NA	10.28	11.09	4.01	090
43313		A	Esophagoplasty congenital	48.17	NA	NA	17.48	18.15	5.47	090
43314		A	Tracheo-esophagoplasty cong	53.15	NA	NA	15.11	17.15	6.65	090
43320		A	Fuse esophagus & stomach	23.18	NA	NA	8.61	8.91	2.74	090
43324		A	Revise esophagus & stomach	22.86	NA	NA	8.35	8.56	2.76	090
43325		A	Revise esophagus & stomach	22.47	NA	NA	8.39	8.59	2.60	090
43326		A	Revise esophagus & stomach	22.15	NA	NA	9.21	9.25	2.85	090
43330		A	Repair of esophagus	22.06	NA	NA	8.10	8.32	2.63	090
43331		A	Repair of esophagus	22.93	NA	NA	9.83	9.81	2.94	090
43340		A	Fuse esophagus & intestine	22.86	NA	NA	9.28	9.13	2.46	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
43341		A	Fuse esophagus & intestine	24.10	NA	NA	9.66	9.84	2.92	090
43350		A	Surgical opening, esophagus	19.31	NA	NA	8.76	8.60	1.42	090
43351		A	Surgical opening, esophagus	21.87	NA	NA	10.87	10.33	2.47	090
43352		A	Surgical opening, esophagus	17.68	NA	NA	7.95	8.17	2.06	090
43360		A	Gastrointestinal repair	39.90	NA	NA	14.90	14.99	4.97	090
43361		A	Gastrointestinal repair	45.50	NA	NA	18.15	17.52	4.50	090
43400		A	Ligate esophagus veins	25.47	NA	NA	13.60	11.52	1.96	090
43401		A	Esophagus surgery for veins	26.36	NA	NA	9.55	9.52	3.05	090
43405		A	Ligate/staple esophagus	24.55	NA	NA	10.68	10.13	2.84	090
43410		A	Repair esophagus wound	16.28	NA	NA	7.67	7.65	1.72	090
43415		A	Repair esophagus wound	28.70	NA	NA	11.84	11.79	3.53	090
43420		A	Repair esophagus opening	16.65	NA	NA	7.48	7.44	1.43	090
43425		A	Repair esophagus opening	24.91	NA	NA	10.46	10.22	3.03	090
43450		A	Dilate esophagus	1.38	2.68	2.66	0.93	0.81	0.11	000
43453		A	Dilate esophagus	1.51	6.31	6.19	1.01	0.87	0.11	000
43456		A	Dilate esophagus	2.57	13.02	13.39	1.45	1.27	0.20	000
43458		A	Dilate esophagus	3.06	6.93	6.79	1.59	1.44	0.24	000
43460		A	Pressure treatment esophagus	3.79	NA	NA	1.76	1.62	0.31	000
43496		C	Free jejunum flap, microvasc	0.00	0.00	0.00	0.00	0.00	0.00	090
43499		C	Esophagus surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43500		A	Surgical opening of stomach	12.71	NA	NA	5.29	5.13	1.45	090
43501		A	Surgical repair of stomach	22.47	NA	NA	8.10	8.20	2.65	090
43502		A	Surgical repair of stomach	25.56	NA	NA	8.97	9.22	3.10	090
43510		A	Surgical opening of stomach	15.01	NA	NA	9.14	7.86	1.48	090
43520		A	Incision of pyloric muscle	11.21	NA	NA	4.82	5.04	1.36	090
43600		A	Biopsy of stomach	1.91	NA	NA	0.77	0.71	0.14	000
43605		A	Biopsy of stomach	13.64	NA	NA	5.36	5.32	1.58	090
43610		A	Excision of stomach lesion	16.26	NA	NA	6.03	6.09	1.94	090
43611		A	Excision of stomach lesion	20.25	NA	NA	7.49	7.53	2.36	090
43620		A	Removal of stomach	33.91	NA	NA	11.10	11.45	3.96	090
43621		A	Removal of stomach	39.40	NA	NA	12.41	12.19	4.04	090
43622		A	Removal of stomach	39.90	NA	NA	12.51	12.55	4.30	090
43631		A	Removal of stomach, partial	24.38	NA	NA	8.59	8.88	2.99	090
43632		A	Removal of stomach, partial	35.01	NA	NA	11.28	10.22	2.99	090
43633		A	Removal of stomach, partial	33.01	NA	NA	10.76	10.04	3.06	090
43634		A	Removal of stomach, partial	36.51	NA	NA	11.79	10.94	3.33	090
43635		A	Removal of stomach, partial	2.06	NA	NA	0.52	0.61	0.27	ZZZ
43640		A	Vagotomy & pylorus repair	19.43	NA	NA	7.34	7.30	2.26	090
43641		A	Vagotomy & pylorus repair	19.68	NA	NA	7.63	7.50	2.25	090
43644		A	Lap gastric bypass/roux-en-y	29.24	NA	NA	10.11	10.66	3.16	090
43645		A	Lap gastr bypass incl smll i	31.37	NA	NA	10.49	11.25	3.54	090
43647		C	Lap impl electrode, antrum	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43648		C	Lap revise/remv eltrd antrum	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43651		A	Laparoscopy, vagus nerve	10.13	NA	NA	4.62	4.69	1.33	090
43652		A	Laparoscopy, vagus nerve	12.13	NA	NA	5.23	5.49	1.55	090
43653		A	Laparoscopy, gastrostomy	8.38	NA	NA	4.47	4.32	1.01	090
43659		C	Laparoscope proc, stom	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43752		A	Nasal/orogastric w/stent	0.81	NA	NA	0.27	0.26	0.02	000
43760		A	Change gastrostomy tube	0.90	5.99	4.04	0.33	0.39	0.09	000
43761		A	Reposition gastrostomy tube	2.01	1.04	1.10	0.70	0.68	0.13	000
43770		A	Lap place gastr adj device	17.85	NA	NA	7.40	7.56	2.19	090
43771		A	Lap revise gastr adj device	20.64	NA	NA	8.13	8.36	2.55	090
43772		A	Lap rmvl gastr adj device	15.62	NA	NA	6.00	6.21	1.93	090
43773		A	Lap replace gastr adj device	20.64	NA	NA	8.11	8.35	2.56	090
43774		A	Lap rmvl gastr adj all parts	15.66	NA	NA	6.18	6.37	1.85	090
43800		A	Reconstruction of pylorus	15.35	NA	NA	5.82	5.86	1.82	090
43810		A	Fusion of stomach and bowel	16.80	NA	NA	6.14	6.16	1.94	090
43820		A	Fusion of stomach and bowel	22.40	NA	NA	8.08	7.24	2.04	090
43825		A	Fusion of stomach and bowel	21.63	NA	NA	7.90	7.96	2.54	090
43830		A	Place gastrostomy tube	10.75	NA	NA	5.17	5.01	1.25	090
43831		A	Place gastrostomy tube	8.38	NA	NA	4.93	4.72	1.03	090
43832		A	Place gastrostomy tube	17.26	NA	NA	7.07	6.96	1.98	090
43840		A	Repair of stomach lesion	22.70	NA	NA	8.15	7.46	2.06	090
43842		N	V-band gastroplasty	20.90	NA	NA	6.75	7.27	2.45	090
43843		A	Gastroplasty w/o v-band	21.08	NA	NA	7.85	7.80	2.46	090
43845		A	Gastroplasty duodenal switch	33.12	NA	NA	12.89	11.83	4.06	090
43846		A	Gastric bypass for obesity	27.23	NA	NA	9.98	10.01	3.19	090
43847		A	Gastric bypass incl small i	30.10	NA	NA	10.52	10.71	3.56	090
43848		A	Revision gastroplasty	32.57	NA	NA	11.31	11.56	3.88	090
43850		A	Revise stomach-bowel fusion	27.45	NA	NA	9.50	9.66	3.28	090
43855		A	Revise stomach-bowel fusion	28.56	NA	NA	9.71	10.02	3.47	090
43860		A	Revise stomach-bowel fusion	27.76	NA	NA	9.48	9.73	3.31	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
43865		A	Revise stomach-bowel fusion	28.92	NA	NA	9.74	10.12	3.51	090
43870		A	Repair stomach opening	11.36	NA	NA	4.95	4.73	1.27	090
43880		A	Repair stomach-bowel fistula	27.05	NA	NA	9.28	9.59	3.27	090
43881		C	Impl/redo electrd, antrum	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43882		C	Revise/remove electrd antrum	0.00	0.00	0.00	0.00	0.00	0.00	YYY
43886		A	Revise gastric port, open	4.54	NA	NA	3.45	3.29	0.25	090
43887		A	Remove gastric port, open	4.24	NA	NA	3.06	2.91	0.51	090
43888		A	Change gastric port, open	6.34	NA	NA	4.01	3.89	0.70	090
43999		C	Stomach surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
44005		A	Freeing of bowel adhesion	18.38	NA	NA	6.59	6.65	2.15	090
44010		A	Incision of small bowel	14.18	NA	NA	5.53	5.49	1.64	090
44015		A	Insert needle cath bowel	2.62	NA	NA	0.68	0.78	0.35	ZZZ
44020		A	Explore small intestine	16.14	NA	NA	6.01	5.97	1.86	090
44021		A	Decompress small bowel	16.23	NA	NA	6.15	6.06	1.87	090
44025		A	Incision of large bowel	16.43	NA	NA	6.06	6.04	1.90	090
44050		A	Reduce bowel obstruction	15.44	NA	NA	5.83	5.89	1.86	090
44055		A	Correct malrotation of bowel	25.53	NA	NA	8.49	8.61	2.91	090
44100		A	Biopsy of bowel	2.01	NA	NA	0.91	0.81	0.17	000
44110		A	Excise intestine lesion(s)	13.96	NA	NA	5.51	5.37	1.55	090
44111		A	Excision of bowel lesion(s)	16.44	NA	NA	6.10	6.10	1.87	090
44120		A	Removal of small intestine	20.74	NA	NA	7.15	7.11	2.25	090
44121		A	Removal of small intestine	4.44	NA	NA	1.12	1.32	0.58	ZZZ
44125		A	Removal of small intestine	19.93	NA	NA	7.03	7.14	2.27	090
44126		A	Enterectomy w/o taper, cong	42.02	NA	NA	13.61	13.86	4.69	090
44127		A	Enterectomy w/taper, cong	49.09	NA	NA	15.65	15.69	5.77	090
44128		A	Enterectomy cong, add-on	4.44	NA	NA	1.22	1.37	0.61	ZZZ
44130		A	Bowel to bowel fusion	21.98	NA	NA	7.98	7.10	1.88	090
44132		R	Enterectomy, cadaver donor	0.00	0.00	0.00	0.00	0.00	0.00	XXX
44133		R	Enterectomy, live donor	0.00	0.00	0.00	0.00	0.00	0.00	XXX
44135		R	Intestine transplnt, cadaver	0.00	0.00	0.00	0.00	0.00	0.00	XXX
44136		R	Intestine transplant, live	0.00	0.00	0.00	0.00	0.00	0.00	XXX
44137		C	Remove intestinal allograft	0.00	0.00	0.00	0.00	0.00	0.00	XXX
44139		A	Mobilization of colon	2.23	NA	NA	0.56	0.66	0.28	ZZZ
44140		A	Partial removal of colon	22.46	NA	NA	8.07	8.36	2.71	090
44141		A	Partial removal of colon	29.75	NA	NA	11.85	10.95	2.53	090
44143		A	Partial removal of colon	27.63	NA	NA	10.29	10.49	3.05	090
44144		A	Partial removal of colon	29.75	NA	NA	10.63	10.12	2.86	090
44145		A	Partial removal of colon	28.45	NA	NA	9.49	10.15	3.29	090
44146		A	Partial removal of colon	35.14	NA	NA	13.37	13.12	3.41	090
44147		A	Partial removal of colon	33.56	NA	NA	10.79	9.74	2.56	090
44150		A	Removal of colon	29.99	NA	NA	12.62	12.32	3.04	090
44151		A	Removal of colon/ileostomy	34.73	NA	NA	13.93	13.67	3.49	090
44155		A	Removal of colon/ileostomy	34.23	NA	NA	13.46	13.38	3.28	090
44156		A	Removal of colon/ileostomy	37.23	NA	NA	14.49	14.76	3.95	090
44157		A	Colectomy w/ileoanal anast	35.49	NA	NA	17.10	17.10	3.93	090
44158		A	Colectomy w/neo-rectum pouch	36.49	NA	NA	17.44	17.44	4.06	090
44160		A	Removal of colon	20.78	NA	NA	7.52	7.63	2.37	090
44180		A	Lap, enterolysis	15.19	NA	NA	5.81	6.02	1.86	090
44186		A	Lap, jejunostomy	10.30	NA	NA	4.59	4.69	1.27	090
44187		A	Lap, ileo/jejuno-stomy	17.27	NA	NA	8.13	8.20	1.96	090
44188		A	Lap, colostomy	19.20	NA	NA	8.68	8.76	2.24	090
44202		A	Lap, enterectomy	23.26	NA	NA	8.32	8.62	2.85	090
44203		A	Lap resect s/intestine, addl	4.44	NA	NA	1.12	1.31	0.57	ZZZ
44204		A	Laparo partial colectomy	26.29	NA	NA	8.89	9.42	3.11	090
44205		A	Lap colectomy part w/ileum	22.86	NA	NA	7.81	8.33	2.75	090
44206		A	Lap part colectomy w/stoma	29.63	NA	NA	10.48	10.87	3.46	090
44207		A	L colectomy/coloproctostomy	31.79	NA	NA	10.11	10.80	3.67	090
44208		A	L colectomy/coloproctostomy	33.86	NA	NA	12.02	12.58	3.88	090
44210		A	Laparo total proctocolectomy	29.88	NA	NA	11.19	11.53	3.42	090
44211		A	Lap colectomy w/proctectomy	36.87	NA	NA	13.60	14.14	4.17	090
44212		A	Laparo total proctocolectomy	34.37	NA	NA	13.05	13.37	3.78	090
44213		A	Lap, mobil splenic fl add-on	3.50	NA	NA	0.86	1.04	0.44	ZZZ
44227		A	Lap, close enterostomy	28.49	NA	NA	9.49	10.06	3.38	090
44238		C	Laparoscope proc, intestine	0.00	0.00	0.00	0.00	0.00	0.00	YYY
44300		A	Open bowel to skin	13.65	NA	NA	5.56	5.52	1.60	090
44310		A	Ileostomy/jejunostomy	17.49	NA	NA	6.40	6.55	1.99	090
44312		A	Revision of ileostomy	9.33	NA	NA	4.66	4.32	0.92	090
44314		A	Revision of ileostomy	16.61	NA	NA	6.78	6.67	1.75	090
44316		A	Devise bowel pouch	23.46	NA	NA	8.88	8.71	2.38	090
44320		A	Colostomy	19.75	NA	NA	7.60	7.63	2.26	090
44322		A	Colostomy with biopsies	13.15	NA	NA	9.11	8.84	1.54	090
44340		A	Revision of colostomy	9.12	NA	NA	4.94	4.60	0.99	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
44345		A	Revision of colostomy	17.06	NA	NA	6.92	6.90	1.97	090
44346		A	Revision of colostomy	19.47	NA	NA	7.53	7.46	2.13	090
44360		A	Small bowel endoscopy	2.59	NA	NA	1.50	1.30	0.19	000
44361		A	Small bowel endoscopy/biopsy	2.87	NA	NA	1.63	1.41	0.21	000
44363		A	Small bowel endoscopy	3.49	NA	NA	1.85	1.61	0.27	000
44364		A	Small bowel endoscopy	3.73	NA	NA	1.98	1.73	0.27	000
44365		A	Small bowel endoscopy	3.31	NA	NA	1.74	1.55	0.24	000
44366		A	Small bowel endoscopy	4.40	NA	NA	2.37	2.05	0.32	000
44369		A	Small bowel endoscopy	4.51	NA	NA	2.36	2.05	0.33	000
44370		A	Small bowel endoscopy/stent	4.79	NA	NA	2.56	2.27	0.37	000
44372		A	Small bowel endoscopy	4.40	NA	NA	2.12	1.93	0.35	000
44373		A	Small bowel endoscopy	3.49	NA	NA	1.77	1.59	0.27	000
44376		A	Small bowel endoscopy	5.25	NA	NA	2.47	2.25	0.42	000
44377		A	Small bowel endoscopy/biopsy	5.52	NA	NA	2.76	2.45	0.40	000
44378		A	Small bowel endoscopy	7.12	NA	NA	3.58	3.14	0.52	000
44379		A	S bowel endoscope w/stent	7.46	NA	NA	3.93	3.42	0.62	000
44380		A	Small bowel endoscopy	1.05	NA	NA	0.74	0.65	0.08	000
44382		A	Small bowel endoscopy	1.27	NA	NA	0.84	0.73	0.12	000
44383		A	Ileoscopy w/stent	2.94	NA	NA	1.61	1.44	0.21	000
44385		A	Endoscopy of bowel pouch	1.82	4.90	4.13	0.89	0.82	0.15	000
44386		A	Endoscopy, bowel pouch/biop	2.12	6.65	6.65	1.02	0.95	0.20	000
44388		A	Colonoscopy	2.82	6.12	5.60	1.35	1.25	0.26	000
44389		A	Colonoscopy with biopsy	3.13	7.11	6.87	1.58	1.42	0.27	000
44390		A	Colonoscopy for foreign body	3.82	8.34	7.73	1.92	1.70	0.32	000
44391		A	Colonoscopy for bleeding	4.31	8.94	8.84	2.22	1.95	0.34	000
44392		A	Colonoscopy & polypectomy	3.81	7.37	6.98	1.72	1.60	0.34	000
44393		A	Colonoscopy, lesion removal	4.83	8.04	7.47	2.13	2.00	0.42	000
44394		A	Colonoscopy w/snare	4.42	8.51	8.16	2.07	1.89	0.38	000
44397		A	Colonoscopy w/stent	4.70	NA	NA	2.16	1.98	0.39	000
44500		A	Intro, gastrointestinal tube	0.49	NA	NA	0.17	0.17	0.03	000
44602		A	Suture, small intestine	24.64	NA	NA	7.62	7.01	2.12	090
44603		A	Suture, small intestine	28.03	NA	NA	8.97	8.12	2.42	090
44604		A	Suture, large intestine	18.06	NA	NA	6.07	6.26	2.12	090
44605		A	Repair of bowel lesion	22.00	NA	NA	7.83	8.11	2.52	090
44615		A	Intestinal stricturoplasty	18.08	NA	NA	6.54	6.61	2.07	090
44620		A	Repair bowel opening	14.35	NA	NA	5.51	5.42	1.51	090
44625		A	Repair bowel opening	17.20	NA	NA	6.15	6.23	1.86	090
44626		A	Repair bowel opening	27.82	NA	NA	8.89	9.35	3.27	090
44640		A	Repair bowel-skin fistula	24.12	NA	NA	8.02	8.30	2.78	090
44650		A	Repair bowel fistula	25.04	NA	NA	8.31	8.60	2.93	090
44660		A	Repair bowel-bladder fistula	23.83	NA	NA	9.76	9.05	2.14	090
44661		A	Repair bowel-bladder fistula	27.27	NA	NA	9.40	9.48	2.81	090
44680		A	Surgical revision, intestine	17.88	NA	NA	6.69	6.57	2.00	090
44700		A	Suspend bowel w/prosthesis	17.40	NA	NA	6.16	6.41	1.84	090
44701		A	Intraop colon lavage add-on	3.10	NA	NA	0.76	0.91	0.37	ZZZ
44715		C	Prepare donor intestine	0.00	0.00	0.00	0.00	0.00	0.00	XXX
44720		A	Prep donor intestine/venous	5.00	NA	NA	1.27	1.49	0.37	XXX
44721		A	Prep donor intestine/artery	7.00	NA	NA	1.78	2.09	0.97	XXX
44799		C	Unlisted procedure intestine	0.00	0.00	0.00	0.00	0.00	0.00	YYY
44800		A	Excision of bowel pouch	11.94	NA	NA	5.49	5.44	1.47	090
44820		A	Excision of mesentery lesion	13.63	NA	NA	5.56	5.53	1.59	090
44850		A	Repair of mesentery	12.03	NA	NA	5.01	5.01	1.39	090
44899		C	Bowel surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
44900		A	Drain app abscess, open	12.44	NA	NA	5.03	4.86	1.33	090
44901		A	Drain app abscess, percut	3.37	19.81	23.86	1.20	1.15	0.22	000
44950		A	Appendectomy	10.52	NA	NA	4.05	4.18	1.31	090
44955		A	Appendectomy add-on	1.53	NA	NA	0.40	0.47	0.20	ZZZ
44960		A	Appendectomy	14.39	NA	NA	5.40	5.37	1.63	090
44970		A	Laparoscopy, appendectomy	9.35	NA	NA	4.19	4.14	1.14	090
44979		C	Laparoscope proc, app	0.00	0.00	0.00	0.00	0.00	0.00	YYY
45000		A	Drainage of pelvic abscess	6.20	NA	NA	3.57	3.27	0.52	090
45005		A	Drainage of rectal abscess	2.00	3.99	4.02	1.59	1.58	0.25	010
45020		A	Drainage of rectal abscess	8.43	NA	NA	4.55	3.91	0.55	090
45100		A	Biopsy of rectum	3.96	NA	NA	2.81	2.59	0.44	090
45108		A	Removal of anorectal lesion	5.04	NA	NA	3.10	2.94	0.59	090
45110		A	Removal of rectum	30.57	NA	NA	11.86	12.13	3.36	090
45111		A	Partial removal of rectum	17.89	NA	NA	7.00	7.08	2.07	090
45112		A	Removal of rectum	33.05	NA	NA	10.31	11.04	3.43	090
45113		A	Partial proctectomy	33.09	NA	NA	11.59	12.09	3.49	090
45114		A	Partial removal of rectum	30.63	NA	NA	10.30	10.59	3.36	090
45116		A	Partial removal of rectum	27.56	NA	NA	9.65	9.84	2.88	090
45119		A	Remove rectum w/reservoir	33.35	NA	NA	11.54	12.00	3.36	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
45120		A	Removal of rectum	26.25	NA	NA	9.27	9.70	2.90	090
45121		A	Removal of rectum and colon	28.93	NA	NA	10.04	10.57	3.25	090
45123		A	Partial proctectomy	18.70	NA	NA	6.94	6.90	1.86	090
45126		A	Pelvic exenteration	48.89	NA	NA	17.89	18.55	4.33	090
45130		A	Excision of rectal prolapse	18.37	NA	NA	6.67	6.72	1.80	090
45135		A	Excision of rectal prolapse	22.15	NA	NA	8.61	8.51	2.36	090
45136		A	Excise ileoanal reservior	30.63	NA	NA	11.96	12.24	2.82	090
45150		A	Excision of rectal stricture	5.77	NA	NA	3.34	3.15	0.61	090
45160		A	Excision of rectal lesion	16.17	NA	NA	6.44	6.54	1.68	090
45170		A	Excision of rectal lesion	12.48	NA	NA	5.36	5.30	1.35	090
45190		A	Destruction, rectal tumor	10.29	NA	NA	5.52	5.07	1.13	090
45300		A	Proctosigmoidoscopy dx	0.80	1.96	1.74	0.45	0.37	0.04	000
45303		A	Proctosigmoidoscopy dilate	1.50	19.93	19.31	0.66	0.49	0.05	000
45305		A	Proctosigmoidoscopy w/bx	1.25	3.19	2.91	0.59	0.55	0.11	000
45307		A	Proctosigmoidoscopy fb	1.70	3.25	3.14	0.70	0.59	0.11	000
45308		A	Proctosigmoidoscopy removal	1.40	3.41	2.70	0.63	0.53	0.09	000
45309		A	Proctosigmoidoscopy removal	1.50	3.53	3.17	0.67	0.75	0.22	000
45315		A	Proctosigmoidoscopy removal	1.80	3.82	3.34	0.88	0.75	0.15	000
45317		A	Proctosigmoidoscopy bleed	2.00	3.37	2.90	0.77	0.71	0.15	000
45320		A	Proctosigmoidoscopy ablate	1.78	3.40	3.16	0.80	0.75	0.16	000
45321		A	Proctosigmoidoscopy volvul	1.75	NA	NA	0.86	0.71	0.13	000
45327		A	Proctosigmoidoscopy w/stent	2.00	NA	NA	0.91	0.80	0.16	000
45330		A	Diagnostic sigmoidoscopy	0.96	2.52	2.40	0.62	0.56	0.08	000
45331		A	Sigmoidoscopy and biopsy	1.15	3.28	3.18	0.79	0.69	0.09	000
45332		A	Sigmoidoscopy w/fb removal	1.79	5.54	5.27	0.99	0.90	0.16	000
45333		A	Sigmoidoscopy & polypectomy	1.79	5.67	5.27	0.99	0.89	0.15	000
45334		A	Sigmoidoscopy for bleeding	2.73	NA	NA	1.54	1.34	0.20	000
45335		A	Sigmoidoscopy w/submuc inj	1.46	5.34	4.28	0.90	0.79	0.11	000
45337		A	Sigmoidoscopy & decompress	2.36	NA	NA	1.25	1.12	0.21	000
45338		A	Sigmoidoscopy w/tumr remove	2.34	5.91	5.57	1.28	1.14	0.19	000
45339		A	Sigmoidoscopy w/ablate tumr	3.14	5.73	4.60	1.66	1.47	0.26	000
45340		A	Sig w/balloon dilation	1.89	10.27	8.22	1.03	0.93	0.15	000
45341		A	Sigmoidoscopy w/ultrasound	2.60	NA	NA	1.47	1.27	0.19	000
45342		A	Sigmoidoscopy w/us guide bx	4.05	NA	NA	2.17	1.85	0.30	000
45345		A	Sigmoidoscopy w/stent	2.92	NA	NA	1.50	1.33	0.23	000
45355		A	Surgical colonoscopy	3.51	NA	NA	1.58	1.48	0.36	000
45378		A	Diagnostic colonoscopy	3.69	6.39	6.27	1.82	1.65	0.30	000
45378	53	A	Diagnostic colonoscopy	0.96	2.52	2.40	0.62	0.56	0.08	000
45379		A	Colonoscopy w/fb removal	4.68	8.08	7.87	2.17	1.99	0.39	000
45380		A	Colonoscopy and biopsy	4.43	7.76	7.48	2.24	1.99	0.35	000
45381		A	Colonoscopy, submucous inj	4.19	7.73	7.42	2.16	1.90	0.30	000
45382		A	Colonoscopy/control bleeding	5.68	10.36	10.15	2.89	2.54	0.41	000
45383		A	Lesion removal colonoscopy	5.86	8.56	8.24	2.63	2.43	0.48	000
45384		A	Lesion remove colonoscopy	4.69	7.20	7.00	2.18	2.01	0.38	000
45385		A	Lesion removal colonoscopy	5.30	8.38	8.09	2.59	2.31	0.42	000
45386		A	Colonoscopy dilate stricture	4.57	12.37	12.39	2.18	1.98	0.39	000
45387		A	Colonoscopy w/stent	5.90	NA	NA	2.80	2.57	0.48	000
45391		A	Colonoscopy w/endoscope us	5.09	NA	NA	2.60	2.29	0.42	000
45392		A	Colonoscopy w/endoscopic fnb	6.54	NA	NA	3.21	2.85	0.42	000
45395		A	Lap, removal of rectum	32.79	NA	NA	12.96	13.32	3.63	090
45397		A	Lap, remove rectum w/pouch	36.29	NA	NA	13.40	13.83	3.67	090
45400		A	Laparoscopic proc	19.31	NA	NA	7.08	7.46	2.03	090
45402		A	Lap proctopexy w/sig resect	26.38	NA	NA	8.74	9.37	2.82	090
45499		C	Laparoscope proc, rectum	0.00	0.00	0.00	0.00	0.00	0.00	YYY
45500		A	Repair of rectum	7.64	NA	NA	4.46	4.00	0.75	090
45505		A	Repair of rectum	8.20	NA	NA	5.04	4.45	0.86	090
45520		A	Treatment of rectal prolapse	0.55	2.86	2.25	0.38	0.38	0.05	000
45540		A	Correct rectal prolapse	18.02	NA	NA	5.84	6.32	1.85	090
45541		A	Correct rectal prolapse	14.72	NA	NA	6.59	6.27	1.55	090
45550		A	Repair rectum/remove sigmoid	24.67	NA	NA	8.96	9.09	2.62	090
45560		A	Repair of rectocele	11.42	NA	NA	5.52	5.29	1.13	090
45562		A	Exploration/repair of rectum	17.82	NA	NA	8.11	7.55	1.84	090
45563		A	Exploration/repair of rectum	26.22	NA	NA	10.76	10.64	3.11	090
45800		A	Repair rect/bladder fistula	20.18	NA	NA	9.15	8.29	1.86	090
45805		A	Repair fistula w/colostomy	23.19	NA	NA	9.93	9.72	2.03	090
45820		A	Repair rectourethral fistula	20.24	NA	NA	9.10	8.36	1.58	090
45825		A	Repair fistula w/colostomy	24.01	NA	NA	9.47	9.64	2.32	090
45900		A	Reduction of rectal prolapse	2.96	NA	NA	1.66	1.58	0.30	010
45905		A	Dilation of anal sphincter	2.32	NA	NA	1.60	1.51	0.27	010
45910		A	Dilation of rectal narrowing	2.82	NA	NA	1.85	1.75	0.30	010
45915		A	Remove rectal obstruction	3.16	4.21	4.26	2.02	2.06	0.30	010
45990		A	Surg dx exam, anorectal	1.80	NA	NA	0.72	0.76	0.17	000

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
45999		C	Rectum surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
46020		A	Placement of seton	2.94	3.26	2.80	2.35	2.10	0.31	010
46030		A	Removal of rectal marker	1.24	1.89	1.62	0.81	0.76	0.14	010
46040		A	Incision of rectal abscess	5.26	6.54	6.02	3.99	3.78	0.62	090
46045		A	Incision of rectal abscess	5.79	NA	NA	3.94	3.42	0.54	090
46050		A	Incision of anal abscess	1.21	3.20	2.87	0.98	0.91	0.14	010
46060		A	Incision of rectal abscess	6.24	NA	NA	4.42	3.83	0.67	090
46070		A	Incision of anal septum	2.74	NA	NA	2.35	2.09	0.36	090
46080		A	Incision of anal sphincter	2.50	3.07	2.72	1.12	1.13	0.30	010
46083		A	Incise external hemorrhoid	1.42	2.37	2.44	0.96	0.94	0.15	010
46200		A	Removal of anal fissure	3.48	6.29	5.07	3.73	3.30	0.39	090
46210		A	Removal of anal crypt	2.73	5.83	5.47	3.30	2.96	0.31	090
46211		A	Removal of anal crypts	4.31	7.85	6.63	4.67	4.09	0.48	090
46220		A	Removal of anal tag	1.58	3.02	2.66	1.10	1.02	0.17	010
46221		A	Ligation of hemorrhoid(s)	2.31	3.73	3.19	2.00	1.87	0.23	010
46230		A	Removal of anal tags	2.59	3.51	3.29	1.33	1.31	0.30	010
46250		A	Hemorrhoidectomy	4.17	5.96	5.63	2.83	2.72	0.48	090
46255		A	Hemorrhoidectomy	4.88	6.34	6.09	3.07	2.95	0.58	090
46257		A	Remove hemorrhoids & fissure	5.68	NA	NA	3.85	3.36	0.64	090
46258		A	Remove hemorrhoids & fistula	6.28	NA	NA	3.96	3.61	0.68	090
46260		A	Hemorrhoidectomy	6.65	NA	NA	4.07	3.63	0.76	090
46261		A	Remove hemorrhoids & fissure	7.63	NA	NA	4.30	3.95	0.79	090
46262		A	Remove hemorrhoids & fistula	7.80	NA	NA	4.66	4.20	0.83	090
46270		A	Removal of anal fistula	4.81	6.39	5.69	3.92	3.37	0.46	090
46275		A	Removal of anal fistula	5.31	6.63	5.63	3.97	3.47	0.52	090
46280		A	Removal of anal fistula	6.28	NA	NA	4.27	3.76	0.66	090
46285		A	Removal of anal fistula	5.31	6.53	5.15	3.96	3.35	0.44	090
46288		A	Repair anal fistula	7.68	NA	NA	4.68	4.17	0.79	090
46320		A	Removal of hemorrhoid clot	1.62	2.41	2.27	0.88	0.86	0.18	010
46500		A	Injection into hemorrhoid(s)	1.64	3.61	2.86	1.25	1.20	0.16	010
46505		A	Chemodenervation anal musc	3.13	3.28	3.16	2.28	2.12	0.14	010
46600		A	Diagnostic anoscopy	0.55	1.37	1.47	0.38	0.36	0.05	000
46604		A	Anoscopy and dilation	1.03	12.52	10.83	0.51	0.56	0.12	000
46606		A	Anoscopy and biopsy	1.20	3.88	3.83	0.58	0.50	0.09	000
46608		A	Anoscopy, remove for body	1.30	3.76	4.08	0.58	0.61	0.16	000
46610		A	Anoscopy, remove lesion	1.28	3.80	3.91	0.59	0.60	0.15	000
46611		A	Anoscopy	1.30	2.53	2.93	0.57	0.67	0.19	000
46612		A	Anoscopy, remove lesions	1.50	4.70	4.94	0.72	0.85	0.28	000
46614		A	Anoscopy, control bleeding	1.00	1.93	2.13	0.52	0.68	0.20	000
46615		A	Anoscopy	1.50	1.74	2.11	0.64	0.85	0.33	000
46700		A	Repair of anal stricture	9.68	NA	NA	5.16	4.68	0.94	090
46705		A	Repair of anal stricture	7.32	NA	NA	4.07	3.87	0.91	090
46706		A	Repr of anal fistula w/glue	2.41	NA	NA	1.49	1.37	0.28	010
46710		A	Repr per/vag pouch sngl proc	17.01	NA	NA	7.55	7.65	1.38	090
46712		A	Repr per/vag pouch dbl proc	36.32	NA	NA	14.02	14.53	3.67	090
46715		A	Rep perf anoper fistu	7.54	NA	NA	3.76	3.66	0.92	090
46716		A	Rep perf anoper/vestib fistu	17.14	NA	NA	9.60	8.79	1.58	090
46730		A	Construction of absent anus	30.17	NA	NA	12.50	12.26	2.47	090
46735		A	Construction of absent anus	35.66	NA	NA	15.02	14.28	3.21	090
46740		A	Construction of absent anus	33.42	NA	NA	15.30	14.26	2.42	090
46742		A	Repair of imperforated anus	39.66	NA	NA	13.76	15.58	3.20	090
46744		A	Repair of cloacal anomaly	58.46	NA	NA	18.15	19.64	6.40	090
46746		A	Repair of cloacal anomaly	64.93	NA	NA	19.69	22.42	7.70	090
46748		A	Repair of cloacal anomaly	70.91	NA	NA	21.06	22.35	3.37	090
46750		A	Repair of anal sphincter	12.02	NA	NA	5.77	5.41	1.10	090
46751		A	Repair of anal sphincter	9.19	NA	NA	5.02	5.22	0.94	090
46753		A	Reconstruction of anus	8.81	NA	NA	4.59	4.22	0.94	090
46754		A	Removal of suture from anus	2.88	3.64	3.61	2.21	1.94	0.19	010
46760		A	Repair of anal sphincter	17.21	NA	NA	8.06	7.57	1.59	090
46761		A	Repair of anal sphincter	15.16	NA	NA	6.47	6.24	1.43	090
46762		A	Implant artificial sphincter	14.66	NA	NA	7.08	6.30	1.24	090
46900		A	Destruction, anal lesion(s)	1.91	3.66	3.12	1.31	1.29	0.17	010
46910		A	Destruction, anal lesion(s)	1.88	3.88	3.39	1.20	1.13	0.19	010
46916		A	Cryosurgery, anal lesion(s)	1.88	3.77	3.46	1.58	1.48	0.11	010
46917		A	Laser surgery, anal lesions	1.88	8.79	8.96	1.22	1.17	0.21	010
46922		A	Excision of anal lesion(s)	1.88	4.14	3.71	1.20	1.13	0.22	010
46924		A	Destruction, anal lesion(s)	2.78	9.58	9.14	1.52	1.43	0.26	010
46934		A	Destruction of hemorrhoids	3.79	5.57	5.32	2.88	2.91	0.32	090
46935		A	Destruction of hemorrhoids	2.44	3.86	3.66	1.11	1.16	0.23	010
46936		A	Destruction of hemorrhoids	3.70	6.24	5.56	2.66	2.57	0.34	090
46937		A	Cryotherapy of rectal lesion	2.70	3.41	3.09	1.43	1.32	0.14	010
46938		A	Cryotherapy of rectal lesion	4.70	5.63	4.81	3.55	3.30	0.58	090

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46940		A	Treatment of anal fissure	2.33	2.85	2.42	1.04	1.07	0.23	010
46942		A	Treatment of anal fissure	2.05	2.80	2.32	0.96	0.99	0.19	010
46945		A	Ligation of hemorrhoids	2.13	4.80	4.03	2.98	2.73	0.19	090
46946		A	Ligation of hemorrhoids	2.60	4.64	4.18	2.65	2.52	0.27	090
46947		A	Hemorrhoidopexy by stapling	5.49	NA	NA	3.11	2.91	0.75	090
46999		C	Anus surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
47000		A	Needle biopsy of liver	1.90	7.67	5.37	0.70	0.66	0.12	000
47001		A	Needle biopsy, liver add-on	1.90	NA	NA	0.48	0.57	0.25	ZZZ
47010		A	Open drainage, liver lesion	19.27	NA	NA	8.32	8.36	1.81	090
47011		A	Percut drain, liver lesion	3.69	NA	NA	1.32	1.26	0.22	000
47015		A	Inject/aspirate liver cyst	18.37	NA	NA	8.17	7.83	1.84	090
47100		A	Wedge biopsy of liver	12.78	NA	NA	6.32	6.18	1.53	090
47120		A	Partial removal of liver	38.82	NA	NA	14.08	14.61	4.66	090
47122		A	Extensive removal of liver	59.35	NA	NA	18.76	20.11	7.21	090
47125		A	Partial removal of liver	52.91	NA	NA	17.18	18.35	6.47	090
47130		A	Partial removal of liver	57.06	NA	NA	18.12	19.55	6.96	090
47133		X	Removal of donor liver	0.00	0.00	0.00	0.00	0.00	0.00	XXX
47135		R	Transplantation of liver	83.29	NA	NA	27.76	29.64	9.96	090
47136		R	Transplantation of liver	70.39	NA	NA	24.56	25.80	8.44	090
47140		A	Partial removal, donor liver	59.22	NA	NA	21.63	21.95	5.19	090
47141		A	Partial removal, donor liver	71.27	NA	NA	25.36	26.14	5.19	090
47142		A	Partial removal, donor liver	79.21	NA	NA	27.37	28.43	5.19	090
47143		C	Prep donor liver, whole	0.00	0.00	0.00	0.00	0.00	0.00	XXX
47144		C	Prep donor liver, 3-segment	0.00	0.00	0.00	0.00	0.00	0.00	090
47145		C	Prep donor liver, lobe split	0.00	0.00	0.00	0.00	0.00	0.00	XXX
47146		A	Prep donor liver/venous	6.00	NA	NA	1.52	1.79	0.83	XXX
47147		A	Prep donor liver/arterial	7.00	NA	NA	1.77	2.08	0.97	XXX
47300		A	Surgery for liver lesion	18.01	NA	NA	7.75	7.49	1.99	090
47350		A	Repair liver wound	22.36	NA	NA	8.78	8.82	2.59	090
47360		A	Repair liver wound	31.18	NA	NA	11.25	11.41	3.38	090
47361		A	Repair liver wound	52.47	NA	NA	17.40	17.96	5.87	090
47362		A	Repair liver wound	23.41	NA	NA	9.31	9.01	2.51	090
47370		A	Laparo ablate liver tumor rf	20.67	NA	NA	7.70	7.91	2.56	090
47371		A	Laparo ablate liver cryosurg	20.67	NA	NA	7.90	8.02	2.61	090
47379		C	Laparoscope procedure, liver	0.00	0.00	0.00	0.00	0.00	0.00	YYY
47380		A	Open ablate liver tumor rf	24.43	NA	NA	8.61	8.98	2.87	090
47381		A	Open ablate liver tumor cryo	24.72	NA	NA	9.32	9.46	2.85	090
47382		A	Percut ablate liver rf	15.19	NA	NA	6.21	6.14	0.96	010
47399		C	Liver surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
47400		A	Incision of liver duct	36.23	NA	NA	13.02	13.23	3.08	090
47420		A	Incision of bile duct	21.92	NA	NA	8.55	8.66	2.63	090
47425		A	Incision of bile duct	22.20	NA	NA	8.65	8.73	2.62	090
47460		A	Incise bile duct sphincter	20.41	NA	NA	9.14	8.75	2.21	090
47480		A	Incision of gallbladder	13.12	NA	NA	6.64	6.28	1.42	090
47490		A	Incision of gallbladder	8.05	NA	NA	5.30	5.43	0.43	090
47500		A	Injection for liver x-rays	1.96	NA	NA	0.71	0.67	0.12	000
47505		A	Injection for liver x-rays	0.76	NA	NA	0.27	0.26	0.04	000
47510		A	Insert catheter, bile duct	7.94	NA	NA	4.63	4.82	0.46	090
47511		A	Insert bile duct drain	10.74	NA	NA	5.05	5.06	0.62	090
47525		A	Change bile duct catheter	5.55	14.87	14.98	2.69	2.75	0.33	010
47530		A	Revise/reinsert bile tube	5.96	30.60	32.20	3.45	3.58	0.37	090
47550		A	Bile duct endoscopy add-on	3.02	NA	NA	0.78	0.90	0.40	ZZZ
47552		A	Biliary endoscopy thru skin	6.03	NA	NA	2.48	2.43	0.42	000
47553		A	Biliary endoscopy thru skin	6.34	NA	NA	2.25	2.16	0.37	000
47554		A	Biliary endoscopy thru skin	9.05	NA	NA	3.30	3.32	0.96	000
47555		A	Biliary endoscopy thru skin	7.55	NA	NA	2.75	2.61	0.45	000
47556		A	Biliary endoscopy thru skin	8.55	NA	NA	3.09	2.94	0.50	000
47560		A	Laparoscopy w/cholangio	4.88	NA	NA	1.24	1.45	0.65	000
47561		A	Laparo w/cholangio/biopsy	5.17	NA	NA	1.58	1.75	0.66	000
47562		A	Laparoscopic cholecystectomy	11.63	NA	NA	5.27	5.13	1.46	090
47563		A	Laparo cholecystectomy/graph	12.03	NA	NA	5.07	5.18	1.58	090
47564		A	Laparo cholecystectomy/explr	14.21	NA	NA	5.42	5.68	1.89	090
47570		A	Laparo cholecystoenterostomy	12.56	NA	NA	4.97	5.17	1.65	090
47579		C	Laparoscope proc, biliary	0.00	0.00	0.00	0.00	0.00	0.00	YYY
47600		A	Removal of gallbladder	17.35	NA	NA	7.22	6.68	1.80	090
47605		A	Removal of gallbladder	15.90	NA	NA	6.39	6.44	1.95	090
47610		A	Removal of gallbladder	20.84	NA	NA	7.66	7.79	2.49	090
47612		A	Removal of gallbladder	21.13	NA	NA	7.68	7.78	2.48	090
47620		A	Removal of gallbladder	22.99	NA	NA	8.16	8.34	2.74	090
47630		A	Remove bile duct stone	9.57	NA	NA	4.73	4.81	0.65	090
47700		A	Exploration of bile ducts	16.39	NA	NA	7.31	7.36	2.07	090
47701		A	Bile duct revision	28.62	NA	NA	10.65	11.06	3.68	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
47711		A	Excision of bile duct tumor	25.77	NA	NA	9.65	9.78	3.05	090
47712		A	Excision of bile duct tumor	33.59	NA	NA	11.66	12.04	3.93	090
47715		A	Excision of bile duct cyst	21.42	NA	NA	8.61	8.52	2.49	090
47720		A	Fuse gallbladder & bowel	18.21	NA	NA	7.71	7.59	2.11	090
47721		A	Fuse upper gi structures	21.86	NA	NA	8.55	8.55	2.53	090
47740		A	Fuse gallbladder & bowel	21.10	NA	NA	8.34	8.35	2.42	090
47741		A	Fuse gallbladder & bowel	24.08	NA	NA	9.26	9.27	2.83	090
47760		A	Fuse bile ducts and bowel	38.14	NA	NA	13.05	11.94	3.42	090
47765		A	Fuse liver ducts & bowel	52.01	NA	NA	16.96	13.87	3.30	090
47780		A	Fuse bile ducts and bowel	42.14	NA	NA	14.13	12.66	3.50	090
47785		A	Fuse bile ducts and bowel	56.01	NA	NA	17.86	15.38	4.10	090
47800		A	Reconstruction of bile ducts	26.04	NA	NA	9.78	9.91	3.08	090
47801		A	Placement, bile duct support	17.47	NA	NA	8.44	8.29	1.16	090
47802		A	Fuse liver duct & intestine	24.80	NA	NA	9.69	9.68	2.86	090
47900		A	Suture bile duct injury	22.31	NA	NA	8.86	8.86	2.65	090
47999		C	Bile tract surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
48000		A	Drainage of abdomen	31.82	NA	NA	10.87	11.18	3.48	090
48001		A	Placement of drain, pancreas	39.56	NA	NA	12.77	13.32	4.69	090
48020		A	Removal of pancreatic stone	18.96	NA	NA	7.60	7.45	2.13	090
48100		A	Biopsy of pancreas, open	14.38	NA	NA	5.96	5.77	1.62	090
48102		A	Needle biopsy, pancreas	4.68	9.62	8.78	1.91	1.93	0.28	010
48105		A	Resect/debride pancreas	49.05	NA	NA	15.78	16.17	5.56	090
48120		A	Removal of pancreas lesion	18.33	NA	NA	6.86	6.85	2.10	090
48140		A	Partial removal of pancreas	26.19	NA	NA	9.38	9.46	3.03	090
48145		A	Partial removal of pancreas	27.26	NA	NA	9.56	9.69	3.18	090
48146		A	Pancreatectomy	30.42	NA	NA	11.94	11.96	3.50	090
48148		A	Removal of pancreatic duct	20.26	NA	NA	8.21	7.90	2.30	090
48150		A	Partial removal of pancreas	52.63	NA	NA	18.03	18.77	6.32	090
48152		A	Pancreatectomy	48.47	NA	NA	16.84	17.52	5.80	090
48153		A	Pancreatectomy	52.61	NA	NA	17.92	18.73	6.31	090
48154		A	Pancreatectomy	48.70	NA	NA	17.07	17.64	5.84	090
48155		A	Removal of pancreas	29.27	NA	NA	11.97	11.81	3.27	090
48160		N	Pancreas removal/transplant	0.00	0.00	0.00	0.00	0.00	0.00	XXX
48400		A	Injection, intraop add-on	1.95	NA	NA	0.66	0.65	0.15	ZZZ
48500		A	Surgery of pancreatic cyst	18.03	NA	NA	7.67	7.50	2.03	090
48510		A	Drain pancreatic pseudocyst	17.06	NA	NA	7.61	7.52	1.83	090
48511		A	Drain pancreatic pseudocyst	3.99	20.20	20.55	1.43	1.37	0.24	000
48520		A	Fuse pancreas cyst and bowel	18.07	NA	NA	6.83	6.76	2.06	090
48540		A	Fuse pancreas cyst and bowel	21.86	NA	NA	7.80	7.95	2.61	090
48545		A	Pancreatorrhaphy	22.10	NA	NA	8.42	8.20	2.38	090
48547		A	Duodenal exclusion	30.25	NA	NA	10.29	10.38	3.42	090
48548		A	Fuse pancreas and bowel	27.96	NA	NA	9.89	10.02	3.28	090
48550		X	Donor pancreatectomy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
48551		C	Prep donor pancreas	0.00	0.00	0.00	0.00	0.00	0.00	XXX
48552		A	Prep donor pancreas/venous	4.30	NA	NA	1.14	1.30	0.31	XXX
48554		R	Transpl allograft pancreas	37.03	NA	NA	20.53	19.40	4.19	090
48556		A	Removal, allograft pancreas	19.24	NA	NA	9.23	8.65	2.08	090
48999		C	Pancreas surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
49000		A	Exploration of abdomen	12.44	NA	NA	5.21	5.29	1.52	090
49002		A	Reopening of abdomen	17.55	NA	NA	6.39	5.70	1.37	090
49010		A	Exploration behind abdomen	15.98	NA	NA	6.20	6.05	1.51	090
49020		A	Drain abdominal abscess	26.46	NA	NA	9.89	10.04	2.85	090
49021		A	Drain abdominal abscess	3.37	19.65	20.36	1.21	1.16	0.20	000
49040		A	Drain, open, abdom abscess	16.41	NA	NA	6.52	6.47	1.70	090
49041		A	Drain, percut, abdom abscess	3.99	19.93	19.73	1.43	1.37	0.24	000
49060		A	Drain, open, retrop abscess	18.42	NA	NA	7.25	7.34	1.75	090
49061		A	Drain, percut, retroper absc	3.69	19.76	19.70	1.33	1.27	0.22	000
49062		A	Drain to peritoneal cavity	12.12	NA	NA	5.12	5.27	1.39	090
49080		A	Puncture, peritoneal cavity	1.35	2.73	3.36	0.48	0.47	0.08	000
49081		A	Removal of abdominal fluid	1.26	2.94	2.76	0.47	0.45	0.09	000
49180		A	Biopsy, abdominal mass	1.73	2.48	2.79	0.62	0.59	0.10	000
49203		A	Exc abd tum 5 cm or less	20.00	NA	NA	7.66	7.66	2.27	090
49204		A	Exc abd tum over 5 cm	26.00	NA	NA	9.27	9.27	2.94	090
49205		A	Exc abd tum over 10 cm	30.00	NA	NA	10.35	10.35	3.40	090
49215		A	Excise sacral spine tumor	37.66	NA	NA	12.69	13.37	4.38	090
49220		A	Multiple surgery, abdomen	15.70	NA	NA	6.46	6.54	1.89	090
49250		A	Excision of umbilicus	8.93	NA	NA	4.34	4.30	1.08	090
49255		A	Removal of omentum	12.41	NA	NA	5.63	5.62	1.43	090
49320		A	Diag laparo separate proc	5.09	NA	NA	2.44	2.54	0.65	010
49321		A	Laparoscopy, biopsy	5.39	NA	NA	2.56	2.60	0.70	010
49322		A	Laparoscopy, aspiration	5.96	NA	NA	2.63	2.81	0.71	010
49323		A	Laparo drain lymphocele	10.13	NA	NA	4.69	4.59	1.20	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
49324		A	Lap insertion perm ip cath	6.27	NA	NA	2.79	2.79	0.73	010
49325		A	Lap revision perm ip cath	6.77	NA	NA	2.91	2.91	0.86	010
49326		A	Lap w/omentopexy add-on	3.50	NA	NA	0.92	0.92	0.44	ZZZ
49329		C	Laparo proc, abdm/per/oment	0.00	0.00	0.00	0.00	0.00	0.00	YYY
49400		A	Air injection into abdomen	1.88	2.47	2.77	0.62	0.62	0.15	000
49402		A	Remove foreign body, adbomen	14.01	NA	NA	5.52	5.51	1.62	090
49419		A	Insrt abdom cath for chemotx	7.03	NA	NA	3.43	3.50	0.81	090
49420		A	Insert abdom drain, temp	2.22	NA	NA	1.18	1.13	0.21	000
49421		A	Insert abdom drain, perm	5.87	NA	NA	3.12	3.14	0.74	090
49422		A	Remove perm cannula/catheter	6.26	NA	NA	2.61	2.75	0.83	010
49423		A	Exchange drainage catheter	1.46	13.10	13.59	0.56	0.54	0.09	000
49424		A	Assess cyst, contrast inject	0.76	3.08	3.40	0.30	0.30	0.04	000
49425		A	Insert abdomen-venous drain	12.13	NA	NA	5.29	5.44	1.54	090
49426		A	Revise abdomen-venous shunt	10.33	NA	NA	4.56	4.66	1.28	090
49427		A	Injection, abdominal shunt	0.89	NA	NA	0.32	0.31	0.07	000
49428		A	Ligation of shunt	6.79	NA	NA	3.00	3.46	0.80	010
49429		A	Removal of shunt	7.41	NA	NA	2.99	3.21	1.02	010
49435		A	Insert subq exten to ip cath	2.25	NA	NA	0.62	0.62	0.28	ZZZ
49436		A	Embedded ip cath exit-site	2.69	NA	NA	1.66	1.66	0.28	010
49440		A	Place gastrostomy tube perc	4.18	25.06	25.06	1.81	1.81	0.49	010
49441		A	Place duod/jej tube perc	4.77	30.13	30.13	2.01	2.01	0.29	010
49442		A	Place cecostomy tube perc	4.00	24.46	24.46	1.63	1.63	0.24	010
49446		A	Change g-tube to g-j perc	3.31	25.78	25.78	1.15	1.15	0.18	000
49450		A	Replace g/c tube perc	1.36	18.97	18.97	0.44	0.44	0.08	000
49451		A	Replace duod/jej tube perc	1.84	19.71	19.71	0.64	0.64	0.11	000
49452		A	Replace g-j tube perc	2.86	23.51	23.51	1.00	1.00	0.18	000
49460		A	Fix g/colon tube w/device	0.96	20.59	20.59	0.31	0.31	0.05	000
49465		A	Fluoro exam of g/colon tube	0.62	3.89	3.89	0.22	0.22	0.03	000
49491		A	Rpr hern preemie reduc	12.42	NA	NA	4.62	4.83	1.40	090
49492		A	Rpr ing hern premie, blocked	15.32	NA	NA	6.23	6.17	1.81	090
49495		A	Rpr ing hernia baby, reduc	6.15	NA	NA	3.06	3.01	0.74	090
49496		A	Rpr ing hernia baby, blocked	9.32	NA	NA	4.45	4.36	1.07	090
49500		A	Rpr ing hernia, init, reduce	5.76	NA	NA	3.65	3.38	0.71	090
49501		A	Rpr ing hernia, init blocked	9.28	NA	NA	4.27	4.23	1.12	090
49505		A	Prp i/hern init reduc >5 yr	7.88	NA	NA	3.88	3.81	1.03	090
49507		A	Prp i/hern init block >5 yr	9.97	NA	NA	4.45	4.45	1.27	090
49520		A	Rerepair ing hernia, reduce	9.91	NA	NA	4.38	4.40	1.28	090
49521		A	Rerepair ing hernia, blocked	12.36	NA	NA	4.98	5.11	1.59	090
49525		A	Repair ing hernia, sliding	8.85	NA	NA	4.12	4.10	1.13	090
49540		A	Repair lumbar hernia	10.66	NA	NA	4.58	4.66	1.37	090
49550		A	Rpr rem hernia, init, reduce	8.91	NA	NA	4.11	4.12	1.14	090
49553		A	Rpr fem hernia, init blocked	9.84	NA	NA	4.42	4.41	1.24	090
49555		A	Rerepair fem hernia, reduce	9.31	NA	NA	4.20	4.23	1.20	090
49557		A	Rerepair fem hernia, blocked	11.54	NA	NA	4.83	4.91	1.47	090
49560		A	Rpr ventral hern init, reduc	11.84	NA	NA	4.88	5.01	1.52	090
49561		A	Rpr ventral hern init, block	15.30	NA	NA	5.80	5.93	1.89	090
49565		A	Rerepair ventrl hern, reduce	12.29	NA	NA	5.08	5.15	1.52	090
49566		A	Rerepair ventrl hern, block	15.45	NA	NA	5.85	5.99	1.91	090
49568		A	Hernia repair w/mesh	4.88	NA	NA	1.24	1.45	0.64	ZZZ
49570		A	Rpr epigastric hern, reduce	5.97	NA	NA	3.38	3.27	0.75	090
49572		A	Rpr epigastric hern, blocked	7.79	NA	NA	3.83	3.64	0.88	090
49580		A	Rpr umbil hern, reduc < 5 yr	4.39	NA	NA	2.95	2.77	0.54	090
49582		A	Rpr umbil hern, block < 5 yr	7.05	NA	NA	3.69	3.58	0.88	090
49585		A	Rpr umbil hern, reduc > 5 yr	6.51	NA	NA	3.51	3.40	0.82	090
49587		A	Rpr umbil hern, block > 5 yr	7.96	NA	NA	3.86	3.80	0.99	090
49590		A	Repair spigelian hernia	8.82	NA	NA	4.09	4.08	1.13	090
49600		A	Repair umbilical lesion	11.47	NA	NA	5.38	5.35	1.32	090
49605		A	Repair umbilical lesion	86.85	NA	NA	27.59	28.05	9.39	090
49606		A	Repair umbilical lesion	18.92	NA	NA	6.78	7.23	2.46	090
49610		A	Repair umbilical lesion	10.83	NA	NA	5.29	5.24	1.07	090
49611		A	Repair umbilical lesion	9.26	NA	NA	4.21	5.59	0.78	090
49650		A	Laparo hernia repair initial	6.30	NA	NA	3.35	3.27	0.93	090
49651		A	Laparo hernia repair recur	8.29	NA	NA	4.23	4.13	1.14	090
49659		C	Laparo proc, hernia repair	0.00	0.00	0.00	0.00	0.00	0.00	YYY
49900		A	Repair of abdominal wall	12.26	NA	NA	6.29	6.26	1.62	090
49904		A	Omental flap, extra-abdom	22.16	NA	NA	11.89	13.55	2.70	090
49905		A	Omental flap, intra-abdom	6.54	NA	NA	1.69	1.99	0.75	ZZZ
49906		C	Free omental flap, microvasc	0.00	0.00	0.00	0.00	0.00	0.00	090
49999		C	Abdomen surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
50010		A	Exploration of kidney	12.13	NA	NA	6.73	5.98	0.93	090
50020		A	Renal abscess, open drain	17.88	NA	NA	8.49	8.12	1.34	090
50021		A	Renal abscess, percut drain	3.37	21.11	21.39	1.22	1.16	0.20	000

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
50040		A	Drainage of kidney	16.48	NA	NA	8.83	7.82	1.03	090
50045		A	Exploration of kidney	16.67	NA	NA	8.15	7.37	1.24	090
50060		A	Removal of kidney stone	20.80	NA	NA	10.83	9.33	1.36	090
50065		A	Incision of kidney	22.17	NA	NA	11.53	8.80	1.59	090
50070		A	Incision of kidney	21.70	NA	NA	11.34	9.77	1.44	090
50075		A	Removal of kidney stone	26.91	NA	NA	13.51	11.70	1.81	090
50080		A	Removal of kidney stone	15.61	NA	NA	8.56	7.42	1.04	090
50081		A	Removal of kidney stone	23.32	NA	NA	12.18	10.47	1.54	090
50100		A	Revise kidney blood vessels	17.30	NA	NA	6.52	7.15	2.07	090
50120		A	Exploration of kidney	17.06	NA	NA	9.12	7.94	1.21	090
50125		A	Explore and drain kidney	17.67	NA	NA	9.72	8.34	1.43	090
50130		A	Removal of kidney stone	18.67	NA	NA	10.06	8.61	1.22	090
50135		A	Exploration of kidney	20.44	NA	NA	10.70	9.24	1.33	090
50200		A	Biopsy of kidney	2.63	NA	NA	1.19	1.24	0.16	000
50205		A	Biopsy of kidney	12.19	NA	NA	5.51	5.26	1.30	090
50220		A	Remove kidney, open	18.53	NA	NA	9.52	8.38	1.35	090
50225		A	Removal kidney open, complex	21.73	NA	NA	11.02	9.58	1.50	090
50230		A	Removal kidney open, radical	23.68	NA	NA	11.65	10.11	1.55	090
50234		A	Removal of kidney & ureter	23.90	NA	NA	12.04	10.44	1.59	090
50236		A	Removal of kidney & ureter	26.74	NA	NA	13.92	12.08	1.77	090
50240		A	Partial removal of kidney	24.01	NA	NA	12.61	10.81	1.55	090
50250		A	Cryoablate renal mass open	22.06	NA	NA	11.49	10.33	1.39	090
50280		A	Removal of kidney lesion	16.94	NA	NA	9.07	7.88	1.19	090
50290		A	Removal of kidney lesion	16.00	NA	NA	7.74	7.10	1.41	090
50300		X	Remove cadaver donor kidney	0.00	0.00	0.00	0.00	0.00	0.00	XXX
50320		A	Remove kidney, living donor	22.28	NA	NA	12.31	11.48	2.36	090
50323		C	Prep cadaver renal allograft	0.00	0.00	0.00	0.00	0.00	0.00	XXX
50325		C	Prep donor renal graft	0.00	0.00	0.00	0.00	0.00	0.00	XXX
50327		A	Prep renal graft/venous	4.00	NA	NA	1.10	1.22	0.29	XXX
50328		A	Prep renal graft/arterial	3.50	NA	NA	0.98	1.08	0.26	XXX
50329		A	Prep renal graft/ureteral	3.34	NA	NA	1.05	1.09	0.25	XXX
50340		A	Removal of kidney	13.86	NA	NA	7.81	7.15	1.65	090
50360		A	Transplantation of kidney	40.45	NA	NA	18.68	17.08	3.82	090
50365		A	Transplantation of kidney	45.68	NA	NA	19.42	18.81	4.43	090
50370		A	Remove transplanted kidney	18.68	NA	NA	9.19	8.17	1.68	090
50380		A	Reimplantation of kidney	29.66	NA	NA	16.21	14.12	2.51	090
50382		A	Change ureter stent, percut	5.50	26.38	31.26	2.05	1.96	0.34	000
50384		A	Remove ureter stent, percut	5.00	20.68	27.96	1.86	1.78	0.31	000
50385		A	Change stent via transureth	4.44	30.64	30.64	2.05	2.05	0.27	000
50386		A	Remove stent via transureth	3.30	19.38	19.38	1.61	1.61	0.20	000
50387		A	Change ext/int ureter stent	2.00	12.61	15.42	0.73	0.70	0.12	000
50389		A	Remove renal tube w/fluoro	1.10	6.68	9.72	0.40	0.39	0.07	000
50390		A	Drainage of kidney lesion	1.96	NA	NA	0.71	0.67	0.12	000
50391		A	Instll rx agnt into rnal tub	1.96	1.38	1.48	0.72	0.67	0.14	000
50392		A	Insert kidney drain	3.37	NA	NA	1.52	1.52	0.20	000
50393		A	Insert ureteral tube	4.15	NA	NA	1.80	1.80	0.25	000
50394		A	Injection for kidney x-ray	0.76	1.87	2.28	0.58	0.62	0.05	000
50395		A	Create passage to kidney	3.37	NA	NA	1.57	1.53	0.21	000
50396		A	Measure kidney pressure	2.09	NA	NA	1.08	1.08	0.13	000
50398		A	Change kidney tube	1.46	11.85	14.08	0.57	0.54	0.09	000
50400		A	Revision of kidney/ureter	21.12	NA	NA	10.95	9.41	1.38	090
50405		A	Revision of kidney/ureter	25.68	NA	NA	12.91	10.97	1.79	090
50500		A	Repair of kidney wound	21.07	NA	NA	8.70	8.54	2.02	090
50520		A	Close kidney-skin fistula	18.73	NA	NA	9.25	8.34	1.49	090
50525		A	Repair renal-abdomen fistula	24.21	NA	NA	11.80	10.40	1.84	090
50526		A	Repair renal-abdomen fistula	26.13	NA	NA	8.16	9.01	1.97	090
50540		A	Revision of horseshoe kidney	20.95	NA	NA	10.62	9.47	1.36	090
50541		A	Laparo ablate renal cyst	16.76	NA	NA	8.70	7.59	1.13	090
50542		A	Laparo ablate renal mass	21.18	NA	NA	11.18	9.66	1.39	090
50543		A	Laparo partial nephrectomy	27.18	NA	NA	14.10	12.15	1.81	090
50544		A	Laparoscopy, pyeloplasty	23.27	NA	NA	11.44	9.98	1.58	090
50545		A	Laparo radical nephrectomy	24.93	NA	NA	12.15	10.67	1.71	090
50546		A	Laparoscopic nephrectomy	21.69	NA	NA	11.29	9.83	1.57	090
50547		A	Laparo removal donor kidney	26.24	NA	NA	12.48	11.79	2.77	090
50548		A	Laparo remove w/ureter	25.26	NA	NA	12.12	10.65	1.73	090
50549		C	Laparoscope proc, renal	0.00	0.00	0.00	0.00	0.00	0.00	YYY
50551		A	Kidney endoscopy	5.59	4.60	4.37	2.65	2.31	0.40	000
50553		A	Kidney endoscopy	5.98	4.50	4.43	2.63	2.40	0.39	000
50555		A	Kidney endoscopy & biopsy	6.52	5.10	4.95	3.02	2.68	0.45	000
50557		A	Kidney endoscopy & treatment	6.61	5.27	4.92	3.07	2.68	0.47	000
50561		A	Kidney endoscopy & treatment	7.58	5.81	5.45	3.41	3.03	0.54	000
50562		A	Renal scope w/tumor resect	10.90	NA	NA	5.36	4.84	0.73	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
50570		A	Kidney endoscopy	9.53	NA	NA	4.15	3.68	0.68	000
50572		A	Kidney endoscopy	10.33	NA	NA	4.32	3.91	0.85	000
50574		A	Kidney endoscopy & biopsy	11.00	NA	NA	4.79	4.27	0.77	000
50575		A	Kidney endoscopy	13.96	NA	NA	5.96	5.29	0.99	000
50576		A	Kidney endoscopy & treatment	10.97	NA	NA	4.78	4.22	0.78	000
50580		A	Kidney endoscopy & treatment	11.84	NA	NA	5.10	4.53	0.83	000
50590		A	Fragmenting of kidney stone	9.64	17.10	14.75	6.13	5.12	0.65	090
50592		A	Perc rf ablate renal tumor	6.77	75.49	112.31	3.00	2.99	0.43	010
50593		A	Perc cryo ablate renal tum	9.08	114.62	114.62	3.45	3.45	0.58	010
50600		A	Exploration of ureter	17.04	NA	NA	8.51	7.59	1.13	090
50605		A	Insert ureteral support	16.66	NA	NA	7.89	7.31	1.45	090
50610		A	Removal of ureter stone	17.12	NA	NA	8.98	7.97	1.43	090
50620		A	Removal of ureter stone	16.30	NA	NA	8.88	7.61	1.07	090
50630		A	Removal of ureter stone	16.08	NA	NA	8.20	7.24	1.09	090
50650		A	Removal of ureter	18.67	NA	NA	9.96	8.59	1.23	090
50660		A	Removal of ureter	20.87	NA	NA	10.73	9.34	1.38	090
50684		A	Injection for ureter x-ray	0.76	3.97	4.47	0.63	0.55	0.05	000
50686		A	Measure ureter pressure	1.51	2.30	2.87	0.81	0.82	0.11	000
50688		A	Change of ureter tube/stent	1.18	NA	NA	0.95	1.01	0.07	010
50690		A	Injection for ureter x-ray	1.16	1.45	1.64	0.75	0.73	0.07	000
50700		A	Revision of ureter	16.54	NA	NA	8.76	7.94	1.27	090
50715		A	Release of ureter	20.49	NA	NA	8.54	8.64	2.14	090
50722		A	Release of ureter	17.80	NA	NA	7.27	7.54	1.91	090
50725		A	Release/revise ureter	20.05	NA	NA	8.82	8.43	1.52	090
50727		A	Revise ureter	8.17	NA	NA	5.73	5.00	0.61	090
50728		A	Revise ureter	12.00	NA	NA	6.75	6.15	1.00	090
50740		A	Fusion of ureter & kidney	19.92	NA	NA	8.98	8.35	1.97	090
50750		A	Fusion of ureter & kidney	21.07	NA	NA	11.08	9.53	1.38	090
50760		A	Fusion of ureters	19.92	NA	NA	9.90	8.78	1.55	090
50770		A	Splicing of ureters	21.07	NA	NA	10.88	9.43	1.45	090
50780		A	Reimplant ureter in bladder	19.80	NA	NA	10.11	8.85	1.51	090
50782		A	Reimplant ureter in bladder	19.51	NA	NA	9.89	9.33	1.61	090
50783		A	Reimplant ureter in bladder	20.52	NA	NA	10.12	9.17	1.99	090
50785		A	Reimplant ureter in bladder	22.08	NA	NA	11.20	9.74	1.45	090
50800		A	Implant ureter in bowel	16.23	NA	NA	9.17	7.82	1.19	090
50810		A	Fusion of ureter & bowel	22.38	NA	NA	10.58	9.83	2.32	090
50815		A	Urine shunt to intestine	22.06	NA	NA	11.47	9.95	1.54	090
50820		A	Construct bowel bladder	23.89	NA	NA	11.86	10.25	1.90	090
50825		A	Construct bowel bladder	30.48	NA	NA	14.91	13.02	2.08	090
50830		A	Revise urine flow	33.57	NA	NA	15.62	13.90	2.38	090
50840		A	Replace ureter by bowel	22.19	NA	NA	11.93	10.18	1.47	090
50845		A	Appendico-vesicostomy	22.21	NA	NA	12.07	10.48	1.57	090
50860		A	Transplant ureter to skin	16.93	NA	NA	9.22	7.92	1.29	090
50900		A	Repair of ureter	14.89	NA	NA	7.99	7.06	1.14	090
50920		A	Closure ureter/skin fistula	15.66	NA	NA	8.52	7.54	1.01	090
50930		A	Closure ureter/bowel fistula	20.04	NA	NA	9.49	8.73	1.28	090
50940		A	Release of ureter	15.78	NA	NA	7.79	7.09	1.26	090
50945		A	Laparoscopy ureterolithotomy	17.87	NA	NA	9.29	8.16	1.36	090
50947		A	Laparo new ureter/bladder	25.63	NA	NA	12.29	10.99	2.17	090
50948		A	Laparo new ureter/bladder	23.69	NA	NA	11.19	9.94	1.71	090
50949		C	Laparoscope proc, ureter	0.00	0.00	0.00	0.00	0.00	0.00	YYY
50951		A	Endoscopy of ureter	5.83	4.82	4.56	2.76	2.41	0.41	000
50953		A	Endoscopy of ureter	6.23	4.93	4.67	3.22	2.79	0.43	000
50955		A	Ureter endoscopy & biopsy	6.74	5.15	5.78	3.45	3.07	0.48	000
50957		A	Ureter endoscopy & treatment	6.78	5.38	4.97	3.14	2.76	0.48	000
50961		A	Ureter endoscopy & treatment	6.04	4.75	4.55	2.79	2.49	0.41	000
50970		A	Ureter endoscopy	7.13	NA	NA	3.24	2.85	0.52	000
50972		A	Ureter endoscopy & catheter	6.88	NA	NA	3.05	2.76	0.49	000
50974		A	Ureter endoscopy & biopsy	9.16	NA	NA	3.77	3.44	0.64	000
50976		A	Ureter endoscopy & treatment	9.03	NA	NA	3.85	3.46	0.66	000
50980		A	Ureter endoscopy & treatment	6.84	NA	NA	3.12	2.75	0.48	000
51020		A	Incise & treat bladder	7.56	NA	NA	5.39	4.62	0.47	090
51030		A	Incise & treat bladder	7.68	NA	NA	4.90	4.43	0.58	090
51040		A	Incise & drain bladder	4.43	NA	NA	3.69	3.23	0.31	090
51045		A	Incise bladder/drain ureter	7.68	NA	NA	5.15	4.54	0.52	090
51050		A	Removal of bladder stone	7.87	NA	NA	5.33	4.48	0.49	090
51060		A	Removal of ureter stone	9.82	NA	NA	6.42	5.46	0.62	090
51065		A	Remove ureter calculus	9.82	NA	NA	6.25	5.30	0.63	090
51080		A	Drainage of bladder abscess	6.61	NA	NA	4.61	4.07	0.43	090
51100		A	Drain bladder by needle	0.78	0.92	0.92	0.27	0.27	0.05	000
51101		A	Drain bladder by trocar/cath	1.02	2.41	2.41	0.34	0.34	0.10	000
51102		A	Drain bl w/cath insertion	4.27	4.75	4.75	2.37	2.37	0.28	010

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
51500		A	Removal of bladder cyst	10.92	NA	NA	5.76	5.38	1.03	090
51520		A	Removal of bladder lesion	10.08	NA	NA	6.31	5.49	0.69	090
51525		A	Removal of bladder lesion	15.29	NA	NA	8.47	7.30	0.99	090
51530		A	Removal of bladder lesion	13.58	NA	NA	7.38	6.57	1.05	090
51535		A	Repair of ureter lesion	13.77	NA	NA	7.38	6.74	1.23	090
51550		A	Partial removal of bladder	17.10	NA	NA	8.71	7.72	1.31	090
51555		A	Partial removal of bladder	23.03	NA	NA	11.36	10.01	1.70	090
51565		A	Revise bladder & ureter(s)	23.50	NA	NA	12.12	10.54	1.63	090
51570		A	Removal of bladder	27.31	NA	NA	13.49	11.62	1.72	090
51575		A	Removal of bladder & nodes	34.00	NA	NA	16.45	14.24	2.17	090
51580		A	Remove bladder/revise tract	35.14	NA	NA	17.59	15.04	2.25	090
51585		A	Removal of bladder & nodes	39.41	NA	NA	19.26	16.48	2.49	090
51590		A	Remove bladder/revise tract	36.15	NA	NA	17.25	14.93	2.28	090
51595		A	Remove bladder/revise tract	41.12	NA	NA	19.58	16.85	2.60	090
51596		A	Remove bladder/create pouch	44.01	NA	NA	21.20	18.21	2.78	090
51597		A	Removal of pelvic structures	42.61	NA	NA	20.19	17.51	2.82	090
51600		A	Injection for bladder x-ray	0.88	4.23	4.64	0.33	0.31	0.06	000
51605		A	Preparation for bladder xray	0.64	NA	NA	0.43	0.39	0.04	000
51610		A	Injection for bladder x-ray	1.05	1.91	2.10	0.71	0.65	0.07	000
51700		A	Irrigation of bladder	0.88	1.50	1.55	0.34	0.31	0.06	000
51701		A	Insert bladder catheter	0.50	1.04	1.31	0.24	0.22	0.04	000
51702		A	Insert temp bladder cath	0.50	1.53	1.81	0.33	0.29	0.04	000
51703		A	Insert bladder cath, complex	1.47	2.26	2.50	0.80	0.68	0.10	000
51705		A	Change of bladder tube	1.03	2.02	2.15	0.85	0.73	0.07	010
51710		A	Change of bladder tube	1.50	2.73	3.03	1.18	0.97	0.11	010
51715		A	Endoscopic injection/implant	3.73	4.41	4.16	1.73	1.54	0.29	000
51720		A	Treatment of bladder lesion	1.50	1.62	1.68	0.74	0.71	0.14	000
51725		A	Simple cystometrogram	1.51	4.23	4.91	NA	NA	0.16	000
51725	TC	A	Simple cystometrogram	0.00	3.68	4.39	NA	NA	0.04	000
51725	26	A	Simple cystometrogram	1.51	0.55	0.52	0.55	0.52	0.12	000
51726		A	Complex cystometrogram	1.71	7.11	7.31	NA	NA	0.18	000
51726	TC	A	Complex cystometrogram	0.00	6.47	6.71	NA	NA	0.05	000
51726	26	A	Complex cystometrogram	1.71	0.64	0.60	0.64	0.60	0.13	000
51736		A	Urine flow measurement	0.61	0.94	0.76	NA	NA	0.06	000
51736	TC	A	Urine flow measurement	0.00	0.70	0.54	NA	NA	0.01	000
51736	26	A	Urine flow measurement	0.61	0.24	0.22	0.24	0.22	0.05	000
51741		A	Electro-uroflowmetry, first	1.14	1.27	1.03	NA	NA	0.11	000
51741	TC	A	Electro-uroflowmetry, first	0.00	0.83	0.62	NA	NA	0.02	000
51741	26	A	Electro-uroflowmetry, first	1.14	0.44	0.41	0.44	0.41	0.09	000
51772		A	Urethra pressure profile	1.61	5.06	5.32	NA	NA	0.20	000
51772	TC	A	Urethra pressure profile	0.00	4.51	4.77	NA	NA	0.05	000
51772	26	A	Urethra pressure profile	1.61	0.55	0.55	0.55	0.55	0.15	000
51784		A	Anal/urinary muscle study	1.53	4.12	4.05	NA	NA	0.16	000
51784	TC	A	Anal/urinary muscle study	0.00	3.56	3.52	NA	NA	0.04	000
51784	26	A	Anal/urinary muscle study	1.53	0.56	0.53	0.56	0.53	0.12	000
51785		A	Anal/urinary muscle study	1.53	4.55	4.50	NA	NA	0.15	000
51785	TC	A	Anal/urinary muscle study	0.00	3.99	3.97	NA	NA	0.04	000
51785	26	A	Anal/urinary muscle study	1.53	0.56	0.53	0.56	0.53	0.11	000
51792		A	Urinary reflex study	1.10	5.05	5.52	NA	NA	0.20	000
51792	TC	A	Urinary reflex study	0.00	4.66	5.12	NA	NA	0.13	000
51792	26	A	Urinary reflex study	1.10	0.39	0.40	0.39	0.40	0.07	000
51795		A	Urine voiding pressure study	1.53	6.72	7.00	NA	NA	0.22	000
51795	TC	A	Urine voiding pressure study	0.00	6.15	6.47	NA	NA	0.10	000
51795	26	A	Urine voiding pressure study	1.53	0.57	0.53	0.57	0.53	0.12	000
51797		A	Intraabdominal pressure test	0.80	2.44	4.11	NA	NA	0.17	ZZZ
51797	TC	A	Intraabdominal pressure test	0.00	2.14	3.70	NA	NA	0.05	ZZZ
51797	26	A	Intraabdominal pressure test	0.80	0.30	0.41	0.30	0.41	0.12	ZZZ
51798		A	Us urine capacity measure	0.00	0.59	0.47	NA	NA	0.08	XXX
51800		A	Revision of bladder/urethra	18.74	NA	NA	9.72	8.64	1.32	090
51820		A	Revision of urinary tract	19.41	NA	NA	9.75	9.02	1.75	090
51840		A	Attach bladder/urethra	11.28	NA	NA	5.76	5.66	1.06	090
51841		A	Attach bladder/urethra	13.60	NA	NA	6.86	6.62	1.24	090
51845		A	Repair bladder neck	10.07	NA	NA	5.89	5.31	0.79	090
51860		A	Repair of bladder wound	12.49	NA	NA	6.73	6.25	1.16	090
51865		A	Repair of bladder wound	15.69	NA	NA	8.33	7.50	1.23	090
51880		A	Repair of bladder opening	7.81	NA	NA	4.73	4.34	0.72	090
51900		A	Repair bladder/vagina lesion	14.48	NA	NA	7.98	7.02	1.21	090
51920		A	Close bladder-uterus fistula	13.26	NA	NA	8.04	6.84	1.18	090
51925		A	Hysterectomy/bladder repair	17.35	NA	NA	12.42	10.51	2.04	090
51940		A	Correction of bladder defect	30.48	NA	NA	11.73	11.91	2.15	090
51960		A	Revision of bladder & bowel	25.20	NA	NA	12.89	11.27	1.63	090
51980		A	Construct bladder opening	12.44	NA	NA	7.07	6.22	0.86	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
51990		A	Laparo urethral suspension	13.26	NA	NA	5.93	6.04	1.39	090
51992		A	Laparo sling operation	14.77	NA	NA	6.51	6.36	1.41	090
51999		C	Laparoscope proc, bla	0.00	0.00	0.00	0.00	0.00	0.00	YYY
52000		A	Cystoscopy	2.23	3.66	3.48	1.31	1.03	0.14	000
52001		A	Cystoscopy, removal of clots	5.44	5.05	5.06	2.57	2.22	0.39	000
52005		A	Cystoscopy & ureter catheter	2.37	5.73	5.65	1.37	1.13	0.17	000
52007		A	Cystoscopy and biopsy	3.02	10.71	13.58	1.62	1.38	0.22	000
52010		A	Cystoscopy & duct catheter	3.02	8.08	9.42	1.62	1.38	0.21	000
52204		A	Cystoscopy w/biopsy(s)	2.59	8.31	11.41	1.38	1.14	0.17	000
52214		A	Cystoscopy and treatment	3.70	19.89	29.01	1.83	1.58	0.26	000
52224		A	Cystoscopy and treatment	3.14	19.07	27.77	1.60	1.38	0.22	000
52234		A	Cystoscopy and treatment	4.62	NA	NA	2.27	1.96	0.33	000
52235		A	Cystoscopy and treatment	5.44	NA	NA	2.64	2.29	0.39	000
52240		A	Cystoscopy and treatment	9.71	NA	NA	4.34	3.82	0.69	000
52250		A	Cystoscopy and radiotracer	4.49	NA	NA	2.30	1.97	0.32	000
52260		A	Cystoscopy and treatment	3.91	NA	NA	1.93	1.67	0.28	000
52265		A	Cystoscopy and treatment	2.94	7.49	10.42	1.47	1.29	0.22	000
52270		A	Cystoscopy & revise urethra	3.36	7.02	9.03	1.74	1.49	0.24	000
52275		A	Cystoscopy & revise urethra	4.69	9.30	12.43	2.27	1.96	0.33	000
52276		A	Cystoscopy and treatment	4.99	NA	NA	2.44	2.11	0.35	000
52277		A	Cystoscopy and treatment	6.16	NA	NA	2.90	2.56	0.44	000
52281		A	Cystoscopy and treatment	2.80	5.29	6.19	1.54	1.31	0.20	000
52282		A	Cystoscopy, implant stent	6.39	NA	NA	2.96	2.60	0.45	000
52283		A	Cystoscopy and treatment	3.73	4.06	4.00	1.86	1.62	0.26	000
52285		A	Cystoscopy and treatment	3.60	4.33	4.17	1.83	1.58	0.26	000
52290		A	Cystoscopy and treatment	4.58	NA	NA	2.26	1.95	0.32	000
52300		A	Cystoscopy and treatment	5.30	NA	NA	2.56	2.23	0.38	000
52301		A	Cystoscopy and treatment	5.50	NA	NA	2.68	2.33	0.46	000
52305		A	Cystoscopy and treatment	5.30	NA	NA	2.49	2.17	0.38	000
52310		A	Cystoscopy and treatment	2.81	4.00	4.35	1.43	1.23	0.20	000
52315		A	Cystoscopy and treatment	5.20	6.63	7.65	2.47	2.15	0.37	000
52317		A	Remove bladder stone	6.71	17.07	23.01	2.99	2.64	0.48	000
52318		A	Remove bladder stone	9.18	NA	NA	4.04	3.57	0.65	000
52320		A	Cystoscopy and treatment	4.69	NA	NA	2.21	1.92	0.33	000
52325		A	Cystoscopy, stone removal	6.15	NA	NA	2.78	2.45	0.44	000
52327		A	Cystoscopy, inject material	5.18	2.04	16.94	2.04	1.93	0.37	000
52330		A	Cystoscopy and treatment	5.03	20.41	29.63	2.35	2.05	0.36	000
52332		A	Cystoscopy and treatment	2.83	12.42	9.08	1.55	1.30	0.21	000
52334		A	Create passage to kidney	4.82	NA	NA	2.33	2.03	0.35	000
52341		A	Cysto w/ureter stricture tx	6.11	NA	NA	3.04	2.63	0.43	000
52342		A	Cysto w/up stricture tx	6.61	NA	NA	3.25	2.80	0.46	000
52343		A	Cysto w/renal stricture tx	7.31	NA	NA	3.49	3.04	0.51	000
52344		A	Cysto/uretero, stricture tx	7.81	NA	NA	3.90	3.35	0.55	000
52345		A	Cysto/uretero w/up stricture	8.31	NA	NA	4.11	3.53	0.58	000
52346		A	Cystouretero w/renal strict	9.34	NA	NA	4.51	3.90	0.65	000
52351		A	Cystouretero & or pyeloscope	5.85	NA	NA	2.95	2.55	0.41	000
52352		A	Cystouretero w/stone remove	6.87	NA	NA	3.46	2.98	0.49	000
52353		A	Cystouretero w/lithotripsy	7.96	NA	NA	3.90	3.38	0.57	000
52354		A	Cystouretero w/biopsy	7.33	NA	NA	3.64	3.16	0.52	000
52355		A	Cystouretero w/excise tumor	8.81	NA	NA	4.24	3.69	0.63	000
52400		A	Cystouretero w/congen repr	10.06	NA	NA	5.39	4.56	0.68	090
52402		A	Cystourethro cut ejacul duct	5.27	NA	NA	2.15	1.92	0.40	000
52450		A	Incision of prostate	7.63	NA	NA	5.48	4.58	0.54	090
52500		A	Revision of bladder neck	9.39	NA	NA	6.18	5.05	0.60	090
52601		A	Prostatectomy (TURP)	15.13	NA	NA	8.43	6.76	0.87	090
52606		A	Control postop bleeding	8.84	NA	NA	5.48	4.52	0.57	090
52612		A	Prostatectomy, first stage	9.07	NA	NA	5.88	4.81	0.56	090
52614		A	Prostatectomy, second stage	7.81	NA	NA	5.37	4.36	0.48	090
52620		A	Remove residual prostate	7.19	NA	NA	4.61	3.80	0.47	090
52630		A	Remove prostate regrowth	7.65	NA	NA	4.80	3.99	0.51	090
52640		A	Relieve bladder contracture	6.89	NA	NA	4.41	3.69	0.47	090
52647		A	Laser surgery of prostate	11.15	41.95	57.97	6.89	5.71	0.73	090
52648		A	Laser surgery of prostate	12.00	42.49	58.24	7.22	6.00	0.79	090
52649		A	2Prostate laser enucleation	17.16	NA	NA	9.32	9.32	1.11	090
52700		A	Drainage of prostate abscess	7.39	NA	NA	4.90	4.04	0.48	090
53000		A	Incision of urethra	2.30	NA	NA	1.78	1.66	0.16	010
53010		A	Incision of urethra	4.35	NA	NA	3.83	3.37	0.24	090
53020		A	Incision of urethra	1.77	NA	NA	0.95	0.81	0.13	000
53025		A	Incision of urethra	1.13	NA	NA	0.82	0.66	0.08	000
53040		A	Drainage of urethra abscess	6.49	NA	NA	4.40	3.92	0.45	090
53060		A	Drainage of urethra abscess	2.65	2.09	2.09	1.54	1.45	0.28	010
53080		A	Drainage of urinary leakage	6.82	NA	NA	4.97	5.46	0.52	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
53085		A	Drainage of urinary leakage	11.05	NA	NA	4.41	5.91	0.92	090
53200		A	Biopsy of urethra	2.59	1.70	1.51	1.29	1.14	0.20	000
53210		A	Removal of urethra	13.59	NA	NA	7.76	6.80	0.89	090
53215		A	Removal of urethra	16.72	NA	NA	9.12	7.88	1.10	090
53220		A	Treatment of urethra lesion	7.53	NA	NA	4.98	4.35	0.49	090
53230		A	Removal of urethra lesion	10.31	NA	NA	6.37	5.54	0.73	090
53235		A	Removal of urethra lesion	10.86	NA	NA	6.92	5.91	0.72	090
53240		A	Surgery for urethra pouch	6.98	NA	NA	4.87	4.20	0.52	090
53250		A	Removal of urethra gland	6.42	NA	NA	4.38	3.84	0.49	090
53260		A	Treatment of urethra lesion	3.00	2.45	2.35	1.84	1.63	0.25	010
53265		A	Treatment of urethra lesion	3.14	2.94	2.82	1.98	1.70	0.24	010
53270		A	Removal of urethra gland	3.11	2.46	2.33	1.84	1.69	0.30	010
53275		A	Repair of urethra defect	4.54	NA	NA	2.77	2.51	0.32	010
53400		A	Revise urethra, stage 1	13.98	NA	NA	8.17	7.10	0.98	090
53405		A	Revise urethra, stage 2	15.51	NA	NA	8.69	7.50	1.10	090
53410		A	Reconstruction of urethra	17.53	NA	NA	9.68	8.36	1.16	090
53415		A	Reconstruction of urethra	20.55	NA	NA	10.70	9.01	1.37	090
53420		A	Reconstruct urethra, stage 1	15.04	NA	NA	7.12	6.70	0.96	090
53425		A	Reconstruct urethra, stage 2	16.94	NA	NA	9.00	7.94	1.13	090
53430		A	Reconstruction of urethra	17.30	NA	NA	8.81	7.90	1.15	090
53431		A	Reconstruct urethra/bladder	21.03	NA	NA	10.98	9.52	1.41	090
53440		A	Male sling procedure	15.34	NA	NA	9.19	7.58	0.96	090
53442		A	Remove/revise male sling	13.29	NA	NA	8.36	6.90	0.82	090
53444		A	Insert tandem cuff	14.06	NA	NA	8.02	6.95	0.94	090
53445		A	Insert uro/ves nck sphincter	15.21	NA	NA	8.75	7.92	0.99	090
53446		A	Remove uro sphincter	10.89	NA	NA	7.00	6.11	0.72	090
53447		A	Remove/replace ur sphincter	14.15	NA	NA	8.38	7.40	0.95	090
53448		A	Remov/replc ur sphinctr comp	23.26	NA	NA	12.33	10.69	1.50	090
53449		A	Repair uro sphincter	10.43	NA	NA	6.61	5.66	0.68	090
53450		A	Revision of urethra	6.67	NA	NA	4.75	4.02	0.43	090
53460		A	Revision of urethra	7.65	NA	NA	5.05	4.37	0.50	090
53500		A	Urethrlys, transvag w/ scope	12.87	NA	NA	7.41	6.81	0.90	090
53502		A	Repair of urethra injury	8.16	NA	NA	5.10	4.54	0.62	090
53505		A	Repair of urethra injury	8.16	NA	NA	5.38	4.62	0.54	090
53510		A	Repair of urethra injury	10.83	NA	NA	6.83	6.00	0.74	090
53515		A	Repair of urethra injury	14.09	NA	NA	7.96	6.95	1.05	090
53520		A	Repair of urethra defect	9.35	NA	NA	6.20	5.34	0.61	090
53600		A	Dilate urethra stricture	1.21	1.15	1.14	0.57	0.50	0.09	000
53601		A	Dilate urethra stricture	0.98	1.36	1.32	0.52	0.44	0.07	000
53605		A	Dilate urethra stricture	1.28	NA	NA	0.51	0.46	0.09	000
53620		A	Dilate urethra stricture	1.62	1.70	1.85	0.83	0.71	0.11	000
53621		A	Dilate urethra stricture	1.35	1.81	1.94	0.67	0.58	0.10	000
53660		A	Dilation of urethra	0.71	1.32	1.31	0.45	0.38	0.05	000
53661		A	Dilation of urethra	0.72	1.29	1.30	0.41	0.35	0.05	000
53665		A	Dilation of urethra	0.76	NA	NA	0.27	0.26	0.06	000
53850		A	Prostatic microwave thermotx	9.98	49.25	71.68	5.86	4.90	0.67	090
53852		A	Prostatic rf thermotx	10.68	46.37	67.60	6.66	5.51	0.70	090
53853		A	Prostatic water thermother	5.54	29.10	42.24	4.35	3.60	0.37	090
53899		C	Urology surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
54000		A	Slitting of prepuce	1.56	2.70	2.80	1.48	1.20	0.11	010
54001		A	Slitting of prepuce	2.21	3.06	3.12	1.67	1.39	0.15	010
54015		A	Drain penis lesion	5.33	NA	NA	3.21	2.88	0.38	010
54050		A	Destruction, penis lesion(s)	1.26	2.10	1.88	1.39	1.21	0.08	010
54055		A	Destruction, penis lesion(s)	1.23	1.97	1.77	1.23	1.02	0.08	010
54056		A	Cryosurgery, penis lesion(s)	1.26	2.37	2.03	1.53	1.33	0.06	010
54057		A	Laser surg, penis lesion(s)	1.26	2.63	2.42	1.37	1.10	0.09	010
54060		A	Excision of penis lesion(s)	1.95	3.09	3.10	1.64	1.35	0.13	010
54065		A	Destruction, penis lesion(s)	2.44	3.30	2.97	2.00	1.61	0.13	010
54100		A	Biopsy of penis	1.90	3.35	3.08	1.36	1.09	0.10	000
54105		A	Biopsy of penis	3.51	3.98	4.13	2.43	2.18	0.25	010
54110		A	Treatment of penis lesion	10.79	NA	NA	6.72	5.74	0.72	090
54111		A	Treat penis lesion, graft	14.29	NA	NA	8.03	6.90	0.96	090
54112		A	Treat penis lesion, graft	16.83	NA	NA	9.31	8.05	1.11	090
54115		A	Treatment of penis lesion	6.82	5.76	5.07	4.94	4.20	0.43	090
54120		A	Partial removal of penis	10.88	NA	NA	6.72	5.70	0.68	090
54125		A	Removal of penis	14.43	NA	NA	8.07	6.95	0.95	090
54130		A	Remove penis & nodes	21.66	NA	NA	11.58	9.87	1.52	090
54135		A	Remove penis & nodes	27.99	NA	NA	14.11	12.14	1.88	090
54150		A	Circumcision w/regionl block	1.90	2.40	3.13	0.73	0.73	0.16	000
54160		A	Circumcision, neonate	2.50	3.80	3.97	1.48	1.28	0.19	010
54161		A	Circum 28 days or older	3.29	NA	NA	2.20	1.88	0.23	010
54162		A	Lysis penil circumic lesion	3.27	4.01	4.33	2.26	1.85	0.21	010

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
54163		A	Repair of circumcision	3.27	NA	NA	2.85	2.43	0.21	010
54164		A	Frenulotomy of penis	2.77	NA	NA	2.66	2.25	0.18	010
54200		A	Treatment of penis lesion	1.08	2.02	1.91	1.30	1.14	0.08	010
54205		A	Treatment of penis lesion	8.84	NA	NA	6.06	5.37	0.56	090
54220		A	Treatment of penis lesion	2.42	3.32	3.58	1.35	1.15	0.17	000
54230		A	Prepare penis study	1.34	1.40	1.24	0.91	0.77	0.09	000
54231		A	Dynamic cavernosometry	2.04	1.97	1.67	1.24	1.06	0.16	000
54235		A	Penile injection	1.19	1.39	1.17	0.89	0.73	0.08	000
54240		A	Penis study	1.31	1.51	1.26	NA	NA	0.17	000
54240	TC	A	Penis study	0.00	1.03	0.81	NA	NA	0.06	000
54240	26	A	Penis study	1.31	0.48	0.45	0.48	0.45	0.11	000
54250		A	Penis study	2.22	1.22	1.06	NA	NA	0.18	000
54250	TC	A	Penis study	0.00	0.37	0.28	NA	NA	0.02	000
54250	26	A	Penis study	2.22	0.85	0.78	0.85	0.78	0.16	000
54300		A	Revision of penis	11.07	NA	NA	6.70	6.14	0.76	090
54304		A	Revision of penis	13.15	NA	NA	7.80	7.06	0.88	090
54308		A	Reconstruction of urethra	12.49	NA	NA	4.76	5.36	0.84	090
54312		A	Reconstruction of urethra	14.36	NA	NA	8.87	7.93	1.24	090
54316		A	Reconstruction of urethra	17.90	NA	NA	9.94	8.94	1.21	090
54318		A	Reconstruction of urethra	12.28	NA	NA	4.83	5.31	1.39	090
54322		A	Reconstruction of urethra	13.85	NA	NA	7.94	7.20	0.92	090
54324		A	Reconstruction of urethra	17.40	NA	NA	9.75	8.85	1.14	090
54326		A	Reconstruction of urethra	16.87	NA	NA	9.16	8.47	1.11	090
54328		A	Revise penis/urethra	16.74	NA	NA	9.48	8.36	0.98	090
54332		A	Revise penis/urethra	18.22	NA	NA	10.07	8.90	1.21	090
54336		A	Revise penis/urethra	21.44	NA	NA	7.31	8.80	2.21	090
54340		A	Secondary urethral surgery	9.58	NA	NA	6.36	5.70	0.63	090
54344		A	Secondary urethral surgery	16.91	NA	NA	9.54	8.64	1.54	090
54348		A	Secondary urethral surgery	18.17	NA	NA	10.13	9.23	1.23	090
54352		A	Reconstruct urethra/penis	25.95	NA	NA	14.00	12.59	2.25	090
54360		A	Penis plastic surgery	12.65	NA	NA	7.45	6.74	0.84	090
54380		A	Repair penis	14.03	NA	NA	8.04	7.32	0.93	090
54385		A	Repair penis	16.38	NA	NA	11.31	9.78	0.86	090
54390		A	Repair penis and bladder	22.59	NA	NA	7.42	8.42	1.54	090
54400		A	Insert semi-rigid prosthesis	9.09	NA	NA	5.75	5.05	0.64	090
54401		A	Insert self-contd prosthesis	10.26	NA	NA	8.15	6.94	0.73	090
54405		A	Insert multi-comp penis pros	14.39	NA	NA	8.12	7.02	0.95	090
54406		A	Remove muti-comp penis pros	12.76	NA	NA	7.60	6.51	0.86	090
54408		A	Repair multi-comp penis pros	13.73	NA	NA	8.25	6.99	0.90	090
54410		A	Remove/replace penis prosth	16.48	NA	NA	9.35	7.98	1.10	090
54411		A	Remov/replc penis pros, comp	18.14	NA	NA	10.41	8.72	1.13	090
54415		A	Remove self-contd penis pros	8.75	NA	NA	6.00	5.10	0.58	090
54416		A	Remv/repl penis contain pros	11.87	NA	NA	7.90	6.64	0.77	090
54417		A	Remv/replc penis pros, compl	15.94	NA	NA	9.10	7.63	1.00	090
54420		A	Revision of penis	12.26	NA	NA	7.39	6.48	0.81	090
54430		A	Revision of penis	10.93	NA	NA	6.97	6.03	0.72	090
54435		A	Revision of penis	6.71	NA	NA	4.99	4.30	0.43	090
54440		C	Repair of penis	0.00	0.00	0.00	0.00	0.00	0.00	090
54450		A	Preputial stretching	1.12	0.85	0.90	0.48	0.46	0.08	000
54500		A	Biopsy of testis	1.31	NA	NA	0.76	0.66	0.10	000
54505		A	Biopsy of testis	3.47	NA	NA	2.44	2.18	0.27	010
54512		A	Excise lesion testis	9.23	NA	NA	5.67	4.90	0.67	090
54520		A	Removal of testis	5.25	NA	NA	3.72	3.25	0.50	090
54522		A	Orchiectomy, partial	10.15	NA	NA	5.59	5.22	0.89	090
54530		A	Removal of testis	9.31	NA	NA	6.06	5.15	0.66	090
54535		A	Extensive testis surgery	13.06	NA	NA	6.91	6.22	0.95	090
54550		A	Exploration for testis	8.31	NA	NA	5.21	4.51	0.59	090
54560		A	Exploration for testis	11.97	NA	NA	6.87	6.01	0.90	090
54600		A	Reduce testis torsion	7.54	NA	NA	5.11	4.33	0.51	090
54620		A	Suspension of testis	5.16	NA	NA	3.22	2.83	0.37	010
54640		A	Suspension of testis	7.57	NA	NA	5.35	4.54	0.62	090
54650		A	Orchiopexy (Fowler-Stephens)	12.24	NA	NA	5.66	5.53	1.16	090
54660		A	Revision of testis	5.64	NA	NA	4.35	3.67	0.44	090
54670		A	Repair testis injury	6.57	NA	NA	4.79	4.16	0.47	090
54680		A	Relocation of testis(es)	13.91	NA	NA	7.70	6.92	1.16	090
54690		A	Laparoscopy, orchiectomy	11.60	NA	NA	5.59	5.26	1.02	090
54692		A	Laparoscopy, orchiopexy	13.64	NA	NA	7.56	6.49	1.30	090
54699		C	Laparoscope proc, testis	0.00	0.00	0.00	0.00	0.00	0.00	YYY
54700		A	Drainage of scrotum	3.44	NA	NA	2.37	2.16	0.28	010
54800		A	Biopsy of epididymis	2.33	NA	NA	1.22	1.06	0.23	000
54830		A	Remove epididymis lesion	5.91	NA	NA	4.43	3.72	0.41	090
54840		A	Remove epididymis lesion	5.22	NA	NA	3.80	3.29	0.37	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
54860		A	Removal of epididymis	6.85	NA	NA	4.87	4.09	0.45	090
54861		A	Removal of epididymis	9.57	NA	NA	6.25	5.28	0.63	090
54865		A	Explore epididymis	5.67	NA	NA	4.26	3.60	0.40	090
54900		A	Fusion of spermatic ducts	14.05	NA	NA	5.24	5.52	0.93	090
54901		A	Fusion of spermatic ducts	18.92	NA	NA	10.51	9.01	1.83	090
55000		A	Drainage of hydrocele	1.43	1.85	1.96	0.91	0.78	0.11	000
55040		A	Removal of hydrocele	5.39	NA	NA	3.96	3.42	0.43	090
55041		A	Removal of hydroceles	8.41	NA	NA	5.68	4.82	0.60	090
55060		A	Repair of hydrocele	6.05	NA	NA	4.45	3.76	0.46	090
55100		A	Drainage of scrotum abscess	2.40	3.49	3.58	2.11	1.83	0.17	010
55110		A	Explore scrotum	6.23	NA	NA	4.48	3.80	0.43	090
55120		A	Removal of scrotum lesion	5.62	NA	NA	4.21	3.58	0.39	090
55150		A	Removal of scrotum	8.01	NA	NA	5.45	4.64	0.56	090
55175		A	Revision of scrotum	5.77	NA	NA	4.34	3.67	0.37	090
55180		A	Revision of scrotum	11.63	NA	NA	7.27	6.32	0.90	090
55200		A	Incision of sperm duct	4.50	8.01	10.17	3.30	2.84	0.33	090
55250		A	Removal of sperm duct(s)	3.32	7.83	9.65	3.06	2.64	0.25	090
55300		A	Prepare, sperm duct x-ray	3.50	NA	NA	1.75	1.53	0.25	000
55400		A	Repair of sperm duct	8.53	NA	NA	5.41	4.73	0.64	090
55450		A	Ligation of sperm duct	4.38	5.46	6.23	2.57	2.22	0.29	010
55500		A	Removal of hydrocele	6.12	NA	NA	4.20	3.64	0.55	090
55520		A	Removal of sperm cord lesion	6.56	NA	NA	3.82	3.53	0.75	090
55530		A	Revise spermatic cord veins	5.69	NA	NA	4.09	3.55	0.45	090
55535		A	Revise spermatic cord veins	7.09	NA	NA	4.83	4.11	0.47	090
55540		A	Revise hernia & sperm veins	8.20	NA	NA	4.25	4.02	0.94	090
55550		A	Laparo ligate spermatic vein	7.10	NA	NA	4.55	3.92	0.57	090
55559		C	Laparo proc, spermatic cord	0.00	0.00	0.00	0.00	0.00	0.00	YYY
55600		A	Incise sperm duct pouch	6.91	NA	NA	4.90	4.11	0.62	090
55605		A	Incise sperm duct pouch	8.63	NA	NA	4.63	4.45	0.64	090
55650		A	Remove sperm duct pouch	12.52	NA	NA	7.40	6.33	0.92	090
55680		A	Remove sperm pouch lesion	5.59	NA	NA	3.93	3.45	0.47	090
55700		A	Biopsy of prostate	2.58	3.71	3.95	1.32	0.98	0.11	000
55705		A	Biopsy of prostate	4.58	NA	NA	2.85	2.57	0.32	010
55720		A	Drainage of prostate abscess	7.67	NA	NA	4.89	4.35	0.95	090
55725		A	Drainage of prostate abscess	9.90	NA	NA	6.28	5.38	0.70	090
55801		A	Removal of prostate	19.62	NA	NA	10.34	8.97	1.34	090
55810		A	Extensive prostate surgery	24.14	NA	NA	12.34	10.64	1.60	090
55812		A	Extensive prostate surgery	29.69	NA	NA	14.21	12.59	2.05	090
55815		A	Extensive prostate surgery	32.75	NA	NA	16.20	14.03	2.17	090
55821		A	Removal of prostate	15.63	NA	NA	8.67	7.43	1.01	090
55831		A	Removal of prostate	17.06	NA	NA	9.24	7.94	1.10	090
55840		A	Extensive prostate surgery	24.45	NA	NA	12.69	10.98	1.61	090
55842		A	Extensive prostate surgery	26.31	NA	NA	13.48	11.65	1.73	090
55845		A	Extensive prostate surgery	30.52	NA	NA	14.86	12.89	2.03	090
55860		A	Surgical exposure, prostate	15.71	NA	NA	8.54	7.47	1.02	090
55862		A	Extensive prostate surgery	19.89	NA	NA	10.70	9.27	1.49	090
55865		A	Extensive prostate surgery	24.39	NA	NA	12.41	10.83	1.63	090
55866		A	Laparo radical prostatectomy	32.25	NA	NA	15.96	13.83	2.17	090
55870		A	Electroejaculation	2.58	2.49	2.01	1.45	1.27	0.16	000
55873		A	Cryoablate prostate	20.25	NA	NA	11.29	10.11	1.38	090
55875		A	Transperi needle place, pros	13.31	NA	NA	7.84	6.84	0.89	090
55876		A	Place rt device/marker, pros	1.73	2.07	2.07	1.05	1.05	0.28	000
55899		C	Genital surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
55920		A	Place needles pelvic for rt	8.31	NA	NA	3.14	3.14	0.58	000
55970		N	Sex transformation, M to F	0.00	0.00	0.00	0.00	0.00	0.00	XXX
55980		N	Sex transformation, F to M	0.00	0.00	0.00	0.00	0.00	0.00	XXX
56405		A	I & D of vulva/perineum	1.46	1.18	1.25	1.16	1.15	0.17	010
56420		A	Drainage of gland abscess	1.41	1.52	1.90	0.78	0.91	0.16	010
56440		A	Surgery for vulva lesion	2.86	NA	NA	1.56	1.63	0.34	010
56441		A	Lysis of labial lesion(s)	1.99	1.71	1.76	1.56	1.48	0.20	010
56442		A	Hymenotomy	0.68	NA	NA	0.52	0.51	0.08	000
56501		A	Destroy, vulva lesions, sim	1.55	1.63	1.71	1.21	1.23	0.18	010
56515		A	Destroy vulva lesion/s compl	3.03	2.40	2.47	1.74	1.78	0.33	010
56605		A	Biopsy of vulva/perineum	1.10	0.93	1.00	0.34	0.40	0.13	000
56606		A	Biopsy of vulva/perineum	0.55	0.36	0.43	0.15	0.19	0.07	ZZZ
56620		A	Partial removal of vulva	8.44	NA	NA	4.40	4.59	0.90	090
56625		A	Complete removal of vulva	9.55	NA	NA	4.81	5.06	1.02	090
56630		A	Extensive vulva surgery	14.67	NA	NA	6.28	6.56	1.49	090
56631		A	Extensive vulva surgery	18.81	NA	NA	7.79	8.30	1.96	090
56632		A	Extensive vulva surgery	21.61	NA	NA	9.30	9.41	2.39	090
56633		A	Extensive vulva surgery	19.47	NA	NA	7.80	8.20	1.98	090
56634		A	Extensive vulva surgery	20.48	NA	NA	8.19	8.81	2.17	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
56637		A	Extensive vulva surgery	24.57	NA	NA	9.31	10.19	2.61	090
56640		A	Extensive vulva surgery	24.65	NA	NA	8.84	9.73	2.89	090
56700		A	Partial removal of hymen	2.79	NA	NA	1.77	1.80	0.30	010
56740		A	Remove vagina gland lesion	4.83	NA	NA	2.33	2.45	0.56	010
56800		A	Repair of vagina	3.90	NA	NA	1.96	2.08	0.44	010
56805		A	Repair clitoris	19.75	NA	NA	7.69	8.55	2.15	090
56810		A	Repair of perineum	4.26	NA	NA	2.04	2.17	0.49	010
56820		A	Exam of vulva w/scope	1.50	1.19	1.25	0.53	0.59	0.18	000
56821		A	Exam/biopsy of vulva w/scope	2.05	1.53	1.65	0.68	0.80	0.25	000
57000		A	Exploration of vagina	2.99	NA	NA	1.75	1.73	0.31	010
57010		A	Drainage of pelvic abscess	6.74	NA	NA	3.80	3.80	0.71	090
57020		A	Drainage of pelvic fluid	1.50	0.77	0.86	0.45	0.52	0.18	000
57022		A	I & d vaginal hematoma, pp	2.70	NA	NA	1.43	1.46	0.26	010
57023		A	I & d vag hematoma, non-ob	5.13	NA	NA	2.37	2.47	0.58	010
57061		A	Destroy vag lesions, simple	1.27	1.52	1.59	1.12	1.12	0.15	010
57065		A	Destroy vag lesions, complex	2.63	2.03	2.16	1.49	1.58	0.31	010
57100		A	Biopsy of vagina	1.20	0.95	1.02	0.37	0.42	0.14	000
57105		A	Biopsy of vagina	1.71	1.59	1.69	1.33	1.37	0.20	010
57106		A	Remove vagina wall, partial	7.35	NA	NA	4.27	4.23	0.73	090
57107		A	Remove vagina tissue, part	24.43	NA	NA	9.06	9.76	2.72	090
57109		A	Vaginectomy partial w/nodes	28.25	NA	NA	10.26	10.75	3.22	090
57110		A	Remove vagina wall, complete	15.38	NA	NA	6.19	6.73	1.74	090
57111		A	Remove vagina tissue, compl	28.25	NA	NA	10.43	11.53	3.18	090
57112		A	Vaginectomy w/nodes, compl	30.37	NA	NA	10.62	11.36	3.08	090
57120		A	Closure of vagina	8.18	NA	NA	4.20	4.40	0.89	090
57130		A	Remove vagina lesion	2.44	1.96	2.06	1.47	1.50	0.29	010
57135		A	Remove vagina lesion	2.68	2.03	2.15	1.53	1.59	0.31	010
57150		A	Treat vagina infection	0.55	0.58	0.84	0.15	0.18	0.07	000
57155		A	Insert uteri tandems/ovoids	6.79	NA	NA	3.49	4.03	0.43	090
57160		A	Insert pessary/other device	0.89	1.04	1.03	0.25	0.30	0.10	000
57170		A	Fitting of diaphragm/cap	0.91	0.57	1.02	0.25	0.29	0.11	000
57180		A	Treat vaginal bleeding	1.60	1.86	2.01	0.93	1.09	0.19	010
57200		A	Repair of vagina	4.34	NA	NA	2.99	2.94	0.46	090
57210		A	Repair vagina/perineum	5.63	NA	NA	3.27	3.35	0.62	090
57220		A	Revision of urethra	4.77	NA	NA	3.01	3.06	0.51	090
57230		A	Repair of urethral lesion	6.22	NA	NA	3.64	3.52	0.54	090
57240		A	Repair bladder & vagina	11.42	NA	NA	5.49	4.65	0.62	090
57250		A	Repair rectum & vagina	11.42	NA	NA	5.04	4.31	0.65	090
57260		A	Repair of vagina	14.36	NA	NA	5.86	5.34	0.97	090
57265		A	Extensive repair of vagina	15.86	NA	NA	6.33	6.18	1.32	090
57267		A	Insert mesh/pelvic flr addon	4.88	NA	NA	1.50	1.74	0.64	ZZZ
57268		A	Repair of bowel bulge	7.47	NA	NA	4.34	4.26	0.79	090
57270		A	Repair of bowel pouch	13.57	NA	NA	5.84	6.04	1.42	090
57280		A	Suspension of vagina	16.62	NA	NA	6.97	7.17	1.68	090
57282		A	Colpopexy, extraperitoneal	7.84	NA	NA	4.50	4.50	1.02	090
57283		A	Colpopexy, intraperitoneal	11.58	NA	NA	5.12	5.52	1.02	090
57284		A	Repair paravag defect, open	14.25	NA	NA	5.99	6.57	1.41	090
57285		A	Repair paravag defect, vag	11.52	NA	NA	5.16	5.16	0.63	090
57287		A	Revise/remove sling repair	11.49	NA	NA	6.35	5.92	0.90	090
57288		A	Repair bladder defect	14.01	NA	NA	7.02	6.46	1.12	090
57289		A	Repair bladder & vagina	12.69	NA	NA	6.71	6.37	1.21	090
57291		A	Construction of vagina	8.54	NA	NA	4.90	4.91	0.93	090
57292		A	Construct vagina with graft	13.91	NA	NA	5.91	6.42	1.58	090
57295		A	Revise vag graft via vagina	7.74	NA	NA	4.09	4.26	0.91	090
57296		A	Revise vag graft, open abd	16.46	NA	NA	6.67	6.67	1.68	090
57300		A	Repair rectum-vagina fistula	8.58	NA	NA	4.44	4.36	0.87	090
57305		A	Repair rectum-vagina fistula	15.24	NA	NA	6.20	6.23	1.73	090
57307		A	Fistula repair & colostomy	17.02	NA	NA	6.91	6.95	2.02	090
57308		A	Fistula repair, transperine	10.48	NA	NA	4.96	5.03	1.14	090
57310		A	Repair urethrovaginal lesion	7.55	NA	NA	5.02	4.43	0.54	090
57311		A	Repair urethrovaginal lesion	8.81	NA	NA	5.51	4.81	0.65	090
57320		A	Repair bladder-vagina lesion	8.78	NA	NA	5.28	4.82	0.69	090
57330		A	Repair bladder-vagina lesion	13.11	NA	NA	7.20	6.46	1.06	090
57335		A	Repair vagina	19.87	NA	NA	7.83	8.43	1.92	090
57400		A	Dilation of vagina	2.27	NA	NA	1.00	1.05	0.26	000
57410		A	Pelvic examination	1.75	NA	NA	0.91	0.90	0.18	000
57415		A	Remove vaginal foreign body	2.44	NA	NA	1.49	1.46	0.24	010
57420		A	Exam of vagina w/scope	1.60	1.23	1.29	0.56	0.61	0.19	000
57421		A	Exam/biopsy of vag w/scope	2.20	1.59	1.72	0.72	0.84	0.27	000
57423		A	Repair paravag defect, lap	16.00	NA	NA	6.52	6.52	1.65	090
57425		A	Laparoscopy, surg, colpopexy	16.93	NA	NA	6.91	6.77	1.76	090
57452		A	Exam of cervix w/scope	1.50	1.18	1.23	0.74	0.75	0.18	000

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57454		A	Bx/curett of cervix w/scope	2.33	1.39	1.52	0.95	1.05	0.28	000
57455		A	Biopsy of cervix w/scope	1.99	1.50	1.61	0.66	0.76	0.24	000
57456		A	Endocerv curettage w/scope	1.85	1.46	1.55	0.62	0.72	0.22	000
57460		A	Bx of cervix w/scope, leep	2.83	4.28	5.06	1.09	1.23	0.34	000
57461		A	Conz of cervix w/scope, leep	3.43	4.57	5.34	1.05	1.26	0.41	000
57500		A	Biopsy of cervix	1.20	2.02	2.28	0.64	0.64	0.12	000
57505		A	Endocervical curettage	1.16	1.33	1.39	1.07	1.08	0.14	010
57510		A	Cauterization of cervix	1.90	1.30	1.43	0.90	0.97	0.23	010
57511		A	Cryocautery of cervix	1.92	1.60	1.71	1.27	1.32	0.23	010
57513		A	Laser surgery of cervix	1.92	1.57	1.64	1.28	1.34	0.23	010
57520		A	Conization of cervix	4.06	3.38	3.66	2.51	2.69	0.49	090
57522		A	Conization of cervix	3.62	2.77	2.96	2.25	2.35	0.41	090
57530		A	Removal of cervix	5.19	NA	NA	3.10	3.24	0.58	090
57531		A	Removal of cervix, radical	29.77	NA	NA	10.86	12.02	3.35	090
57540		A	Removal of residual cervix	13.19	NA	NA	5.44	5.84	1.49	090
57545		A	Remove cervix/repair pelvis	14.00	NA	NA	5.72	6.20	1.52	090
57550		A	Removal of residual cervix	6.24	NA	NA	3.61	3.72	0.67	090
57555		A	Remove cervix/repair vagina	9.84	NA	NA	4.75	4.92	1.09	090
57556		A	Remove cervix, repair bowel	9.26	NA	NA	4.61	4.73	0.92	090
57558		A	D&c of cervical stump	1.69	1.35	1.41	1.05	1.09	0.20	010
57700		A	Revision of cervix	4.22	NA	NA	3.28	3.19	0.41	090
57720		A	Revision of cervix	4.53	NA	NA	2.94	3.02	0.49	090
57800		A	Dilation of cervical canal	0.77	0.72	0.74	0.41	0.44	0.09	000
58100		A	Biopsy of uterus lining	1.53	1.14	1.23	0.58	0.65	0.18	000
58110		A	Bx done w/colposcopy add-on	0.77	0.40	0.47	0.21	0.26	0.09	ZZZ
58120		A	Dilation and curettage	3.54	2.70	2.50	1.66	1.77	0.39	010
58140		A	Myomectomy abdom method	15.69	NA	NA	6.18	6.64	1.82	090
58145		A	Myomectomy vag method	8.81	NA	NA	4.23	4.51	0.97	090
58146		A	Myomectomy abdom complex	20.24	NA	NA	7.34	8.18	2.33	090
58150		A	Total hysterectomy	17.21	NA	NA	6.56	7.02	1.85	090
58152		A	Total hysterectomy	21.73	NA	NA	8.03	8.95	2.48	090
58180		A	Partial hysterectomy	16.50	NA	NA	6.33	6.89	1.64	090
58200		A	Extensive hysterectomy	23.00	NA	NA	8.15	9.07	2.55	090
58210		A	Extensive hysterectomy	30.76	NA	NA	10.72	11.96	3.38	090
58240		A	Removal of pelvis contents	49.02	NA	NA	17.64	17.63	4.23	090
58260		A	Vaginal hysterectomy	14.02	NA	NA	5.79	6.24	1.57	090
58262		A	Vag hyst including t/o	15.81	NA	NA	6.23	6.81	1.80	090
58263		A	Vag hyst w/t/o & vag repair	17.10	NA	NA	6.64	7.26	1.95	090
58267		A	Vag hyst w/urinary repair	18.23	NA	NA	6.97	7.67	2.07	090
58270		A	Vag hyst w/enterocele repair	15.20	NA	NA	5.93	6.50	1.74	090
58275		A	Hysterectomy/revise vagina	16.90	NA	NA	6.61	7.19	1.92	090
58280		A	Hysterectomy/revise vagina	18.20	NA	NA	6.96	7.60	2.07	090
58285		A	Extensive hysterectomy	23.30	NA	NA	7.94	8.94	2.71	090
58290		A	Vag hyst complex	20.17	NA	NA	7.35	8.24	2.30	090
58291		A	Vag hyst incl t/o, complex	21.96	NA	NA	7.82	8.85	2.53	090
58292		A	Vag hyst t/o & repair, compl	23.25	NA	NA	8.21	9.29	2.68	090
58293		A	Vag hyst w/uro repair, compl	24.23	NA	NA	8.52	9.59	2.79	090
58294		A	Vag hyst w/enterocele, compl	21.45	NA	NA	7.51	8.53	2.40	090
58300		N	Insert intrauterine device	1.01	0.63	1.03	0.23	0.31	0.12	XXX
58301		A	Remove intrauterine device	1.27	1.05	1.18	0.34	0.41	0.15	000
58321		A	Artificial insemination	0.92	0.94	1.04	0.23	0.30	0.10	000
58322		A	Artificial insemination	1.10	1.03	1.12	0.31	0.36	0.13	000
58323		A	Sperm washing	0.23	0.16	0.34	0.07	0.08	0.03	000
58340		A	Catheter for hysterography	0.88	2.15	2.66	0.56	0.61	0.09	000
58345		A	Reopen fallopian tube	4.67	NA	NA	2.11	2.27	0.41	010
58346		A	Insert heyman uteri capsule	7.48	NA	NA	3.74	3.83	0.56	090
58350		A	Reopen fallopian tube	1.03	1.35	1.42	0.88	0.90	0.12	010
58353		A	Endometr ablate, thermal	3.57	22.84	29.26	1.71	1.88	0.43	010
58356		A	Endometrial cryoablation	6.36	43.38	52.43	1.85	2.27	0.82	010
58400		A	Suspension of uterus	7.06	NA	NA	3.86	3.90	0.75	090
58410		A	Suspension of uterus	13.70	NA	NA	5.55	5.99	1.45	090
58520		A	Repair of ruptured uterus	13.38	NA	NA	5.49	5.76	1.47	090
58540		A	Revision of uterus	15.61	NA	NA	6.15	6.55	1.79	090
58541		A	Lsh, uterus 250 g or less	14.57	NA	NA	6.13	6.13	1.68	090
58542		A	Lsh w/t/o ut 250 g or less	16.43	NA	NA	6.64	6.64	1.69	090
58543		A	Lsh uterus above 250 g	16.74	NA	NA	6.71	6.71	1.73	090
58544		A	Lsh w/t/o uterus above 250 g	18.24	NA	NA	7.11	7.11	1.89	090
58545		A	Laparoscopic myomectomy	15.45	NA	NA	5.87	6.52	1.78	090
58546		A	Laparo-myomectomy, complex	19.84	NA	NA	7.05	7.99	2.31	090
58548		A	Lap radical hyst	31.45	NA	NA	12.47	12.47	3.52	090
58550		A	Laparo-asst vag hysterectomy	14.97	NA	NA	6.13	6.71	1.73	090
58552		A	Laparo-vag hyst incl t/o	16.78	NA	NA	6.56	7.29	1.73	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
58553		A	Laparo-vag hyst, complex	19.96	NA	NA	7.09	8.00	2.31	090
58554		A	Laparo-vag hyst w/t/o, compl	22.98	NA	NA	8.24	9.32	2.28	090
58555		A	Hysteroscopy, dx, sep proc	3.33	2.76	2.48	1.23	1.39	0.40	000
58558		A	Hysteroscopy, biopsy	4.74	3.62	2.90	1.65	1.91	0.57	000
58559		A	Hysteroscopy, lysis	6.16	NA	NA	2.04	2.39	0.74	000
58560		A	Hysteroscopy, resect septum	6.99	NA	NA	2.32	2.70	0.84	000
58561		A	Hysteroscopy, remove myoma	9.99	NA	NA	3.11	3.70	1.21	000
58562		A	Hysteroscopy, remove fb	5.20	3.53	2.94	1.75	2.05	0.63	000
58563		A	Hysteroscopy, ablation	6.16	37.26	46.74	2.04	2.40	0.74	000
58565		A	Hysteroscopy, sterilization	7.06	41.99	45.79	3.37	3.64	1.19	090
58570		A	Tlh, uterus 250 g or less	15.75	NA	NA	6.46	6.46	1.82	090
58571		A	Tlh w/t/o 250 g or less	17.56	NA	NA	6.95	6.95	1.81	090
58572		A	Tlh, uterus over 250 g	19.96	NA	NA	7.60	7.60	2.31	090
58573		A	Tlh w/t/o uterus over 250 g	22.98	NA	NA	8.42	8.42	2.28	090
58578		C	Laparo proc, uterus	0.00	0.00	0.00	0.00	0.00	0.00	YYY
58579		C	Hysteroscope procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
58600		A	Division of fallopian tube	5.86	NA	NA	2.92	3.13	0.66	090
58605		A	Division of fallopian tube	5.25	NA	NA	2.71	2.91	0.59	090
58611		A	Ligate oviduct(s) add-on	1.45	NA	NA	0.40	0.48	0.18	ZZZ
58615		A	Occlude fallopian tube(s)	3.91	NA	NA	2.04	2.37	0.47	010
58660		A	Laparoscopy, lysis	11.54	NA	NA	4.49	4.88	1.40	090
58661		A	Laparoscopy, remove adnexa	11.30	NA	NA	3.99	4.55	1.34	010
58662		A	Laparoscopy, excise lesions	12.08	NA	NA	4.76	5.27	1.43	090
58670		A	Laparoscopy, tubal cautery	5.86	NA	NA	2.95	3.11	0.67	090
58671		A	Laparoscopy, tubal block	5.86	NA	NA	2.94	3.11	0.68	090
58672		A	Laparoscopy, fimbrioplasty	12.88	NA	NA	4.78	5.48	1.60	090
58673		A	Laparoscopy, salpingostomy	13.99	NA	NA	5.13	5.85	1.70	090
58679		C	Laparo proc, oviduct-ovary	0.00	0.00	0.00	0.00	0.00	0.00	YYY
58700		A	Removal of fallopian tube	12.84	NA	NA	5.49	5.74	1.51	090
58720		A	Removal of ovary/tube(s)	12.08	NA	NA	5.09	5.43	1.39	090
58740		A	Revise fallopian tube(s)	14.79	NA	NA	6.05	6.59	1.72	090
58750		A	Repair oviduct	15.56	NA	NA	6.05	6.71	1.85	090
58752		A	Revise ovarian tube(s)	15.56	NA	NA	5.99	6.47	1.81	090
58760		A	Remove tubal obstruction	13.85	NA	NA	5.59	6.15	1.80	090
58770		A	Create new tubal opening	14.69	NA	NA	5.75	6.33	1.74	090
58800		A	Drainage of ovarian cyst(s)	4.54	3.21	3.43	2.69	2.80	0.43	090
58805		A	Drainage of ovarian cyst(s)	6.34	NA	NA	3.51	3.50	0.69	090
58820		A	Drain ovary abscess, open	4.62	NA	NA	2.90	3.10	0.52	090
58822		A	Drain ovary abscess, percut	11.71	NA	NA	5.16	5.19	1.16	090
58823		A	Drain pelvic abscess, percut	3.37	20.00	20.67	1.16	1.14	0.24	000
58825		A	Transposition, ovary(s)	11.70	NA	NA	4.84	5.32	1.32	090
58900		A	Biopsy of ovary(s)	6.51	NA	NA	3.55	3.56	0.69	090
58920		A	Partial removal of ovary(s)	11.87	NA	NA	5.05	5.31	1.43	090
58925		A	Removal of ovarian cyst(s)	12.33	NA	NA	5.25	5.47	1.41	090
58940		A	Removal of ovary(s)	8.12	NA	NA	4.04	4.07	0.91	090
58943		A	Removal of ovary(s)	19.42	NA	NA	7.18	7.91	2.23	090
58950		A	Resect ovarian malignancy	18.24	NA	NA	7.25	7.82	2.05	090
58951		A	Resect ovarian malignancy	24.15	NA	NA	8.60	9.52	2.64	090
58952		A	Resect ovarian malignancy	27.15	NA	NA	9.82	10.79	3.03	090
58953		A	Tah, rad dissect for debulk	33.97	NA	NA	11.63	13.09	3.84	090
58954		A	Tah rad debulk/lymph remove	36.97	NA	NA	12.52	14.12	4.18	090
58956		A	Bso, omentectomy w/tah	22.65	NA	NA	8.59	9.45	4.01	090
58957		A	Resect recurrent gyn mal	26.06	NA	NA	9.57	9.57	2.95	090
58958		A	Resect recur gyn mal w/lym	29.06	NA	NA	10.36	10.36	3.29	090
58960		A	Exploration of abdomen	15.68	NA	NA	6.25	6.80	1.80	090
58970		A	Retrieval of oocyte	3.52	1.85	2.08	1.28	1.38	0.43	000
58974		C	Transfer of embryo	0.00	0.00	0.00	0.00	0.00	0.00	000
58976		A	Transfer of embryo	3.82	1.94	2.31	1.20	1.51	0.47	000
58999		C	Genital surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
59000		A	Amniocentesis, diagnostic	1.30	1.75	1.91	0.55	0.61	0.31	000
59001		A	Amniocentesis, therapeutic	3.00	NA	NA	1.07	1.24	0.71	000
59012		A	Fetal cord puncture,prenatal	3.44	NA	NA	1.13	1.34	0.82	000
59015		A	Chorion biopsy	2.20	1.42	1.48	0.79	0.92	0.52	000
59020		A	Fetal contract stress test	0.66	1.07	0.92	NA	NA	0.26	000
59020	TC	A	Fetal contract stress test	0.00	0.89	0.70	NA	NA	0.10	000
59020	26	A	Fetal contract stress test	0.66	0.18	0.22	0.18	0.22	0.16	000
59025		A	Fetal non-stress test	0.53	0.63	0.54	NA	NA	0.15	000
59025	TC	A	Fetal non-stress test	0.00	0.48	0.36	NA	NA	0.02	000
59025	26	A	Fetal non-stress test	0.53	0.15	0.18	0.15	0.18	0.13	000
59030		A	Fetal scalp blood sample	1.99	NA	NA	0.46	0.61	0.47	000
59050		A	Fetal monitor w/report	0.89	NA	NA	0.27	0.31	0.21	XXX
59051		A	Fetal monitor/interpret only	0.74	NA	NA	0.20	0.25	0.17	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
59070		A	Transabdom amnioinfus w/us	5.24	4.39	4.77	1.77	2.04	0.28	000
59072		A	Umbilical cord occlud w/us	8.99	NA	NA	2.39	2.76	0.16	000
59074		A	Fetal fluid drainage w/us	5.24	3.61	4.09	1.53	1.92	0.28	000
59076		A	Fetal shunt placement, w/us	8.99	NA	NA	2.39	2.76	0.16	000
59100		A	Remove uterus lesion	13.26	NA	NA	5.55	6.00	2.95	090
59120		A	Treat ectopic pregnancy	12.56	NA	NA	5.40	5.82	2.73	090
59121		A	Treat ectopic pregnancy	12.64	NA	NA	5.35	5.84	2.79	090
59130		A	Treat ectopic pregnancy	14.98	NA	NA	6.74	5.76	3.39	090
59135		A	Treat ectopic pregnancy	14.82	NA	NA	5.09	6.16	3.31	090
59136		A	Treat ectopic pregnancy	14.15	NA	NA	4.93	5.77	3.14	090
59140		A	Treat ectopic pregnancy	5.86	NA	NA	3.30	2.76	1.29	090
59150		A	Treat ectopic pregnancy	12.19	NA	NA	5.23	5.61	2.79	090
59151		A	Treat ectopic pregnancy	12.01	NA	NA	4.87	5.46	2.74	090
59160		A	D & c after delivery	2.73	1.99	2.64	1.17	1.65	0.64	010
59200		A	Insert cervical dilator	0.79	0.94	1.06	0.22	0.26	0.19	000
59300		A	Episiotomy or vaginal repair	2.41	2.19	2.18	1.00	0.98	0.57	000
59320		A	Revision of cervix	2.48	NA	NA	1.00	1.12	0.59	000
59325		A	Revision of cervix	4.06	NA	NA	1.44	1.67	0.88	000
59350		A	Repair of uterus	4.94	NA	NA	1.21	1.54	1.17	000
59400		A	Obstetrical care	26.80	NA	NA	14.09	14.71	5.50	MMM
59409		A	Obstetrical care	13.48	NA	NA	3.70	4.51	3.22	MMM
59410		A	Obstetrical care	15.29	NA	NA	4.92	5.61	3.52	MMM
59412		A	Antepartum manipulation	1.71	NA	NA	0.64	0.72	0.40	MMM
59414		A	Deliver placenta	1.61	NA	NA	0.44	0.54	0.38	MMM
59425		A	Antepartum care only	6.22	4.24	4.22	1.68	1.77	1.14	MMM
59426		A	Antepartum care only	11.04	7.79	7.67	2.99	3.11	1.98	MMM
59430		A	Care after delivery	2.13	1.08	1.15	0.71	0.82	0.50	MMM
59510		A	Cesarean delivery	30.34	NA	NA	15.98	16.63	6.25	MMM
59514		A	Cesarean delivery only	15.95	NA	NA	4.43	5.32	3.80	MMM
59515		A	Cesarean delivery	18.26	NA	NA	6.13	6.98	4.13	MMM
59525		A	Remove uterus after cesarean	8.53	NA	NA	2.25	2.78	1.95	ZZZ
59610		A	Vbac delivery	28.21	NA	NA	14.94	15.41	5.87	MMM
59612		A	Vbac delivery only	15.04	NA	NA	4.19	5.13	3.59	MMM
59614		A	Vbac care after delivery	16.59	NA	NA	5.11	6.02	3.89	MMM
59618		A	Attempted vbac delivery	31.78	NA	NA	16.37	17.30	6.61	MMM
59620		A	Attempted vbac delivery only	17.50	NA	NA	4.66	5.71	4.17	MMM
59622		A	Attempted vbac after care	19.70	NA	NA	6.71	7.67	4.50	MMM
59812		A	Treatment of miscarriage	4.39	3.10	2.82	2.36	2.45	0.95	090
59820		A	Care of miscarriage	4.68	4.07	4.25	3.46	3.51	0.95	090
59821		A	Treatment of miscarriage	4.97	3.91	4.09	3.24	3.32	1.06	090
59830		A	Treat uterus infection	6.51	NA	NA	3.44	3.71	1.44	090
59840		R	Abortion	3.01	2.00	2.06	1.77	1.95	0.71	010
59841		R	Abortion	5.57	3.12	3.30	2.55	2.76	1.24	010
59850		R	Abortion	5.90	NA	NA	2.46	2.86	1.28	090
59851		R	Abortion	5.92	NA	NA	3.29	3.51	1.28	090
59852		R	Abortion	8.23	NA	NA	3.82	4.43	1.81	090
59855		R	Abortion	6.38	NA	NA	3.08	3.31	1.45	090
59856		R	Abortion	7.74	NA	NA	3.32	3.69	1.79	090
59857		R	Abortion	9.30	NA	NA	3.64	4.18	2.02	090
59866		R	Abortion (mpr)	3.99	NA	NA	1.36	1.63	0.87	000
59870		A	Evacuate mole of uterus	6.40	NA	NA	4.38	4.43	1.42	090
59871		A	Remove cerclage suture	2.13	NA	NA	0.91	1.02	0.50	000
59897		C	Fetal invas px w/us	0.00	0.00	0.00	0.00	0.00	0.00	YYY
59898		C	Laparo proc, ob care/deliver	0.00	0.00	0.00	0.00	0.00	0.00	YYY
59899		C	Maternity care procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
60000		A	Drain thyroid/tongue cyst	1.78	2.09	2.01	1.70	1.70	0.15	010
60100		A	Biopsy of thyroid	1.56	1.32	1.36	0.52	0.52	0.10	000
60200		A	Remove thyroid lesion	9.91	NA	NA	5.50	5.74	1.01	090
60210		A	Partial thyroid excision	11.15	NA	NA	5.23	5.43	1.23	090
60212		A	Partial thyroid excision	16.32	NA	NA	6.95	7.31	1.95	090
60220		A	Partial removal of thyroid	12.29	NA	NA	5.67	5.91	1.32	090
60225		A	Partial removal of thyroid	14.67	NA	NA	6.92	7.16	1.64	090
60240		A	Removal of thyroid	16.18	NA	NA	6.40	6.99	1.86	090
60252		A	Removal of thyroid	21.88	NA	NA	8.83	9.46	2.30	090
60254		A	Extensive thyroid surgery	28.29	NA	NA	11.22	12.69	2.61	090
60260		A	Repeat thyroid surgery	18.18	NA	NA	7.41	8.03	1.94	090
60270		A	Removal of thyroid	23.07	NA	NA	9.33	9.89	2.33	090
60271		A	Removal of thyroid	17.54	NA	NA	7.15	7.87	1.75	090
60280		A	Remove thyroid duct lesion	6.05	NA	NA	4.48	4.57	0.54	090
60281		A	Remove thyroid duct lesion	8.71	NA	NA	5.32	5.58	0.73	090
60300		A	Aspir/inj thyroid cyst	0.97	1.94	1.67	0.30	0.32	0.07	000
60500		A	Explore parathyroid glands	16.69	NA	NA	6.86	7.13	2.01	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
60502		A	Re-explore parathyroids	21.01	NA	NA	8.61	8.99	2.54	090
60505		A	Explore parathyroid glands	22.91	NA	NA	9.39	10.16	2.65	090
60512		A	Autotransplant parathyroid	4.44	NA	NA	1.21	1.41	0.53	ZZZ
60520		A	Removal of thymus gland	17.07	NA	NA	7.01	7.65	2.20	090
60521		A	Removal of thymus gland	19.11	NA	NA	8.13	8.84	2.82	090
60522		A	Removal of thymus gland	23.37	NA	NA	9.61	10.44	3.27	090
60540		A	Explore adrenal gland	17.91	NA	NA	8.25	7.92	1.75	090
60545		A	Explore adrenal gland	20.82	NA	NA	8.95	8.74	2.08	090
60600		A	Remove carotid body lesion	24.99	NA	NA	8.83	9.90	2.20	090
60605		A	Remove carotid body lesion	31.86	NA	NA	12.14	12.20	2.50	090
60650		A	Laparoscopy adrenalectomy	20.63	NA	NA	8.09	8.04	2.29	090
60659		C	Laparo proc, endocrine	0.00	0.00	0.00	0.00	0.00	0.00	YYY
60699		C	Endocrine surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
61000		A	Remove cranial cavity fluid	1.58	NA	NA	1.24	1.09	0.13	000
61001		A	Remove cranial cavity fluid	1.49	NA	NA	1.08	1.07	0.16	000
61020		A	Remove brain cavity fluid	1.51	NA	NA	1.63	1.48	0.34	000
61026		A	Injection into brain canal	1.69	NA	NA	1.30	1.34	0.33	000
61050		A	Remove brain canal fluid	1.51	NA	NA	1.15	1.21	0.11	000
61055		A	Injection into brain canal	2.10	NA	NA	1.33	1.37	0.17	000
61070		A	Brain canal shunt procedure	0.89	NA	NA	1.16	1.08	0.17	000
61105		A	Twist drill hole	5.40	NA	NA	4.91	4.42	1.32	090
61107		A	Drill skull for implantation	4.99	NA	NA	1.83	2.18	1.29	000
61108		A	Drill skull for drainage	11.51	NA	NA	8.35	7.75	2.64	090
61120		A	Burr hole for puncture	9.52	NA	NA	6.78	6.39	2.10	090
61140		A	Pierce skull for biopsy	17.10	NA	NA	10.42	10.15	4.12	090
61150		A	Pierce skull for drainage	18.80	NA	NA	10.68	10.53	4.32	090
61151		A	Pierce skull for drainage	13.41	NA	NA	8.44	8.13	3.01	090
61154		A	Pierce skull & remove clot	16.92	NA	NA	10.83	10.16	4.21	090
61156		A	Pierce skull for drainage	17.37	NA	NA	9.72	9.78	4.23	090
61210		A	Pierce skull, implant device	5.83	NA	NA	2.15	2.53	1.50	000
61215		A	Insert brain-fluid device	5.77	NA	NA	5.45	4.72	1.26	090
61250		A	Pierce skull & explore	11.41	NA	NA	7.38	7.12	2.77	090
61253		A	Pierce skull & explore	13.41	NA	NA	7.49	7.61	2.62	090
61304		A	Open skull for exploration	23.31	NA	NA	12.54	12.69	5.63	090
61305		A	Open skull for exploration	28.51	NA	NA	14.97	15.14	6.09	090
61312		A	Open skull for drainage	30.07	NA	NA	15.24	15.14	6.36	090
61313		A	Open skull for drainage	27.94	NA	NA	15.37	15.09	6.45	090
61314		A	Open skull for drainage	25.77	NA	NA	14.15	13.60	6.28	090
61315		A	Open skull for drainage	29.52	NA	NA	15.51	15.77	7.16	090
61316		A	Implt cran bone flap to abdo	1.39	NA	NA	0.51	0.56	0.35	ZZZ
61320		A	Open skull for drainage	27.32	NA	NA	14.25	14.50	6.62	090
61321		A	Open skull for drainage	30.40	NA	NA	16.07	16.10	7.14	090
61322		A	Decompressive craniotomy	34.08	NA	NA	17.48	16.58	7.63	090
61323		A	Decompressive lobectomy	34.93	NA	NA	17.31	16.70	8.03	090
61330		A	Decompress eye socket	25.17	NA	NA	11.53	12.63	2.32	090
61332		A	Explore/biopsy eye socket	28.50	NA	NA	12.96	14.28	4.83	090
61333		A	Explore orbit/remove lesion	29.17	NA	NA	12.88	14.24	3.92	090
61334		A	Explore orbit/remove object	19.50	NA	NA	9.02	9.83	1.75	090
61340		A	Subtemporal decompression	20.01	NA	NA	11.68	11.40	4.84	090
61343		A	Incise skull (press relief)	31.73	NA	NA	15.94	16.37	7.64	090
61345		A	Relieve cranial pressure	29.10	NA	NA	14.86	15.13	7.04	090
61440		A	Incise skull for surgery	28.53	NA	NA	15.23	14.72	6.90	090
61450		A	Incise skull for surgery	27.59	NA	NA	14.06	14.18	5.79	090
61458		A	Incise skull for brain wound	28.71	NA	NA	14.89	15.20	7.03	090
61460		A	Incise skull for surgery	30.11	NA	NA	14.58	15.50	6.04	090
61470		A	Incise skull for surgery	27.52	NA	NA	14.06	13.96	5.90	090
61480		A	Incise skull for surgery	27.95	NA	NA	8.14	11.71	6.73	090
61490		A	Incise skull for surgery	27.12	NA	NA	14.23	14.28	6.92	090
61500		A	Removal of skull lesion	19.05	NA	NA	10.69	10.75	4.11	090
61501		A	Remove infected skull bone	16.22	NA	NA	9.45	9.33	3.22	090
61510		A	Removal of brain lesion	30.63	NA	NA	16.95	16.83	7.35	090
61512		A	Remove brain lining lesion	36.99	NA	NA	18.47	19.08	9.08	090
61514		A	Removal of brain abscess	27.10	NA	NA	14.42	14.43	6.54	090
61516		A	Removal of brain lesion	26.45	NA	NA	14.06	14.16	6.35	090
61517		A	Implt brain chemotx add-on	1.38	NA	NA	0.51	0.58	0.35	ZZZ
61518		A	Removal of brain lesion	39.69	NA	NA	20.31	20.71	9.65	090
61519		A	Remove brain lining lesion	43.28	NA	NA	20.65	21.66	10.63	090
61520		A	Removal of brain lesion	56.89	NA	NA	25.96	28.15	11.21	090
61521		A	Removal of brain lesion	46.84	NA	NA	22.16	23.19	11.39	090
61522		A	Removal of brain abscess	31.41	NA	NA	15.77	16.10	7.62	090
61524		A	Removal of brain lesion	29.76	NA	NA	15.70	15.69	7.16	090
61526		A	Removal of brain lesion	53.90	NA	NA	22.53	26.02	7.07	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
61530		A	Removal of brain lesion	45.43	NA	NA	19.49	22.28	6.15	090
61531		A	Implant brain electrodes	16.28	NA	NA	10.46	9.80	3.79	090
61533		A	Implant brain electrodes	21.36	NA	NA	11.79	11.66	5.12	090
61534		A	Removal of brain lesion	22.88	NA	NA	13.13	12.61	5.44	090
61535		A	Remove brain electrodes	13.05	NA	NA	8.84	8.13	3.02	090
61536		A	Removal of brain lesion	37.59	NA	NA	18.53	19.17	9.21	090
61537		A	Removal of brain tissue	36.35	NA	NA	17.04	15.89	6.94	090
61538		A	Removal of brain tissue	39.35	NA	NA	18.37	16.84	6.94	090
61539		A	Removal of brain tissue	34.15	NA	NA	16.83	17.30	8.32	090
61540		A	Removal of brain tissue	31.30	NA	NA	16.30	16.78	8.32	090
61541		A	Incision of brain tissue	30.81	NA	NA	16.09	16.15	6.60	090
61542		A	Removal of brain tissue	33.03	NA	NA	16.78	17.31	8.03	090
61543		A	Removal of brain tissue	31.18	NA	NA	13.86	15.13	7.56	090
61544		A	Remove & treat brain lesion	27.26	NA	NA	14.28	14.06	5.97	090
61545		A	Excision of brain tumor	46.23	NA	NA	22.83	23.53	10.63	090
61546		A	Removal of pituitary gland	33.31	NA	NA	16.74	17.12	7.67	090
61548		A	Removal of pituitary gland	23.27	NA	NA	11.62	12.20	3.43	090
61550		A	Release of skull seams	15.44	NA	NA	5.65	6.29	0.98	090
61552		A	Release of skull seams	20.27	NA	NA	12.15	10.64	1.06	090
61556		A	Incise skull/sutures	24.00	NA	NA	13.29	12.33	4.65	090
61557		A	Incise skull/sutures	23.16	NA	NA	13.64	13.63	5.80	090
61558		A	Excision of skull/sutures	26.35	NA	NA	14.70	14.45	1.36	090
61559		A	Excision of skull/sutures	33.82	NA	NA	18.38	18.85	8.51	090
61563		A	Excision of skull tumor	28.35	NA	NA	13.09	14.17	5.17	090
61564		A	Excision of skull tumor	34.59	NA	NA	17.91	18.10	8.78	090
61566		A	Removal of brain tissue	32.32	NA	NA	16.65	17.21	6.94	090
61567		A	Incision of brain tissue	36.84	NA	NA	19.07	19.88	6.54	090
61570		A	Remove foreign body, brain	26.38	NA	NA	14.02	13.97	5.88	090
61571		A	Incise skull for brain wound	28.29	NA	NA	14.64	14.89	6.79	090
61575		A	Skull base/brainstem surgery	36.43	NA	NA	16.10	17.87	5.34	090
61576		A	Skull base/brainstem surgery	55.11	NA	NA	28.09	31.42	5.58	090
61580		A	Craniofacial approach, skull	34.34	NA	NA	22.85	24.22	3.37	090
61581		A	Craniofacial approach, skull	38.88	NA	NA	27.83	25.65	3.92	090
61582		A	Craniofacial approach, skull	34.93	NA	NA	30.48	28.90	7.21	090
61583		A	Craniofacial approach, skull	38.41	NA	NA	25.90	25.51	9.21	090
61584		A	Orbitocranial approach/skull	37.61	NA	NA	26.04	25.29	8.18	090
61585		A	Orbitocranial approach/skull	42.46	NA	NA	25.13	25.82	7.03	090
61586		A	Resect nasopharynx, skull	27.28	NA	NA	22.64	22.62	4.37	090
61590		A	Infratemporal approach/skull	46.87	NA	NA	24.81	26.73	5.31	090
61591		A	Infratemporal approach/skull	46.87	NA	NA	24.60	27.07	5.66	090
61592		A	Orbitocranial approach/skull	42.98	NA	NA	26.80	26.66	10.07	090
61595		A	Transtemporal approach/skull	33.57	NA	NA	21.14	21.75	3.98	090
61596		A	Transcochlear approach/skull	39.31	NA	NA	20.95	22.70	3.40	090
61597		A	Transcondylar approach/skull	40.73	NA	NA	23.27	23.14	8.84	090
61598		A	Transpetrosal approach/skull	36.41	NA	NA	22.16	22.70	5.70	090
61600		A	Resect/excise cranial lesion	29.84	NA	NA	19.76	19.77	3.79	090
61601		A	Resect/excise cranial lesion	31.04	NA	NA	22.38	21.44	6.63	090
61605		A	Resect/excise cranial lesion	32.40	NA	NA	19.47	20.72	2.86	090
61606		A	Resect/excise cranial lesion	41.94	NA	NA	23.77	24.47	8.97	090
61607		A	Resect/excise cranial lesion	40.82	NA	NA	21.00	22.40	6.90	090
61608		A	Resect/excise cranial lesion	45.45	NA	NA	26.32	26.46	10.75	090
61609		A	Transect artery, sinus	9.88	NA	NA	3.25	4.05	2.56	ZZZ
61610		A	Transect artery, sinus	29.63	NA	NA	11.06	12.11	7.68	ZZZ
61611		A	Transect artery, sinus	7.41	NA	NA	1.71	2.76	1.89	ZZZ
61612		A	Transect artery, sinus	27.84	NA	NA	6.41	9.86	4.31	ZZZ
61613		A	Remove aneurysm, sinus	44.94	NA	NA	27.35	26.82	8.45	090
61615		A	Resect/excise lesion, skull	35.63	NA	NA	21.30	22.02	4.73	090
61616		A	Resect/excise lesion, skull	46.60	NA	NA	27.24	27.96	8.26	090
61618		A	Repair dura	18.58	NA	NA	10.44	10.44	3.72	090
61619		A	Repair dura	22.01	NA	NA	11.67	11.96	3.95	090
61623		A	Endovasc tempory vessel occl	9.95	NA	NA	3.72	3.90	1.05	000
61624		A	Transcath occlusion, cns	20.12	NA	NA	7.29	7.09	1.96	000
61626		A	Transcath occlusion, non-cns	16.60	NA	NA	5.97	5.75	1.24	000
61630		N	Intracranial angioplasty	22.07	NA	NA	6.44	9.47	2.02	090
61635		N	Intracran angioplsty w/stent	24.28	NA	NA	6.95	10.25	2.21	090
61640		N	Dilate ic vasospasm, init	12.32	NA	NA	2.83	2.83	0.71	000
61641		N	Dilate ic vasospasm add-on	4.33	NA	NA	1.00	1.00	0.25	ZZZ
61642		N	Dilate ic vasospasm add-on	8.66	NA	NA	1.99	1.99	0.50	ZZZ
61680		A	Intracranial vessel surgery	32.40	NA	NA	16.75	17.09	7.95	090
61682		A	Intracranial vessel surgery	63.31	NA	NA	27.54	29.89	15.90	090
61684		A	Intracranial vessel surgery	41.49	NA	NA	20.38	21.19	10.31	090
61686		A	Intracranial vessel surgery	67.32	NA	NA	30.47	32.61	16.71	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
61690		A	Intracranial vessel surgery	31.18	NA	NA	16.52	16.63	6.94	090
61692		A	Intracranial vessel surgery	54.43	NA	NA	24.35	25.92	13.43	090
61697		A	Brain aneurysm repr, complx	63.22	NA	NA	28.64	28.33	12.85	090
61698		A	Brain aneurysm repr, complx	69.45	NA	NA	30.59	28.65	12.54	090
61700		A	Brain aneurysm repr, simple	50.44	NA	NA	24.03	25.92	13.02	090
61702		A	Inner skull vessel surgery	59.86	NA	NA	27.50	26.78	10.79	090
61703		A	Clamp neck artery	18.70	NA	NA	10.06	10.27	4.06	090
61705		A	Revise circulation to head	37.97	NA	NA	18.32	18.79	8.87	090
61708		A	Revise circulation to head	37.07	NA	NA	14.87	15.02	2.51	090
61710		A	Revise circulation to head	31.19	NA	NA	13.79	13.72	4.52	090
61711		A	Fusion of skull arteries	38.10	NA	NA	18.61	19.21	9.42	090
61720		A	Incise skull/brain surgery	17.52	NA	NA	7.89	8.93	2.79	090
61735		A	Incise skull/brain surgery	22.22	NA	NA	9.17	10.67	2.73	090
61750		A	Incise skull/brain biopsy	19.73	NA	NA	10.95	10.79	4.72	090
61751		A	Brain biopsy w/ct/mr guide	18.64	NA	NA	11.37	11.10	4.56	090
61760		A	Implant brain electrodes	22.24	NA	NA	12.06	10.39	5.42	090
61770		A	Incise skull for treatment	23.09	NA	NA	9.89	11.08	3.55	090
61790		A	Treat trigeminal nerve	11.50	NA	NA	7.70	6.81	2.82	090
61791		A	Treat trigeminal tract	15.31	NA	NA	8.21	8.57	3.40	090
61793		A	Focus radiation beam	17.75	NA	NA	9.55	9.84	4.46	090
61795		A	Brain surgery using computer	4.03	NA	NA	1.43	1.73	0.79	ZZZ
61850		A	Implant neuroelectrodes	13.26	NA	NA	7.89	7.78	3.22	090
61860		A	Implant neuroelectrodes	22.16	NA	NA	11.60	11.83	4.95	090
61863		A	Implant neuroelectrode	20.56	NA	NA	12.42	12.10	5.43	090
61864		A	Implant neuroelectrde, addl	4.49	NA	NA	1.68	1.98	5.43	ZZZ
61867		A	Implant neuroelectrode	32.88	NA	NA	16.37	17.20	5.43	090
61868		A	Implant neuroelectrde, addÆl	7.91	NA	NA	2.94	3.48	5.43	ZZZ
61870		A	Implant neuroelectrodes	16.24	NA	NA	9.69	9.70	3.87	090
61875		A	Implant neuroelectrodes	16.36	NA	NA	5.33	6.95	2.95	090
61880		A	Revise/remove neuroelectrode	6.87	NA	NA	5.18	4.87	1.66	090
61885		A	Insrt/redo neurostim 1 array	7.37	NA	NA	7.06	6.19	1.59	090
61886		A	Implant neurostim arrays	9.73	NA	NA	8.52	7.44	1.97	090
61888		A	Revise/remove neuroreceiver	5.20	NA	NA	3.47	3.57	1.33	010
62000		A	Treat skull fracture	13.83	NA	NA	7.61	6.57	1.06	090
62005		A	Treat skull fracture	17.53	NA	NA	9.59	9.20	3.87	090
62010		A	Treatment of head injury	21.30	NA	NA	11.81	11.76	5.14	090
62100		A	Repair brain fluid leakage	23.40	NA	NA	12.09	12.44	4.84	090
62115		A	Reduction of skull defect	22.71	NA	NA	13.89	12.77	5.51	090
62116		A	Reduction of skull defect	24.90	NA	NA	13.35	13.36	6.11	090
62117		A	Reduction of skull defect	28.26	NA	NA	12.74	14.06	4.53	090
62120		A	Repair skull cavity lesion	24.39	NA	NA	17.33	17.91	3.00	090
62121		A	Incise skull repair	22.93	NA	NA	14.24	14.85	4.17	090
62140		A	Repair of skull defect	14.45	NA	NA	8.64	8.48	3.47	090
62141		A	Repair of skull defect	15.97	NA	NA	9.34	9.19	3.76	090
62142		A	Remove skull plate/flap	11.73	NA	NA	7.79	7.39	2.73	090
62143		A	Replace skull plate/flap	14.05	NA	NA	8.73	8.39	3.37	090
62145		A	Repair of skull & brain	19.99	NA	NA	10.26	10.58	4.50	090
62146		A	Repair of skull with graft	17.18	NA	NA	9.52	9.58	3.62	090
62147		A	Repair of skull with graft	20.57	NA	NA	11.00	11.15	4.32	090
62148		A	Retr bone flap to fix skull	2.00	NA	NA	0.74	0.80	0.48	ZZZ
62160		A	Neuroendoscopy add-on	3.00	NA	NA	1.11	1.32	0.77	ZZZ
62161		A	Dissect brain w/scope	21.10	NA	NA	12.15	12.13	5.19	090
62162		A	Remove colloid cyst w/scope	26.67	NA	NA	14.65	14.75	5.91	090
62163		A	Neuroendoscopy w/fb removal	16.40	NA	NA	9.25	9.59	4.01	090
62164		A	Remove brain tumor w/scope	29.27	NA	NA	15.93	15.44	5.38	090
62165		A	Remove pituit tumor w/scope	23.10	NA	NA	11.78	12.58	3.01	090
62180		A	Establish brain cavity shunt	22.45	NA	NA	12.37	12.33	4.98	090
62190		A	Establish brain cavity shunt	12.07	NA	NA	7.37	7.23	2.80	090
62192		A	Establish brain cavity shunt	13.25	NA	NA	8.02	7.82	3.02	090
62194		A	Replace/irrigate catheter	5.68	NA	NA	3.14	2.79	0.92	010
62200		A	Establish brain cavity shunt	19.19	NA	NA	10.70	10.77	4.65	090
62201		A	Brain cavity shunt w/scope	15.89	NA	NA	10.35	9.90	3.68	090
62220		A	Establish brain cavity shunt	14.00	NA	NA	8.62	8.30	3.35	090
62223		A	Establish brain cavity shunt	13.90	NA	NA	9.36	8.80	3.14	090
62225		A	Replace/irrigate catheter	6.11	NA	NA	5.48	4.79	1.39	090
62230		A	Replace/revise brain shunt	11.35	NA	NA	7.21	6.85	2.71	090
62252		A	Csf shunt reprogram	0.74	1.77	1.62	NA	NA	0.21	XXX
62252	TC	A	Csf shunt reprogram	0.00	1.50	1.30	NA	NA	0.02	XXX
62252	26	A	Csf shunt reprogram	0.74	0.27	0.32	0.27	0.32	0.19	XXX
62256		A	Remove brain cavity shunt	7.30	NA	NA	5.90	5.30	1.72	090
62258		A	Replace brain cavity shunt	15.54	NA	NA	9.30	9.01	3.74	090
62263		A	Epidural lysis mult sessions	6.41	9.46	11.08	2.98	3.09	0.41	010

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
62264		A	Epidural lysis on single day	4.42	5.63	6.68	1.24	1.33	0.27	010
62268		A	Drain spinal cord cyst	4.73	6.70	9.12	1.81	1.98	0.43	000
62269		A	Needle biopsy, spinal cord	5.01	6.25	10.47	1.48	1.73	0.37	000
62270		A	Spinal fluid tap, diagnostic	1.37	2.40	2.69	0.58	0.57	0.08	000
62272		A	Drain cerebro spinal fluid	1.35	3.13	3.37	0.62	0.66	0.18	000
62273		A	Inject epidural patch	2.15	1.67	2.19	0.57	0.64	0.13	000
62280		A	Treat spinal cord lesion	2.63	4.63	5.78	1.15	1.08	0.30	010
62281		A	Treat spinal cord lesion	2.66	4.08	4.87	1.03	0.96	0.19	010
62282		A	Treat spinal canal lesion	2.33	4.08	6.22	1.11	1.02	0.17	010
62284		A	Injection for myelogram	1.54	3.79	4.38	0.71	0.70	0.13	000
62287		A	Percutaneous diskectomy	8.88	NA	NA	4.30	4.93	0.58	090
62290		A	Inject for spine disk x-ray	3.00	4.50	5.82	1.15	1.26	0.23	000
62291		A	Inject for spine disk x-ray	2.91	4.24	5.09	1.08	1.15	0.26	000
62292		A	Injection into disk lesion	9.14	NA	NA	2.87	3.67	0.82	090
62294		A	Injection into spinal artery	12.77	NA	NA	6.49	6.04	1.24	090
62310		A	Inject spine c/t	1.91	3.00	3.90	0.56	0.60	0.12	000
62311		A	Inject spine l/s (cd)	1.54	2.66	3.79	0.52	0.56	0.09	000
62318		A	Inject spine w/cath, c/t	2.04	3.09	4.41	0.43	0.54	0.12	000
62319		A	Inject spine w/cath l/s (cd)	1.87	2.80	3.89	0.44	0.52	0.11	000
62350		A	Implant spinal canal cath	8.04	NA	NA	3.99	3.96	1.02	090
62351		A	Implant spinal canal cath	11.54	NA	NA	7.65	7.39	2.25	090
62355		A	Remove spinal canal catheter	6.60	NA	NA	3.52	3.34	0.71	090
62360		A	Insert spine infusion device	3.68	NA	NA	3.17	2.93	0.34	090
62361		A	Implant spine infusion pump	6.59	NA	NA	4.07	3.99	0.80	090
62362		A	Implant spine infusion pump	8.58	NA	NA	4.65	4.51	1.18	090
62365		A	Remove spine infusion device	6.57	NA	NA	3.71	3.65	0.86	090
62367		A	Analyze spine infusion pump	0.48	0.42	0.52	0.11	0.11	0.03	XXX
62368		A	Analyze spine infusion pump	0.75	0.58	0.63	0.17	0.17	0.06	XXX
63001		A	Removal of spinal lamina	17.51	NA	NA	9.77	9.64	3.77	090
63003		A	Removal of spinal lamina	17.64	NA	NA	9.73	9.80	3.73	090
63005		A	Removal of spinal lamina	16.28	NA	NA	9.74	9.86	3.35	090
63011		A	Removal of spinal lamina	15.78	NA	NA	9.01	8.64	3.38	090
63012		A	Removal of spinal lamina	16.72	NA	NA	9.76	9.95	3.49	090
63015		A	Removal of spinal lamina	20.70	NA	NA	11.85	11.86	4.76	090
63016		A	Removal of spinal lamina	21.90	NA	NA	11.65	11.72	4.59	090
63017		A	Removal of spinal lamina	17.18	NA	NA	10.35	10.37	3.64	090
63020		A	Neck spine disk surgery	16.05	NA	NA	9.88	9.78	3.72	090
63030		A	Low back disk surgery	13.03	NA	NA	8.60	8.51	3.01	090
63035		A	Spinal disk surgery add-on	3.15	NA	NA	1.19	1.39	0.79	ZZZ
63040		A	Laminotomy, single cervical	20.18	NA	NA	11.03	11.27	4.68	090
63042		A	Laminotomy, single lumbar	18.61	NA	NA	10.59	10.97	4.26	090
63043		C	Laminotomy, addÆl cervical	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
63044		C	Laminotomy, addÆl lumbar	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
63045		A	Removal of spinal lamina	17.82	NA	NA	10.34	10.35	3.99	090
63046		A	Removal of spinal lamina	17.12	NA	NA	9.79	9.99	3.56	090
63047		A	Removal of spinal lamina	15.22	NA	NA	9.34	9.62	3.24	090
63048		A	Remove spinal lamina add-on	3.47	NA	NA	1.32	1.49	0.72	ZZZ
63050		A	Cervical laminoplasty	21.88	NA	NA	11.82	11.83	4.67	090
63051		A	C-laminoplasty w/graft/plate	25.38	NA	NA	13.08	13.28	4.67	090
63055		A	Decompress spinal cord	23.42	NA	NA	12.45	12.80	5.29	090
63056		A	Decompress spinal cord	21.73	NA	NA	11.38	11.98	4.76	090
63057		A	Decompress spine cord add-on	5.25	NA	NA	1.98	2.31	1.22	ZZZ
63064		A	Decompress spinal cord	26.09	NA	NA	13.22	13.82	5.71	090
63066		A	Decompress spine cord add-on	3.26	NA	NA	1.21	1.43	0.69	ZZZ
63075		A	Neck spine disk surgery	19.47	NA	NA	11.01	11.55	4.63	090
63076		A	Neck spine disk surgery	4.04	NA	NA	1.52	1.79	0.96	ZZZ
63077		A	Spine disk surgery, thorax	22.75	NA	NA	11.08	11.94	3.99	090
63078		A	Spine disk surgery, thorax	3.28	NA	NA	1.21	1.43	0.66	ZZZ
63081		A	Removal of vertebral body	25.97	NA	NA	13.49	13.91	5.56	090
63082		A	Remove vertebral body add-on	4.36	NA	NA	1.64	1.94	1.02	ZZZ
63085		A	Removal of vertebral body	29.34	NA	NA	13.54	14.51	4.49	090
63086		A	Remove vertebral body add-on	3.19	NA	NA	1.17	1.38	0.59	ZZZ
63087		A	Removal of vertebral body	37.38	NA	NA	16.65	18.06	6.22	090
63088		A	Remove vertebral body add-on	4.32	NA	NA	1.59	1.88	0.82	ZZZ
63090		A	Removal of vertebral body	30.78	NA	NA	14.39	15.22	4.22	090
63091		A	Remove vertebral body add-on	3.03	NA	NA	1.14	1.30	0.48	ZZZ
63101		A	Removal of vertebral body	33.92	NA	NA	17.04	18.16	5.71	090
63102		A	Removal of vertebral body	33.92	NA	NA	16.83	18.06	5.71	090
63103		A	Remove vertebral body add-on	4.82	NA	NA	1.74	2.12	0.69	ZZZ
63170		A	Incise spinal cord tract(s)	22.08	NA	NA	10.44	11.15	4.87	090
63172		A	Drainage of spinal cyst	19.66	NA	NA	11.07	10.86	4.49	090
63173		A	Drainage of spinal cyst	24.18	NA	NA	13.57	13.19	5.70	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
63180		A	Revise spinal cord ligaments	20.40	NA	NA	10.95	10.97	3.96	090
63182		A	Revise spinal cord ligaments	22.69	NA	NA	7.18	9.07	5.32	090
63185		A	Incise spinal column/nerves	16.36	NA	NA	9.80	8.95	2.80	090
63190		A	Incise spinal column/nerves	18.76	NA	NA	9.60	9.87	3.25	090
63191		A	Incise spinal column/nerves	18.79	NA	NA	4.10	7.29	6.36	090
63194		A	Incise spinal column & cord	21.97	NA	NA	11.20	11.46	3.27	090
63195		A	Incise spinal column & cord	21.54	NA	NA	12.10	11.57	4.88	090
63196		A	Incise spinal column & cord	25.14	NA	NA	13.79	13.59	5.78	090
63197		A	Incise spinal column & cord	23.95	NA	NA	7.47	9.84	5.38	090
63198		A	Incise spinal column & cord	29.75	NA	NA	8.93	8.68	6.45	090
63199		A	Incise spinal column & cord	31.32	NA	NA	9.29	12.16	1.40	090
63200		A	Release of spinal cord	21.31	NA	NA	12.10	11.70	4.97	090
63250		A	Revise spinal cord vessels	43.73	NA	NA	20.91	20.42	9.04	090
63251		A	Revise spinal cord vessels	44.49	NA	NA	21.53	22.07	10.44	090
63252		A	Revise spinal cord vessels	44.48	NA	NA	20.87	21.56	10.67	090
63265		A	Excise intraspinal lesion	23.69	NA	NA	12.99	12.88	5.45	090
63266		A	Excise intraspinal lesion	24.55	NA	NA	13.18	13.18	5.56	090
63267		A	Excise intraspinal lesion	19.32	NA	NA	11.13	11.10	4.38	090
63268		A	Excise intraspinal lesion	19.89	NA	NA	11.25	10.81	3.70	090
63270		A	Excise intraspinal lesion	29.67	NA	NA	15.36	15.41	6.84	090
63271		A	Excise intraspinal lesion	29.79	NA	NA	15.32	15.45	6.92	090
63272		A	Excise intraspinal lesion	27.37	NA	NA	14.29	14.49	6.20	090
63273		A	Excise intraspinal lesion	26.34	NA	NA	14.08	14.21	5.76	090
63275		A	Biopsy/excise spinal tumor	25.73	NA	NA	13.74	13.76	5.82	090
63276		A	Biopsy/excise spinal tumor	25.56	NA	NA	13.52	13.60	5.85	090
63277		A	Biopsy/excise spinal tumor	22.26	NA	NA	12.13	12.32	5.03	090
63278		A	Biopsy/excise spinal tumor	21.99	NA	NA	11.92	12.16	4.56	090
63280		A	Biopsy/excise spinal tumor	30.14	NA	NA	15.88	16.10	7.29	090
63281		A	Biopsy/excise spinal tumor	29.84	NA	NA	15.87	16.02	7.19	090
63282		A	Biopsy/excise spinal tumor	28.00	NA	NA	15.01	15.17	6.78	090
63283		A	Biopsy/excise spinal tumor	26.61	NA	NA	14.68	14.67	6.28	090
63285		A	Biopsy/excise spinal tumor	37.90	NA	NA	18.10	19.02	9.21	090
63286		A	Biopsy/excise spinal tumor	37.47	NA	NA	18.71	19.31	9.24	090
63287		A	Biopsy/excise spinal tumor	39.93	NA	NA	19.62	20.02	9.42	090
63290		A	Biopsy/excise spinal tumor	40.67	NA	NA	19.29	19.94	9.05	090
63295		A	Repair of laminectomy defect	5.25	NA	NA	1.95	2.05	1.03	ZZZ
63300		A	Removal of vertebral body	26.67	NA	NA	13.80	14.05	5.99	090
63301		A	Removal of vertebral body	31.42	NA	NA	14.21	14.88	5.41	090
63302		A	Removal of vertebral body	31.00	NA	NA	13.78	14.82	5.55	090
63303		A	Removal of vertebral body	33.42	NA	NA	15.00	15.96	4.69	090
63304		A	Removal of vertebral body	33.70	NA	NA	17.58	17.43	6.43	090
63305		A	Removal of vertebral body	36.09	NA	NA	16.99	17.52	5.73	090
63306		A	Removal of vertebral body	35.40	NA	NA	16.65	17.22	8.35	090
63307		A	Removal of vertebral body	34.81	NA	NA	14.83	15.82	4.47	090
63308		A	Remove vertebral body add-on	5.24	NA	NA	1.95	2.28	1.29	ZZZ
63600		A	Remove spinal cord lesion	15.02	NA	NA	4.03	4.72	1.52	090
63610		A	Stimulation of spinal cord	8.72	13.95	36.83	1.49	1.87	0.86	000
63615		A	Remove lesion of spinal cord	17.22	NA	NA	8.53	8.90	2.85	090
63650		A	Implant neuroelectrodes	7.57	NA	NA	2.92	3.05	0.53	090
63655		A	Implant neuroelectrodes	11.43	NA	NA	7.63	7.26	2.44	090
63660		A	Revise/remove neuroelectrode	6.87	NA	NA	3.42	3.52	0.78	090
63685		A	Insrt/redo spine n generator	7.87	NA	NA	3.65	3.90	1.05	090
63688		A	Revise/remove neuroreceiver	6.10	NA	NA	3.53	3.54	0.89	090
63700		A	Repair of spinal herniation	17.32	NA	NA	9.95	10.13	3.53	090
63702		A	Repair of spinal herniation	19.26	NA	NA	9.98	10.51	4.13	090
63704		A	Repair of spinal herniation	22.23	NA	NA	11.66	12.29	4.58	090
63706		A	Repair of spinal herniation	25.15	NA	NA	14.30	13.94	6.25	090
63707		A	Repair spinal fluid leakage	12.52	NA	NA	7.83	7.77	2.52	090
63709		A	Repair spinal fluid leakage	15.52	NA	NA	8.97	9.19	3.10	090
63710		A	Graft repair of spine defect	15.27	NA	NA	9.19	9.12	3.41	090
63740		A	Install spinal shunt	12.50	NA	NA	8.28	7.81	2.94	090
63741		A	Install spinal shunt	9.02	NA	NA	4.93	4.84	1.66	090
63744		A	Revision of spinal shunt	8.86	NA	NA	5.76	5.51	1.90	090
63746		A	Removal of spinal shunt	7.25	NA	NA	5.69	4.73	1.53	090
64400		A	N block inj, trigeminal	1.11	1.42	1.66	0.45	0.44	0.07	000
64402		A	N block inj, facial	1.25	1.41	1.51	0.50	0.55	0.09	000
64405		A	N block inj, occipital	1.32	1.16	1.31	0.49	0.48	0.08	000
64408		A	N block inj, vagus	1.41	1.45	1.51	0.71	0.78	0.10	000
64410		A	N block inj, phrenic	1.43	1.92	2.21	0.56	0.51	0.09	000
64412		A	N block inj, spinal accessor	1.18	2.13	2.39	0.59	0.51	0.08	000
64413		A	N block inj, cervical plexus	1.40	1.31	1.58	0.48	0.49	0.08	000
64415		A	N block inj, brachial plexus	1.48	1.41	2.11	0.30	0.38	0.09	000

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
64416		A	N block cont infuse, b plex	3.85	NA	NA	0.46	0.63	0.31	010
64417		A	N block inj, axillary	1.44	1.43	2.23	0.32	0.40	0.11	000
64418		A	N block inj, suprascapular	1.32	1.89	2.26	0.52	0.48	0.07	000
64420		A	N block inj, intercost, sng	1.18	2.40	3.14	0.45	0.43	0.08	000
64421		A	N block inj, intercost, mlt	1.68	3.55	4.82	0.53	0.52	0.11	000
64425		A	N block inj, ilio-ing/hypogi	1.75	1.29	1.47	0.53	0.53	0.13	000
64430		A	N block inj, pudendal	1.46	2.39	2.45	0.77	0.66	0.10	000
64435		A	N block inj, paracervical	1.45	2.00	2.26	0.56	0.62	0.16	000
64445		A	N block inj, sciatic, sng	1.48	1.63	2.15	0.50	0.50	0.10	000
64446		A	N blk inj, sciatic, cont inf	3.61	NA	NA	0.48	0.74	0.20	010
64447		A	N block inj fem, single	1.50	NA	NA	0.17	0.30	0.09	000
64448		A	N block inj fem, cont inf	3.36	NA	NA	0.39	0.60	0.18	010
64449		A	N block inj, lumbar plexus	3.24	NA	NA	0.42	0.69	0.15	010
64450		A	N block, other peripheral	1.27	1.28	1.26	0.49	0.48	0.13	000
64470		A	Inj paravertebral c/t	1.85	3.83	5.53	0.70	0.70	0.11	000
64472		A	Inj paravertebral c/t add-on	1.29	1.22	1.78	0.33	0.33	0.08	ZZZ
64475		A	Inj paravertebral l/s	1.41	3.64	5.26	0.58	0.60	0.10	000
64476		A	Inj paravertebral l/s add-on	0.98	1.10	1.61	0.22	0.23	0.07	ZZZ
64479		A	Inj foramen epidural c/t	2.20	3.75	5.62	0.81	0.85	0.12	000
64480		A	Inj foramen epidural add-on	1.54	1.55	2.20	0.39	0.43	0.10	ZZZ
64483		A	Inj foramen epidural l/s	1.90	3.82	5.86	0.75	0.79	0.11	000
64484		A	Inj foramen epidural add-on	1.33	1.63	2.45	0.32	0.35	0.08	ZZZ
64505		A	N block, spenopalatine gangl	1.36	1.13	1.18	0.74	0.70	0.10	000
64508		A	N block, carotid sinus s/p	1.12	2.04	2.68	0.56	0.65	0.07	000
64510		A	N block, stellate ganglion	1.22	1.90	2.68	0.43	0.47	0.07	000
64517		A	N block inj, hypogas plxs	2.20	1.72	2.22	0.68	0.78	0.11	000
64520		A	N block, lumbar/thoracic	1.35	2.57	3.86	0.51	0.53	0.08	000
64530		A	N block inj, celiac pelus	1.58	2.79	3.62	0.65	0.65	0.10	000
64550		A	Apply neurostimulator	0.18	0.20	0.24	0.05	0.05	0.01	000
64553		A	Implant neuroelectrodes	2.33	2.65	2.74	1.45	1.65	0.18	010
64555		A	Implant neuroelectrodes	2.29	2.78	2.94	1.49	1.34	0.19	010
64560		A	Implant neuroelectrodes	2.38	2.41	2.52	1.26	1.27	0.22	010
64561		A	Implant neuroelectrodes	7.07	19.61	24.84	3.76	3.27	0.51	010
64565		A	Implant neuroelectrodes	1.78	2.47	2.88	1.29	1.28	0.13	010
64573		A	Implant neuroelectrodes	8.15	NA	NA	5.16	5.21	1.60	090
64575		A	Implant neuroelectrodes	4.37	NA	NA	2.06	2.37	0.61	090
64577		A	Implant neuroelectrodes	4.64	NA	NA	4.79	4.03	1.04	090
64580		A	Implant neuroelectrodes	4.14	NA	NA	2.71	3.13	0.36	090
64581		A	Implant neuroelectrodes	14.15	NA	NA	6.60	5.99	1.05	090
64585		A	Revise/remove neuroelectrode	2.08	5.92	8.60	2.29	2.21	0.20	010
64590		A	Insrt/redo pn/gastr stimul	2.42	6.41	6.77	2.46	2.37	0.19	010
64595		A	Revise/rmv pn/gastr stimul	1.75	6.45	8.42	2.18	2.05	0.19	010
64600		A	Injection treatment of nerve	3.46	5.43	7.39	1.63	1.64	0.34	010
64605		A	Injection treatment of nerve	5.62	7.22	8.39	2.27	2.23	0.79	010
64610		A	Injection treatment of nerve	7.17	9.18	9.02	3.43	3.57	1.58	010
64612		A	Destroy nerve, face muscle	1.98	1.58	2.03	1.34	1.33	0.11	010
64613		A	Destroy nerve, neck muscle	1.98	1.37	2.15	1.14	1.18	0.11	010
64614		A	Destroy nerve, extrem musc	2.20	1.62	2.42	1.31	1.31	0.10	010
64620		A	Injection treatment of nerve	2.86	3.30	4.18	1.11	1.22	0.20	010
64622		A	Destr paravertebrl nerve l/s	3.02	4.06	5.91	1.26	1.31	0.18	010
64623		A	Destr paravertebral n add-on	0.99	1.68	2.32	0.22	0.22	0.06	ZZZ
64626		A	Destr paravertebrl nerve c/t	3.82	4.74	6.26	1.87	1.92	0.20	010
64627		A	Destr paravertebral n add-on	1.16	2.37	3.45	0.25	0.26	0.07	ZZZ
64630		A	Injection treatment of nerve	3.02	2.76	2.75	1.84	1.62	0.22	010
64640		A	Injection treatment of nerve	2.78	2.42	3.30	1.42	1.63	0.29	010
64650		A	Chemodenerv eccrine glands	0.70	0.72	0.79	0.16	0.23	0.06	000
64653		A	Chemodenerv eccrine glands	0.88	0.75	0.83	0.19	0.29	0.08	000
64680		A	Injection treatment of nerve	2.64	4.25	5.48	1.20	1.31	0.18	010
64681		A	Injection treatment of nerve	3.78	4.82	7.06	1.27	1.67	0.28	010
64702		A	Revise finger/toe nerve	6.10	NA	NA	5.19	4.53	0.61	090
64704		A	Revise hand/foot nerve	4.61	NA	NA	3.28	3.30	0.61	090
64708		A	Revise arm/leg nerve	6.22	NA	NA	4.20	4.53	0.96	090
64712		A	Revision of sciatic nerve	7.98	NA	NA	4.38	4.67	0.95	090
64713		A	Revision of arm nerve(s)	11.29	NA	NA	6.05	5.96	1.83	090
64714		A	Revise low back nerve(s)	10.44	NA	NA	4.37	4.29	1.19	090
64716		A	Revision of cranial nerve	6.86	NA	NA	5.46	5.72	0.63	090
64718		A	Revise ulnar nerve at elbow	7.06	NA	NA	6.20	6.10	1.05	090
64719		A	Revise ulnar nerve at wrist	4.89	NA	NA	4.14	4.33	0.77	090
64721		A	Carpal tunnel surgery	4.84	4.71	5.04	4.65	5.01	0.73	090
64722		A	Relieve pressure on nerve(s)	4.74	NA	NA	3.00	3.02	0.48	090
64726		A	Release foot/toe nerve	4.21	NA	NA	2.80	2.80	0.54	090
64727		A	Internal nerve revision	3.10	NA	NA	1.19	1.34	0.48	ZZZ

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
64732		A	Incision of brow nerve	4.81	NA	NA	3.66	3.58	0.98	090
64734		A	Incision of cheek nerve	5.45	NA	NA	4.44	4.24	0.89	090
64736		A	Incision of chin nerve	5.13	NA	NA	3.72	3.87	0.52	090
64738		A	Incision of jaw nerve	6.26	NA	NA	4.65	4.63	1.08	090
64740		A	Incision of tongue nerve	6.12	NA	NA	4.98	5.05	0.69	090
64742		A	Incision of facial nerve	6.75	NA	NA	4.28	4.49	0.73	090
64744		A	Incise nerve, back of head	5.64	NA	NA	4.04	3.91	1.16	090
64746		A	Incise diaphragm nerve	6.46	NA	NA	3.86	4.18	0.82	090
64752		A	Incision of vagus nerve	7.59	NA	NA	3.79	4.04	0.93	090
64755		A	Incision of stomach nerves	14.97	NA	NA	5.50	5.57	1.84	090
64760		A	Incision of vagus nerve	7.49	NA	NA	3.78	3.62	0.81	090
64761		A	Incision of pelvis nerve	6.94	NA	NA	4.33	3.92	0.53	090
64763		A	Incise hip/thigh nerve	7.46	NA	NA	3.91	4.55	0.94	090
64766		A	Incise hip/thigh nerve	9.34	NA	NA	4.74	4.99	1.06	090
64771		A	Sever cranial nerve	8.02	NA	NA	5.64	5.60	1.23	090
64772		A	Incision of spinal nerve	7.74	NA	NA	5.12	5.02	1.40	090
64774		A	Remove skin nerve lesion	5.70	NA	NA	4.03	3.93	0.74	090
64776		A	Remove digit nerve lesion	5.52	NA	NA	3.73	3.70	0.76	090
64778		A	Digit nerve surgery add-on	3.11	NA	NA	1.21	1.35	0.46	ZZZ
64782		A	Remove limb nerve lesion	6.76	NA	NA	4.22	4.00	0.86	090
64783		A	Limb nerve surgery add-on	3.71	NA	NA	1.37	1.60	0.51	ZZZ
64784		A	Remove nerve lesion	10.49	NA	NA	6.41	6.50	1.38	090
64786		A	Remove sciatic nerve lesion	16.12	NA	NA	8.44	9.14	2.61	090
64787		A	Implant nerve end	4.29	NA	NA	1.64	1.88	0.58	ZZZ
64788		A	Remove skin nerve lesion	5.14	NA	NA	4.06	3.76	0.73	090
64790		A	Removal of nerve lesion	11.97	NA	NA	6.98	7.09	2.11	090
64792		A	Removal of nerve lesion	15.71	NA	NA	8.30	8.57	2.49	090
64795		A	Biopsy of nerve	3.01	NA	NA	1.43	1.49	0.52	000
64802		A	Remove sympathetic nerves	10.24	NA	NA	3.51	4.32	1.29	090
64804		A	Remove sympathetic nerves	15.78	NA	NA	5.97	6.57	2.15	090
64809		A	Remove sympathetic nerves	14.61	NA	NA	7.04	6.40	1.50	090
64818		A	Remove sympathetic nerves	11.24	NA	NA	4.32	4.80	1.33	090
64820		A	Remove sympathetic nerves	10.64	NA	NA	6.94	7.03	1.49	090
64821		A	Remove sympathetic nerves	9.19	NA	NA	6.54	6.94	1.24	090
64822		A	Remove sympathetic nerves	9.19	NA	NA	6.43	6.83	1.30	090
64823		A	Remove sympathetic nerves	10.80	NA	NA	6.47	7.30	1.57	090
64831		A	Repair of digit nerve	10.23	NA	NA	6.62	6.85	1.41	090
64832		A	Repair nerve add-on	5.65	NA	NA	2.32	2.62	0.85	ZZZ
64834		A	Repair of hand or foot nerve	10.71	NA	NA	6.45	6.77	1.54	090
64835		A	Repair of hand or foot nerve	11.60	NA	NA	6.91	7.30	1.74	090
64836		A	Repair of hand or foot nerve	11.60	NA	NA	7.07	7.37	1.68	090
64837		A	Repair nerve add-on	6.25	NA	NA	2.57	2.90	0.97	ZZZ
64840		A	Repair of leg nerve	13.87	NA	NA	7.52	7.89	1.37	090
64856		A	Repair/transpose nerve	14.94	NA	NA	8.48	8.84	2.13	090
64857		A	Repair arm/leg nerve	15.69	NA	NA	8.76	9.20	2.22	090
64858		A	Repair sciatic nerve	17.69	NA	NA	9.57	10.17	3.34	090
64859		A	Nerve surgery	4.25	NA	NA	1.75	1.97	0.67	ZZZ
64861		A	Repair of arm nerves	20.74	NA	NA	10.01	10.89	4.09	090
64862		A	Repair of low back nerves	20.94	NA	NA	10.14	11.03	4.32	090
64864		A	Repair of facial nerve	13.31	NA	NA	7.47	8.12	1.26	090
64865		A	Repair of facial nerve	15.96	NA	NA	11.53	12.53	1.50	090
64866		A	Fusion of facial/other nerve	16.70	NA	NA	11.11	12.14	2.05	090
64868		A	Fusion of facial/other nerve	14.80	NA	NA	9.79	10.61	1.43	090
64870		A	Fusion of facial/other nerve	16.95	NA	NA	8.06	8.40	1.30	090
64872		A	Subsequent repair of nerve	1.99	NA	NA	0.78	0.93	0.29	ZZZ
64874		A	Repair & revise nerve add-on	2.98	NA	NA	1.26	1.39	0.42	ZZZ
64876		A	Repair nerve/shorten bone	3.37	NA	NA	1.43	1.59	0.47	ZZZ
64885		A	Nerve graft, head or neck	17.50	NA	NA	8.95	10.28	1.63	090
64886		A	Nerve graft, head or neck	20.72	NA	NA	10.38	11.96	2.09	090
64890		A	Nerve graft, hand or foot	16.11	NA	NA	8.98	9.49	2.30	090
64891		A	Nerve graft, hand or foot	17.22	NA	NA	9.67	8.62	1.63	090
64892		A	Nerve graft, arm or leg	15.61	NA	NA	9.13	9.00	2.48	090
64893		A	Nerve graft, arm or leg	16.74	NA	NA	9.63	9.75	2.62	090
64895		A	Nerve graft, hand or foot	20.26	NA	NA	11.04	10.35	2.58	090
64896		A	Nerve graft, hand or foot	21.81	NA	NA	11.67	11.33	3.17	090
64897		A	Nerve graft, arm or leg	19.25	NA	NA	10.50	10.60	2.55	090
64898		A	Nerve graft, arm or leg	20.82	NA	NA	11.46	11.63	2.78	090
64901		A	Nerve graft add-on	10.20	NA	NA	3.63	4.45	1.37	ZZZ
64902		A	Nerve graft add-on	11.81	NA	NA	4.66	5.31	1.55	ZZZ
64905		A	Nerve pedicle transfer	14.98	NA	NA	7.00	7.75	2.01	090
64907		A	Nerve pedicle transfer	19.90	NA	NA	6.35	9.44	3.17	090
64910		A	Nerve repair w/allograft	11.21	NA	NA	4.66	4.66	1.74	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
64911		A	Neurorraphy w/vein autograft	14.21	NA	NA	5.32	5.32	1.91	090
64999		C	Nervous system surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
65091		A	Revise eye	7.13	NA	NA	6.73	7.54	0.32	090
65093		A	Revise eye with implant	6.93	NA	NA	6.79	7.76	0.34	090
65101		A	Removal of eye	8.10	NA	NA	7.96	8.75	0.35	090
65103		A	Remove eye/insert implant	8.64	NA	NA	8.12	8.93	0.37	090
65105		A	Remove eye/attach implant	9.70	NA	NA	8.77	9.62	0.42	090
65110		A	Removal of eye	15.42	NA	NA	11.42	12.55	0.81	090
65112		A	Remove eye/revise socket	18.18	NA	NA	13.30	14.72	1.30	090
65114		A	Remove eye/revise socket	19.32	NA	NA	13.57	14.96	1.02	090
65125		A	Revise ocular implant	3.18	6.71	7.76	3.17	3.38	0.19	090
65130		A	Insert ocular implant	8.22	NA	NA	7.68	8.42	0.35	090
65135		A	Insert ocular implant	8.40	NA	NA	7.74	8.53	0.36	090
65140		A	Attach ocular implant	9.23	NA	NA	8.38	9.13	0.40	090
65150		A	Revise ocular implant	6.32	NA	NA	6.29	7.13	0.31	090
65155		A	Reinsert ocular implant	9.87	NA	NA	8.77	9.63	0.50	090
65175		A	Removal of ocular implant	7.22	NA	NA	7.04	7.76	0.31	090
65205		A	Remove foreign body from eye	0.71	0.57	0.60	0.32	0.30	0.03	000
65210		A	Remove foreign body from eye	0.84	0.71	0.76	0.39	0.38	0.04	000
65220		A	Remove foreign body from eye	0.71	0.59	0.62	0.28	0.28	0.05	000
65222		A	Remove foreign body from eye	0.93	0.78	0.83	0.41	0.40	0.04	000
65235		A	Remove foreign body from eye	8.78	NA	NA	6.78	6.76	0.37	090
65260		A	Remove foreign body from eye	12.29	NA	NA	8.74	9.20	0.57	090
65265		A	Remove foreign body from eye	14.06	NA	NA	9.59	10.11	0.62	090
65270		A	Repair of eye wound	1.92	3.82	4.52	1.20	1.29	0.09	010
65272		A	Repair of eye wound	4.49	6.30	7.00	3.15	3.22	0.19	090
65273		A	Repair of eye wound	5.03	NA	NA	3.36	3.47	0.22	090
65275		A	Repair of eye wound	6.14	6.30	6.31	3.90	3.92	0.26	090
65280		A	Repair of eye wound	8.87	NA	NA	5.83	6.03	0.38	090
65285		A	Repair of eye wound	14.43	NA	NA	8.39	8.80	0.64	090
65286		A	Repair of eye wound	6.45	8.70	9.92	4.38	4.50	0.27	090
65290		A	Repair of eye socket wound	6.35	NA	NA	4.43	4.59	0.31	090
65400		A	Removal of eye lesion	7.27	7.44	7.88	5.84	5.98	0.30	090
65410		A	Biopsy of cornea	1.47	1.66	1.89	0.86	0.91	0.07	000
65420		A	Removal of eye lesion	4.24	6.85	7.86	3.96	4.20	0.21	090
65426		A	Removal of eye lesion	5.93	8.09	9.13	4.50	4.71	0.25	090
65430		A	Corneal smear	1.47	1.09	1.19	0.86	0.92	0.07	000
65435		A	Curette/treat cornea	0.92	0.86	0.93	0.64	0.68	0.04	000
65436		A	Curette/treat cornea	4.72	3.76	3.92	3.43	3.55	0.21	090
65450		A	Treatment of corneal lesion	3.35	3.67	3.87	3.60	3.77	0.16	090
65600		A	Revision of cornea	4.07	4.43	4.72	3.38	3.37	0.17	090
65710		A	Corneal transplant	14.09	NA	NA	10.14	10.67	0.61	090
65730		A	Corneal transplant	15.99	NA	NA	10.96	11.49	0.70	090
65750		A	Corneal transplant	16.60	NA	NA	10.61	11.29	0.74	090
65755		A	Corneal transplant	16.49	NA	NA	10.58	11.24	0.73	090
65760		N	Revision of cornea	0.00	0.00	0.00	0.00	0.00	0.00	XXX
65765		N	Revision of cornea	0.00	0.00	0.00	0.00	0.00	0.00	XXX
65767		N	Corneal tissue transplant	0.00	0.00	0.00	0.00	0.00	0.00	XXX
65770		A	Revise cornea with implant	19.41	NA	NA	11.65	12.43	0.87	090
65771		N	Radial keratotomy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
65772		A	Correction of astigmatism	4.96	4.84	5.19	3.91	4.02	0.21	090
65775		A	Correction of astigmatism	6.73	NA	NA	5.30	5.63	0.28	090
65780		A	Ocular reconst, transplant	10.43	NA	NA	8.93	9.61	0.44	090
65781		A	Ocular reconst, transplant	17.84	NA	NA	11.57	12.63	0.44	090
65782		A	Ocular reconst, transplant	15.16	NA	NA	10.19	11.09	0.44	090
65800		A	Drainage of eye	1.91	1.39	1.60	1.02	1.10	0.09	000
65805		A	Drainage of eye	1.91	1.70	1.94	1.02	1.11	0.09	000
65810		A	Drainage of eye	5.67	NA	NA	4.66	4.68	0.24	090
65815		A	Drainage of eye	5.85	7.91	8.96	4.57	4.69	0.25	090
65820		A	Relieve inner eye pressure	8.72	NA	NA	7.50	8.28	0.40	090
65850		A	Incision of eye	11.24	NA	NA	7.32	7.88	0.52	090
65855		A	Laser surgery of eye	3.90	3.49	3.90	2.62	2.86	0.19	010
65860		A	Incise inner eye adhesions	3.56	3.26	3.65	2.07	2.29	0.18	090
65865		A	Incise inner eye adhesions	5.66	NA	NA	4.69	5.16	0.28	090
65870		A	Incise inner eye adhesions	7.21	NA	NA	5.70	6.06	0.31	090
65875		A	Incise inner eye adhesions	7.61	NA	NA	6.13	6.46	0.32	090
65880		A	Incise inner eye adhesions	8.16	NA	NA	6.30	6.67	0.35	090
65900		A	Remove eye lesion	12.26	NA	NA	8.89	9.58	0.54	090
65920		A	Remove implant of eye	9.74	NA	NA	7.46	7.82	0.41	090
65930		A	Remove blood clot from eye	8.24	NA	NA	5.77	6.30	0.37	090
66020		A	Injection treatment of eye	1.61	2.42	2.77	1.27	1.36	0.08	010
66030		A	Injection treatment of eye	1.27	2.29	2.63	1.15	1.21	0.06	010

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66130		A	Remove eye lesion	7.74	7.51	8.57	4.86	5.24	0.38	090
66150		A	Glaucoma surgery	10.18	NA	NA	8.81	9.11	0.46	090
66155		A	Glaucoma surgery	10.17	NA	NA	8.81	9.08	0.41	090
66160		A	Glaucoma surgery	12.04	NA	NA	9.47	9.83	0.50	090
66165		A	Glaucoma surgery	9.89	NA	NA	8.77	9.01	0.40	090
66170		A	Glaucoma surgery	14.57	NA	NA	11.54	11.89	0.60	090
66172		A	Incision of eye	18.26	NA	NA	14.63	14.92	0.74	090
66180		A	Implant eye shunt	16.02	NA	NA	9.69	10.23	0.71	090
66185		A	Revise eye shunt	9.35	NA	NA	7.04	7.21	0.40	090
66220		A	Repair eye lesion	8.98	NA	NA	7.17	7.13	0.40	090
66225		A	Repair/graft eye lesion	12.38	NA	NA	8.11	8.43	0.55	090
66250		A	Follow-up surgery of eye	6.92	9.24	10.47	5.25	5.37	0.30	090
66500		A	Incision of iris	3.75	NA	NA	3.95	4.29	0.18	090
66505		A	Incision of iris	4.13	NA	NA	4.30	4.65	0.20	090
66600		A	Remove iris and lesion	9.89	NA	NA	8.25	8.24	0.43	090
66605		A	Removal of iris	13.99	NA	NA	9.45	9.74	0.77	090
66625		A	Removal of iris	5.19	NA	NA	4.21	4.47	0.26	090
66630		A	Removal of iris	7.10	NA	NA	5.34	5.53	0.31	090
66635		A	Removal of iris	7.19	NA	NA	5.37	5.56	0.31	090
66680		A	Repair iris & ciliary body	6.24	NA	NA	5.06	5.17	0.27	090
66682		A	Repair iris & ciliary body	7.15	NA	NA	6.71	6.66	0.31	090
66700		A	Destruction, ciliary body	5.06	4.78	5.01	3.59	3.76	0.24	090
66710		A	Ciliary transsleral therapy	5.06	4.60	4.88	3.60	3.72	0.23	090
66711		A	Ciliary endoscopic ablation	7.70	NA	NA	6.29	6.38	0.30	090
66720		A	Destruction, ciliary body	4.86	5.37	5.58	4.32	4.52	0.26	090
66740		A	Destruction, ciliary body	5.06	4.53	4.81	3.60	3.79	0.23	090
66761		A	Revision of iris	4.87	5.02	5.31	4.19	4.25	0.20	090
66762		A	Revision of iris	5.25	5.10	5.38	4.06	4.18	0.23	090
66770		A	Removal of inner eye lesion	5.98	5.53	5.81	4.59	4.69	0.26	090
66820		A	Incision, secondary cataract	3.93	NA	NA	4.62	5.22	0.19	090
66821		A	After cataract laser surgery	3.32	3.82	3.96	3.42	3.52	0.11	090
66825		A	Reposition intraocular lens	8.82	NA	NA	7.77	8.42	0.40	090
66830		A	Removal of lens lesion	9.27	NA	NA	6.37	6.66	0.36	090
66840		A	Removal of lens material	8.98	NA	NA	6.29	6.58	0.39	090
66850		A	Removal of lens material	10.32	NA	NA	7.06	7.35	0.45	090
66852		A	Removal of lens material	11.18	NA	NA	7.38	7.74	0.49	090
66920		A	Extraction of lens	9.93	NA	NA	6.64	6.97	0.44	090
66930		A	Extraction of lens	11.38	NA	NA	7.45	7.80	0.49	090
66940		A	Extraction of lens	10.14	NA	NA	7.00	7.30	0.43	090
66982		A	Cataract surgery, complex	14.83	NA	NA	8.95	9.41	0.63	090
66983		A	Cataract surg w/iol, 1 stage	10.20	NA	NA	6.51	6.31	0.14	090
66984		A	Cataract surg w/iol, 1 stage	10.36	NA	NA	6.44	6.93	0.39	090
66985		A	Insert lens prosthesis	9.73	NA	NA	7.12	7.29	0.36	090
66986		A	Exchange lens prosthesis	12.26	NA	NA	8.05	8.62	0.60	090
66990		A	Ophthalmic endoscope add-on	1.51	NA	NA	0.54	0.61	0.07	ZZZ
66999		C	Eye surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
67005		A	Partial removal of eye fluid	5.77	NA	NA	4.57	4.72	0.28	090
67010		A	Partial removal of eye fluid	6.94	NA	NA	4.99	5.21	0.34	090
67015		A	Release of eye fluid	7.00	NA	NA	5.70	6.08	0.34	090
67025		A	Replace eye fluid	7.91	7.86	8.54	5.91	6.07	0.34	090
67027		A	Implant eye drug system	11.43	NA	NA	7.37	7.68	0.54	090
67028		A	Injection eye drug	2.52	2.15	2.43	1.24	1.35	0.12	000
67030		A	Incise inner eye strands	5.91	NA	NA	5.60	5.73	0.24	090
67031		A	Laser surgery, eye strands	4.34	4.09	4.35	3.43	3.53	0.18	090
67036		A	Removal of inner eye fluid	13.09	NA	NA	8.06	8.59	0.58	090
67039		A	Laser treatment of retina	16.39	NA	NA	10.69	11.44	0.71	090
67040		A	Laser treatment of retina	19.23	NA	NA	12.00	12.84	0.85	090
67041		A	Vit for macular pucker	19.00	NA	NA	10.37	10.37	0.86	090
67042		A	Vit for macular hole	22.13	NA	NA	11.49	11.49	1.00	090
67043		A	Vit for membrane dissect	22.94	NA	NA	12.35	12.35	1.04	090
67101		A	Repair detached retina	8.60	8.49	8.81	6.17	6.35	0.37	090
67105		A	Repair detached retina	8.35	7.41	7.75	5.78	5.97	0.37	090
67107		A	Repair detached retina	16.35	NA	NA	10.35	10.83	0.73	090
67108		A	Repair detached retina	22.49	NA	NA	12.93	13.68	1.02	090
67110		A	Repair detached retina	10.02	8.92	9.58	6.96	7.18	0.44	090
67112		A	Rerepair detached retina	18.45	NA	NA	10.86	11.33	0.83	090
67113		A	Repair retinal detach, cplx	25.00	NA	NA	13.75	13.75	1.13	090
67115		A	Release encircling material	5.93	NA	NA	4.92	5.00	0.25	090
67120		A	Remove eye implant material	6.92	7.35	7.97	5.28	5.41	0.29	090
67121		A	Remove eye implant material	12.00	NA	NA	7.95	8.24	0.53	090
67141		A	Treatment of retina	6.00	5.41	5.63	4.65	4.76	0.26	090
67145		A	Treatment of retina	6.17	5.34	5.53	4.71	4.82	0.27	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
67208		A	Treatment of retinal lesion	7.50	5.64	5.89	5.20	5.36	0.33	090
67210		A	Treatment of retinal lesion	9.35	5.91	6.24	5.44	5.66	0.44	090
67218		A	Treatment of retinal lesion	20.22	NA	NA	10.61	11.39	0.92	090
67220		A	Treatment of choroid lesion	14.19	9.22	9.82	8.16	8.59	0.65	090
67221		R	Ocular photodynamic ther	3.45	2.92	3.62	1.38	1.59	0.20	000
67225		A	Eye photodynamic ther add-on	0.47	0.22	0.24	0.17	0.19	0.02	ZZZ
67227		A	Treatment of retinal lesion	7.38	6.00	6.29	5.16	5.34	0.33	090
67228		A	Treatment of retinal lesion	13.67	13.60	12.54	10.19	9.37	0.63	090
67229		A	Tr retinal les preterm inf	16.00	NA	NA	9.52	9.52	0.71	090
67250		A	Reinforce eye wall	9.46	NA	NA	7.66	8.42	0.47	090
67255		A	Reinforce/graft eye wall	9.97	NA	NA	8.43	9.16	0.44	090
67299		C	Eye surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
67311		A	Revise eye muscle	7.59	NA	NA	5.50	5.76	0.37	090
67312		A	Revise two eye muscles	9.48	NA	NA	6.19	6.47	0.43	090
67314		A	Revise eye muscle	8.59	NA	NA	6.15	6.35	0.39	090
67316		A	Revise two eye muscles	10.73	NA	NA	6.92	7.21	0.49	090
67318		A	Revise eye muscle(s)	8.92	NA	NA	6.51	6.72	0.41	090
67320		A	Revise eye muscle(s) add-on	5.40	NA	NA	1.92	1.94	0.22	ZZZ
67331		A	Eye surgery follow-up add-on	5.13	NA	NA	1.81	1.82	0.21	ZZZ
67332		A	Rerevise eye muscles add-on	5.56	NA	NA	1.97	2.00	0.23	ZZZ
67334		A	Revise eye muscle w/suture	5.05	NA	NA	1.80	1.80	0.20	ZZZ
67335		A	Eye suture during surgery	2.49	NA	NA	0.88	1.00	0.13	ZZZ
67340		A	Revise eye muscle add-on	6.00	NA	NA	2.14	2.17	0.25	ZZZ
67343		A	Release eye tissue	8.29	NA	NA	6.06	6.29	0.37	090
67345		A	Destroy nerve of eye muscle	2.98	2.17	2.38	1.69	1.85	0.17	010
67346		A	Biopsy, eye muscle	2.87	NA	NA	1.62	1.75	0.15	000
67399		C	Eye muscle surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
67400		A	Explore/biopsy eye socket	10.97	NA	NA	9.42	10.34	0.56	090
67405		A	Explore/drain eye socket	9.00	NA	NA	8.34	9.06	0.44	090
67412		A	Explore/treat eye socket	10.17	NA	NA	8.53	9.73	0.48	090
67413		A	Explore/treat eye socket	10.09	NA	NA	8.70	9.74	0.50	090
67414		A	Explr/decompress eye socket	17.78	NA	NA	11.64	11.84	0.65	090
67415		A	Aspiration, orbital contents	1.76	NA	NA	0.62	0.69	0.09	000
67420		A	Explore/treat eye socket	21.62	NA	NA	14.24	15.82	1.15	090
67430		A	Explore/treat eye socket	14.99	NA	NA	11.87	13.38	0.86	090
67440		A	Explore/drain eye socket	14.56	NA	NA	11.88	13.07	0.70	090
67445		A	Explr/decompress eye socket	18.96	NA	NA	12.14	13.03	0.90	090
67450		A	Explore/biopsy eye socket	15.11	NA	NA	12.30	13.50	0.68	090
67500		A	Inject/treat eye socket	1.44	0.57	0.62	0.44	0.37	0.05	000
67505		A	Inject/treat eye socket	1.27	0.65	0.67	0.50	0.41	0.05	000
67515		A	Inject/treat eye socket	1.40	0.77	0.68	0.61	0.50	0.03	000
67550		A	Insert eye socket implant	11.52	NA	NA	9.83	10.57	0.72	090
67560		A	Revise eye socket implant	11.93	NA	NA	9.78	10.58	0.60	090
67570		A	Decompress optic nerve	14.21	NA	NA	11.01	12.30	0.68	090
67599		C	Orbit surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
67700		A	Drainage of eyelid abscess	1.37	4.31	5.17	1.17	1.22	0.07	010
67710		A	Incision of eyelid	1.04	3.70	4.54	1.08	1.14	0.05	010
67715		A	Incision of eyelid fold	1.24	3.83	4.61	1.15	1.22	0.06	010
67800		A	Remove eyelid lesion	1.39	1.39	1.50	0.90	0.97	0.07	010
67801		A	Remove eyelid lesions	1.89	1.67	1.82	1.08	1.17	0.09	010
67805		A	Remove eyelid lesions	2.24	2.18	2.35	1.41	1.53	0.11	010
67808		A	Remove eyelid lesion(s)	4.47	NA	NA	3.61	3.69	0.19	090
67810		A	Biopsy of eyelid	1.48	3.94	3.64	0.68	0.68	0.06	000
67820		A	Revise eyelashes	0.71	0.43	0.52	0.50	0.53	0.04	000
67825		A	Revise eyelashes	1.40	1.40	1.57	1.26	1.33	0.07	010
67830		A	Revise eyelashes	1.72	3.99	4.76	1.32	1.41	0.08	010
67835		A	Revise eyelashes	5.61	NA	NA	4.12	4.37	0.28	090
67840		A	Remove eyelid lesion	2.06	3.90	4.69	1.45	1.55	0.10	010
67850		A	Treat eyelid lesion	1.71	3.29	3.33	1.45	1.46	0.07	010
67875		A	Closure of eyelid by suture	1.35	2.38	2.84	0.83	0.89	0.07	000
67880		A	Revision of eyelid	4.47	5.44	6.03	3.57	3.69	0.19	090
67882		A	Revision of eyelid	5.87	6.36	6.99	4.46	4.63	0.25	090
67900		A	Repair brow defect	6.69	7.37	8.22	4.61	4.93	0.38	090
67901		A	Repair eyelid defect	7.47	8.99	7.20	5.29	5.35	0.54	090
67902		A	Repair eyelid defect	9.68	NA	NA	6.34	5.90	0.60	090
67903		A	Repair eyelid defect	6.42	6.63	8.10	4.34	4.93	0.47	090
67904		A	Repair eyelid defect	7.83	8.17	8.90	5.37	5.30	0.41	090
67906		A	Repair eyelid defect	6.84	NA	NA	4.47	4.75	0.46	090
67908		A	Repair eyelid defect	5.19	5.55	6.09	4.12	4.74	0.28	090
67909		A	Revise eyelid defect	5.46	6.18	7.11	4.17	4.56	0.31	090
67911		A	Revise eyelid defect	7.38	NA	NA	5.05	4.91	0.31	090
67912		A	Correction eyelid w/implant	6.23	13.14	16.04	4.74	5.14	0.28	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
67914		A	Repair eyelid defect	3.70	4.75	5.55	2.68	2.86	0.19	090
67915		A	Repair eyelid defect	3.21	4.32	5.15	2.43	2.62	0.16	090
67916		A	Repair eyelid defect	5.37	6.37	7.21	4.15	4.45	0.28	090
67917		A	Repair eyelid defect	6.08	6.72	7.59	4.41	4.74	0.36	090
67921		A	Repair eyelid defect	3.42	4.62	5.41	2.56	2.73	0.17	090
67922		A	Repair eyelid defect	3.09	4.16	5.04	2.33	2.54	0.15	090
67923		A	Repair eyelid defect	5.94	6.44	7.28	4.33	4.65	0.30	090
67924		A	Repair eyelid defect	5.84	6.91	7.92	4.06	4.37	0.30	090
67930		A	Repair eyelid wound	3.62	4.37	5.04	1.78	1.98	0.19	010
67935		A	Repair eyelid wound	6.27	6.76	7.64	3.58	4.00	0.39	090
67938		A	Remove eyelid foreign body	1.35	3.83	4.61	1.22	1.24	0.06	010
67950		A	Revision of eyelid	5.88	6.66	7.65	4.37	4.80	0.36	090
67961		A	Revision of eyelid	5.75	6.81	7.75	4.30	4.67	0.33	090
67966		A	Revision of eyelid	8.83	8.05	8.59	5.74	5.66	0.37	090
67971		A	Reconstruction of eyelid	9.87	NA	NA	6.18	6.73	0.53	090
67973		A	Reconstruction of eyelid	12.96	NA	NA	7.71	8.52	0.75	090
67974		A	Reconstruction of eyelid	12.93	NA	NA	7.69	8.46	0.75	090
67975		A	Reconstruction of eyelid	9.21	NA	NA	5.94	6.45	0.50	090
67999		C	Revision of eyelid	0.00	0.00	0.00	0.00	0.00	0.00	YYY
68020		A	Incise/drain eyelid lining	1.39	1.24	1.32	1.05	1.13	0.06	010
68040		A	Treatment of eyelid lesions	0.85	0.60	0.66	0.35	0.39	0.04	000
68100		A	Biopsy of eyelid lining	1.35	2.36	2.81	0.86	0.90	0.07	000
68110		A	Remove eyelid lining lesion	1.79	3.07	3.59	1.48	1.56	0.09	010
68115		A	Remove eyelid lining lesion	2.38	4.33	5.15	1.69	1.80	0.12	010
68130		A	Remove eyelid lining lesion	4.99	6.64	7.68	4.02	4.31	0.24	090
68135		A	Remove eyelid lining lesion	1.86	1.58	1.70	1.47	1.56	0.09	010
68200		A	Treat eyelid by injection	0.49	0.45	0.49	0.29	0.31	0.02	000
68320		A	Revise/graft eyelid lining	6.44	9.16	10.22	5.31	5.42	0.27	090
68325		A	Revise/graft eyelid lining	8.43	NA	NA	6.10	6.32	0.44	090
68326		A	Revise/graft eyelid lining	8.22	NA	NA	5.92	6.17	0.35	090
68328		A	Revise/graft eyelid lining	9.25	NA	NA	6.38	6.84	0.54	090
68330		A	Revise eyelid lining	5.63	7.41	8.42	4.44	4.58	0.24	090
68335		A	Revise/graft eyelid lining	8.26	NA	NA	5.92	6.15	0.36	090
68340		A	Separate eyelid adhesions	4.84	6.87	7.88	3.87	3.98	0.21	090
68360		A	Revise eyelid lining	5.04	6.43	7.24	3.96	4.07	0.22	090
68362		A	Revise eyelid lining	8.41	NA	NA	5.97	6.19	0.36	090
68371		A	Harvest eye tissue, alograft	4.97	NA	NA	4.06	4.39	0.44	010
68399		C	Eyelid lining surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
68400		A	Incise/drain tear gland	1.71	4.42	5.16	1.21	1.52	0.08	010
68420		A	Incise/drain tear sac	2.32	4.59	5.39	1.42	1.76	0.11	010
68440		A	Incise tear duct opening	0.96	1.25	1.67	1.19	1.23	0.05	010
68500		A	Removal of tear gland	12.49	NA	NA	9.53	9.63	0.55	090
68505		A	Partial removal, tear gland	12.41	NA	NA	8.91	9.79	0.55	090
68510		A	Biopsy of tear gland	4.60	5.21	6.27	2.02	2.06	0.23	000
68520		A	Removal of tear sac	8.58	NA	NA	6.49	6.96	0.37	090
68525		A	Biopsy of tear sac	4.42	NA	NA	1.57	1.80	0.22	000
68530		A	Clearance of tear duct	3.67	5.60	6.89	2.07	2.36	0.18	010
68540		A	Remove tear gland lesion	11.93	NA	NA	8.49	8.94	0.52	090
68550		A	Remove tear gland lesion	14.86	NA	NA	9.68	10.52	0.80	090
68700		A	Repair tear ducts	7.67	NA	NA	5.56	5.77	0.32	090
68705		A	Revise tear duct opening	2.08	3.03	3.60	1.58	1.69	0.10	010
68720		A	Create tear sac drain	9.78	NA	NA	6.88	7.37	0.44	090
68745		A	Create tear duct drain	9.70	NA	NA	6.98	7.42	0.52	090
68750		A	Create tear duct drain	9.87	NA	NA	7.43	7.85	0.43	090
68760		A	Close tear duct opening	1.75	2.59	3.06	1.45	1.54	0.09	010
68761		A	Close tear duct opening	1.38	1.83	2.05	1.25	1.28	0.06	010
68770		A	Close tear system fistula	8.09	NA	NA	5.75	4.47	0.35	090
68801		A	Dilate tear duct opening	0.96	1.77	1.86	1.41	1.45	0.05	010
68810		A	Probe nasolacrimal duct	2.63	3.39	3.53	2.68	2.68	0.10	010
68811		A	Probe nasolacrimal duct	2.39	NA	NA	2.12	2.27	0.13	010
68815		A	Probe nasolacrimal duct	3.24	6.42	7.33	2.43	2.62	0.17	010
68816		A	Probe nl duct w/balloon	3.00	12.75	12.75	2.51	2.51	0.16	010
68840		A	Explore/irrigate tear ducts	1.27	1.51	1.55	1.28	1.20	0.06	010
68850		A	Injection for tear sac x-ray	0.80	0.72	0.80	0.60	0.64	0.04	000
68899		C	Tear duct system surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
69000		A	Drain external ear lesion	1.47	2.89	2.88	1.34	1.35	0.12	010
69005		A	Drain external ear lesion	2.13	2.99	2.96	1.61	1.73	0.17	010
69020		A	Drain outer ear canal lesion	1.50	4.09	4.04	1.90	1.98	0.12	010
69090		N	Pierce earlobes	0.00	0.00	0.00	0.00	0.00	0.00	XXX
69100		A	Biopsy of external ear	0.81	1.85	1.78	0.39	0.39	0.03	000
69105		A	Biopsy of external ear canal	0.85	2.64	2.49	0.71	0.74	0.07	000
69110		A	Remove external ear, partial	3.47	7.84	7.29	4.45	4.46	0.30	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
69120		A	Removal of external ear	4.08	NA	NA	5.36	5.77	0.38	090
69140		A	Remove ear canal lesion(s)	8.03	NA	NA	13.23	13.26	0.65	090
69145		A	Remove ear canal lesion(s)	2.65	7.03	6.41	3.37	3.34	0.21	090
69150		A	Extensive ear canal surgery	13.49	NA	NA	11.46	12.44	1.22	090
69155		A	Extensive ear/neck surgery	23.06	NA	NA	17.00	18.28	1.93	090
69200		A	Clear outer ear canal	0.77	2.15	2.27	0.61	0.58	0.06	000
69205		A	Clear outer ear canal	1.20	NA	NA	1.24	1.30	0.10	010
69210		A	Remove impacted ear wax	0.61	0.58	0.60	0.17	0.20	0.05	000
69220		A	Clean out mastoid cavity	0.83	2.56	2.46	0.68	0.70	0.07	000
69222		A	Clean out mastoid cavity	1.42	3.97	3.91	1.90	1.98	0.12	010
69300		R	Revise external ear	6.69	10.72	7.47	5.19	4.70	0.72	YYY
69310		A	Rebuild outer ear canal	10.85	NA	NA	15.50	15.90	0.85	090
69320		A	Rebuild outer ear canal	17.03	NA	NA	20.07	20.96	1.37	090
69399		C	Outer ear surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
69400		A	Inflate middle ear canal	0.83	2.82	2.49	0.68	0.67	0.07	000
69401		A	Inflate middle ear canal	0.63	1.53	1.38	0.59	0.62	0.05	000
69405		A	Catheterize middle ear canal	2.65	3.66	3.58	1.96	2.14	0.21	010
69420		A	Incision of eardrum	1.35	3.32	3.24	1.56	1.57	0.11	010
69421		A	Incision of eardrum	1.75	NA	NA	1.85	2.01	0.15	010
69424		A	Remove ventilating tube	0.85	2.34	2.26	0.68	0.68	0.07	000
69433		A	Create eardrum opening	1.54	3.32	3.21	1.60	1.62	0.13	010
69436		A	Create eardrum opening	1.98	NA	NA	1.90	2.10	0.19	010
69440		A	Exploration of middle ear	7.62	NA	NA	9.12	8.95	0.61	090
69450		A	Eardrum revision	5.61	NA	NA	7.62	7.33	0.45	090
69501		A	Mastoidectomy	9.12	NA	NA	8.66	8.84	0.73	090
69502		A	Mastoidectomy	12.44	NA	NA	11.05	11.32	1.00	090
69505		A	Remove mastoid structures	13.05	NA	NA	16.15	16.68	1.05	090
69511		A	Extensive mastoid surgery	13.58	NA	NA	16.34	16.91	1.09	090
69530		A	Extensive mastoid surgery	20.24	NA	NA	19.67	20.66	1.54	090
69535		A	Remove part of temporal bone	37.27	NA	NA	26.78	29.38	2.93	090
69540		A	Remove ear lesion	1.22	3.90	3.82	1.85	1.92	0.10	010
69550		A	Remove ear lesion	11.04	NA	NA	14.28	14.58	0.89	090
69552		A	Remove ear lesion	19.69	NA	NA	18.20	19.44	1.59	090
69554		A	Remove ear lesion	35.71	NA	NA	24.01	27.18	2.92	090
69601		A	Mastoid surgery revision	13.31	NA	NA	11.93	12.31	1.07	090
69602		A	Mastoid surgery revision	13.64	NA	NA	12.81	13.03	1.10	090
69603		A	Mastoid surgery revision	14.08	NA	NA	16.45	17.41	1.14	090
69604		A	Mastoid surgery revision	14.08	NA	NA	12.79	13.24	1.14	090
69605		A	Mastoid surgery revision	18.55	NA	NA	19.30	20.13	1.50	090
69610		A	Repair of eardrum	4.44	4.91	5.24	2.59	2.93	0.36	010
69620		A	Repair of eardrum	5.94	10.92	11.02	5.84	6.07	0.48	090
69631		A	Repair eardrum structures	9.93	NA	NA	11.53	11.37	0.80	090
69632		A	Rebuild eardrum structures	12.82	NA	NA	13.32	13.40	1.03	090
69633		A	Rebuild eardrum structures	12.17	NA	NA	13.09	13.08	0.98	090
69635		A	Repair eardrum structures	13.39	NA	NA	16.30	16.53	1.08	090
69636		A	Rebuild eardrum structures	15.29	NA	NA	18.21	18.76	1.23	090
69637		A	Rebuild eardrum structures	15.18	NA	NA	18.12	18.68	1.22	090
69641		A	Revise middle ear & mastoid	12.77	NA	NA	12.48	12.64	1.03	090
69642		A	Revise middle ear & mastoid	16.91	NA	NA	15.54	15.92	1.36	090
69643		A	Revise middle ear & mastoid	15.45	NA	NA	14.17	14.50	1.24	090
69644		A	Revise middle ear & mastoid	17.09	NA	NA	18.75	19.58	1.37	090
69645		A	Revise middle ear & mastoid	16.57	NA	NA	18.61	19.32	1.33	090
69646		A	Revise middle ear & mastoid	18.23	NA	NA	19.12	19.95	1.46	090
69650		A	Release middle ear bone	9.71	NA	NA	9.54	9.73	0.78	090
69660		A	Revise middle ear bone	11.94	NA	NA	10.51	10.85	0.96	090
69661		A	Revise middle ear bone	15.80	NA	NA	13.47	14.09	1.27	090
69662		A	Revise middle ear bone	15.49	NA	NA	12.51	13.13	1.25	090
69666		A	Repair middle ear structures	9.80	NA	NA	9.81	9.89	0.79	090
69667		A	Repair middle ear structures	9.81	NA	NA	9.84	9.92	0.79	090
69670		A	Remove mastoid air cells	11.62	NA	NA	11.25	11.48	0.93	090
69676		A	Remove middle ear nerve	9.58	NA	NA	10.62	10.69	0.81	090
69700		A	Close mastoid fistula	8.28	NA	NA	8.68	8.97	0.67	090
69710		N	Implant/replace hearing aid	0.00	0.00	0.00	0.00	0.00	0.00	XXX
69711		A	Remove/repair hearing aid	10.50	NA	NA	10.42	10.61	0.83	090
69714		A	Implant temple bone w/stimul	14.31	NA	NA	11.80	12.23	1.13	090
69715		A	Temple bne implnt w/stimulat	18.80	NA	NA	13.34	14.19	1.48	090
69717		A	Temple bone implant revision	15.29	NA	NA	11.97	13.22	0.90	090
69718		A	Revise temple bone implant	19.05	NA	NA	13.42	14.36	3.22	090
69720		A	Release facial nerve	14.57	NA	NA	14.03	14.28	1.16	090
69725		A	Release facial nerve	27.44	NA	NA	18.04	19.09	2.45	090
69740		A	Repair facial nerve	16.18	NA	NA	11.59	12.51	1.27	090
69745		A	Repair facial nerve	16.91	NA	NA	9.94	12.46	1.14	090

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
69799		C	Middle ear surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
69801		A	Incise inner ear	8.61	NA	NA	9.63	9.55	0.69	090
69802		A	Incise inner ear	13.39	NA	NA	11.87	12.10	1.06	090
69805		A	Explore inner ear	14.55	NA	NA	10.90	11.39	1.12	090
69806		A	Explore inner ear	12.52	NA	NA	10.40	10.72	1.00	090
69820		A	Establish inner ear window	10.40	NA	NA	10.26	10.74	0.90	090
69840		A	Revise inner ear window	10.32	NA	NA	11.38	12.28	0.79	090
69905		A	Remove inner ear	11.15	NA	NA	11.04	11.20	0.90	090
69910		A	Remove inner ear & mastoid	13.80	NA	NA	10.89	11.41	1.07	090
69915		A	Incise inner ear nerve	22.65	NA	NA	14.83	15.65	1.70	090
69930		A	Implant cochlear device	17.60	NA	NA	13.12	13.94	1.36	090
69949		C	Inner ear surgery procedure	0.00	0.00	0.00	0.00	0.00	0.00	YYY
69950		A	Incise inner ear nerve	27.44	NA	NA	16.86	17.89	2.29	090
69955		A	Release facial nerve	29.22	NA	NA	19.41	20.40	2.49	090
69960		A	Release inner ear canal	29.22	NA	NA	17.92	18.99	2.18	090
69970		A	Remove inner ear lesion	32.21	NA	NA	19.54	21.41	2.42	090
69979		C	Temporal bone surgery	0.00	0.00	0.00	0.00	0.00	0.00	YYY
69990		R	Microsurgery add-on	3.46	NA	NA	1.27	1.53	0.89	ZZZ
70010		A	Contrast x-ray of brain	1.19	2.82	3.77	NA	NA	0.27	XXX
70010	TC	A	Contrast x-ray of brain	0.00	2.40	3.37	NA	NA	0.22	XXX
70010	26	A	Contrast x-ray of brain	1.19	0.42	0.40	0.42	0.40	0.05	XXX
70015		A	Contrast x-ray of brain	1.19	2.92	2.33	NA	NA	0.16	XXX
70015	TC	A	Contrast x-ray of brain	0.00	2.49	1.92	NA	NA	0.08	XXX
70015	26	A	Contrast x-ray of brain	1.19	0.43	0.41	0.43	0.41	0.08	XXX
70030		A	X-ray eye for foreign body	0.17	0.61	0.54	NA	NA	0.03	XXX
70030	TC	A	X-ray eye for foreign body	0.00	0.55	0.48	NA	NA	0.02	XXX
70030	26	A	X-ray eye for foreign body	0.17	0.06	0.06	0.06	0.06	0.01	XXX
70100		A	X-ray exam of jaw	0.18	0.63	0.61	NA	NA	0.03	XXX
70100	TC	A	X-ray exam of jaw	0.00	0.58	0.55	NA	NA	0.02	XXX
70100	26	A	X-ray exam of jaw	0.18	0.05	0.06	0.05	0.06	0.01	XXX
70110		A	X-ray exam of jaw	0.25	0.81	0.75	NA	NA	0.05	XXX
70110	TC	A	X-ray exam of jaw	0.00	0.72	0.67	NA	NA	0.04	XXX
70110	26	A	X-ray exam of jaw	0.25	0.09	0.08	0.09	0.08	0.01	XXX
70120		A	X-ray exam of mastoids	0.18	0.69	0.69	NA	NA	0.05	XXX
70120	TC	A	X-ray exam of mastoids	0.00	0.64	0.63	NA	NA	0.04	XXX
70120	26	A	X-ray exam of mastoids	0.18	0.05	0.06	0.05	0.06	0.01	XXX
70130		A	X-ray exam of mastoids	0.34	1.15	1.02	NA	NA	0.07	XXX
70130	TC	A	X-ray exam of mastoids	0.00	1.04	0.91	NA	NA	0.05	XXX
70130	26	A	X-ray exam of mastoids	0.34	0.11	0.11	0.11	0.11	0.02	XXX
70134		A	X-ray exam of middle ear	0.34	0.92	0.87	NA	NA	0.07	XXX
70134	TC	A	X-ray exam of middle ear	0.00	0.80	0.76	NA	NA	0.05	XXX
70134	26	A	X-ray exam of middle ear	0.34	0.12	0.11	0.12	0.11	0.02	XXX
70140		A	X-ray exam of facial bones	0.19	0.54	0.62	NA	NA	0.05	XXX
70140	TC	A	X-ray exam of facial bones	0.00	0.49	0.56	NA	NA	0.04	XXX
70140	26	A	X-ray exam of facial bones	0.19	0.05	0.06	0.05	0.06	0.01	XXX
70150		A	X-ray exam of facial bones	0.26	0.85	0.85	NA	NA	0.06	XXX
70150	TC	A	X-ray exam of facial bones	0.00	0.77	0.77	NA	NA	0.05	XXX
70150	26	A	X-ray exam of facial bones	0.26	0.08	0.08	0.08	0.08	0.01	XXX
70160		A	X-ray exam of nasal bones	0.17	0.71	0.64	NA	NA	0.03	XXX
70160	TC	A	X-ray exam of nasal bones	0.00	0.65	0.58	NA	NA	0.02	XXX
70160	26	A	X-ray exam of nasal bones	0.17	0.06	0.06	0.06	0.06	0.01	XXX
70170		C	X-ray exam of tear duct	0.00	0.00	0.00	NA	NA	0.00	XXX
70170	TC	C	X-ray exam of tear duct	0.00	0.00	0.00	NA	NA	0.00	XXX
70170	26	A	X-ray exam of tear duct	0.30	0.10	0.10	0.10	0.10	0.01	XXX
70190		A	X-ray exam of eye sockets	0.21	0.72	0.71	NA	NA	0.05	XXX
70190	TC	A	X-ray exam of eye sockets	0.00	0.65	0.64	NA	NA	0.04	XXX
70190	26	A	X-ray exam of eye sockets	0.21	0.07	0.07	0.07	0.07	0.01	XXX
70200		A	X-ray exam of eye sockets	0.28	0.87	0.87	NA	NA	0.06	XXX
70200	TC	A	X-ray exam of eye sockets	0.00	0.78	0.78	NA	NA	0.05	XXX
70200	26	A	X-ray exam of eye sockets	0.28	0.09	0.09	0.09	0.09	0.01	XXX
70210		A	X-ray exam of sinuses	0.17	0.58	0.62	NA	NA	0.05	XXX
70210	TC	A	X-ray exam of sinuses	0.00	0.53	0.57	NA	NA	0.04	XXX
70210	26	A	X-ray exam of sinuses	0.17	0.05	0.05	0.05	0.05	0.01	XXX
70220		A	X-ray exam of sinuses	0.25	0.73	0.80	NA	NA	0.06	XXX
70220	TC	A	X-ray exam of sinuses	0.00	0.65	0.72	NA	NA	0.05	XXX
70220	26	A	X-ray exam of sinuses	0.25	0.08	0.08	0.08	0.08	0.01	XXX
70240		A	X-ray exam, pituitary saddle	0.19	0.61	0.54	NA	NA	0.03	XXX
70240	TC	A	X-ray exam, pituitary saddle	0.00	0.55	0.48	NA	NA	0.02	XXX
70240	26	A	X-ray exam, pituitary saddle	0.19	0.06	0.06	0.06	0.06	0.01	XXX
70250		A	X-ray exam of skull	0.24	0.70	0.69	NA	NA	0.05	XXX
70250	TC	A	X-ray exam of skull	0.00	0.63	0.62	NA	NA	0.04	XXX
70250	26	A	X-ray exam of skull	0.24	0.07	0.07	0.07	0.07	0.01	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
70260		A	X-ray exam of skull	0.34	0.88	0.94	NA	NA	0.08	XXX
70260	TC	A	X-ray exam of skull	0.00	0.78	0.83	NA	NA	0.06	XXX
70260	26	A	X-ray exam of skull	0.34	0.10	0.11	0.10	0.11	0.02	XXX
70300		A	X-ray exam of teeth	0.10	0.24	0.27	NA	NA	0.03	XXX
70300	TC	A	X-ray exam of teeth	0.00	0.21	0.23	NA	NA	0.02	XXX
70300	26	A	X-ray exam of teeth	0.10	0.03	0.04	0.03	0.04	0.01	XXX
70310		A	X-ray exam of teeth	0.16	0.82	0.65	NA	NA	0.03	XXX
70310	TC	A	X-ray exam of teeth	0.00	0.77	0.59	NA	NA	0.02	XXX
70310	26	A	X-ray exam of teeth	0.16	0.05	0.06	0.05	0.06	0.01	XXX
70320		A	Full mouth x-ray of teeth	0.22	1.07	0.97	NA	NA	0.06	XXX
70320	TC	A	Full mouth x-ray of teeth	0.00	1.00	0.89	NA	NA	0.05	XXX
70320	26	A	Full mouth x-ray of teeth	0.22	0.07	0.08	0.07	0.08	0.01	XXX
70328		A	X-ray exam of jaw joint	0.18	0.63	0.59	NA	NA	0.03	XXX
70328	TC	A	X-ray exam of jaw joint	0.00	0.57	0.53	NA	NA	0.02	XXX
70328	26	A	X-ray exam of jaw joint	0.18	0.06	0.06	0.06	0.06	0.01	XXX
70330		A	X-ray exam of jaw joints	0.24	1.01	0.96	NA	NA	0.06	XXX
70330	TC	A	X-ray exam of jaw joints	0.00	0.93	0.88	NA	NA	0.05	XXX
70330	26	A	X-ray exam of jaw joints	0.24	0.08	0.08	0.08	0.08	0.01	XXX
70332		A	X-ray exam of jaw joint	0.54	1.45	1.88	NA	NA	0.14	XXX
70332	TC	A	X-ray exam of jaw joint	0.00	1.29	1.70	NA	NA	0.12	XXX
70332	26	A	X-ray exam of jaw joint	0.54	0.16	0.18	0.16	0.18	0.02	XXX
70336		A	Magnetic image, jaw joint	1.48	12.17	11.94	NA	NA	0.66	XXX
70336	TC	A	Magnetic image, jaw joint	0.00	11.67	11.44	NA	NA	0.59	XXX
70336	26	A	Magnetic image, jaw joint	1.48	0.50	0.50	0.50	0.50	0.07	XXX
70350		A	X-ray head for orthodontia	0.17	0.32	0.39	NA	NA	0.03	XXX
70350	TC	A	X-ray head for orthodontia	0.00	0.27	0.33	NA	NA	0.02	XXX
70350	26	A	X-ray head for orthodontia	0.17	0.05	0.06	0.05	0.06	0.01	XXX
70355		A	Panoramic x-ray of jaws	0.20	0.30	0.47	NA	NA	0.05	XXX
70355	TC	A	Panoramic x-ray of jaws	0.00	0.23	0.40	NA	NA	0.04	XXX
70355	26	A	Panoramic x-ray of jaws	0.20	0.07	0.07	0.07	0.07	0.01	XXX
70360		A	X-ray exam of neck	0.17	0.56	0.52	NA	NA	0.03	XXX
70360	TC	A	X-ray exam of neck	0.00	0.51	0.46	NA	NA	0.02	XXX
70360	26	A	X-ray exam of neck	0.17	0.05	0.06	0.05	0.06	0.01	XXX
70370		A	Throat x-ray & fluoroscopy	0.32	1.65	1.53	NA	NA	0.08	XXX
70370	TC	A	Throat x-ray & fluoroscopy	0.00	1.55	1.43	NA	NA	0.07	XXX
70370	26	A	Throat x-ray & fluoroscopy	0.32	0.10	0.10	0.10	0.10	0.01	XXX
70371		A	Speech evaluation, complex	0.84	1.48	1.93	NA	NA	0.16	XXX
70371	TC	A	Speech evaluation, complex	0.00	1.22	1.66	NA	NA	0.12	XXX
70371	26	A	Speech evaluation, complex	0.84	0.26	0.27	0.26	0.27	0.04	XXX
70373		A	Contrast x-ray of larynx	0.44	1.58	1.76	NA	NA	0.13	XXX
70373	TC	A	Contrast x-ray of larynx	0.00	1.47	1.63	NA	NA	0.11	XXX
70373	26	A	Contrast x-ray of larynx	0.44	0.11	0.13	0.11	0.13	0.02	XXX
70380		A	X-ray exam of salivary gland	0.17	0.82	0.78	NA	NA	0.05	XXX
70380	TC	A	X-ray exam of salivary gland	0.00	0.76	0.72	NA	NA	0.04	XXX
70380	26	A	X-ray exam of salivary gland	0.17	0.06	0.06	0.06	0.06	0.01	XXX
70390		A	X-ray exam of salivary duct	0.38	2.34	2.13	NA	NA	0.13	XXX
70390	TC	A	X-ray exam of salivary duct	0.00	2.21	2.00	NA	NA	0.11	XXX
70390	26	A	X-ray exam of salivary duct	0.38	0.13	0.13	0.13	0.13	0.02	XXX
70450		A	Ct head/brain w/o dye	0.85	4.92	4.96	NA	NA	0.29	XXX
70450	TC	A	Ct head/brain w/o dye	0.00	4.62	4.67	NA	NA	0.25	XXX
70450	26	A	Ct head/brain w/o dye	0.85	0.30	0.29	0.30	0.29	0.04	XXX
70460		A	Ct head/brain w/dye	1.13	6.51	6.28	NA	NA	0.35	XXX
70460	TC	A	Ct head/brain w/dye	0.00	6.11	5.89	NA	NA	0.30	XXX
70460	26	A	Ct head/brain w/dye	1.13	0.40	0.39	0.40	0.39	0.05	XXX
70470		A	Ct head/brain w/o & w/dye	1.27	7.94	7.71	NA	NA	0.43	XXX
70470	TC	A	Ct head/brain w/o & w/dye	0.00	7.49	7.28	NA	NA	0.37	XXX
70470	26	A	Ct head/brain w/o & w/dye	1.27	0.45	0.43	0.45	0.43	0.06	XXX
70480		A	Ct orbit/ear/fossa w/o dye	1.28	8.49	6.81	NA	NA	0.31	XXX
70480	TC	A	Ct orbit/ear/fossa w/o dye	0.00	8.04	6.38	NA	NA	0.25	XXX
70480	26	A	Ct orbit/ear/fossa w/o dye	1.28	0.45	0.43	0.45	0.43	0.06	XXX
70481		A	Ct orbit/ear/fossa w/dye	1.38	9.98	8.05	NA	NA	0.36	XXX
70481	TC	A	Ct orbit/ear/fossa w/dye	0.00	9.49	7.58	NA	NA	0.30	XXX
70481	26	A	Ct orbit/ear/fossa w/dye	1.38	0.49	0.47	0.49	0.47	0.06	XXX
70482		A	Ct orbit/ear/fossa w/o&w/dye	1.45	11.41	9.48	NA	NA	0.43	XXX
70482	TC	A	Ct orbit/ear/fossa w/o&w/dye	0.00	10.90	8.99	NA	NA	0.37	XXX
70482	26	A	Ct orbit/ear/fossa w/o&w/dye	1.45	0.51	0.49	0.51	0.49	0.06	XXX
70486		A	Ct maxillofacial w/o dye	1.14	6.80	5.94	NA	NA	0.30	XXX
70486	TC	A	Ct maxillofacial w/o dye	0.00	6.40	5.56	NA	NA	0.25	XXX
70486	26	A	Ct maxillofacial w/o dye	1.14	0.40	0.38	0.40	0.38	0.05	XXX
70487		A	Ct maxillofacial w/dye	1.30	8.35	7.23	NA	NA	0.36	XXX
70487	TC	A	Ct maxillofacial w/dye	0.00	7.89	6.78	NA	NA	0.30	XXX
70487	26	A	Ct maxillofacial w/dye	1.30	0.46	0.45	0.46	0.45	0.06	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
70488		A	Ct maxillofacial w/o & w/dye	1.42	10.40	8.97	NA	NA	0.43	XXX
70488	TC	A	Ct maxillofacial w/o & w/dye	0.00	9.91	8.49	NA	NA	0.37	XXX
70488	26	A	Ct maxillofacial w/o & w/dye	1.42	0.49	0.48	0.49	0.48	0.06	XXX
70490		A	Ct soft tissue neck w/o dye	1.28	6.49	5.82	NA	NA	0.31	XXX
70490	TC	A	Ct soft tissue neck w/o dye	0.00	6.04	5.38	NA	NA	0.25	XXX
70490	26	A	Ct soft tissue neck w/o dye	1.28	0.45	0.44	0.45	0.44	0.06	XXX
70491		A	Ct soft tissue neck w/dye	1.38	8.04	7.08	NA	NA	0.36	XXX
70491	TC	A	Ct soft tissue neck w/dye	0.00	7.55	6.61	NA	NA	0.30	XXX
70491	26	A	Ct soft tissue neck w/dye	1.38	0.49	0.47	0.49	0.47	0.06	XXX
70492		A	Ct sft tsue nck w/o & w/dye	1.45	10.04	8.79	NA	NA	0.43	XXX
70492	TC	A	Ct sft tsue nck w/o & w/dye	0.00	9.53	8.30	NA	NA	0.37	XXX
70492	26	A	Ct sft tsue nck w/o & w/dye	1.45	0.51	0.49	0.51	0.49	0.06	XXX
70496		A	Ct angiography, head	1.75	17.10	14.14	NA	NA	0.66	XXX
70496	TC	A	Ct angiography, head	0.00	16.47	13.54	NA	NA	0.58	XXX
70496	26	A	Ct angiography, head	1.75	0.63	0.60	0.63	0.60	0.08	XXX
70498		A	Ct angiography, neck	1.75	17.24	14.21	NA	NA	0.66	XXX
70498	TC	A	Ct angiography, neck	0.00	16.59	13.60	NA	NA	0.58	XXX
70498	26	A	Ct angiography, neck	1.75	0.65	0.61	0.65	0.61	0.08	XXX
70540		A	Mri orbit/face/neck w/o dye	1.35	14.18	12.91	NA	NA	0.45	XXX
70540	TC	A	Mri orbit/face/neck w/o dye	0.00	13.72	12.46	NA	NA	0.39	XXX
70540	26	A	Mri orbit/face/neck w/o dye	1.35	0.46	0.45	0.46	0.45	0.06	XXX
70542		A	Mri orbit/face/neck w/dye	1.62	15.29	14.64	NA	NA	0.54	XXX
70542	TC	A	Mri orbit/face/neck w/dye	0.00	14.73	14.09	NA	NA	0.47	XXX
70542	26	A	Mri orbit/face/neck w/dye	1.62	0.56	0.55	0.56	0.55	0.07	XXX
70543		A	Mri orbt/fac/nck w/o & w/dye	2.15	18.77	22.18	NA	NA	0.94	XXX
70543	TC	A	Mri orbt/fac/nck w/o & w/dye	0.00	18.03	21.46	NA	NA	0.84	XXX
70543	26	A	Mri orbt/fac/nck w/o & w/dye	2.15	0.74	0.72	0.74	0.72	0.10	XXX
70544		A	Mr angiography head w/o dye	1.20	15.86	13.73	NA	NA	0.64	XXX
70544	TC	A	Mr angiography head w/o dye	0.00	15.44	13.32	NA	NA	0.59	XXX
70544	26	A	Mr angiography head w/o dye	1.20	0.42	0.41	0.42	0.41	0.05	XXX
70545		A	Mr angiography head w/dye	1.20	15.74	13.67	NA	NA	0.64	XXX
70545	TC	A	Mr angiography head w/dye	0.00	15.32	13.26	NA	NA	0.59	XXX
70545	26	A	Mr angiography head w/dye	1.20	0.42	0.41	0.42	0.41	0.05	XXX
70546		A	Mr angiograph head w/o&w/dye	1.80	24.03	23.53	NA	NA	0.67	XXX
70546	TC	A	Mr angiograph head w/o&w/dye	0.00	23.41	22.92	NA	NA	0.59	XXX
70546	26	A	Mr angiograph head w/o&w/dye	1.80	0.62	0.61	0.62	0.61	0.08	XXX
70547		A	Mr angiography neck w/o dye	1.20	15.79	13.69	NA	NA	0.64	XXX
70547	TC	A	Mr angiography neck w/o dye	0.00	15.38	13.29	NA	NA	0.59	XXX
70547	26	A	Mr angiography neck w/o dye	1.20	0.41	0.40	0.41	0.40	0.05	XXX
70548		A	Mr angiography neck w/dye	1.20	16.65	14.13	NA	NA	0.64	XXX
70548	TC	A	Mr angiography neck w/dye	0.00	16.23	13.72	NA	NA	0.59	XXX
70548	26	A	Mr angiography neck w/dye	1.20	0.42	0.41	0.42	0.41	0.05	XXX
70549		A	Mr angiograph neck w/o&w/dye	1.80	24.05	23.53	NA	NA	0.67	XXX
70549	TC	A	Mr angiograph neck w/o&w/dye	0.00	23.42	22.92	NA	NA	0.59	XXX
70549	26	A	Mr angiograph neck w/o&w/dye	1.80	0.63	0.61	0.63	0.61	0.08	XXX
70551		A	Mri brain w/o dye	1.48	14.44	13.07	NA	NA	0.66	XXX
70551	TC	A	Mri brain w/o dye	0.00	13.93	12.57	NA	NA	0.59	XXX
70551	26	A	Mri brain w/o dye	1.48	0.51	0.50	0.51	0.50	0.07	XXX
70552		A	Mri brain w/dye	1.78	15.59	14.82	NA	NA	0.78	XXX
70552	TC	A	Mri brain w/dye	0.00	14.97	14.21	NA	NA	0.70	XXX
70552	26	A	Mri brain w/dye	1.78	0.62	0.61	0.62	0.61	0.08	XXX
70553		A	Mri brain w/o & w/dye	2.36	18.09	21.88	NA	NA	1.41	XXX
70553	TC	A	Mri brain w/o & w/dye	0.00	17.27	21.08	NA	NA	1.31	XXX
70553	26	A	Mri brain w/o & w/dye	2.36	0.82	0.80	0.82	0.80	0.10	XXX
70554		A	Fmri brain by tech	2.11	15.42	15.42	NA	NA	0.92	XXX
70554	TC	A	Fmri brain by tech	0.00	14.73	14.73	NA	NA	0.82	XXX
70554	26	A	Fmri brain by tech	2.11	0.69	0.69	0.69	0.69	0.10	XXX
70555		C	Fmri brain by phys/psych	0.00	0.00	0.00	NA	NA	0.00	XXX
70555	TC	C	Fmri brain by phys/psych	0.00	0.00	0.00	NA	NA	0.00	XXX
70555	26	A	Fmri brain by phys/psych	2.54	0.90	0.90	0.90	0.90	0.11	XXX
70557		C	Mri brain w/o dye	0.00	0.00	0.00	NA	NA	0.00	XXX
70557	TC	C	Mri brain w/o dye	0.00	0.00	0.00	NA	NA	0.00	XXX
70557	26	A	Mri brain w/o dye	2.90	1.03	1.08	1.03	1.08	0.08	XXX
70558		C	Mri brain w/dye	0.00	0.00	0.00	NA	NA	0.00	XXX
70558	TC	C	Mri brain w/dye	0.00	0.00	0.00	NA	NA	0.00	XXX
70558	26	A	Mri brain w/dye	3.20	1.10	1.17	1.10	1.17	0.10	XXX
70559		C	Mri brain w/o & w/dye	0.00	0.00	0.00	NA	NA	0.00	XXX
70559	TC	C	Mri brain w/o & w/dye	0.00	0.00	0.00	NA	NA	0.00	XXX
70559	26	A	Mri brain w/o & w/dye	3.20	1.14	1.19	1.14	1.19	0.12	XXX
71010		A	Chest x-ray	0.18	0.43	0.48	NA	NA	0.03	XXX
71010	TC	A	Chest x-ray	0.00	0.37	0.42	NA	NA	0.02	XXX
71010	26	A	Chest x-ray	0.18	0.06	0.06	0.06	0.06	0.01	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
71015		A	Chest x-ray	0.21	0.58	0.58	NA	NA	0.03	XXX
71015	TC	A	Chest x-ray	0.00	0.51	0.51	NA	NA	0.02	XXX
71015	26	A	Chest x-ray	0.21	0.07	0.07	0.07	0.07	0.01	XXX
71020		A	Chest x-ray	0.22	0.57	0.63	NA	NA	0.05	XXX
71020	TC	A	Chest x-ray	0.00	0.50	0.56	NA	NA	0.04	XXX
71020	26	A	Chest x-ray	0.22	0.07	0.07	0.07	0.07	0.01	XXX
71021		A	Chest x-ray	0.27	0.71	0.77	NA	NA	0.06	XXX
71021	TC	A	Chest x-ray	0.00	0.62	0.68	NA	NA	0.05	XXX
71021	26	A	Chest x-ray	0.27	0.09	0.09	0.09	0.09	0.01	XXX
71022		A	Chest x-ray	0.31	0.90	0.86	NA	NA	0.06	XXX
71022	TC	A	Chest x-ray	0.00	0.80	0.76	NA	NA	0.05	XXX
71022	26	A	Chest x-ray	0.31	0.10	0.10	0.10	0.10	0.01	XXX
71023		A	Chest x-ray and fluoroscopy	0.38	1.54	1.23	NA	NA	0.06	XXX
71023	TC	A	Chest x-ray and fluoroscopy	0.00	1.40	1.09	NA	NA	0.05	XXX
71023	26	A	Chest x-ray and fluoroscopy	0.38	0.14	0.14	0.14	0.14	0.01	XXX
71030		A	Chest x-ray	0.31	0.92	0.90	NA	NA	0.06	XXX
71030	TC	A	Chest x-ray	0.00	0.82	0.80	NA	NA	0.05	XXX
71030	26	A	Chest x-ray	0.31	0.10	0.10	0.10	0.10	0.01	XXX
71034		A	Chest x-ray and fluoroscopy	0.46	2.12	1.85	NA	NA	0.10	XXX
71034	TC	A	Chest x-ray and fluoroscopy	0.00	1.91	1.67	NA	NA	0.08	XXX
71034	26	A	Chest x-ray and fluoroscopy	0.46	0.21	0.18	0.21	0.18	0.02	XXX
71035		A	Chest x-ray	0.18	0.78	0.68	NA	NA	0.03	XXX
71035	TC	A	Chest x-ray	0.00	0.72	0.62	NA	NA	0.02	XXX
71035	26	A	Chest x-ray	0.18	0.06	0.06	0.06	0.06	0.01	XXX
71040		A	Contrast x-ray of bronchi	0.58	2.06	1.85	NA	NA	0.11	XXX
71040	TC	A	Contrast x-ray of bronchi	0.00	1.88	1.67	NA	NA	0.08	XXX
71040	26	A	Contrast x-ray of bronchi	0.58	0.18	0.18	0.18	0.18	0.03	XXX
71060		A	Contrast x-ray of bronchi	0.74	3.11	2.78	NA	NA	0.16	XXX
71060	TC	A	Contrast x-ray of bronchi	0.00	2.85	2.53	NA	NA	0.13	XXX
71060	26	A	Contrast x-ray of bronchi	0.74	0.26	0.25	0.26	0.25	0.03	XXX
71090		C	X-ray & pacemaker insertion	0.00	0.00	0.00	NA	NA	0.00	XXX
71090	TC	C	X-ray & pacemaker insertion	0.00	0.00	0.00	NA	NA	0.00	XXX
71090	26	A	X-ray & pacemaker insertion	0.54	0.28	0.24	0.28	0.24	0.02	XXX
71100		A	X-ray exam of ribs	0.22	0.62	0.63	NA	NA	0.05	XXX
71100	TC	A	X-ray exam of ribs	0.00	0.55	0.56	NA	NA	0.04	XXX
71100	26	A	X-ray exam of ribs	0.22	0.07	0.07	0.07	0.07	0.01	XXX
71101		A	X-ray exam of ribs/chest	0.27	0.77	0.76	NA	NA	0.05	XXX
71101	TC	A	X-ray exam of ribs/chest	0.00	0.68	0.67	NA	NA	0.04	XXX
71101	26	A	X-ray exam of ribs/chest	0.27	0.09	0.09	0.09	0.09	0.01	XXX
71110		A	X-ray exam of ribs	0.27	0.77	0.82	NA	NA	0.06	XXX
71110	TC	A	X-ray exam of ribs	0.00	0.69	0.73	NA	NA	0.05	XXX
71110	26	A	X-ray exam of ribs	0.27	0.08	0.09	0.08	0.09	0.01	XXX
71111		A	X-ray exam of ribs/chest	0.32	1.06	1.03	NA	NA	0.07	XXX
71111	TC	A	X-ray exam of ribs/chest	0.00	0.96	0.93	NA	NA	0.06	XXX
71111	26	A	X-ray exam of ribs/chest	0.32	0.10	0.10	0.10	0.10	0.01	XXX
71120		A	X-ray exam of breastbone	0.20	0.63	0.68	NA	NA	0.05	XXX
71120	TC	A	X-ray exam of breastbone	0.00	0.56	0.61	NA	NA	0.04	XXX
71120	26	A	X-ray exam of breastbone	0.20	0.07	0.07	0.07	0.07	0.01	XXX
71130		A	X-ray exam of breastbone	0.22	0.76	0.76	NA	NA	0.05	XXX
71130	TC	A	X-ray exam of breastbone	0.00	0.68	0.69	NA	NA	0.04	XXX
71130	26	A	X-ray exam of breastbone	0.22	0.08	0.07	0.08	0.07	0.01	XXX
71250		A	Ct thorax w/o dye	1.16	6.45	6.37	NA	NA	0.36	XXX
71250	TC	A	Ct thorax w/o dye	0.00	6.04	5.98	NA	NA	0.31	XXX
71250	26	A	Ct thorax w/o dye	1.16	0.41	0.39	0.41	0.39	0.05	XXX
71260		A	Ct thorax w/dye	1.24	8.00	7.74	NA	NA	0.42	XXX
71260	TC	A	Ct thorax w/dye	0.00	7.56	7.32	NA	NA	0.37	XXX
71260	26	A	Ct thorax w/dye	1.24	0.44	0.42	0.44	0.42	0.05	XXX
71270		A	Ct thorax w/o & w/dye	1.38	10.04	9.68	NA	NA	0.52	XXX
71270	TC	A	Ct thorax w/o & w/dye	0.00	9.56	9.21	NA	NA	0.46	XXX
71270	26	A	Ct thorax w/o & w/dye	1.38	0.48	0.47	0.48	0.47	0.06	XXX
71275		A	Ct angiography, chest	1.92	11.77	12.39	NA	NA	0.48	XXX
71275	TC	A	Ct angiography, chest	0.00	11.08	11.73	NA	NA	0.39	XXX
71275	26	A	Ct angiography, chest	1.92	0.69	0.66	0.69	0.66	0.09	XXX
71550		A	Mri chest w/o dye	1.46	16.38	14.03	NA	NA	0.51	XXX
71550	TC	A	Mri chest w/o dye	0.00	15.87	13.54	NA	NA	0.45	XXX
71550	26	A	Mri chest w/o dye	1.46	0.51	0.49	0.51	0.49	0.06	XXX
71551		A	Mri chest w/dye	1.73	17.94	15.97	NA	NA	0.60	XXX
71551	TC	A	Mri chest w/dye	0.00	17.34	15.39	NA	NA	0.52	XXX
71551	26	A	Mri chest w/dye	1.73	0.60	0.58	0.60	0.58	0.08	XXX
71552		A	Mri chest w/o & w/dye	2.26	22.58	24.10	NA	NA	0.78	XXX
71552	TC	A	Mri chest w/o & w/dye	0.00	21.77	23.33	NA	NA	0.68	XXX
71552	26	A	Mri chest w/o & w/dye	2.26	0.81	0.77	0.81	0.77	0.10	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
71555		R	Mri angio chest w or w/o dye	1.81	15.31	13.56	NA	NA	0.67	XXX
71555	TC	R	Mri angio chest w or w/o dye	0.00	14.65	12.93	NA	NA	0.59	XXX
71555	26	R	Mri angio chest w or w/o dye	1.81	0.66	0.63	0.66	0.63	0.08	XXX
72010		A	X-ray exam of spine	0.45	1.43	1.30	NA	NA	0.08	XXX
72010	TC	A	X-ray exam of spine	0.00	1.30	1.16	NA	NA	0.06	XXX
72010	26	A	X-ray exam of spine	0.45	0.13	0.14	0.13	0.14	0.02	XXX
72020		A	X-ray exam of spine	0.15	0.47	0.47	NA	NA	0.03	XXX
72020	TC	A	X-ray exam of spine	0.00	0.42	0.42	NA	NA	0.02	XXX
72020	26	A	X-ray exam of spine	0.15	0.05	0.05	0.05	0.05	0.01	XXX
72040		A	X-ray exam of neck spine	0.22	0.76	0.72	NA	NA	0.05	XXX
72040	TC	A	X-ray exam of neck spine	0.00	0.69	0.65	NA	NA	0.04	XXX
72040	26	A	X-ray exam of neck spine	0.22	0.07	0.07	0.07	0.07	0.01	XXX
72050		A	X-ray exam of neck spine	0.31	1.08	1.03	NA	NA	0.07	XXX
72050	TC	A	X-ray exam of neck spine	0.00	0.97	0.93	NA	NA	0.06	XXX
72050	26	A	X-ray exam of neck spine	0.31	0.11	0.10	0.11	0.10	0.01	XXX
72052		A	X-ray exam of neck spine	0.36	1.39	1.32	NA	NA	0.08	XXX
72052	TC	A	X-ray exam of neck spine	0.00	1.27	1.20	NA	NA	0.06	XXX
72052	26	A	X-ray exam of neck spine	0.36	0.12	0.12	0.12	0.12	0.02	XXX
72069		A	X-ray exam of trunk spine	0.22	0.76	0.66	NA	NA	0.03	XXX
72069	TC	A	X-ray exam of trunk spine	0.00	0.68	0.58	NA	NA	0.02	XXX
72069	26	A	X-ray exam of trunk spine	0.22	0.08	0.08	0.08	0.08	0.01	XXX
72070		A	X-ray exam of thoracic spine	0.22	0.64	0.68	NA	NA	0.05	XXX
72070	TC	A	X-ray exam of thoracic spine	0.00	0.57	0.61	NA	NA	0.04	XXX
72070	26	A	X-ray exam of thoracic spine	0.22	0.07	0.07	0.07	0.07	0.01	XXX
72072		A	X-ray exam of thoracic spine	0.22	0.77	0.78	NA	NA	0.06	XXX
72072	TC	A	X-ray exam of thoracic spine	0.00	0.70	0.71	NA	NA	0.05	XXX
72072	26	A	X-ray exam of thoracic spine	0.22	0.07	0.07	0.07	0.07	0.01	XXX
72074		A	X-ray exam of thoracic spine	0.22	0.95	0.96	NA	NA	0.07	XXX
72074	TC	A	X-ray exam of thoracic spine	0.00	0.88	0.89	NA	NA	0.06	XXX
72074	26	A	X-ray exam of thoracic spine	0.22	0.07	0.07	0.07	0.07	0.01	XXX
72080		A	X-ray exam of trunk spine	0.22	0.70	0.71	NA	NA	0.05	XXX
72080	TC	A	X-ray exam of trunk spine	0.00	0.62	0.64	NA	NA	0.04	XXX
72080	26	A	X-ray exam of trunk spine	0.22	0.08	0.07	0.08	0.07	0.01	XXX
72090		A	X-ray exam of trunk spine	0.28	1.00	0.89	NA	NA	0.05	XXX
72090	TC	A	X-ray exam of trunk spine	0.00	0.90	0.79	NA	NA	0.04	XXX
72090	26	A	X-ray exam of trunk spine	0.28	0.10	0.10	0.10	0.10	0.01	XXX
72100		A	X-ray exam of lower spine	0.22	0.81	0.77	NA	NA	0.05	XXX
72100	TC	A	X-ray exam of lower spine	0.00	0.74	0.70	NA	NA	0.04	XXX
72100	26	A	X-ray exam of lower spine	0.22	0.07	0.07	0.07	0.07	0.01	XXX
72110		A	X-ray exam of lower spine	0.31	1.15	1.07	NA	NA	0.07	XXX
72110	TC	A	X-ray exam of lower spine	0.00	1.04	0.97	NA	NA	0.06	XXX
72110	26	A	X-ray exam of lower spine	0.31	0.11	0.10	0.11	0.10	0.01	XXX
72114		A	X-ray exam of lower spine	0.36	1.57	1.43	NA	NA	0.08	XXX
72114	TC	A	X-ray exam of lower spine	0.00	1.44	1.31	NA	NA	0.06	XXX
72114	26	A	X-ray exam of lower spine	0.36	0.13	0.12	0.13	0.12	0.02	XXX
72120		A	X-ray exam of lower spine	0.22	1.08	1.01	NA	NA	0.07	XXX
72120	TC	A	X-ray exam of lower spine	0.00	1.00	0.94	NA	NA	0.06	XXX
72120	26	A	X-ray exam of lower spine	0.22	0.08	0.07	0.08	0.07	0.01	XXX
72125		A	Ct neck spine w/o dye	1.16	6.47	6.38	NA	NA	0.36	XXX
72125	TC	A	Ct neck spine w/o dye	0.00	6.06	5.99	NA	NA	0.31	XXX
72125	26	A	Ct neck spine w/o dye	1.16	0.41	0.39	0.41	0.39	0.05	XXX
72126		A	Ct neck spine w/dye	1.22	8.00	7.73	NA	NA	0.42	XXX
72126	TC	A	Ct neck spine w/dye	0.00	7.57	7.32	NA	NA	0.37	XXX
72126	26	A	Ct neck spine w/dye	1.22	0.43	0.41	0.43	0.41	0.05	XXX
72127		A	Ct neck spine w/o & w/dye	1.27	10.05	9.66	NA	NA	0.52	XXX
72127	TC	A	Ct neck spine w/o & w/dye	0.00	9.61	9.23	NA	NA	0.46	XXX
72127	26	A	Ct neck spine w/o & w/dye	1.27	0.44	0.43	0.44	0.43	0.06	XXX
72128		A	Ct chest spine w/o dye	1.16	6.46	6.37	NA	NA	0.36	XXX
72128	TC	A	Ct chest spine w/o dye	0.00	6.05	5.98	NA	NA	0.31	XXX
72128	26	A	Ct chest spine w/o dye	1.16	0.41	0.39	0.41	0.39	0.05	XXX
72129		A	Ct chest spine w/dye	1.22	8.00	7.74	NA	NA	0.42	XXX
72129	TC	A	Ct chest spine w/dye	0.00	7.57	7.32	NA	NA	0.37	XXX
72129	26	A	Ct chest spine w/dye	1.22	0.43	0.42	0.43	0.42	0.05	XXX
72130		A	Ct chest spine w/o & w/dye	1.27	9.98	9.63	NA	NA	0.52	XXX
72130	TC	A	Ct chest spine w/o & w/dye	0.00	9.54	9.20	NA	NA	0.46	XXX
72130	26	A	Ct chest spine w/o & w/dye	1.27	0.44	0.43	0.44	0.43	0.06	XXX
72131		A	Ct lumbar spine w/o dye	1.16	6.43	6.36	NA	NA	0.36	XXX
72131	TC	A	Ct lumbar spine w/o dye	0.00	6.03	5.97	NA	NA	0.31	XXX
72131	26	A	Ct lumbar spine w/o dye	1.16	0.40	0.39	0.40	0.39	0.05	XXX
72132		A	Ct lumbar spine w/dye	1.22	7.98	7.72	NA	NA	0.42	XXX
72132	TC	A	Ct lumbar spine w/dye	0.00	7.55	7.31	NA	NA	0.37	XXX
72132	26	A	Ct lumbar spine w/dye	1.22	0.43	0.41	0.43	0.41	0.05	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
72133		A	Ct lumbar spine w/o & w/dye	1.27	10.02	9.65	NA	NA	0.52	XXX
72133	TC	A	Ct lumbar spine w/o & w/dye	0.00	9.58	9.22	NA	NA	0.46	XXX
72133	26	A	Ct lumbar spine w/o & w/dye	1.27	0.44	0.43	0.44	0.43	0.06	XXX
72141		A	Mri neck spine w/o dye	1.60	12.46	12.10	NA	NA	0.66	XXX
72141	TC	A	Mri neck spine w/o dye	0.00	11.91	11.56	NA	NA	0.59	XXX
72141	26	A	Mri neck spine w/o dye	1.60	0.55	0.54	0.55	0.54	0.07	XXX
72142		A	Mri neck spine w/dye	1.92	15.62	14.85	NA	NA	0.79	XXX
72142	TC	A	Mri neck spine w/dye	0.00	14.96	14.20	NA	NA	0.70	XXX
72142	26	A	Mri neck spine w/dye	1.92	0.66	0.65	0.66	0.65	0.09	XXX
72146		A	Mri chest spine w/o dye	1.60	12.48	12.73	NA	NA	0.71	XXX
72146	TC	A	Mri chest spine w/o dye	0.00	11.93	12.19	NA	NA	0.64	XXX
72146	26	A	Mri chest spine w/o dye	1.60	0.55	0.54	0.55	0.54	0.07	XXX
72147		A	Mri chest spine w/dye	1.92	13.58	13.83	NA	NA	0.79	XXX
72147	TC	A	Mri chest spine w/dye	0.00	12.91	13.18	NA	NA	0.70	XXX
72147	26	A	Mri chest spine w/dye	1.92	0.67	0.65	0.67	0.65	0.09	XXX
72148		A	Mri lumbar spine w/o dye	1.48	12.42	12.68	NA	NA	0.71	XXX
72148	TC	A	Mri lumbar spine w/o dye	0.00	11.91	12.18	NA	NA	0.64	XXX
72148	26	A	Mri lumbar spine w/o dye	1.48	0.51	0.50	0.51	0.50	0.07	XXX
72149		A	Mri lumbar spine w/dye	1.78	15.52	14.79	NA	NA	0.78	XXX
72149	TC	A	Mri lumbar spine w/dye	0.00	14.90	14.18	NA	NA	0.70	XXX
72149	26	A	Mri lumbar spine w/dye	1.78	0.62	0.61	0.62	0.61	0.08	XXX
72156		A	Mri neck spine w/o & w/dye	2.57	17.79	21.77	NA	NA	1.42	XXX
72156	TC	A	Mri neck spine w/o & w/dye	0.00	16.90	20.90	NA	NA	1.31	XXX
72156	26	A	Mri neck spine w/o & w/dye	2.57	0.89	0.87	0.89	0.87	0.11	XXX
72157		A	Mri chest spine w/o & w/dye	2.57	16.22	20.98	NA	NA	1.42	XXX
72157	TC	A	Mri chest spine w/o & w/dye	0.00	15.32	20.11	NA	NA	1.31	XXX
72157	26	A	Mri chest spine w/o & w/dye	2.57	0.90	0.87	0.90	0.87	0.11	XXX
72158		A	Mri lumbar spine w/o & w/dye	2.36	17.70	21.69	NA	NA	1.41	XXX
72158	TC	A	Mri lumbar spine w/o & w/dye	0.00	16.88	20.89	NA	NA	1.31	XXX
72158	26	A	Mri lumbar spine w/o & w/dye	2.36	0.82	0.80	0.82	0.80	0.10	XXX
72159		N	Mr angio spine w/o&w/dye	1.80	14.67	13.80	NA	NA	0.74	XXX
72159	TC	N	Mr angio spine w/o&w/dye	0.00	14.25	13.25	NA	NA	0.64	XXX
72159	26	N	Mr angio spine w/o&w/dye	1.80	0.42	0.55	0.42	0.55	0.10	XXX
72170		A	X-ray exam of pelvis	0.17	0.50	0.54	NA	NA	0.03	XXX
72170	TC	A	X-ray exam of pelvis	0.00	0.44	0.48	NA	NA	0.02	XXX
72170	26	A	X-ray exam of pelvis	0.17	0.06	0.06	0.06	0.06	0.01	XXX
72190		A	X-ray exam of pelvis	0.21	0.84	0.79	NA	NA	0.05	XXX
72190	TC	A	X-ray exam of pelvis	0.00	0.77	0.72	NA	NA	0.04	XXX
72190	26	A	X-ray exam of pelvis	0.21	0.07	0.07	0.07	0.07	0.01	XXX
72191		A	Ct angiograph pelv w/o&w/dye	1.81	11.34	11.99	NA	NA	0.47	XXX
72191	TC	A	Ct angiograph pelv w/o&w/dye	0.00	10.69	11.36	NA	NA	0.39	XXX
72191	26	A	Ct angiograph pelv w/o&w/dye	1.81	0.65	0.63	0.65	0.63	0.08	XXX
72192		A	Ct pelvis w/o dye	1.09	6.04	6.15	NA	NA	0.36	XXX
72192	TC	A	Ct pelvis w/o dye	0.00	5.65	5.78	NA	NA	0.31	XXX
72192	26	A	Ct pelvis w/o dye	1.09	0.39	0.37	0.39	0.37	0.05	XXX
72193		A	Ct pelvis w/dye	1.16	7.55	7.39	NA	NA	0.41	XXX
72193	TC	A	Ct pelvis w/dye	0.00	7.14	6.99	NA	NA	0.36	XXX
72193	26	A	Ct pelvis w/dye	1.16	0.41	0.40	0.41	0.40	0.05	XXX
72194		A	Ct pelvis w/o & w/dye	1.22	10.13	9.51	NA	NA	0.48	XXX
72194	TC	A	Ct pelvis w/o & w/dye	0.00	9.70	9.10	NA	NA	0.43	XXX
72194	26	A	Ct pelvis w/o & w/dye	1.22	0.43	0.41	0.43	0.41	0.05	XXX
72195		A	Mri pelvis w/o dye	1.46	14.44	13.06	NA	NA	0.51	XXX
72195	TC	A	Mri pelvis w/o dye	0.00	13.93	12.57	NA	NA	0.45	XXX
72195	26	A	Mri pelvis w/o dye	1.46	0.51	0.49	0.51	0.49	0.06	XXX
72196		A	Mri pelvis w/dye	1.73	15.54	14.78	NA	NA	0.60	XXX
72196	TC	A	Mri pelvis w/dye	0.00	14.93	14.19	NA	NA	0.52	XXX
72196	26	A	Mri pelvis w/dye	1.73	0.61	0.59	0.61	0.59	0.08	XXX
72197		A	Mri pelvis w/o & w/dye	2.26	18.97	22.30	NA	NA	1.02	XXX
72197	TC	A	Mri pelvis w/o & w/dye	0.00	18.18	21.54	NA	NA	0.92	XXX
72197	26	A	Mri pelvis w/o & w/dye	2.26	0.79	0.76	0.79	0.76	0.10	XXX
72198		A	Mr angio pelvis w/o & w/dye	1.80	15.09	13.44	NA	NA	0.67	XXX
72198	TC	A	Mr angio pelvis w/o & w/dye	0.00	14.45	12.83	NA	NA	0.59	XXX
72198	26	A	Mr angio pelvis w/o & w/dye	1.80	0.64	0.61	0.64	0.61	0.08	XXX
72200		A	X-ray exam sacroiliac joints	0.17	0.59	0.59	NA	NA	0.03	XXX
72200	TC	A	X-ray exam sacroiliac joints	0.00	0.54	0.53	NA	NA	0.02	XXX
72200	26	A	X-ray exam sacroiliac joints	0.17	0.05	0.06	0.05	0.06	0.01	XXX
72202		A	X-ray exam sacroiliac joints	0.19	0.74	0.71	NA	NA	0.05	XXX
72202	TC	A	X-ray exam sacroiliac joints	0.00	0.67	0.65	NA	NA	0.04	XXX
72202	26	A	X-ray exam sacroiliac joints	0.19	0.07	0.06	0.07	0.06	0.01	XXX
72220		A	X-ray exam of tailbone	0.17	0.58	0.61	NA	NA	0.05	XXX
72220	TC	A	X-ray exam of tailbone	0.00	0.52	0.55	NA	NA	0.04	XXX
72220	26	A	X-ray exam of tailbone	0.17	0.06	0.06	0.06	0.06	0.01	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
72240		A	Contrast x-ray of neck spine	0.91	2.58	3.80	NA	NA	0.29	XXX
72240	TC	A	Contrast x-ray of neck spine	0.00	2.26	3.50	NA	NA	0.25	XXX
72240	26	A	Contrast x-ray of neck spine	0.91	0.32	0.30	0.32	0.30	0.04	XXX
72255		A	Contrast x-ray, thorax spine	0.91	2.24	3.43	NA	NA	0.26	XXX
72255	TC	A	Contrast x-ray, thorax spine	0.00	1.96	3.15	NA	NA	0.22	XXX
72255	26	A	Contrast x-ray, thorax spine	0.91	0.28	0.28	0.28	0.28	0.04	XXX
72265		A	Contrast x-ray, lower spine	0.83	2.54	3.43	NA	NA	0.26	XXX
72265	TC	A	Contrast x-ray, lower spine	0.00	2.25	3.16	NA	NA	0.22	XXX
72265	26	A	Contrast x-ray, lower spine	0.83	0.29	0.27	0.29	0.27	0.04	XXX
72270		A	Contrast x-ray, spine	1.33	3.99	5.27	NA	NA	0.39	XXX
72270	TC	A	Contrast x-ray, spine	0.00	3.52	4.82	NA	NA	0.33	XXX
72270	26	A	Contrast x-ray, spine	1.33	0.47	0.45	0.47	0.45	0.06	XXX
72275		A	Epidurography	0.76	1.73	2.02	NA	NA	0.26	XXX
72275	TC	A	Epidurography	0.00	1.53	1.82	NA	NA	0.22	XXX
72275	26	A	Epidurography	0.76	0.20	0.20	0.20	0.20	0.04	XXX
72285		A	X-ray c/t spine disk	1.16	1.44	5.09	NA	NA	0.50	XXX
72285	TC	A	X-ray c/t spine disk	0.00	1.14	4.76	NA	NA	0.43	XXX
72285	26	A	X-ray c/t spine disk	1.16	0.30	0.33	0.30	0.33	0.07	XXX
72291		C	Perq vertebroplasty, fluor	0.00	0.00	0.00	NA	NA	0.00	XXX
72291	TC	C	Perq vertebroplasty, fluor	0.00	0.00	0.00	NA	NA	0.00	XXX
72291	26	A	Perq vertebroplasty, fluor	1.31	0.48	0.47	0.48	0.47	0.10	XXX
72292		C	Perq vertebroplasty, ct	0.00	0.00	0.00	NA	NA	0.00	XXX
72292	TC	C	Perq vertebroplasty, ct	0.00	0.00	0.00	NA	NA	0.00	XXX
72292	26	A	Perq vertebroplasty, ct	1.38	0.50	0.49	0.50	0.49	0.07	XXX
72295		A	X-ray of lower spine disk	0.83	1.46	4.80	NA	NA	0.46	XXX
72295	TC	A	X-ray of lower spine disk	0.00	1.22	4.54	NA	NA	0.40	XXX
72295	26	A	X-ray of lower spine disk	0.83	0.24	0.26	0.24	0.26	0.06	XXX
73000		A	X-ray exam of collar bone	0.16	0.55	0.56	NA	NA	0.03	XXX
73000	TC	A	X-ray exam of collar bone	0.00	0.50	0.51	NA	NA	0.02	XXX
73000	26	A	X-ray exam of collar bone	0.16	0.05	0.05	0.05	0.05	0.01	XXX
73010		A	X-ray exam of shoulder blade	0.17	0.58	0.58	NA	NA	0.03	XXX
73010	TC	A	X-ray exam of shoulder blade	0.00	0.52	0.52	NA	NA	0.02	XXX
73010	26	A	X-ray exam of shoulder blade	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73020		A	X-ray exam of shoulder	0.15	0.44	0.48	NA	NA	0.03	XXX
73020	TC	A	X-ray exam of shoulder	0.00	0.39	0.43	NA	NA	0.02	XXX
73020	26	A	X-ray exam of shoulder	0.15	0.05	0.05	0.05	0.05	0.01	XXX
73030		A	X-ray exam of shoulder	0.18	0.57	0.60	NA	NA	0.05	XXX
73030	TC	A	X-ray exam of shoulder	0.00	0.51	0.54	NA	NA	0.04	XXX
73030	26	A	X-ray exam of shoulder	0.18	0.06	0.06	0.06	0.06	0.01	XXX
73040		A	Contrast x-ray of shoulder	0.54	2.25	2.27	NA	NA	0.14	XXX
73040	TC	A	Contrast x-ray of shoulder	0.00	2.06	2.08	NA	NA	0.12	XXX
73040	26	A	Contrast x-ray of shoulder	0.54	0.19	0.19	0.19	0.19	0.02	XXX
73050		A	X-ray exam of shoulders	0.20	0.74	0.73	NA	NA	0.05	XXX
73050	TC	A	X-ray exam of shoulders	0.00	0.66	0.66	NA	NA	0.04	XXX
73050	26	A	X-ray exam of shoulders	0.20	0.08	0.07	0.08	0.07	0.01	XXX
73060		A	X-ray exam of humerus	0.17	0.58	0.60	NA	NA	0.05	XXX
73060	TC	A	X-ray exam of humerus	0.00	0.52	0.54	NA	NA	0.04	XXX
73060	26	A	X-ray exam of humerus	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73070		A	X-ray exam of elbow	0.15	0.55	0.56	NA	NA	0.03	XXX
73070	TC	A	X-ray exam of elbow	0.00	0.50	0.51	NA	NA	0.02	XXX
73070	26	A	X-ray exam of elbow	0.15	0.05	0.05	0.05	0.05	0.01	XXX
73080		A	X-ray exam of elbow	0.17	0.76	0.69	NA	NA	0.05	XXX
73080	TC	A	X-ray exam of elbow	0.00	0.70	0.63	NA	NA	0.04	XXX
73080	26	A	X-ray exam of elbow	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73085		A	Contrast x-ray of elbow	0.54	1.84	2.07	NA	NA	0.14	XXX
73085	TC	A	Contrast x-ray of elbow	0.00	1.66	1.88	NA	NA	0.12	XXX
73085	26	A	Contrast x-ray of elbow	0.54	0.18	0.19	0.18	0.19	0.02	XXX
73090		A	X-ray exam of forearm	0.16	0.55	0.56	NA	NA	0.03	XXX
73090	TC	A	X-ray exam of forearm	0.00	0.50	0.51	NA	NA	0.02	XXX
73090	26	A	X-ray exam of forearm	0.16	0.05	0.05	0.05	0.05	0.01	XXX
73092		A	X-ray exam of arm, infant	0.16	0.58	0.56	NA	NA	0.03	XXX
73092	TC	A	X-ray exam of arm, infant	0.00	0.53	0.51	NA	NA	0.02	XXX
73092	26	A	X-ray exam of arm, infant	0.16	0.05	0.05	0.05	0.05	0.01	XXX
73100		A	X-ray exam of wrist	0.16	0.61	0.57	NA	NA	0.03	XXX
73100	TC	A	X-ray exam of wrist	0.00	0.55	0.52	NA	NA	0.02	XXX
73100	26	A	X-ray exam of wrist	0.16	0.06	0.05	0.06	0.05	0.01	XXX
73110		A	X-ray exam of wrist	0.17	0.78	0.68	NA	NA	0.03	XXX
73110	TC	A	X-ray exam of wrist	0.00	0.72	0.62	NA	NA	0.02	XXX
73110	26	A	X-ray exam of wrist	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73115		A	Contrast x-ray of wrist	0.54	2.33	2.04	NA	NA	0.12	XXX
73115	TC	A	Contrast x-ray of wrist	0.00	2.14	1.86	NA	NA	0.10	XXX
73115	26	A	Contrast x-ray of wrist	0.54	0.19	0.18	0.19	0.18	0.02	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
73120		A	X-ray exam of hand	0.16	0.56	0.55	NA	NA	0.03	XXX
73120	TC	A	X-ray exam of hand	0.00	0.51	0.50	NA	NA	0.02	XXX
73120	26	A	X-ray exam of hand	0.16	0.05	0.05	0.05	0.05	0.01	XXX
73130		A	X-ray exam of hand	0.17	0.66	0.63	NA	NA	0.03	XXX
73130	TC	A	X-ray exam of hand	0.00	0.60	0.57	NA	NA	0.02	XXX
73130	26	A	X-ray exam of hand	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73140		A	X-ray exam of finger(s)	0.13	0.67	0.57	NA	NA	0.03	XXX
73140	TC	A	X-ray exam of finger(s)	0.00	0.63	0.53	NA	NA	0.02	XXX
73140	26	A	X-ray exam of finger(s)	0.13	0.04	0.04	0.04	0.04	0.01	XXX
73200		A	Ct upper extremity w/o dye	1.09	6.40	5.86	NA	NA	0.30	XXX
73200	TC	A	Ct upper extremity w/o dye	0.00	6.02	5.49	NA	NA	0.25	XXX
73200	26	A	Ct upper extremity w/o dye	1.09	0.38	0.37	0.38	0.37	0.05	XXX
73201		A	Ct upper extremity w/dye	1.16	7.92	7.10	NA	NA	0.36	XXX
73201	TC	A	Ct upper extremity w/dye	0.00	7.51	6.71	NA	NA	0.31	XXX
73201	26	A	Ct upper extremity w/dye	1.16	0.41	0.39	0.41	0.39	0.05	XXX
73202		A	Ct uppr extremity w/o&w/dye	1.22	10.55	9.19	NA	NA	0.44	XXX
73202	TC	A	Ct uppr extremity w/o&w/dye	0.00	10.13	8.78	NA	NA	0.39	XXX
73202	26	A	Ct uppr extremity w/o&w/dye	1.22	0.42	0.41	0.42	0.41	0.05	XXX
73206		A	Ct angio upr extrm w/o&w/dye	1.81	10.94	11.24	NA	NA	0.47	XXX
73206	TC	A	Ct angio upr extrm w/o&w/dye	0.00	10.26	10.61	NA	NA	0.39	XXX
73206	26	A	Ct angio upr extrm w/o&w/dye	1.81	0.68	0.63	0.68	0.63	0.08	XXX
73218		A	Mri upper extremity w/o dye	1.35	14.65	13.15	NA	NA	0.45	XXX
73218	TC	A	Mri upper extremity w/o dye	0.00	14.19	12.70	NA	NA	0.39	XXX
73218	26	A	Mri upper extremity w/o dye	1.35	0.46	0.45	0.46	0.45	0.06	XXX
73219		A	Mri upper extremity w/dye	1.62	15.41	14.70	NA	NA	0.54	XXX
73219	TC	A	Mri upper extremity w/dye	0.00	14.85	14.15	NA	NA	0.47	XXX
73219	26	A	Mri upper extremity w/dye	1.62	0.56	0.55	0.56	0.55	0.07	XXX
73220		A	Mri uppr extremity w/o&w/dye	2.15	19.06	22.33	NA	NA	0.94	XXX
73220	TC	A	Mri uppr extremity w/o&w/dye	0.00	18.31	21.60	NA	NA	0.84	XXX
73220	26	A	Mri uppr extremity w/o&w/dye	2.15	0.75	0.73	0.75	0.73	0.10	XXX
73221		A	Mri joint upr extrem w/o dye	1.35	13.56	12.60	NA	NA	0.45	XXX
73221	TC	A	Mri joint upr extrem w/o dye	0.00	13.09	12.15	NA	NA	0.39	XXX
73221	26	A	Mri joint upr extrem w/o dye	1.35	0.47	0.45	0.47	0.45	0.06	XXX
73222		A	Mri joint upr extrem w/dye	1.62	14.31	14.15	NA	NA	0.54	XXX
73222	TC	A	Mri joint upr extrem w/dye	0.00	13.75	13.60	NA	NA	0.47	XXX
73222	26	A	Mri joint upr extrem w/dye	1.62	0.56	0.55	0.56	0.55	0.07	XXX
73223		A	Mri joint upr extr w/o&w/dye	2.15	17.58	21.59	NA	NA	0.94	XXX
73223	TC	A	Mri joint upr extr w/o&w/dye	0.00	16.84	20.87	NA	NA	0.84	XXX
73223	26	A	Mri joint upr extr w/o&w/dye	2.15	0.74	0.72	0.74	0.72	0.10	XXX
73225		N	Mr angio upr extr w/o&w/dye	1.73	14.65	13.16	NA	NA	0.69	XXX
73225	TC	N	Mr angio upr extr w/o&w/dye	0.00	14.25	12.63	NA	NA	0.59	XXX
73225	26	N	Mr angio upr extr w/o&w/dye	1.73	0.40	0.53	0.40	0.53	0.10	XXX
73500		A	X-ray exam of hip	0.17	0.49	0.51	NA	NA	0.03	XXX
73500	TC	A	X-ray exam of hip	0.00	0.43	0.45	NA	NA	0.02	XXX
73500	26	A	X-ray exam of hip	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73510		A	X-ray exam of hip	0.21	0.77	0.71	NA	NA	0.05	XXX
73510	TC	A	X-ray exam of hip	0.00	0.70	0.64	NA	NA	0.04	XXX
73510	26	A	X-ray exam of hip	0.21	0.07	0.07	0.07	0.07	0.01	XXX
73520		A	X-ray exam of hips	0.26	0.79	0.77	NA	NA	0.05	XXX
73520	TC	A	X-ray exam of hips	0.00	0.70	0.68	NA	NA	0.04	XXX
73520	26	A	X-ray exam of hips	0.26	0.09	0.09	0.09	0.09	0.01	XXX
73525		A	Contrast x-ray of hip	0.54	1.83	2.06	NA	NA	0.15	XXX
73525	TC	A	Contrast x-ray of hip	0.00	1.65	1.88	NA	NA	0.12	XXX
73525	26	A	Contrast x-ray of hip	0.54	0.18	0.18	0.18	0.18	0.03	XXX
73530		C	X-ray exam of hip	0.00	0.00	0.00	NA	NA	0.00	XXX
73530	TC	C	X-ray exam of hip	0.00	0.00	0.00	NA	NA	0.00	XXX
73530	26	A	X-ray exam of hip	0.29	0.11	0.10	0.11	0.10	0.01	XXX
73540		A	X-ray exam of pelvis & hips	0.20	0.81	0.72	NA	NA	0.05	XXX
73540	TC	A	X-ray exam of pelvis & hips	0.00	0.74	0.65	NA	NA	0.04	XXX
73540	26	A	X-ray exam of pelvis & hips	0.20	0.07	0.07	0.07	0.07	0.01	XXX
73542		A	X-ray exam, sacroiliac joint	0.59	1.13	1.70	NA	NA	0.15	XXX
73542	TC	A	X-ray exam, sacroiliac joint	0.00	0.99	1.55	NA	NA	0.12	XXX
73542	26	A	X-ray exam, sacroiliac joint	0.59	0.14	0.15	0.14	0.15	0.03	XXX
73550		A	X-ray exam of thigh	0.17	0.55	0.59	NA	NA	0.05	XXX
73550	TC	A	X-ray exam of thigh	0.00	0.49	0.53	NA	NA	0.04	XXX
73550	26	A	X-ray exam of thigh	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73560		A	X-ray exam of knee, 1 or 2	0.17	0.58	0.58	NA	NA	0.03	XXX
73560	TC	A	X-ray exam of knee, 1 or 2	0.00	0.52	0.52	NA	NA	0.02	XXX
73560	26	A	X-ray exam of knee, 1 or 2	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73562		A	X-ray exam of knee, 3	0.18	0.73	0.68	NA	NA	0.05	XXX
73562	TC	A	X-ray exam of knee, 3	0.00	0.66	0.62	NA	NA	0.04	XXX
73562	26	A	X-ray exam of knee, 3	0.18	0.07	0.06	0.07	0.06	0.01	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
73564		A	X-ray exam, knee, 4 or more	0.22	0.86	0.77	NA	NA	0.05	XXX
73564	TC	A	X-ray exam, knee, 4 or more	0.00	0.78	0.70	NA	NA	0.04	XXX
73564	26	A	X-ray exam, knee, 4 or more	0.22	0.08	0.07	0.08	0.07	0.01	XXX
73565		A	X-ray exam of knees	0.17	0.65	0.60	NA	NA	0.03	XXX
73565	TC	A	X-ray exam of knees	0.00	0.59	0.54	NA	NA	0.02	XXX
73565	26	A	X-ray exam of knees	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73580		A	Contrast x-ray of knee joint	0.54	2.56	2.68	NA	NA	0.17	XXX
73580	TC	A	Contrast x-ray of knee joint	0.00	2.37	2.50	NA	NA	0.14	XXX
73580	26	A	Contrast x-ray of knee joint	0.54	0.19	0.18	0.19	0.18	0.03	XXX
73590		A	X-ray exam of lower leg	0.17	0.54	0.56	NA	NA	0.03	XXX
73590	TC	A	X-ray exam of lower leg	0.00	0.48	0.50	NA	NA	0.02	XXX
73590	26	A	X-ray exam of lower leg	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73592		A	X-ray exam of leg, infant	0.16	0.58	0.56	NA	NA	0.03	XXX
73592	TC	A	X-ray exam of leg, infant	0.00	0.53	0.51	NA	NA	0.02	XXX
73592	26	A	X-ray exam of leg, infant	0.16	0.05	0.05	0.05	0.05	0.01	XXX
73600		A	X-ray exam of ankle	0.16	0.56	0.55	NA	NA	0.03	XXX
73600	TC	A	X-ray exam of ankle	0.00	0.51	0.50	NA	NA	0.02	XXX
73600	26	A	X-ray exam of ankle	0.16	0.05	0.05	0.05	0.05	0.01	XXX
73610		A	X-ray exam of ankle	0.17	0.68	0.63	NA	NA	0.03	XXX
73610	TC	A	X-ray exam of ankle	0.00	0.62	0.57	NA	NA	0.02	XXX
73610	26	A	X-ray exam of ankle	0.17	0.06	0.06	0.06	0.06	0.01	XXX
73615		A	Contrast x-ray of ankle	0.54	2.00	2.14	NA	NA	0.15	XXX
73615	TC	A	Contrast x-ray of ankle	0.00	1.82	1.96	NA	NA	0.12	XXX
73615	26	A	Contrast x-ray of ankle	0.54	0.18	0.18	0.18	0.18	0.03	XXX
73620		A	X-ray exam of foot	0.16	0.52	0.54	NA	NA	0.03	XXX
73620	TC	A	X-ray exam of foot	0.00	0.48	0.49	NA	NA	0.02	XXX
73620	26	A	X-ray exam of foot	0.16	0.04	0.05	0.04	0.05	0.01	XXX
73630		A	X-ray exam of foot	0.17	0.65	0.63	NA	NA	0.03	XXX
73630	TC	A	X-ray exam of foot	0.00	0.60	0.57	NA	NA	0.02	XXX
73630	26	A	X-ray exam of foot	0.17	0.05	0.06	0.05	0.06	0.01	XXX
73650		A	X-ray exam of heel	0.16	0.55	0.53	NA	NA	0.03	XXX
73650	TC	A	X-ray exam of heel	0.00	0.50	0.48	NA	NA	0.02	XXX
73650	26	A	X-ray exam of heel	0.16	0.05	0.05	0.05	0.05	0.01	XXX
73660		A	X-ray exam of toe(s)	0.13	0.64	0.55	NA	NA	0.03	XXX
73660	TC	A	X-ray exam of toe(s)	0.00	0.60	0.51	NA	NA	0.02	XXX
73660	26	A	X-ray exam of toe(s)	0.13	0.04	0.04	0.04	0.04	0.01	XXX
73700		A	Ct lower extremity w/o dye	1.09	6.41	5.86	NA	NA	0.30	XXX
73700	TC	A	Ct lower extremity w/o dye	0.00	6.03	5.49	NA	NA	0.25	XXX
73700	26	A	Ct lower extremity w/o dye	1.09	0.38	0.37	0.38	0.37	0.05	XXX
73701		A	Ct lower extremity w/dye	1.16	7.98	7.14	NA	NA	0.36	XXX
73701	TC	A	Ct lower extremity w/dye	0.00	7.57	6.74	NA	NA	0.31	XXX
73701	26	A	Ct lower extremity w/dye	1.16	0.41	0.40	0.41	0.40	0.05	XXX
73702		A	Ct lwr extremity w/o&w/dye	1.22	10.73	9.28	NA	NA	0.44	XXX
73702	TC	A	Ct lwr extremity w/o&w/dye	0.00	10.29	8.86	NA	NA	0.39	XXX
73702	26	A	Ct lwr extremity w/o&w/dye	1.22	0.44	0.42	0.44	0.42	0.05	XXX
73706		A	Ct angio lwr extr w/o&w/dye	1.90	12.35	11.97	NA	NA	0.47	XXX
73706	TC	A	Ct angio lwr extr w/o&w/dye	0.00	11.63	11.30	NA	NA	0.39	XXX
73706	26	A	Ct angio lwr extr w/o&w/dye	1.90	0.72	0.67	0.72	0.67	0.08	XXX
73718		A	Mri lower extremity w/o dye	1.35	14.27	12.96	NA	NA	0.45	XXX
73718	TC	A	Mri lower extremity w/o dye	0.00	13.81	12.51	NA	NA	0.39	XXX
73718	26	A	Mri lower extremity w/o dye	1.35	0.46	0.45	0.46	0.45	0.06	XXX
73719		A	Mri lower extremity w/dye	1.62	15.41	14.70	NA	NA	0.54	XXX
73719	TC	A	Mri lower extremity w/dye	0.00	14.84	14.15	NA	NA	0.47	XXX
73719	26	A	Mri lower extremity w/dye	1.62	0.57	0.55	0.57	0.55	0.07	XXX
73720		A	Mri lwr extremity w/o&w/dye	2.15	19.00	22.29	NA	NA	0.94	XXX
73720	TC	A	Mri lwr extremity w/o&w/dye	0.00	18.25	21.57	NA	NA	0.84	XXX
73720	26	A	Mri lwr extremity w/o&w/dye	2.15	0.75	0.72	0.75	0.72	0.10	XXX
73721		A	Mri jnt of lwr extre w/o dye	1.35	13.88	12.76	NA	NA	0.45	XXX
73721	TC	A	Mri jnt of lwr extre w/o dye	0.00	13.41	12.31	NA	NA	0.39	XXX
73721	26	A	Mri jnt of lwr extre w/o dye	1.35	0.47	0.45	0.47	0.45	0.06	XXX
73722		A	Mri joint of lwr extr w/dye	1.62	14.49	14.24	NA	NA	0.54	XXX
73722	TC	A	Mri joint of lwr extr w/dye	0.00	13.92	13.69	NA	NA	0.47	XXX
73722	26	A	Mri joint of lwr extr w/dye	1.62	0.57	0.55	0.57	0.55	0.07	XXX
73723		A	Mri joint lwr extr w/o&w/dye	2.15	17.56	21.59	NA	NA	0.94	XXX
73723	TC	A	Mri joint lwr extr w/o&w/dye	0.00	16.82	20.86	NA	NA	0.84	XXX
73723	26	A	Mri joint lwr extr w/o&w/dye	2.15	0.74	0.73	0.74	0.73	0.10	XXX
73725		R	Mr ang lwr ext w or w/o dye	1.82	15.13	13.47	NA	NA	0.67	XXX
73725	TC	R	Mr ang lwr ext w or w/o dye	0.00	14.49	12.85	NA	NA	0.59	XXX
73725	26	R	Mr ang lwr ext w or w/o dye	1.82	0.64	0.62	0.64	0.62	0.08	XXX
74000		A	X-ray exam of abdomen	0.18	0.46	0.52	NA	NA	0.03	XXX
74000	TC	A	X-ray exam of abdomen	0.00	0.40	0.46	NA	NA	0.02	XXX
74000	26	A	X-ray exam of abdomen	0.18	0.06	0.06	0.06	0.06	0.01	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
74010		A	X-ray exam of abdomen	0.23	0.79	0.72	NA	NA	0.05	XXX
74010	TC	A	X-ray exam of abdomen	0.00	0.71	0.64	NA	NA	0.04	XXX
74010	26	A	X-ray exam of abdomen	0.23	0.08	0.08	0.08	0.08	0.01	XXX
74020		A	X-ray exam of abdomen	0.27	0.81	0.76	NA	NA	0.05	XXX
74020	TC	A	X-ray exam of abdomen	0.00	0.72	0.67	NA	NA	0.04	XXX
74020	26	A	X-ray exam of abdomen	0.27	0.09	0.09	0.09	0.09	0.01	XXX
74022		A	X-ray exam series, abdomen	0.32	0.99	0.91	NA	NA	0.06	XXX
74022	TC	A	X-ray exam series, abdomen	0.00	0.88	0.80	NA	NA	0.05	XXX
74022	26	A	X-ray exam series, abdomen	0.32	0.11	0.11	0.11	0.11	0.01	XXX
74150		A	Ct abdomen w/o dye	1.19	6.07	6.07	NA	NA	0.35	XXX
74150	TC	A	Ct abdomen w/o dye	0.00	5.65	5.66	NA	NA	0.30	XXX
74150	26	A	Ct abdomen w/o dye	1.19	0.42	0.41	0.42	0.41	0.05	XXX
74160		A	Ct abdomen w/dye	1.27	8.82	8.05	NA	NA	0.42	XXX
74160	TC	A	Ct abdomen w/dye	0.00	8.37	7.61	NA	NA	0.36	XXX
74160	26	A	Ct abdomen w/dye	1.27	0.45	0.44	0.45	0.44	0.06	XXX
74170		A	Ct abdomen w/o & w/dye	1.40	12.19	10.57	NA	NA	0.49	XXX
74170	TC	A	Ct abdomen w/o & w/dye	0.00	11.70	10.09	NA	NA	0.43	XXX
74170	26	A	Ct abdomen w/o & w/dye	1.40	0.49	0.48	0.49	0.48	0.06	XXX
74175		A	Ct angio abdom w/o & w/dye	1.90	12.28	12.46	NA	NA	0.47	XXX
74175	TC	A	Ct angio abdom w/o & w/dye	0.00	11.59	11.81	NA	NA	0.39	XXX
74175	26	A	Ct angio abdom w/o & w/dye	1.90	0.69	0.65	0.69	0.65	0.08	XXX
74181		A	Mri abdomen w/o dye	1.46	12.45	12.07	NA	NA	0.51	XXX
74181	TC	A	Mri abdomen w/o dye	0.00	11.94	11.57	NA	NA	0.45	XXX
74181	26	A	Mri abdomen w/o dye	1.46	0.51	0.50	0.51	0.50	0.06	XXX
74182		A	Mri abdomen w/dye	1.73	17.45	15.74	NA	NA	0.60	XXX
74182	TC	A	Mri abdomen w/dye	0.00	16.84	15.15	NA	NA	0.52	XXX
74182	26	A	Mri abdomen w/dye	1.73	0.61	0.59	0.61	0.59	0.08	XXX
74183		A	Mri abdomen w/o & w/dye	2.26	19.00	22.31	NA	NA	1.02	XXX
74183	TC	A	Mri abdomen w/o & w/dye	0.00	18.21	21.55	NA	NA	0.92	XXX
74183	26	A	Mri abdomen w/o & w/dye	2.26	0.79	0.76	0.79	0.76	0.10	XXX
74185		R	Mri angio, abdom w orw/o dye	1.80	15.09	13.44	NA	NA	0.67	XXX
74185	TC	R	Mri angio, abdom w orw/o dye	0.00	14.45	12.83	NA	NA	0.59	XXX
74185	26	R	Mri angio, abdom w orw/o dye	1.80	0.64	0.61	0.64	0.61	0.08	XXX
74190		C	X-ray exam of peritoneum	0.00	0.00	0.00	NA	NA	0.00	XXX
74190	TC	C	X-ray exam of peritoneum	0.00	0.00	0.00	NA	NA	0.00	XXX
74190	26	A	X-ray exam of peritoneum	0.48	0.17	0.16	0.17	0.16	0.02	XXX
74210		A	Contrst x-ray exam of throat	0.36	1.77	1.54	NA	NA	0.08	XXX
74210	TC	A	Contrst x-ray exam of throat	0.00	1.64	1.42	NA	NA	0.06	XXX
74210	26	A	Contrst x-ray exam of throat	0.36	0.13	0.12	0.13	0.12	0.02	XXX
74220		A	Contrast x-ray, esophagus	0.46	2.01	1.68	NA	NA	0.08	XXX
74220	TC	A	Contrast x-ray, esophagus	0.00	1.85	1.52	NA	NA	0.06	XXX
74220	26	A	Contrast x-ray, esophagus	0.46	0.16	0.16	0.16	0.16	0.02	XXX
74230		A	Cine/vid x-ray, throat/esoph	0.53	1.95	1.72	NA	NA	0.09	XXX
74230	TC	A	Cine/vid x-ray, throat/esoph	0.00	1.76	1.54	NA	NA	0.07	XXX
74230	26	A	Cine/vid x-ray, throat/esoph	0.53	0.19	0.18	0.19	0.18	0.02	XXX
74235		C	Remove esophagus obstruction	0.00	0.00	0.00	NA	NA	0.00	XXX
74235	TC	C	Remove esophagus obstruction	0.00	0.00	0.00	NA	NA	0.00	XXX
74235	26	A	Remove esophagus obstruction	1.19	0.47	0.43	0.47	0.43	0.05	XXX
74240		A	X-ray exam, upper gi tract	0.69	2.30	2.00	NA	NA	0.11	XXX
74240	TC	A	X-ray exam, upper gi tract	0.00	2.06	1.76	NA	NA	0.08	XXX
74240	26	A	X-ray exam, upper gi tract	0.69	0.24	0.24	0.24	0.24	0.03	XXX
74241		A	X-ray exam, upper gi tract	0.69	2.57	2.14	NA	NA	0.11	XXX
74241	TC	A	X-ray exam, upper gi tract	0.00	2.33	1.91	NA	NA	0.08	XXX
74241	26	A	X-ray exam, upper gi tract	0.69	0.24	0.23	0.24	0.23	0.03	XXX
74245		A	X-ray exam, upper gi tract	0.91	3.96	3.32	NA	NA	0.17	XXX
74245	TC	A	X-ray exam, upper gi tract	0.00	3.64	3.01	NA	NA	0.13	XXX
74245	26	A	X-ray exam, upper gi tract	0.91	0.32	0.31	0.32	0.31	0.04	XXX
74246		A	Contrst x-ray uppr gi tract	0.69	2.81	2.34	NA	NA	0.13	XXX
74246	TC	A	Contrst x-ray uppr gi tract	0.00	2.56	2.10	NA	NA	0.10	XXX
74246	26	A	Contrst x-ray uppr gi tract	0.69	0.25	0.24	0.25	0.24	0.03	XXX
74247		A	Contrst x-ray uppr gi tract	0.69	3.22	2.57	NA	NA	0.14	XXX
74247	TC	A	Contrst x-ray uppr gi tract	0.00	2.98	2.33	NA	NA	0.11	XXX
74247	26	A	Contrst x-ray uppr gi tract	0.69	0.24	0.24	0.24	0.24	0.03	XXX
74249		A	Contrst x-ray uppr gi tract	0.91	4.35	3.61	NA	NA	0.18	XXX
74249	TC	A	Contrst x-ray uppr gi tract	0.00	4.03	3.30	NA	NA	0.14	XXX
74249	26	A	Contrst x-ray uppr gi tract	0.91	0.32	0.31	0.32	0.31	0.04	XXX
74250		A	X-ray exam of small bowel	0.47	2.49	1.97	NA	NA	0.09	XXX
74250	TC	A	X-ray exam of small bowel	0.00	2.32	1.81	NA	NA	0.07	XXX
74250	26	A	X-ray exam of small bowel	0.47	0.17	0.16	0.17	0.16	0.02	XXX
74251		A	X-ray exam of small bowel	0.69	10.02	5.78	NA	NA	0.10	XXX
74251	TC	A	X-ray exam of small bowel	0.00	9.77	5.54	NA	NA	0.07	XXX
74251	26	A	X-ray exam of small bowel	0.69	0.25	0.24	0.25	0.24	0.03	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
74260		A	X-ray exam of small bowel	0.50	8.31	4.98	NA	NA	0.10	XXX
74260	TC	A	X-ray exam of small bowel	0.00	8.13	4.81	NA	NA	0.08	XXX
74260	26	A	X-ray exam of small bowel	0.50	0.18	0.17	0.18	0.17	0.02	XXX
74270		A	Contrast x-ray exam of colon	0.69	3.59	2.76	NA	NA	0.14	XXX
74270	TC	A	Contrast x-ray exam of colon	0.00	3.34	2.52	NA	NA	0.11	XXX
74270	26	A	Contrast x-ray exam of colon	0.69	0.25	0.24	0.25	0.24	0.03	XXX
74280		A	Contrast x-ray exam of colon	0.99	4.95	3.75	NA	NA	0.17	XXX
74280	TC	A	Contrast x-ray exam of colon	0.00	4.60	3.42	NA	NA	0.13	XXX
74280	26	A	Contrast x-ray exam of colon	0.99	0.35	0.33	0.35	0.33	0.04	XXX
74283		A	Contrast x-ray exam of colon	2.02	3.49	3.35	NA	NA	0.23	XXX
74283	TC	A	Contrast x-ray exam of colon	0.00	2.80	2.68	NA	NA	0.14	XXX
74283	26	A	Contrast x-ray exam of colon	2.02	0.69	0.67	0.69	0.67	0.09	XXX
74290		A	Contrast x-ray, gallbladder	0.32	1.58	1.21	NA	NA	0.06	XXX
74290	TC	A	Contrast x-ray, gallbladder	0.00	1.47	1.10	NA	NA	0.05	XXX
74290	26	A	Contrast x-ray, gallbladder	0.32	0.11	0.11	0.11	0.11	0.01	XXX
74291		A	Contrast x-rays, gallbladder	0.20	1.56	1.02	NA	NA	0.03	XXX
74291	TC	A	Contrast x-rays, gallbladder	0.00	1.49	0.95	NA	NA	0.02	XXX
74291	26	A	Contrast x-rays, gallbladder	0.20	0.07	0.07	0.07	0.07	0.01	XXX
74300		C	X-ray bile ducts/pancreas	0.00	0.00	0.00	NA	NA	0.00	XXX
74300	TC	C	X-ray bile ducts/pancreas	0.00	0.00	0.00	NA	NA	0.00	XXX
74300	26	A	X-ray bile ducts/pancreas	0.36	0.13	0.12	0.13	0.12	0.02	XXX
74301		C	X-rays at surgery add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
74301	TC	C	X-rays at surgery add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
74301	26	A	X-rays at surgery add-on	0.21	0.07	0.07	0.07	0.07	0.01	ZZZ
74305		C	X-ray bile ducts/pancreas	0.00	0.00	0.00	NA	NA	0.00	XXX
74305	TC	C	X-ray bile ducts/pancreas	0.00	0.00	0.00	NA	NA	0.00	XXX
74305	26	A	X-ray bile ducts/pancreas	0.42	0.15	0.15	0.15	0.15	0.02	XXX
74320		A	Contrast x-ray of bile ducts	0.54	2.14	2.73	NA	NA	0.19	XXX
74320	TC	A	Contrast x-ray of bile ducts	0.00	1.94	2.54	NA	NA	0.17	XXX
74320	26	A	Contrast x-ray of bile ducts	0.54	0.20	0.19	0.20	0.19	0.02	XXX
74327		A	X-ray bile stone removal	0.70	2.97	2.48	NA	NA	0.14	XXX
74327	TC	A	X-ray bile stone removal	0.00	2.72	2.24	NA	NA	0.11	XXX
74327	26	A	X-ray bile stone removal	0.70	0.25	0.24	0.25	0.24	0.03	XXX
74328		C	X-ray bile duct endoscopy	0.00	0.00	0.00	NA	NA	0.00	XXX
74328	TC	C	X-ray bile duct endoscopy	0.00	0.00	0.00	NA	NA	0.00	XXX
74328	26	A	X-ray bile duct endoscopy	0.70	0.26	0.25	0.26	0.25	0.03	XXX
74329		C	X-ray for pancreas endoscopy	0.00	0.00	0.00	NA	NA	0.00	XXX
74329	TC	C	X-ray for pancreas endoscopy	0.00	0.00	0.00	NA	NA	0.00	XXX
74329	26	A	X-ray for pancreas endoscopy	0.70	0.27	0.25	0.27	0.25	0.03	XXX
74330		C	X-ray bile/panc endoscopy	0.00	0.00	0.00	NA	NA	0.00	XXX
74330	TC	C	X-ray bile/panc endoscopy	0.00	0.00	0.00	NA	NA	0.00	XXX
74330	26	A	X-ray bile/panc endoscopy	0.90	0.33	0.31	0.33	0.31	0.04	XXX
74340		C	X-ray guide for GI tube	0.00	0.00	0.00	NA	NA	0.00	XXX
74340	TC	C	X-ray guide for GI tube	0.00	0.00	0.00	NA	NA	0.00	XXX
74340	26	A	X-ray guide for GI tube	0.54	0.19	0.19	0.19	0.19	0.02	XXX
74355		C	X-ray guide, intestinal tube	0.00	0.00	0.00	NA	NA	0.00	XXX
74355	TC	C	X-ray guide, intestinal tube	0.00	0.00	0.00	NA	NA	0.00	XXX
74355	26	A	X-ray guide, intestinal tube	0.76	0.28	0.26	0.28	0.26	0.03	XXX
74360		C	X-ray guide, GI dilation	0.00	0.00	0.00	NA	NA	0.00	XXX
74360	TC	C	X-ray guide, GI dilation	0.00	0.00	0.00	NA	NA	0.00	XXX
74360	26	A	X-ray guide, GI dilation	0.54	0.24	0.21	0.24	0.21	0.02	XXX
74363		C	X-ray, bile duct dilation	0.00	0.00	0.00	NA	NA	0.00	XXX
74363	TC	C	X-ray, bile duct dilation	0.00	0.00	0.00	NA	NA	0.00	XXX
74363	26	A	X-ray, bile duct dilation	0.88	0.32	0.30	0.32	0.30	0.04	XXX
74400		A	Contrst x-ray, urinary tract	0.49	2.60	2.22	NA	NA	0.13	XXX
74400	TC	A	Contrst x-ray, urinary tract	0.00	2.43	2.05	NA	NA	0.11	XXX
74400	26	A	Contrst x-ray, urinary tract	0.49	0.17	0.17	0.17	0.17	0.02	XXX
74410		A	Contrst x-ray, urinary tract	0.49	2.69	2.40	NA	NA	0.13	XXX
74410	TC	A	Contrst x-ray, urinary tract	0.00	2.51	2.23	NA	NA	0.11	XXX
74410	26	A	Contrst x-ray, urinary tract	0.49	0.18	0.17	0.18	0.17	0.02	XXX
74415		A	Contrst x-ray, urinary tract	0.49	3.27	2.78	NA	NA	0.14	XXX
74415	TC	A	Contrst x-ray, urinary tract	0.00	3.10	2.61	NA	NA	0.12	XXX
74415	26	A	Contrst x-ray, urinary tract	0.49	0.17	0.17	0.17	0.17	0.02	XXX
74420		C	Contrst x-ray, urinary tract	0.00	0.00	0.00	NA	NA	0.00	XXX
74420	TC	C	Contrst x-ray, urinary tract	0.00	0.00	0.00	NA	NA	0.00	XXX
74420	26	A	Contrst x-ray, urinary tract	0.36	0.14	0.13	0.14	0.13	0.02	XXX
74425		C	Contrst x-ray, urinary tract	0.00	0.00	0.00	NA	NA	0.00	XXX
74425	TC	C	Contrst x-ray, urinary tract	0.00	0.00	0.00	NA	NA	0.00	XXX
74425	26	A	Contrst x-ray, urinary tract	0.36	0.13	0.13	0.13	0.13	0.02	XXX
74430		A	Contrast x-ray, bladder	0.32	1.96	1.56	NA	NA	0.08	XXX
74430	TC	A	Contrast x-ray, bladder	0.00	1.84	1.45	NA	NA	0.06	XXX
74430	26	A	Contrast x-ray, bladder	0.32	0.12	0.11	0.12	0.11	0.02	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
74440		A	X-ray, male genital tract	0.38	2.12	1.68	NA	NA	0.08	XXX
74440	TC	A	X-ray, male genital tract	0.00	1.98	1.55	NA	NA	0.06	XXX
74440	26	A	X-ray, male genital tract	0.38	0.14	0.13	0.14	0.13	0.02	XXX
74445		C	X-ray exam of penis	0.00	0.00	0.00	NA	NA	0.00	XXX
74445	TC	C	X-ray exam of penis	0.00	0.00	0.00	NA	NA	0.00	XXX
74445	26	A	X-ray exam of penis	1.14	0.45	0.41	0.45	0.41	0.07	XXX
74450		C	X-ray, urethra/bladder	0.00	0.00	0.00	NA	NA	0.00	XXX
74450	TC	C	X-ray, urethra/bladder	0.00	0.00	0.00	NA	NA	0.00	XXX
74450	26	A	X-ray, urethra/bladder	0.33	0.12	0.12	0.12	0.12	0.02	XXX
74455		A	X-ray, urethra/bladder	0.33	2.18	1.94	NA	NA	0.12	XXX
74455	TC	A	X-ray, urethra/bladder	0.00	2.06	1.82	NA	NA	0.10	XXX
74455	26	A	X-ray, urethra/bladder	0.33	0.12	0.12	0.12	0.12	0.02	XXX
74470		C	X-ray exam of kidney lesion	0.00	0.00	0.00	NA	NA	0.00	XXX
74470	TC	C	X-ray exam of kidney lesion	0.00	0.00	0.00	NA	NA	0.00	XXX
74470	26	A	X-ray exam of kidney lesion	0.54	0.17	0.18	0.17	0.18	0.02	XXX
74475		A	X-ray control, cath insert	0.54	2.12	3.19	NA	NA	0.24	XXX
74475	TC	A	X-ray control, cath insert	0.00	1.92	3.00	NA	NA	0.22	XXX
74475	26	A	X-ray control, cath insert	0.54	0.20	0.19	0.20	0.19	0.02	XXX
74480		A	X-ray control, cath insert	0.54	2.13	3.19	NA	NA	0.24	XXX
74480	TC	A	X-ray control, cath insert	0.00	1.93	3.00	NA	NA	0.22	XXX
74480	26	A	X-ray control, cath insert	0.54	0.20	0.19	0.20	0.19	0.02	XXX
74485		A	X-ray guide, GU dilation	0.54	2.27	2.80	NA	NA	0.20	XXX
74485	TC	A	X-ray guide, GU dilation	0.00	2.07	2.61	NA	NA	0.17	XXX
74485	26	A	X-ray guide, GU dilation	0.54	0.20	0.19	0.20	0.19	0.03	XXX
74710		A	X-ray measurement of pelvis	0.34	0.64	0.90	NA	NA	0.08	XXX
74710	TC	A	X-ray measurement of pelvis	0.00	0.53	0.79	NA	NA	0.06	XXX
74710	26	A	X-ray measurement of pelvis	0.34	0.11	0.11	0.11	0.11	0.02	XXX
74740		A	X-ray, female genital tract	0.38	1.77	1.60	NA	NA	0.09	XXX
74740	TC	A	X-ray, female genital tract	0.00	1.64	1.47	NA	NA	0.07	XXX
74740	26	A	X-ray, female genital tract	0.38	0.13	0.13	0.13	0.13	0.02	XXX
74742		C	X-ray, fallopian tube	0.00	0.00	0.00	NA	NA	0.00	XXX
74742	TC	C	X-ray, fallopian tube	0.00	0.00	0.00	NA	NA	0.00	XXX
74742	26	A	X-ray, fallopian tube	0.61	0.19	0.20	0.19	0.20	0.03	XXX
74775		C	X-ray exam of perineum	0.00	0.00	0.00	NA	NA	0.00	XXX
74775	TC	C	X-ray exam of perineum	0.00	0.00	0.00	NA	NA	0.00	XXX
74775	26	A	X-ray exam of perineum	0.62	0.22	0.21	0.22	0.21	0.03	XXX
75557		A	Cardiac mri for morph	2.35	11.27	11.27	NA	NA	0.97	XXX
75557	TC	A	Cardiac mri for morph	0.00	10.33	10.33	NA	NA	0.87	XXX
75557	26	A	Cardiac mri for morph	2.35	0.94	0.94	0.94	0.94	0.10	XXX
75558		N	Cardiac mri flow/velocity	2.60	12.39	12.39	NA	NA	1.07	XXX
75558	TC	N	Cardiac mri flow/velocity	0.00	11.79	11.79	NA	NA	0.96	XXX
75558	26	N	Cardiac mri flow/velocity	2.60	0.60	0.60	0.60	0.60	0.11	XXX
75559		A	Cardiac mri w/stress img	2.95	17.26	17.26	NA	NA	0.97	XXX
75559	TC	A	Cardiac mri w/stress img	0.00	15.99	15.99	NA	NA	0.87	XXX
75559	26	A	Cardiac mri w/stress img	2.95	1.27	1.27	1.27	1.27	0.10	XXX
75560		N	Cardiac mri flow/vel/stress	3.00	16.84	16.84	NA	NA	1.00	XXX
75560	TC	N	Cardiac mri flow/vel/stress	0.00	16.15	16.15	NA	NA	0.89	XXX
75560	26	N	Cardiac mri flow/vel/stress	3.00	0.69	0.69	0.69	0.69	0.11	XXX
75561		A	Cardiac mri for morph w/dye	2.60	15.98	15.98	NA	NA	1.07	XXX
75561	TC	A	Cardiac mri for morph w/dye	0.00	14.94	14.94	NA	NA	0.96	XXX
75561	26	A	Cardiac mri for morph w/dye	2.60	1.04	1.04	1.04	1.04	0.11	XXX
75562		N	Card mri flow/vel w/dye	2.86	16.77	16.77	NA	NA	1.03	XXX
75562	TC	N	Card mri flow/vel w/dye	0.00	16.11	16.11	NA	NA	0.92	XXX
75562	26	N	Card mri flow/vel w/dye	2.86	0.66	0.66	0.66	0.66	0.11	XXX
75563		A	Card mri w/stress img & dye	3.00	20.22	20.22	NA	NA	1.08	XXX
75563	TC	A	Card mri w/stress img & dye	0.00	18.84	18.84	NA	NA	0.97	XXX
75563	26	A	Card mri w/stress img & dye	3.00	1.38	1.38	1.38	1.38	0.11	XXX
75564		N	Ht mri w/flo/vel/strs & dye	3.35	19.73	19.73	NA	NA	1.21	XXX
75564	TC	N	Ht mri w/flo/vel/strs & dye	0.00	18.96	18.96	NA	NA	1.08	XXX
75564	26	N	Ht mri w/flo/vel/strs & dye	3.35	0.77	0.77	0.77	0.77	0.13	XXX
75600		A	Contrast x-ray exam of aorta	0.49	6.42	9.62	NA	NA	0.67	XXX
75600	TC	A	Contrast x-ray exam of aorta	0.00	6.18	9.40	NA	NA	0.65	XXX
75600	26	A	Contrast x-ray exam of aorta	0.49	0.24	0.22	0.24	0.22	0.02	XXX
75605		A	Contrast x-ray exam of aorta	1.14	3.55	8.28	NA	NA	0.70	XXX
75605	TC	A	Contrast x-ray exam of aorta	0.00	3.06	7.84	NA	NA	0.65	XXX
75605	26	A	Contrast x-ray exam of aorta	1.14	0.49	0.44	0.49	0.44	0.05	XXX
75625		A	Contrast x-ray exam of aorta	1.14	3.35	8.17	NA	NA	0.71	XXX
75625	TC	A	Contrast x-ray exam of aorta	0.00	2.93	7.77	NA	NA	0.65	XXX
75625	26	A	Contrast x-ray exam of aorta	1.14	0.42	0.40	0.42	0.40	0.06	XXX
75630		A	X-ray aorta, leg arteries	1.79	3.76	8.76	NA	NA	0.80	XXX
75630	TC	A	X-ray aorta, leg arteries	0.00	3.05	8.10	NA	NA	0.69	XXX
75630	26	A	X-ray aorta, leg arteries	1.79	0.71	0.66	0.71	0.66	0.11	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
75635		A	Ct angio abdominal arteries	2.40	12.94	14.82	NA	NA	0.50	XXX
75635	TC	A	Ct angio abdominal arteries	0.00	12.02	13.97	NA	NA	0.39	XXX
75635	26	A	Ct angio abdominal arteries	2.40	0.92	0.85	0.92	0.85	0.11	XXX
75650		A	Artery x-rays, head & neck	1.49	3.53	8.31	NA	NA	0.72	XXX
75650	TC	A	Artery x-rays, head & neck	0.00	2.95	7.78	NA	NA	0.65	XXX
75650	26	A	Artery x-rays, head & neck	1.49	0.58	0.53	0.58	0.53	0.07	XXX
75658		A	Artery x-rays, arm	1.31	3.73	8.41	NA	NA	0.72	XXX
75658	TC	A	Artery x-rays, arm	0.00	3.29	7.95	NA	NA	0.65	XXX
75658	26	A	Artery x-rays, arm	1.31	0.44	0.46	0.44	0.46	0.07	XXX
75660		A	Artery x-rays, head & neck	1.31	3.88	8.47	NA	NA	0.71	XXX
75660	TC	A	Artery x-rays, head & neck	0.00	3.39	8.00	NA	NA	0.65	XXX
75660	26	A	Artery x-rays, head & neck	1.31	0.49	0.47	0.49	0.47	0.06	XXX
75662		A	Artery x-rays, head & neck	1.66	5.01	9.11	NA	NA	0.71	XXX
75662	TC	A	Artery x-rays, head & neck	0.00	4.31	8.46	NA	NA	0.65	XXX
75662	26	A	Artery x-rays, head & neck	1.66	0.70	0.65	0.70	0.65	0.06	XXX
75665		A	Artery x-rays, head & neck	1.31	4.10	8.58	NA	NA	0.74	XXX
75665	TC	A	Artery x-rays, head & neck	0.00	3.62	8.12	NA	NA	0.65	XXX
75665	26	A	Artery x-rays, head & neck	1.31	0.48	0.46	0.48	0.46	0.09	XXX
75671		A	Artery x-rays, head & neck	1.66	5.10	9.13	NA	NA	0.72	XXX
75671	TC	A	Artery x-rays, head & neck	0.00	4.46	8.54	NA	NA	0.65	XXX
75671	26	A	Artery x-rays, head & neck	1.66	0.64	0.59	0.64	0.59	0.07	XXX
75676		A	Artery x-rays, neck	1.31	3.87	8.46	NA	NA	0.72	XXX
75676	TC	A	Artery x-rays, neck	0.00	3.38	8.00	NA	NA	0.65	XXX
75676	26	A	Artery x-rays, neck	1.31	0.49	0.46	0.49	0.46	0.07	XXX
75680		A	Artery x-rays, neck	1.66	4.61	8.88	NA	NA	0.72	XXX
75680	TC	A	Artery x-rays, neck	0.00	3.95	8.28	NA	NA	0.65	XXX
75680	26	A	Artery x-rays, neck	1.66	0.66	0.60	0.66	0.60	0.07	XXX
75685		A	Artery x-rays, spine	1.31	3.89	8.47	NA	NA	0.71	XXX
75685	TC	A	Artery x-rays, spine	0.00	3.39	8.00	NA	NA	0.65	XXX
75685	26	A	Artery x-rays, spine	1.31	0.50	0.47	0.50	0.47	0.06	XXX
75705		A	Artery x-rays, spine	2.18	4.18	8.75	NA	NA	0.78	XXX
75705	TC	A	Artery x-rays, spine	0.00	3.38	7.99	NA	NA	0.65	XXX
75705	26	A	Artery x-rays, spine	2.18	0.80	0.76	0.80	0.76	0.13	XXX
75710		A	Artery x-rays, arm/leg	1.14	3.95	8.48	NA	NA	0.72	XXX
75710	TC	A	Artery x-rays, arm/leg	0.00	3.53	8.07	NA	NA	0.65	XXX
75710	26	A	Artery x-rays, arm/leg	1.14	0.42	0.41	0.42	0.41	0.07	XXX
75716		A	Artery x-rays, arms/legs	1.31	4.92	8.98	NA	NA	0.72	XXX
75716	TC	A	Artery x-rays, arms/legs	0.00	4.42	8.52	NA	NA	0.65	XXX
75716	26	A	Artery x-rays, arms/legs	1.31	0.50	0.46	0.50	0.46	0.07	XXX
75722		A	Artery x-rays, kidney	1.14	3.84	8.43	NA	NA	0.70	XXX
75722	TC	A	Artery x-rays, kidney	0.00	3.37	7.99	NA	NA	0.65	XXX
75722	26	A	Artery x-rays, kidney	1.14	0.47	0.44	0.47	0.44	0.05	XXX
75724		A	Artery x-rays, kidneys	1.49	5.13	9.15	NA	NA	0.70	XXX
75724	TC	A	Artery x-rays, kidneys	0.00	4.39	8.50	NA	NA	0.65	XXX
75724	26	A	Artery x-rays, kidneys	1.49	0.74	0.65	0.74	0.65	0.05	XXX
75726		A	Artery x-rays, abdomen	1.14	3.77	8.37	NA	NA	0.70	XXX
75726	TC	A	Artery x-rays, abdomen	0.00	3.35	7.98	NA	NA	0.65	XXX
75726	26	A	Artery x-rays, abdomen	1.14	0.42	0.39	0.42	0.39	0.05	XXX
75731		A	Artery x-rays, adrenal gland	1.14	4.10	8.54	NA	NA	0.71	XXX
75731	TC	A	Artery x-rays, adrenal gland	0.00	3.60	8.10	NA	NA	0.65	XXX
75731	26	A	Artery x-rays, adrenal gland	1.14	0.50	0.44	0.50	0.44	0.06	XXX
75733		A	Artery x-rays, adrenals	1.31	5.46	9.26	NA	NA	0.71	XXX
75733	TC	A	Artery x-rays, adrenals	0.00	4.81	8.71	NA	NA	0.65	XXX
75733	26	A	Artery x-rays, adrenals	1.31	0.65	0.55	0.65	0.55	0.06	XXX
75736		A	Artery x-rays, pelvis	1.14	3.87	8.44	NA	NA	0.71	XXX
75736	TC	A	Artery x-rays, pelvis	0.00	3.44	8.03	NA	NA	0.65	XXX
75736	26	A	Artery x-rays, pelvis	1.14	0.43	0.41	0.43	0.41	0.06	XXX
75741		A	Artery x-rays, lung	1.31	3.18	8.11	NA	NA	0.71	XXX
75741	TC	A	Artery x-rays, lung	0.00	2.69	7.65	NA	NA	0.65	XXX
75741	26	A	Artery x-rays, lung	1.31	0.49	0.46	0.49	0.46	0.06	XXX
75743		A	Artery x-rays, lungs	1.66	3.56	8.36	NA	NA	0.72	XXX
75743	TC	A	Artery x-rays, lungs	0.00	2.94	7.78	NA	NA	0.65	XXX
75743	26	A	Artery x-rays, lungs	1.66	0.62	0.58	0.62	0.58	0.07	XXX
75746		A	Artery x-rays, lung	1.14	3.52	8.26	NA	NA	0.70	XXX
75746	TC	A	Artery x-rays, lung	0.00	3.12	7.87	NA	NA	0.65	XXX
75746	26	A	Artery x-rays, lung	1.14	0.40	0.39	0.40	0.39	0.05	XXX
75756		A	Artery x-rays, chest	1.14	4.34	8.70	NA	NA	0.69	XXX
75756	TC	A	Artery x-rays, chest	0.00	3.76	8.19	NA	NA	0.65	XXX
75756	26	A	Artery x-rays, chest	1.14	0.58	0.51	0.58	0.51	0.04	XXX
75774		A	Artery x-ray, each vessel	0.36	2.51	7.62	NA	NA	0.67	ZZZ
75774	TC	A	Artery x-ray, each vessel	0.00	2.37	7.49	NA	NA	0.65	ZZZ
75774	26	A	Artery x-ray, each vessel	0.36	0.14	0.13	0.14	0.13	0.02	ZZZ

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
75790		A	Visualize A-V shunt	1.84	3.12	2.54	NA	NA	0.17	XXX
75790	TC	A	Visualize A-V shunt	0.00	2.52	1.94	NA	NA	0.08	XXX
75790	26	A	Visualize A-V shunt	1.84	0.60	0.60	0.60	0.60	0.09	XXX
75801		C	Lymph vessel x-ray, arm/leg	0.00	0.00	0.00	NA	NA	0.00	XXX
75801	TC	C	Lymph vessel x-ray, arm/leg	0.00	0.00	0.00	NA	NA	0.00	XXX
75801	26	A	Lymph vessel x-ray, arm/leg	0.81	0.22	0.25	0.22	0.25	0.08	XXX
75803		C	Lymph vessel x-ray,arms/legs	0.00	0.00	0.00	NA	NA	0.00	XXX
75803	TC	C	Lymph vessel x-ray,arms/legs	0.00	0.00	0.00	NA	NA	0.00	XXX
75803	26	A	Lymph vessel x-ray,arms/legs	1.17	0.40	0.39	0.40	0.39	0.05	XXX
75805		C	Lymph vessel x-ray, trunk	0.00	0.00	0.00	NA	NA	0.00	XXX
75805	TC	C	Lymph vessel x-ray, trunk	0.00	0.00	0.00	NA	NA	0.00	XXX
75805	26	A	Lymph vessel x-ray, trunk	0.81	0.27	0.27	0.27	0.27	0.05	XXX
75807		C	Lymph vessel x-ray, trunk	0.00	0.00	0.00	NA	NA	0.00	XXX
75807	TC	C	Lymph vessel x-ray, trunk	0.00	0.00	0.00	NA	NA	0.00	XXX
75807	26	A	Lymph vessel x-ray, trunk	1.17	0.39	0.39	0.39	0.39	0.05	XXX
75809		A	Nonvascular shunt, x-ray	0.47	2.17	1.54	NA	NA	0.07	XXX
75809	TC	A	Nonvascular shunt, x-ray	0.00	2.01	1.39	NA	NA	0.05	XXX
75809	26	A	Nonvascular shunt, x-ray	0.47	0.16	0.15	0.16	0.15	0.02	XXX
75810		C	Vein x-ray, spleen/liver	0.00	0.00	0.00	NA	NA	0.00	XXX
75810	TC	C	Vein x-ray, spleen/liver	0.00	0.00	0.00	NA	NA	0.00	XXX
75810	26	A	Vein x-ray, spleen/liver	1.14	0.39	0.38	0.39	0.38	0.05	XXX
75820		A	Vein x-ray, arm/leg	0.70	3.01	2.09	NA	NA	0.09	XXX
75820	TC	A	Vein x-ray, arm/leg	0.00	2.72	1.83	NA	NA	0.06	XXX
75820	26	A	Vein x-ray, arm/leg	0.70	0.29	0.26	0.29	0.26	0.03	XXX
75822		A	Vein x-ray, arms/legs	1.06	3.18	2.50	NA	NA	0.13	XXX
75822	TC	A	Vein x-ray, arms/legs	0.00	2.81	2.14	NA	NA	0.08	XXX
75822	26	A	Vein x-ray, arms/legs	1.06	0.37	0.36	0.37	0.36	0.05	XXX
75825		A	Vein x-ray, trunk	1.14	2.93	7.96	NA	NA	0.72	XXX
75825	TC	A	Vein x-ray, trunk	0.00	2.55	7.58	NA	NA	0.65	XXX
75825	26	A	Vein x-ray, trunk	1.14	0.38	0.38	0.38	0.38	0.07	XXX
75827		A	Vein x-ray, chest	1.14	2.95	7.97	NA	NA	0.70	XXX
75827	TC	A	Vein x-ray, chest	0.00	2.58	7.60	NA	NA	0.65	XXX
75827	26	A	Vein x-ray, chest	1.14	0.37	0.37	0.37	0.37	0.05	XXX
75831		A	Vein x-ray, kidney	1.14	3.05	8.01	NA	NA	0.71	XXX
75831	TC	A	Vein x-ray, kidney	0.00	2.67	7.64	NA	NA	0.65	XXX
75831	26	A	Vein x-ray, kidney	1.14	0.38	0.37	0.38	0.37	0.06	XXX
75833		A	Vein x-ray, kidneys	1.49	3.68	8.39	NA	NA	0.74	XXX
75833	TC	A	Vein x-ray, kidneys	0.00	3.18	7.89	NA	NA	0.65	XXX
75833	26	A	Vein x-ray, kidneys	1.49	0.50	0.50	0.50	0.50	0.09	XXX
75840		A	Vein x-ray, adrenal gland	1.14	2.96	7.98	NA	NA	0.72	XXX
75840	TC	A	Vein x-ray, adrenal gland	0.00	2.60	7.61	NA	NA	0.65	XXX
75840	26	A	Vein x-ray, adrenal gland	1.14	0.36	0.37	0.36	0.37	0.07	XXX
75842		A	Vein x-ray, adrenal glands	1.49	3.75	8.42	NA	NA	0.72	XXX
75842	TC	A	Vein x-ray, adrenal glands	0.00	3.20	7.91	NA	NA	0.65	XXX
75842	26	A	Vein x-ray, adrenal glands	1.49	0.55	0.51	0.55	0.51	0.07	XXX
75860		A	Vein x-ray, neck	1.14	3.40	8.20	NA	NA	0.69	XXX
75860	TC	A	Vein x-ray, neck	0.00	2.91	7.76	NA	NA	0.65	XXX
75860	26	A	Vein x-ray, neck	1.14	0.49	0.44	0.49	0.44	0.04	XXX
75870		A	Vein x-ray, skull	1.14	3.29	8.15	NA	NA	0.70	XXX
75870	TC	A	Vein x-ray, skull	0.00	2.89	7.75	NA	NA	0.65	XXX
75870	26	A	Vein x-ray, skull	1.14	0.40	0.40	0.40	0.40	0.05	XXX
75872		A	Vein x-ray, skull	1.14	4.04	8.52	NA	NA	0.79	XXX
75872	TC	A	Vein x-ray, skull	0.00	3.60	8.11	NA	NA	0.65	XXX
75872	26	A	Vein x-ray, skull	1.14	0.44	0.41	0.44	0.41	0.14	XXX
75880		A	Vein x-ray, eye socket	0.70	3.21	2.20	NA	NA	0.09	XXX
75880	TC	A	Vein x-ray, eye socket	0.00	2.94	1.95	NA	NA	0.06	XXX
75880	26	A	Vein x-ray, eye socket	0.70	0.27	0.25	0.27	0.25	0.03	XXX
75885		A	Vein x-ray, liver	1.44	3.18	8.13	NA	NA	0.71	XXX
75885	TC	A	Vein x-ray, liver	0.00	2.66	7.64	NA	NA	0.65	XXX
75885	26	A	Vein x-ray, liver	1.44	0.52	0.49	0.52	0.49	0.06	XXX
75887		A	Vein x-ray, liver	1.44	3.42	8.25	NA	NA	0.71	XXX
75887	TC	A	Vein x-ray, liver	0.00	2.85	7.73	NA	NA	0.65	XXX
75887	26	A	Vein x-ray, liver	1.44	0.57	0.52	0.57	0.52	0.06	XXX
75889		A	Vein x-ray, liver	1.14	3.07	8.03	NA	NA	0.70	XXX
75889	TC	A	Vein x-ray, liver	0.00	2.66	7.64	NA	NA	0.65	XXX
75889	26	A	Vein x-ray, liver	1.14	0.41	0.39	0.41	0.39	0.05	XXX
75891		A	Vein x-ray, liver	1.14	3.07	8.02	NA	NA	0.70	XXX
75891	TC	A	Vein x-ray, liver	0.00	2.66	7.63	NA	NA	0.65	XXX
75891	26	A	Vein x-ray, liver	1.14	0.41	0.39	0.41	0.39	0.05	XXX
75893		A	Venous sampling by catheter	0.54	2.86	7.83	NA	NA	0.67	XXX
75893	TC	A	Venous sampling by catheter	0.00	2.66	7.64	NA	NA	0.65	XXX
75893	26	A	Venous sampling by catheter	0.54	0.20	0.19	0.20	0.19	0.02	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
75894		C	X-rays, transcath therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
75894	TC	C	X-rays, transcath therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
75894	26	A	X-rays, transcath therapy	1.31	0.46	0.44	0.46	0.44	0.08	XXX
75896		C	X-rays, transcath therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
75896	TC	C	X-rays, transcath therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
75896	26	A	X-rays, transcath therapy	1.31	0.52	0.48	0.52	0.48	0.05	XXX
75898		C	Follow-up angiography	0.00	0.00	0.00	NA	NA	0.00	XXX
75898	TC	C	Follow-up angiography	0.00	0.00	0.00	NA	NA	0.00	XXX
75898	26	A	Follow-up angiography	1.65	0.63	0.59	0.63	0.59	0.07	XXX
75900		C	Intravascular cath exchange	0.00	0.00	0.00	NA	NA	0.00	XXX
75900	TC	C	Intravascular cath exchange	0.00	0.00	0.00	NA	NA	0.00	XXX
75900	26	A	Intravascular cath exchange	0.49	0.17	0.16	0.17	0.16	0.03	XXX
75901		A	Remove cva device obstruct	0.49	4.15	2.81	NA	NA	0.85	XXX
75901	TC	A	Remove cva device obstruct	0.00	3.98	2.64	NA	NA	0.83	XXX
75901	26	A	Remove cva device obstruct	0.49	0.17	0.17	0.17	0.17	0.02	XXX
75902		A	Remove cva lumen obstruct	0.39	1.63	1.53	NA	NA	0.85	XXX
75902	TC	A	Remove cva lumen obstruct	0.00	1.50	1.40	NA	NA	0.83	XXX
75902	26	A	Remove cva lumen obstruct	0.39	0.13	0.13	0.13	0.13	0.02	XXX
75940		C	X-ray placement, vein filter	0.00	0.00	0.00	NA	NA	0.00	XXX
75940	TC	C	X-ray placement, vein filter	0.00	0.00	0.00	NA	NA	0.00	XXX
75940	26	A	X-ray placement, vein filter	0.54	0.18	0.18	0.18	0.18	0.04	XXX
75945		C	Intravascular us	0.00	0.00	0.00	NA	NA	0.00	XXX
75945	TC	C	Intravascular us	0.00	0.00	0.00	NA	NA	0.00	XXX
75945	26	A	Intravascular us	0.40	0.14	0.14	0.14	0.14	0.04	XXX
75946		C	Intravascular us add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
75946	TC	C	Intravascular us add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
75946	26	A	Intravascular us add-on	0.40	0.12	0.13	0.12	0.13	0.05	ZZZ
75952		C	Endovasc repair abdom aorta	0.00	0.00	0.00	NA	NA	0.00	XXX
75952	TC	C	Endovasc repair abdom aorta	0.00	0.00	0.00	NA	NA	0.00	XXX
75952	26	A	Endovasc repair abdom aorta	4.49	1.30	1.39	1.30	1.39	0.43	XXX
75953		C	Abdom aneurysm endovas rpr	0.00	0.00	0.00	NA	NA	0.00	XXX
75953	TC	C	Abdom aneurysm endovas rpr	0.00	0.00	0.00	NA	NA	0.00	XXX
75953	26	A	Abdom aneurysm endovas rpr	1.36	0.40	0.42	0.40	0.42	0.13	XXX
75954		C	Iliac aneurysm endovas rpr	0.00	0.00	0.00	NA	NA	0.00	XXX
75954	TC	C	Iliac aneurysm endovas rpr	0.00	0.00	0.00	NA	NA	0.00	XXX
75954	26	A	Iliac aneurysm endovas rpr	2.25	0.63	0.70	0.63	0.70	0.15	XXX
75956		C	Xray, endovasc thor ao repr	0.00	0.00	0.00	NA	NA	0.00	XXX
75956	TC	C	Xray, endovasc thor ao repr	0.00	0.00	0.00	NA	NA	0.00	XXX
75956	26	A	Xray, endovasc thor ao repr	7.00	1.88	2.29	1.88	2.29	0.69	XXX
75957		C	Xray, endovasc thor ao repr	0.00	0.00	0.00	NA	NA	0.00	XXX
75957	TC	C	Xray, endovasc thor ao repr	0.00	0.00	0.00	NA	NA	0.00	XXX
75957	26	A	Xray, endovasc thor ao repr	6.00	1.63	1.97	1.63	1.97	0.59	XXX
75958		C	Xray, place prox ext thor ao	0.00	0.00	0.00	NA	NA	0.00	XXX
75958	TC	C	Xray, place prox ext thor ao	0.00	0.00	0.00	NA	NA	0.00	XXX
75958	26	A	Xray, place prox ext thor ao	4.00	1.05	1.30	1.05	1.30	0.39	XXX
75959		C	Xray, place dist ext thor ao	0.00	0.00	0.00	NA	NA	0.00	XXX
75959	TC	C	Xray, place dist ext thor ao	0.00	0.00	0.00	NA	NA	0.00	XXX
75959	26	A	Xray, place dist ext thor ao	3.50	0.92	1.14	0.92	1.14	0.34	XXX
75960		A	Transcath iv stent rs&i	0.82	2.71	8.95	NA	NA	0.82	XXX
75960	TC	A	Transcath iv stent rs&i	0.00	2.39	8.65	NA	NA	0.77	XXX
75960	26	A	Transcath iv stent rs&i	0.82	0.32	0.30	0.32	0.30	0.05	XXX
75961		A	Retrieval, broken catheter	4.24	4.68	8.29	NA	NA	0.73	XXX
75961	TC	A	Retrieval, broken catheter	0.00	3.19	6.85	NA	NA	0.55	XXX
75961	26	A	Retrieval, broken catheter	4.24	1.49	1.44	1.49	1.44	0.18	XXX
75962		A	Repair arterial blockage	0.54	3.50	9.72	NA	NA	0.86	XXX
75962	TC	A	Repair arterial blockage	0.00	3.30	9.53	NA	NA	0.83	XXX
75962	26	A	Repair arterial blockage	0.54	0.20	0.19	0.20	0.19	0.03	XXX
75964		A	Repair artery blockage, each	0.36	2.35	5.43	NA	NA	0.46	ZZZ
75964	TC	A	Repair artery blockage, each	0.00	2.22	5.31	NA	NA	0.43	ZZZ
75964	26	A	Repair artery blockage, each	0.36	0.13	0.12	0.13	0.12	0.03	ZZZ
75966		A	Repair arterial blockage	1.31	4.17	10.19	NA	NA	0.89	XXX
75966	TC	A	Repair arterial blockage	0.00	3.60	9.68	NA	NA	0.83	XXX
75966	26	A	Repair arterial blockage	1.31	0.57	0.51	0.57	0.51	0.06	XXX
75968		A	Repair artery blockage, each	0.36	2.41	5.46	NA	NA	0.45	ZZZ
75968	TC	A	Repair artery blockage, each	0.00	2.25	5.32	NA	NA	0.43	ZZZ
75968	26	A	Repair artery blockage, each	0.36	0.16	0.14	0.16	0.14	0.02	ZZZ
75970		C	Vascular biopsy	0.00	0.00	0.00	NA	NA	0.00	XXX
75970	TC	C	Vascular biopsy	0.00	0.00	0.00	NA	NA	0.00	XXX
75970	26	A	Vascular biopsy	0.83	0.31	0.29	0.31	0.29	0.04	XXX
75978		A	Repair venous blockage	0.54	3.27	9.60	NA	NA	0.85	XXX
75978	TC	A	Repair venous blockage	0.00	3.09	9.42	NA	NA	0.83	XXX
75978	26	A	Repair venous blockage	0.54	0.18	0.18	0.18	0.18	0.02	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
75980		C	Contrast xray exam bile duct	0.00	0.00	0.00	NA	NA	0.00	XXX
75980	TC	C	Contrast xray exam bile duct	0.00	0.00	0.00	NA	NA	0.00	XXX
75980	26	A	Contrast xray exam bile duct	1.44	0.52	0.50	0.52	0.50	0.06	XXX
75982		C	Contrast xray exam bile duct	0.00	0.00	0.00	NA	NA	0.00	XXX
75982	TC	C	Contrast xray exam bile duct	0.00	0.00	0.00	NA	NA	0.00	XXX
75982	26	A	Contrast xray exam bile duct	1.44	0.52	0.50	0.52	0.50	0.06	XXX
75984		A	Xray control catheter change	0.72	2.31	2.24	NA	NA	0.14	XXX
75984	TC	A	Xray control catheter change	0.00	2.05	2.00	NA	NA	0.11	XXX
75984	26	A	Xray control catheter change	0.72	0.26	0.24	0.26	0.24	0.03	XXX
75989		A	Abscess drainage under x-ray	1.19	2.24	2.90	NA	NA	0.22	XXX
75989	TC	A	Abscess drainage under x-ray	0.00	1.82	2.49	NA	NA	0.17	XXX
75989	26	A	Abscess drainage under x-ray	1.19	0.42	0.41	0.42	0.41	0.05	XXX
75992		C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	XXX
75992	TC	C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	XXX
75992	26	A	Atherectomy, x-ray exam	0.54	0.22	0.21	0.22	0.21	0.03	XXX
75993		C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	ZZZ
75993	TC	C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	ZZZ
75993	26	A	Atherectomy, x-ray exam	0.36	0.14	0.13	0.14	0.13	0.02	ZZZ
75994		C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	XXX
75994	TC	C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	XXX
75994	26	A	Atherectomy, x-ray exam	1.31	0.54	0.50	0.54	0.50	0.07	XXX
75995		C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	XXX
75995	TC	C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	XXX
75995	26	A	Atherectomy, x-ray exam	1.31	0.48	0.47	0.48	0.47	0.05	XXX
75996		C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	ZZZ
75996	TC	C	Atherectomy, x-ray exam	0.00	0.00	0.00	NA	NA	0.00	ZZZ
75996	26	A	Atherectomy, x-ray exam	0.36	0.12	0.12	0.12	0.12	0.02	ZZZ
76000		A	Fluoroscope examination	0.17	2.77	2.06	NA	NA	0.08	XXX
76000	TC	A	Fluoroscope examination	0.00	2.71	2.01	NA	NA	0.07	XXX
76000	26	A	Fluoroscope examination	0.17	0.06	0.05	0.06	0.05	0.01	XXX
76001		C	Fluoroscope exam, extensive	0.00	0.00	0.00	NA	NA	0.00	XXX
76001	TC	C	Fluoroscope exam, extensive	0.00	0.00	0.00	NA	NA	0.00	XXX
76001	26	A	Fluoroscope exam, extensive	0.67	0.24	0.23	0.24	0.23	0.05	XXX
76010		A	X-ray, nose to rectum	0.18	0.54	0.56	NA	NA	0.03	XXX
76010	TC	A	X-ray, nose to rectum	0.00	0.48	0.50	NA	NA	0.02	XXX
76010	26	A	X-ray, nose to rectum	0.18	0.06	0.06	0.06	0.06	0.01	XXX
76080		A	X-ray exam of fistula	0.54	1.10	1.16	NA	NA	0.08	XXX
76080	TC	A	X-ray exam of fistula	0.00	0.90	0.97	NA	NA	0.06	XXX
76080	26	A	X-ray exam of fistula	0.54	0.20	0.19	0.20	0.19	0.02	XXX
76098		A	X-ray exam, breast specimen	0.16	0.32	0.39	NA	NA	0.03	XXX
76098	TC	A	X-ray exam, breast specimen	0.00	0.27	0.34	NA	NA	0.02	XXX
76098	26	A	X-ray exam, breast specimen	0.16	0.05	0.05	0.05	0.05	0.01	XXX
76100		A	X-ray exam of body section	0.58	3.55	2.50	NA	NA	0.10	XXX
76100	TC	A	X-ray exam of body section	0.00	3.35	2.30	NA	NA	0.07	XXX
76100	26	A	X-ray exam of body section	0.58	0.20	0.20	0.20	0.20	0.03	XXX
76101		A	Complex body section x-ray	0.58	5.47	3.54	NA	NA	0.11	XXX
76101	TC	A	Complex body section x-ray	0.00	5.28	3.35	NA	NA	0.08	XXX
76101	26	A	Complex body section x-ray	0.58	0.19	0.19	0.19	0.19	0.03	XXX
76102		A	Complex body section x-rays	0.58	7.65	4.78	NA	NA	0.14	XXX
76102	TC	A	Complex body section x-rays	0.00	7.47	4.60	NA	NA	0.11	XXX
76102	26	A	Complex body section x-rays	0.58	0.18	0.18	0.18	0.18	0.03	XXX
76120		A	Cine/video x-rays	0.38	1.87	1.53	NA	NA	0.08	XXX
76120	TC	A	Cine/video x-rays	0.00	1.74	1.40	NA	NA	0.06	XXX
76120	26	A	Cine/video x-rays	0.38	0.13	0.13	0.13	0.13	0.02	XXX
76125		C	Cine/video x-rays add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
76125	TC	C	Cine/video x-rays add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
76125	26	A	Cine/video x-rays add-on	0.27	0.12	0.11	0.12	0.11	0.01	ZZZ
76140		I	X-ray consultation	0.00	0.00	0.00	0.00	0.00	0.00	XXX
76150		A	X-ray exam, dry process	0.00	0.68	0.55	NA	NA	0.02	XXX
76350		C	Special x-ray contrast study	0.00	0.00	0.00	0.00	0.00	0.00	XXX
76376		A	3d render w/o postprocess	0.20	1.41	2.45	NA	NA	0.10	XXX
76376	TC	A	3d render w/o postprocess	0.00	1.34	2.38	NA	NA	0.08	XXX
76376	26	A	3d render w/o postprocess	0.20	0.07	0.07	0.07	0.07	0.02	XXX
76377		A	3d rendering w/postprocess	0.79	1.40	2.54	NA	NA	0.39	XXX
76377	TC	A	3d rendering w/postprocess	0.00	1.12	2.27	NA	NA	0.31	XXX
76377	26	A	3d rendering w/postprocess	0.79	0.28	0.27	0.28	0.27	0.08	XXX
76380		A	CAT scan follow-up study	0.98	4.72	4.27	NA	NA	0.22	XXX
76380	TC	A	CAT scan follow-up study	0.00	4.38	3.94	NA	NA	0.18	XXX
76380	26	A	CAT scan follow-up study	0.98	0.34	0.33	0.34	0.33	0.04	XXX
76390		N	Mr spectroscopy	1.40	9.43	10.46	NA	NA	0.66	XXX
76390	TC	N	Mr spectroscopy	0.00	9.11	10.06	NA	NA	0.59	XXX
76390	26	N	Mr spectroscopy	1.40	0.32	0.40	0.32	0.40	0.07	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
76496		C	Fluoroscopic procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76496	TC	C	Fluoroscopic procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76496	26	C	Fluoroscopic procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
76497		C	Ct procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76497	TC	C	Ct procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76497	26	C	Ct procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
76498		C	Mri procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76498	TC	C	Mri procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76498	26	C	Mri procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
76499		C	Radiographic procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76499	TC	C	Radiographic procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76499	26	C	Radiographic procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
76506		A	Echo exam of head	0.63	2.76	2.21	NA	NA	0.14	XXX
76506	TC	A	Echo exam of head	0.00	2.56	1.99	NA	NA	0.08	XXX
76506	26	A	Echo exam of head	0.63	0.20	0.22	0.20	0.22	0.06	XXX
76510		A	Ophth us, b & quant a	1.55	2.25	2.55	NA	NA	0.10	XXX
76510	TC	A	Ophth us, b & quant a	0.00	1.70	1.94	NA	NA	0.07	XXX
76510	26	A	Ophth us, b & quant a	1.55	0.55	0.61	0.55	0.61	0.03	XXX
76511		A	Ophth us, quant a only	0.94	1.35	1.89	NA	NA	0.10	XXX
76511	TC	A	Ophth us, quant a only	0.00	1.02	1.53	NA	NA	0.07	XXX
76511	26	A	Ophth us, quant a only	0.94	0.33	0.36	0.33	0.36	0.03	XXX
76512		A	Ophth us, b w/non-quant a	0.94	1.16	1.69	NA	NA	0.12	XXX
76512	TC	A	Ophth us, b w/non-quant a	0.00	0.83	1.32	NA	NA	0.10	XXX
76512	26	A	Ophth us, b w/non-quant a	0.94	0.33	0.37	0.33	0.37	0.02	XXX
76513		A	Echo exam of eye, water bath	0.66	1.52	1.67	NA	NA	0.12	XXX
76513	TC	A	Echo exam of eye, water bath	0.00	1.29	1.41	NA	NA	0.10	XXX
76513	26	A	Echo exam of eye, water bath	0.66	0.23	0.26	0.23	0.26	0.02	XXX
76514		A	Echo exam of eye, thickness	0.17	0.16	0.15	NA	NA	0.02	XXX
76514	TC	A	Echo exam of eye, thickness	0.00	0.10	0.08	NA	NA	0.01	XXX
76514	26	A	Echo exam of eye, thickness	0.17	0.06	0.07	0.06	0.07	0.01	XXX
76516		A	Echo exam of eye	0.54	1.15	1.31	NA	NA	0.08	XXX
76516	TC	A	Echo exam of eye	0.00	0.97	1.10	NA	NA	0.07	XXX
76516	26	A	Echo exam of eye	0.54	0.18	0.21	0.18	0.21	0.01	XXX
76519		A	Echo exam of eye	0.54	1.29	1.42	NA	NA	0.08	XXX
76519	TC	A	Echo exam of eye	0.00	1.10	1.20	NA	NA	0.07	XXX
76519	26	A	Echo exam of eye	0.54	0.19	0.22	0.19	0.22	0.01	XXX
76529		A	Echo exam of eye	0.57	1.15	1.26	NA	NA	0.10	XXX
76529	TC	A	Echo exam of eye	0.00	0.95	1.04	NA	NA	0.08	XXX
76529	26	A	Echo exam of eye	0.57	0.20	0.22	0.20	0.22	0.02	XXX
76536		A	Us exam of head and neck	0.56	2.68	2.14	NA	NA	0.10	XXX
76536	TC	A	Us exam of head and neck	0.00	2.50	1.96	NA	NA	0.08	XXX
76536	26	A	Us exam of head and neck	0.56	0.18	0.18	0.18	0.18	0.02	XXX
76604		A	Us exam, chest	0.55	1.83	1.66	NA	NA	0.09	XXX
76604	TC	A	Us exam, chest	0.00	1.64	1.47	NA	NA	0.07	XXX
76604	26	A	Us exam, chest	0.55	0.19	0.19	0.19	0.19	0.02	XXX
76645		A	Us exam, breast(s)	0.54	2.12	1.67	NA	NA	0.08	XXX
76645	TC	A	Us exam, breast(s)	0.00	1.93	1.49	NA	NA	0.06	XXX
76645	26	A	Us exam, breast(s)	0.54	0.19	0.18	0.19	0.18	0.02	XXX
76700		A	Us exam, abdom, complete	0.81	3.02	2.63	NA	NA	0.15	XXX
76700	TC	A	Us exam, abdom, complete	0.00	2.75	2.36	NA	NA	0.11	XXX
76700	26	A	Us exam, abdom, complete	0.81	0.27	0.27	0.27	0.27	0.04	XXX
76705		A	Echo exam of abdomen	0.59	2.36	1.98	NA	NA	0.11	XXX
76705	TC	A	Echo exam of abdomen	0.00	2.15	1.78	NA	NA	0.08	XXX
76705	26	A	Echo exam of abdomen	0.59	0.21	0.20	0.21	0.20	0.03	XXX
76770		A	Us exam abdo back wall, comp	0.74	2.93	2.57	NA	NA	0.14	XXX
76770	TC	A	Us exam abdo back wall, comp	0.00	2.67	2.32	NA	NA	0.11	XXX
76770	26	A	Us exam abdo back wall, comp	0.74	0.26	0.25	0.26	0.25	0.03	XXX
76775		A	Us exam abdo back wall, lim	0.58	2.42	2.01	NA	NA	0.11	XXX
76775	TC	A	Us exam abdo back wall, lim	0.00	2.21	1.81	NA	NA	0.08	XXX
76775	26	A	Us exam abdo back wall, lim	0.58	0.21	0.20	0.21	0.20	0.03	XXX
76776		A	Us exam k transpl w/doppler	0.76	3.43	2.83	NA	NA	0.14	XXX
76776	TC	A	Us exam k transpl w/doppler	0.00	3.16	2.57	NA	NA	0.11	XXX
76776	26	A	Us exam k transpl w/doppler	0.76	0.27	0.26	0.27	0.26	0.03	XXX
76800		A	Us exam, spinal canal	1.13	2.31	2.03	NA	NA	0.13	XXX
76800	TC	A	Us exam, spinal canal	0.00	2.03	1.72	NA	NA	0.08	XXX
76800	26	A	Us exam, spinal canal	1.13	0.28	0.31	0.28	0.31	0.05	XXX
76801		A	Ob us < 14 wks, single fetus	0.99	2.46	2.45	NA	NA	0.16	XXX
76801	TC	A	Ob us < 14 wks, single fetus	0.00	2.16	2.13	NA	NA	0.12	XXX
76801	26	A	Ob us < 14 wks, single fetus	0.99	0.30	0.32	0.30	0.32	0.04	XXX
76802		A	Ob us < 14 wks, addÆl fetus	0.83	0.97	1.16	NA	NA	0.16	ZZZ
76802	TC	A	Ob us < 14 wks, addÆl fetus	0.00	0.71	0.88	NA	NA	0.12	ZZZ
76802	26	A	Ob us < 14 wks, addÆl fetus	0.83	0.26	0.28	0.26	0.28	0.04	ZZZ

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
76805		A	Ob us >/= 14 wks, sngl fetus	0.99	3.05	2.74	NA	NA	0.16	XXX
76805	TC	A	Ob us >/= 14 wks, sngl fetus	0.00	2.74	2.42	NA	NA	0.12	XXX
76805	26	A	Ob us >/= 14 wks, sngl fetus	0.99	0.31	0.32	0.31	0.32	0.04	XXX
76810		A	Ob us >/= 14 wks, addl fetus	0.98	1.65	1.52	NA	NA	0.26	ZZZ
76810	TC	A	Ob us >/= 14 wks, addl fetus	0.00	1.35	1.20	NA	NA	0.22	ZZZ
76810	26	A	Ob us >/= 14 wks, addl fetus	0.98	0.30	0.32	0.30	0.32	0.04	ZZZ
76811		A	Ob us, detailed, sngl fetus	1.90	3.05	3.64	NA	NA	0.52	XXX
76811	TC	A	Ob us, detailed, sngl fetus	0.00	2.51	3.02	NA	NA	0.43	XXX
76811	26	A	Ob us, detailed, sngl fetus	1.90	0.54	0.62	0.54	0.62	0.09	XXX
76812		A	Ob us, detailed, addl fetus	1.78	3.98	2.84	NA	NA	0.49	ZZZ
76812	TC	A	Ob us, detailed, addl fetus	0.00	3.48	2.26	NA	NA	0.41	ZZZ
76812	26	A	Ob us, detailed, addl fetus	1.78	0.50	0.58	0.50	0.58	0.08	ZZZ
76813		A	Ob us nuchal meas, 1 gest	1.18	2.21	2.21	NA	NA	0.19	XXX
76813	TC	A	Ob us nuchal meas, 1 gest	0.00	1.81	1.81	NA	NA	0.14	XXX
76813	26	A	Ob us nuchal meas, 1 gest	1.18	0.40	0.40	0.40	0.40	0.05	XXX
76814		A	Ob us nuchal meas, add-on	0.99	1.15	1.15	NA	NA	0.19	XXX
76814	TC	A	Ob us nuchal meas, add-on	0.00	0.86	0.86	NA	NA	0.14	XXX
76814	26	A	Ob us nuchal meas, add-on	0.99	0.29	0.29	0.29	0.29	0.05	XXX
76815		A	Ob us, limited, fetus(s)	0.65	1.80	1.72	NA	NA	0.11	XXX
76815	TC	A	Ob us, limited, fetus(s)	0.00	1.60	1.51	NA	NA	0.08	XXX
76815	26	A	Ob us, limited, fetus(s)	0.65	0.20	0.21	0.20	0.21	0.03	XXX
76816		A	Ob us, follow-up, per fetus	0.85	2.38	1.90	NA	NA	0.10	XXX
76816	TC	A	Ob us, follow-up, per fetus	0.00	2.13	1.62	NA	NA	0.06	XXX
76816	26	A	Ob us, follow-up, per fetus	0.85	0.25	0.28	0.25	0.28	0.04	XXX
76817		A	Transvaginal us, obstetric	0.75	2.02	1.89	NA	NA	0.09	XXX
76817	TC	A	Transvaginal us, obstetric	0.00	1.79	1.65	NA	NA	0.06	XXX
76817	26	A	Transvaginal us, obstetric	0.75	0.23	0.24	0.23	0.24	0.03	XXX
76818		A	Fetal biophys profile w/nst	1.05	2.22	2.11	NA	NA	0.15	XXX
76818	TC	A	Fetal biophys profile w/nst	0.00	1.92	1.76	NA	NA	0.10	XXX
76818	26	A	Fetal biophys profile w/nst	1.05	0.30	0.35	0.30	0.35	0.05	XXX
76819		A	Fetal biophys profil w/o nst	0.77	1.63	1.76	NA	NA	0.13	XXX
76819	TC	A	Fetal biophys profil w/o nst	0.00	1.40	1.50	NA	NA	0.10	XXX
76819	26	A	Fetal biophys profil w/o nst	0.77	0.23	0.26	0.23	0.26	0.03	XXX
76820		A	Umbilical artery echo	0.50	0.56	1.18	NA	NA	0.15	XXX
76820	TC	A	Umbilical artery echo	0.00	0.42	1.01	NA	NA	0.12	XXX
76820	26	A	Umbilical artery echo	0.50	0.14	0.17	0.14	0.17	0.03	XXX
76821		A	Middle cerebral artery echo	0.70	1.87	1.88	NA	NA	0.15	XXX
76821	TC	A	Middle cerebral artery echo	0.00	1.67	1.64	NA	NA	0.12	XXX
76821	26	A	Middle cerebral artery echo	0.70	0.20	0.24	0.20	0.24	0.03	XXX
76825		A	Echo exam of fetal heart	1.67	4.37	3.47	NA	NA	0.18	XXX
76825	TC	A	Echo exam of fetal heart	0.00	3.87	2.92	NA	NA	0.11	XXX
76825	26	A	Echo exam of fetal heart	1.67	0.50	0.55	0.50	0.55	0.07	XXX
76826		A	Echo exam of fetal heart	0.83	2.76	1.88	NA	NA	0.08	XXX
76826	TC	A	Echo exam of fetal heart	0.00	2.52	1.61	NA	NA	0.05	XXX
76826	26	A	Echo exam of fetal heart	0.83	0.24	0.27	0.24	0.27	0.03	XXX
76827		A	Echo exam of fetal heart	0.58	1.07	1.50	NA	NA	0.14	XXX
76827	TC	A	Echo exam of fetal heart	0.00	0.90	1.31	NA	NA	0.12	XXX
76827	26	A	Echo exam of fetal heart	0.58	0.17	0.19	0.17	0.19	0.02	XXX
76828		A	Echo exam of fetal heart	0.56	0.63	0.98	NA	NA	0.11	XXX
76828	TC	A	Echo exam of fetal heart	0.00	0.48	0.79	NA	NA	0.08	XXX
76828	26	A	Echo exam of fetal heart	0.56	0.15	0.19	0.15	0.19	0.03	XXX
76830		A	Transvaginal us, non-ob	0.69	2.76	2.26	NA	NA	0.13	XXX
76830	TC	A	Transvaginal us, non-ob	0.00	2.54	2.03	NA	NA	0.10	XXX
76830	26	A	Transvaginal us, non-ob	0.69	0.22	0.23	0.22	0.23	0.03	XXX
76831		A	Echo exam, uterus	0.72	2.74	2.25	NA	NA	0.13	XXX
76831	TC	A	Echo exam, uterus	0.00	2.53	2.02	NA	NA	0.10	XXX
76831	26	A	Echo exam, uterus	0.72	0.21	0.23	0.21	0.23	0.03	XXX
76856		A	Us exam, pelvic, complete	0.69	2.80	2.27	NA	NA	0.13	XXX
76856	TC	A	Us exam, pelvic, complete	0.00	2.56	2.04	NA	NA	0.10	XXX
76856	26	A	Us exam, pelvic, complete	0.69	0.24	0.23	0.24	0.23	0.03	XXX
76857		A	Us exam, pelvic, limited	0.38	2.49	2.16	NA	NA	0.08	XXX
76857	TC	A	Us exam, pelvic, limited	0.00	2.35	2.03	NA	NA	0.06	XXX
76857	26	A	Us exam, pelvic, limited	0.38	0.14	0.13	0.14	0.13	0.02	XXX
76870		A	Us exam, scrotum	0.64	2.83	2.28	NA	NA	0.13	XXX
76870	TC	A	Us exam, scrotum	0.00	2.60	2.06	NA	NA	0.10	XXX
76870	26	A	Us exam, scrotum	0.64	0.23	0.22	0.23	0.22	0.03	XXX
76872		A	Us, transrectal	0.69	3.41	2.82	NA	NA	0.14	XXX
76872	TC	A	Us, transrectal	0.00	3.14	2.58	NA	NA	0.10	XXX
76872	26	A	Us, transrectal	0.69	0.27	0.24	0.27	0.24	0.04	XXX
76873		A	Echograp trans r, pros study	1.55	3.40	3.00	NA	NA	0.25	XXX
76873	TC	A	Echograp trans r, pros study	0.00	2.85	2.48	NA	NA	0.16	XXX
76873	26	A	Echograp trans r, pros study	1.55	0.55	0.52	0.55	0.52	0.09	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
76880		A	Us exam, extremity	0.59	3.19	2.40	NA	NA	0.11	XXX
76880	TC	A	Us exam, extremity	0.00	3.01	2.21	NA	NA	0.08	XXX
76880	26	A	Us exam, extremity	0.59	0.18	0.19	0.18	0.19	0.03	XXX
76885		A	Us exam infant hips, dynamic	0.74	3.26	2.50	NA	NA	0.13	XXX
76885	TC	A	Us exam infant hips, dynamic	0.00	3.01	2.26	NA	NA	0.10	XXX
76885	26	A	Us exam infant hips, dynamic	0.74	0.25	0.24	0.25	0.24	0.03	XXX
76886		A	Us exam infant hips, static	0.62	2.28	1.95	NA	NA	0.11	XXX
76886	TC	A	Us exam infant hips, static	0.00	2.06	1.74	NA	NA	0.08	XXX
76886	26	A	Us exam infant hips, static	0.62	0.22	0.21	0.22	0.21	0.03	XXX
76930		A	Echo guide, cardiocentesis	0.67	2.08	1.92	NA	NA	0.12	XXX
76930	TC	A	Echo guide, cardiocentesis	0.00	1.74	1.63	NA	NA	0.10	XXX
76930	26	A	Echo guide, cardiocentesis	0.67	0.34	0.29	0.34	0.29	0.02	XXX
76932		C	Echo guide for heart biopsy	0.00	0.00	0.00	NA	NA	0.00	XXX
76932	TC	C	Echo guide for heart biopsy	0.00	0.00	0.00	NA	NA	0.00	XXX
76932	26	A	Echo guide for heart biopsy	0.67	0.35	0.30	0.35	0.30	0.02	XXX
76936		A	Echo guide for artery repair	1.99	6.13	6.55	NA	NA	0.47	XXX
76936	TC	A	Echo guide for artery repair	0.00	5.42	5.86	NA	NA	0.34	XXX
76936	26	A	Echo guide for artery repair	1.99	0.71	0.69	0.71	0.69	0.13	XXX
76937		A	Us guide, vascular access	0.30	0.62	0.55	NA	NA	0.13	ZZZ
76937	TC	A	Us guide, vascular access	0.00	0.52	0.45	NA	NA	0.10	ZZZ
76937	26	A	Us guide, vascular access	0.30	0.10	0.10	0.10	0.10	0.03	ZZZ
76940		C	Us guide, tissue ablation	0.00	0.00	0.00	NA	NA	0.00	XXX
76940	TC	C	Us guide, tissue ablation	0.00	0.00	0.00	NA	NA	0.00	XXX
76940	26	A	Us guide, tissue ablation	2.00	0.65	0.65	0.65	0.65	0.31	XXX
76941		C	Echo guide for transfusion	0.00	0.00	0.00	NA	NA	0.00	XXX
76941	TC	C	Echo guide for transfusion	0.00	0.00	0.00	NA	NA	0.00	XXX
76941	26	A	Echo guide for transfusion	1.34	0.38	0.43	0.38	0.43	0.07	XXX
76942		A	Echo guide for biopsy	0.67	4.80	3.91	NA	NA	0.13	XXX
76942	TC	A	Echo guide for biopsy	0.00	4.56	3.68	NA	NA	0.10	XXX
76942	26	A	Echo guide for biopsy	0.67	0.24	0.23	0.24	0.23	0.03	XXX
76945		C	Echo guide, villus sampling	0.00	0.00	0.00	NA	NA	0.00	XXX
76945	TC	C	Echo guide, villus sampling	0.00	0.00	0.00	NA	NA	0.00	XXX
76945	26	A	Echo guide, villus sampling	0.67	0.21	0.21	0.21	0.21	0.03	XXX
76946		A	Echo guide for amniocentesis	0.38	0.45	1.05	NA	NA	0.12	XXX
76946	TC	A	Echo guide for amniocentesis	0.00	0.34	0.93	NA	NA	0.10	XXX
76946	26	A	Echo guide for amniocentesis	0.38	0.11	0.12	0.11	0.12	0.02	XXX
76948		A	Echo guide, ova aspiration	0.38	0.45	1.04	NA	NA	0.12	XXX
76948	TC	A	Echo guide, ova aspiration	0.00	0.35	0.93	NA	NA	0.10	XXX
76948	26	A	Echo guide, ova aspiration	0.38	0.10	0.11	0.10	0.11	0.02	XXX
76950		A	Echo guidance radiotherapy	0.58	1.21	1.35	NA	NA	0.10	XXX
76950	TC	A	Echo guidance radiotherapy	0.00	1.02	1.16	NA	NA	0.07	XXX
76950	26	A	Echo guidance radiotherapy	0.58	0.19	0.19	0.19	0.19	0.03	XXX
76965		A	Echo guidance radiotherapy	1.34	1.20	3.60	NA	NA	0.37	XXX
76965	TC	A	Echo guidance radiotherapy	0.00	0.70	3.14	NA	NA	0.29	XXX
76965	26	A	Echo guidance radiotherapy	1.34	0.50	0.46	0.50	0.46	0.08	XXX
76970		A	Ultrasound exam follow-up	0.40	1.99	1.58	NA	NA	0.08	XXX
76970	TC	A	Ultrasound exam follow-up	0.00	1.88	1.46	NA	NA	0.06	XXX
76970	26	A	Ultrasound exam follow-up	0.40	0.11	0.12	0.11	0.12	0.02	XXX
76975		C	GI endoscopic ultrasound	0.00	0.00	0.00	NA	NA	0.00	XXX
76975	TC	C	GI endoscopic ultrasound	0.00	0.00	0.00	NA	NA	0.00	XXX
76975	26	A	GI endoscopic ultrasound	0.81	0.30	0.29	0.30	0.29	0.04	XXX
76977		A	Us bone density measure	0.05	0.10	0.48	NA	NA	0.06	XXX
76977	TC	A	Us bone density measure	0.00	0.09	0.46	NA	NA	0.05	XXX
76977	26	A	Us bone density measure	0.05	0.01	0.02	0.01	0.02	0.01	XXX
76998		C	Us guide, intraop	0.00	0.00	0.00	NA	NA	0.00	XXX
76998	TC	C	Us guide, intraop	0.00	0.00	0.00	NA	NA	0.00	XXX
76998	26	A	Us guide, intraop	1.20	0.35	0.38	0.35	0.38	0.13	XXX
76999		C	Echo examination procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76999	TC	C	Echo examination procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
76999	26	C	Echo examination procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77001		A	Fluoroguide for vein device	0.38	2.73	2.08	NA	NA	0.11	ZZZ
77001	TC	A	Fluoroguide for vein device	0.00	2.60	1.95	NA	NA	0.10	ZZZ
77001	26	A	Fluoroguide for vein device	0.38	0.13	0.13	0.13	0.13	0.01	ZZZ
77002		A	Needle localization by xray	0.54	1.23	1.35	NA	NA	0.09	XXX
77002	TC	A	Needle localization by xray	0.00	1.07	1.19	NA	NA	0.07	XXX
77002	26	A	Needle localization by xray	0.54	0.16	0.16	0.16	0.16	0.02	XXX
77003		A	Fluoroguide for spine inject	0.60	0.76	1.11	NA	NA	0.10	XXX
77003	TC	A	Fluoroguide for spine inject	0.00	0.62	0.96	NA	NA	0.07	XXX
77003	26	A	Fluoroguide for spine inject	0.60	0.14	0.15	0.14	0.15	0.03	XXX
77011		A	Ct scan for localization	1.21	20.28	14.47	NA	NA	0.47	XXX
77011	TC	A	Ct scan for localization	0.00	19.88	14.07	NA	NA	0.42	XXX
77011	26	A	Ct scan for localization	1.21	0.40	0.40	0.40	0.40	0.05	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
77012		A	Ct scan for needle biopsy	1.16	2.33	5.49	NA	NA	0.47	XXX
77012	TC	A	Ct scan for needle biopsy	0.00	1.92	5.09	NA	NA	0.42	XXX
77012	26	A	Ct scan for needle biopsy	1.16	0.41	0.40	0.41	0.40	0.05	XXX
77013		C	Ct guide for tissue ablation	0.00	0.00	0.00	NA	NA	0.00	XXX
77013	TC	C	Ct guide for tissue ablation	0.00	0.00	0.00	NA	NA	0.00	XXX
77013	26	A	Ct guide for tissue ablation	3.99	1.43	1.36	1.43	1.36	0.18	XXX
77014		A	Ct scan for therapy guide	0.85	4.48	3.86	NA	NA	0.20	XXX
77014	TC	A	Ct scan for therapy guide	0.00	4.20	3.58	NA	NA	0.16	XXX
77014	26	A	Ct scan for therapy guide	0.85	0.28	0.28	0.28	0.28	0.04	XXX
77021		A	Mr guidance for needle place	1.50	9.71	10.71	NA	NA	0.64	XXX
77021	TC	A	Mr guidance for needle place	0.00	9.19	10.20	NA	NA	0.55	XXX
77021	26	A	Mr guidance for needle place	1.50	0.52	0.51	0.52	0.51	0.09	XXX
77022		C	Mri for tissue ablation	0.00	0.00	0.00	NA	NA	0.00	XXX
77022	TC	C	Mri for tissue ablation	0.00	0.00	0.00	NA	NA	0.00	XXX
77022	26	A	Mri for tissue ablation	4.24	1.52	1.45	1.52	1.45	0.24	XXX
77031		A	Stereotact guide for brst bx	1.59	1.87	4.78	NA	NA	0.46	XXX
77031	TC	A	Stereotact guide for brst bx	0.00	1.34	4.25	NA	NA	0.37	XXX
77031	26	A	Stereotact guide for brst bx	1.59	0.53	0.53	0.53	0.53	0.09	XXX
77032		A	Guidance for needle, breast	0.56	0.84	1.17	NA	NA	0.09	XXX
77032	TC	A	Guidance for needle, breast	0.00	0.64	0.98	NA	NA	0.07	XXX
77032	26	A	Guidance for needle, breast	0.56	0.20	0.19	0.20	0.19	0.02	XXX
77051		A	Computer dx mammogram add-on	0.06	0.20	0.32	NA	NA	0.02	ZZZ
77051	TC	A	Computer dx mammogram add-on	0.00	0.18	0.30	NA	NA	0.01	ZZZ
77051	26	A	Computer dx mammogram add-on	0.06	0.02	0.02	0.02	0.02	0.01	ZZZ
77052		A	Comp screen mammogram add-on	0.06	0.20	0.32	NA	NA	0.02	ZZZ
77052	TC	A	Comp screen mammogram add-on	0.00	0.18	0.30	NA	NA	0.01	ZZZ
77052	26	A	Comp screen mammogram add-on	0.06	0.02	0.02	0.02	0.02	0.01	ZZZ
77053		A	X-ray of mammary duct	0.36	1.24	1.99	NA	NA	0.16	XXX
77053	TC	A	X-ray of mammary duct	0.00	1.11	1.87	NA	NA	0.14	XXX
77053	26	A	X-ray of mammary duct	0.36	0.13	0.12	0.13	0.12	0.02	XXX
77054		A	X-ray of mammary ducts	0.45	1.68	2.74	NA	NA	0.21	XXX
77054	TC	A	X-ray of mammary ducts	0.00	1.52	2.59	NA	NA	0.19	XXX
77054	26	A	X-ray of mammary ducts	0.45	0.16	0.15	0.16	0.15	0.02	XXX
77055		A	Mammogram, one breast	0.70	1.65	1.46	NA	NA	0.09	XXX
77055	TC	A	Mammogram, one breast	0.00	1.40	1.22	NA	NA	0.06	XXX
77055	26	A	Mammogram, one breast	0.70	0.25	0.24	0.25	0.24	0.03	XXX
77056		A	Mammogram, both breasts	0.87	2.15	1.86	NA	NA	0.11	XXX
77056	TC	A	Mammogram, both breasts	0.00	1.84	1.57	NA	NA	0.07	XXX
77056	26	A	Mammogram, both breasts	0.87	0.31	0.29	0.31	0.29	0.04	XXX
77057		A	Mammogram, screening	0.70	1.44	1.46	NA	NA	0.10	XXX
77057	TC	A	Mammogram, screening	0.00	1.20	1.22	NA	NA	0.07	XXX
77057	26	A	Mammogram, screening	0.70	0.24	0.24	0.24	0.24	0.03	XXX
77058		A	Mri, one breast	1.63	21.65	19.91	NA	NA	0.99	XXX
77058	TC	A	Mri, one breast	0.00	21.09	19.36	NA	NA	0.92	XXX
77058	26	A	Mri, one breast	1.63	0.56	0.55	0.56	0.55	0.07	XXX
77059		A	Mri, both breasts	1.63	21.58	23.02	NA	NA	1.31	XXX
77059	TC	A	Mri, both breasts	0.00	21.01	22.47	NA	NA	1.24	XXX
77059	26	A	Mri, both breasts	1.63	0.57	0.55	0.57	0.55	0.07	XXX
77071		A	X-ray stress view	0.41	0.77	0.48	0.77	0.48	0.06	XXX
77072		A	X-rays for bone age	0.19	0.42	0.42	NA	NA	0.03	XXX
77072	TC	A	X-rays for bone age	0.00	0.36	0.36	NA	NA	0.02	XXX
77072	26	A	X-rays for bone age	0.19	0.06	0.06	0.06	0.06	0.01	XXX
77073		A	X-rays, bone length studies	0.27	0.67	0.78	NA	NA	0.06	XXX
77073	TC	A	X-rays, bone length studies	0.00	0.57	0.68	NA	NA	0.05	XXX
77073	26	A	X-rays, bone length studies	0.27	0.10	0.10	0.10	0.10	0.01	XXX
77074		A	X-rays, bone survey, limited	0.45	1.45	1.30	NA	NA	0.08	XXX
77074	TC	A	X-rays, bone survey, limited	0.00	1.29	1.14	NA	NA	0.06	XXX
77074	26	A	X-rays, bone survey, limited	0.45	0.16	0.16	0.16	0.16	0.02	XXX
77075		A	X-rays, bone survey complete	0.54	2.29	1.96	NA	NA	0.10	XXX
77075	TC	A	X-rays, bone survey complete	0.00	2.10	1.77	NA	NA	0.08	XXX
77075	26	A	X-rays, bone survey complete	0.54	0.19	0.19	0.19	0.19	0.02	XXX
77076		A	X-rays, bone survey, infant	0.70	2.13	1.55	NA	NA	0.08	XXX
77076	TC	A	X-rays, bone survey, infant	0.00	1.90	1.32	NA	NA	0.05	XXX
77076	26	A	X-rays, bone survey, infant	0.70	0.23	0.23	0.23	0.23	0.03	XXX
77077		A	Joint survey, single view	0.31	0.66	0.93	NA	NA	0.08	XXX
77077	TC	A	Joint survey, single view	0.00	0.55	0.83	NA	NA	0.06	XXX
77077	26	A	Joint survey, single view	0.31	0.11	0.10	0.11	0.10	0.02	XXX
77078		A	Ct bone density, axial	0.25	4.75	3.88	NA	NA	0.17	XXX
77078	TC	A	Ct bone density, axial	0.00	4.66	3.80	NA	NA	0.16	XXX
77078	26	A	Ct bone density, axial	0.25	0.09	0.08	0.09	0.08	0.01	XXX
77079		A	Ct bone density, peripheral	0.22	0.83	1.92	NA	NA	0.06	XXX
77079	TC	A	Ct bone density, peripheral	0.00	0.75	1.85	NA	NA	0.05	XXX

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77079	26	A	Ct bone density, peripheral	0.22	0.08	0.07	0.08	0.07	0.01	XXX
77080		A	Dxa bone density, axial	0.20	1.10	2.15	NA	NA	0.18	XXX
77080	TC	A	Dxa bone density, axial	0.00	1.04	2.07	NA	NA	0.17	XXX
77080	26	A	Dxa bone density, axial	0.20	0.06	0.08	0.06	0.08	0.01	XXX
77081		A	Dxa bone density/peripheral	0.22	0.47	0.65	NA	NA	0.06	XXX
77081	TC	A	Dxa bone density/peripheral	0.00	0.41	0.58	NA	NA	0.05	XXX
77081	26	A	Dxa bone density/peripheral	0.22	0.06	0.07	0.06	0.07	0.01	XXX
77082		A	Dxa bone density, vert fx	0.17	0.53	0.66	NA	NA	0.06	XXX
77082	TC	A	Dxa bone density, vert fx	0.00	0.48	0.61	NA	NA	0.05	XXX
77082	26	A	Dxa bone density, vert fx	0.17	0.05	0.05	0.05	0.05	0.01	XXX
77083		A	Radiographic absorptiometry	0.20	0.37	0.59	NA	NA	0.06	XXX
77083	TC	A	Radiographic absorptiometry	0.00	0.32	0.53	NA	NA	0.05	XXX
77083	26	A	Radiographic absorptiometry	0.20	0.05	0.06	0.05	0.06	0.01	XXX
77084		A	Magnetic image, bone marrow	1.60	13.57	12.65	NA	NA	0.66	XXX
77084	TC	A	Magnetic image, bone marrow	0.00	13.05	12.13	NA	NA	0.59	XXX
77084	26	A	Magnetic image, bone marrow	1.60	0.52	0.52	0.52	0.52	0.07	XXX
77261		A	Radiation therapy planning	1.39	0.48	0.49	0.48	0.49	0.07	XXX
77262		A	Radiation therapy planning	2.11	0.69	0.72	0.69	0.72	0.11	XXX
77263		A	Radiation therapy planning	3.14	1.03	1.07	1.03	1.07	0.16	XXX
77280		A	Set radiation therapy field	0.70	4.43	4.07	NA	NA	0.22	XXX
77280	TC	A	Set radiation therapy field	0.00	4.20	3.84	NA	NA	0.18	XXX
77280	26	A	Set radiation therapy field	0.70	0.23	0.23	0.23	0.23	0.04	XXX
77285		A	Set radiation therapy field	1.05	8.02	6.97	NA	NA	0.35	XXX
77285	TC	A	Set radiation therapy field	0.00	7.68	6.63	NA	NA	0.30	XXX
77285	26	A	Set radiation therapy field	1.05	0.34	0.34	0.34	0.34	0.05	XXX
77290		A	Set radiation therapy field	1.56	13.43	10.22	NA	NA	0.43	XXX
77290	TC	A	Set radiation therapy field	0.00	12.92	9.72	NA	NA	0.35	XXX
77290	26	A	Set radiation therapy field	1.56	0.51	0.50	0.51	0.50	0.08	XXX
77295		A	Set radiation therapy field	4.56	7.46	18.43	NA	NA	1.71	XXX
77295	TC	A	Set radiation therapy field	0.00	5.96	16.95	NA	NA	1.48	XXX
77295	26	A	Set radiation therapy field	4.56	1.50	1.48	1.50	1.48	0.23	XXX
77299		C	Radiation therapy planning	0.00	0.00	0.00	NA	NA	0.00	XXX
77299	TC	C	Radiation therapy planning	0.00	0.00	0.00	NA	NA	0.00	XXX
77299	26	C	Radiation therapy planning	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77300		A	Radiation therapy dose plan	0.62	1.18	1.36	NA	NA	0.10	XXX
77300	TC	A	Radiation therapy dose plan	0.00	0.98	1.16	NA	NA	0.07	XXX
77300	26	A	Radiation therapy dose plan	0.62	0.20	0.20	0.20	0.20	0.03	XXX
77301		A	Radiotherapy dose plan, imrt	7.99	57.48	43.99	NA	NA	1.88	XXX
77301	TC	A	Radiotherapy dose plan, imrt	0.00	54.86	41.40	NA	NA	1.48	XXX
77301	26	A	Radiotherapy dose plan, imrt	7.99	2.62	2.59	2.62	2.59	0.40	XXX
77305		A	Teletx isodose plan simple	0.70	0.90	1.50	NA	NA	0.15	XXX
77305	TC	A	Teletx isodose plan simple	0.00	0.67	1.27	NA	NA	0.11	XXX
77305	26	A	Teletx isodose plan simple	0.70	0.23	0.23	0.23	0.23	0.04	XXX
77310		A	Teletx isodose plan intermed	1.05	1.24	1.96	NA	NA	0.18	XXX
77310	TC	A	Teletx isodose plan intermed	0.00	0.90	1.62	NA	NA	0.13	XXX
77310	26	A	Teletx isodose plan intermed	1.05	0.34	0.34	0.34	0.34	0.05	XXX
77315		A	Teletx isodose plan complex	1.56	2.08	2.62	NA	NA	0.22	XXX
77315	TC	A	Teletx isodose plan complex	0.00	1.57	2.12	NA	NA	0.14	XXX
77315	26	A	Teletx isodose plan complex	1.56	0.51	0.50	0.51	0.50	0.08	XXX
77321		A	Special teletx port plan	0.95	1.51	2.93	NA	NA	0.26	XXX
77321	TC	A	Special teletx port plan	0.00	1.20	2.62	NA	NA	0.21	XXX
77321	26	A	Special teletx port plan	0.95	0.31	0.31	0.31	0.31	0.05	XXX
77326		A	Brachytx isodose calc simp	0.93	2.98	2.82	NA	NA	0.18	XXX
77326	TC	A	Brachytx isodose calc simp	0.00	2.68	2.52	NA	NA	0.13	XXX
77326	26	A	Brachytx isodose calc simp	0.93	0.30	0.30	0.30	0.30	0.05	XXX
77327		A	Brachytx isodose calc interm	1.39	4.09	4.01	NA	NA	0.25	XXX
77327	TC	A	Brachytx isodose calc interm	0.00	3.64	3.56	NA	NA	0.18	XXX
77327	26	A	Brachytx isodose calc interm	1.39	0.45	0.45	0.45	0.45	0.07	XXX
77328		A	Brachytx isodose plan compl	2.09	5.26	5.44	NA	NA	0.36	XXX
77328	TC	A	Brachytx isodose plan compl	0.00	4.57	4.76	NA	NA	0.25	XXX
77328	26	A	Brachytx isodose plan compl	2.09	0.69	0.68	0.69	0.68	0.11	XXX
77331		A	Special radiation dosimetry	0.87	0.81	0.79	NA	NA	0.06	XXX
77331	TC	A	Special radiation dosimetry	0.00	0.52	0.51	NA	NA	0.02	XXX
77331	26	A	Special radiation dosimetry	0.87	0.29	0.28	0.29	0.28	0.04	XXX
77332		A	Radiation treatment aid(s)	0.54	1.55	1.53	NA	NA	0.10	XXX
77332	TC	A	Radiation treatment aid(s)	0.00	1.37	1.36	NA	NA	0.07	XXX
77332	26	A	Radiation treatment aid(s)	0.54	0.18	0.17	0.18	0.17	0.03	XXX
77333		A	Radiation treatment aid(s)	0.84	0.52	1.34	NA	NA	0.15	XXX
77333	TC	A	Radiation treatment aid(s)	0.00	0.24	1.07	NA	NA	0.11	XXX
77333	26	A	Radiation treatment aid(s)	0.84	0.28	0.27	0.28	0.27	0.04	XXX
77334		A	Radiation treatment aid(s)	1.24	2.72	3.18	NA	NA	0.23	XXX
77334	TC	A	Radiation treatment aid(s)	0.00	2.31	2.78	NA	NA	0.17	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
77334	26	A	Radiation treatment aid(s)	1.24	0.41	0.40	0.41	0.40	0.06	XXX
77336		A	Radiation physics consult	0.00	1.14	2.06	NA	NA	0.16	XXX
77370		A	Radiation physics consult	0.00	3.05	3.27	NA	NA	0.18	XXX
77371		A	Srs, multisource	0.00	30.11	30.11	NA	NA	0.13	XXX
77372		A	Srs, linear based	0.00	22.83	22.83	NA	NA	0.13	XXX
77373		A	Sbrt delivery	0.00	42.67	42.67	NA	NA	0.13	XXX
77399		C	External radiation dosimetry	0.00	0.00	0.00	NA	NA	0.00	XXX
77399	TC	C	External radiation dosimetry	0.00	0.00	0.00	NA	NA	0.00	XXX
77399	26	C	External radiation dosimetry	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77401		A	Radiation treatment delivery	0.00	0.47	1.12	NA	NA	0.11	XXX
77402		A	Radiation treatment delivery	0.00	4.35	3.06	NA	NA	0.11	XXX
77403		A	Radiation treatment delivery	0.00	3.76	2.77	NA	NA	0.11	XXX
77404		A	Radiation treatment delivery	0.00	4.21	2.99	NA	NA	0.11	XXX
77406		A	Radiation treatment delivery	0.00	4.24	3.01	NA	NA	0.11	XXX
77407		A	Radiation treatment delivery	0.00	5.78	3.94	NA	NA	0.12	XXX
77408		A	Radiation treatment delivery	0.00	5.19	3.64	NA	NA	0.12	XXX
77409		A	Radiation treatment delivery	0.00	5.77	3.93	NA	NA	0.12	XXX
77411		A	Radiation treatment delivery	0.00	5.74	3.92	NA	NA	0.12	XXX
77412		A	Radiation treatment delivery	0.00	6.79	4.56	NA	NA	0.13	XXX
77413		A	Radiation treatment delivery	0.00	6.86	4.60	NA	NA	0.13	XXX
77414		A	Radiation treatment delivery	0.00	7.72	5.03	NA	NA	0.13	XXX
77416		A	Radiation treatment delivery	0.00	7.73	5.03	NA	NA	0.13	XXX
77417		A	Radiology port film(s)	0.00	0.36	0.48	NA	NA	0.04	XXX
77418		A	Radiation tx delivery, imrt	0.00	13.17	15.60	NA	NA	0.13	XXX
77421		A	Stereoscopic x-ray guidance	0.39	2.39	2.93	NA	NA	0.12	XXX
77421	TC	A	Stereoscopic x-ray guidance	0.00	2.26	2.80	NA	NA	0.10	XXX
77421	26	A	Stereoscopic x-ray guidance	0.39	0.13	0.13	0.13	0.13	0.02	XXX
77422		A	Neutron beam tx, simple	0.00	5.36	3.53	NA	NA	0.13	XXX
77423		A	Neutron beam tx, complex	0.00	7.47	4.86	NA	NA	0.13	XXX
77427		A	Radiation tx management, x5	3.70	1.39	1.22	1.39	1.22	0.17	XXX
77431		A	Radiation therapy management	1.81	0.78	0.73	0.78	0.73	0.09	XXX
77432		A	Stereotactic radiation trmt	7.92	2.59	2.75	2.59	2.75	0.41	XXX
77435		A	Sbrt management	13.00	4.76	4.76	NA	NA	0.67	XXX
77470		A	Special radiation treatment	2.09	1.92	6.88	NA	NA	0.70	XXX
77470	TC	A	Special radiation treatment	0.00	1.24	6.20	NA	NA	0.59	XXX
77470	26	A	Special radiation treatment	2.09	0.68	0.68	0.68	0.68	0.11	XXX
77499		C	Radiation therapy management	0.00	0.00	0.00	NA	NA	0.00	XXX
77499	TC	C	Radiation therapy management	0.00	0.00	0.00	NA	NA	0.00	XXX
77499	26	C	Radiation therapy management	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77520		C	Proton trmt, simple w/o comp	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77522		C	Proton trmt, simple w/comp	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77523		C	Proton trmt, intermediate	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77525		C	Proton treatment, complex	0.00	0.00	0.00	0.00	0.00	0.00	XXX
77600		R	Hyperthermia treatment	1.56	10.24	6.90	NA	NA	0.24	XXX
77600	TC	R	Hyperthermia treatment	0.00	9.74	6.40	NA	NA	0.16	XXX
77600	26	R	Hyperthermia treatment	1.56	0.50	0.50	0.50	0.50	0.08	XXX
77605		R	Hyperthermia treatment	2.09	18.48	11.60	NA	NA	0.38	XXX
77605	TC	R	Hyperthermia treatment	0.00	17.93	11.00	NA	NA	0.22	XXX
77605	26	R	Hyperthermia treatment	2.09	0.55	0.60	0.55	0.60	0.16	XXX
77610		R	Hyperthermia treatment	1.56	17.94	10.75	NA	NA	0.24	XXX
77610	TC	R	Hyperthermia treatment	0.00	17.58	10.32	NA	NA	0.16	XXX
77610	26	R	Hyperthermia treatment	1.56	0.36	0.43	0.36	0.43	0.08	XXX
77615		R	Hyperthermia treatment	2.09	25.93	15.32	NA	NA	0.33	XXX
77615	TC	R	Hyperthermia treatment	0.00	25.29	14.67	NA	NA	0.22	XXX
77615	26	R	Hyperthermia treatment	2.09	0.64	0.65	0.64	0.65	0.11	XXX
77620		R	Hyperthermia treatment	1.56	10.50	7.04	NA	NA	0.36	XXX
77620	TC	R	Hyperthermia treatment	0.00	10.10	6.58	NA	NA	0.16	XXX
77620	26	R	Hyperthermia treatment	1.56	0.40	0.46	0.40	0.46	0.20	XXX
77750		A	Infuse radioactive materials	4.94	4.55	3.73	NA	NA	0.32	090
77750	TC	A	Infuse radioactive materials	0.00	2.93	2.13	NA	NA	0.07	090
77750	26	A	Infuse radioactive materials	4.94	1.62	1.60	1.62	1.60	0.25	090
77761		A	Apply intrcav radiat simple	3.82	6.34	4.97	NA	NA	0.33	090
77761	TC	A	Apply intrcav radiat simple	0.00	5.10	3.80	NA	NA	0.14	090
77761	26	A	Apply intrcav radiat simple	3.82	1.24	1.17	1.24	1.17	0.19	090
77762		A	Apply intrcav radiat interm	5.73	7.63	6.54	NA	NA	0.48	090
77762	TC	A	Apply intrcav radiat interm	0.00	5.75	4.68	NA	NA	0.19	090
77762	26	A	Apply intrcav radiat interm	5.73	1.88	1.86	1.88	1.86	0.29	090
77763		A	Apply intrcav radiat compl	8.60	10.35	8.79	NA	NA	0.66	090
77763	TC	A	Apply intrcav radiat compl	0.00	7.53	6.01	NA	NA	0.23	090
77763	26	A	Apply intrcav radiat compl	8.60	2.82	2.78	2.82	2.78	0.43	090
77776		A	Apply interstit radiat simpl	4.67	7.46	5.30	NA	NA	0.57	090
77776	TC	A	Apply interstit radiat simpl	0.00	5.79	3.99	NA	NA	0.13	090

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
77776	26	A	Apply interstit radiat simpl	4.67	1.67	1.31	1.67	1.31	0.44	090
77777		A	Apply interstit radiat inter	7.49	7.92	7.26	NA	NA	0.61	090
77777	TC	A	Apply interstit radiat inter	0.00	5.47	4.85	NA	NA	0.22	090
77777	26	A	Apply interstit radiat inter	7.49	2.45	2.41	2.45	2.41	0.39	090
77778		A	Apply interstit radiat compl	11.23	11.33	10.01	NA	NA	0.84	090
77778	TC	A	Apply interstit radiat compl	0.00	7.63	6.38	NA	NA	0.27	090
77778	26	A	Apply interstit radiat compl	11.23	3.70	3.63	3.70	3.63	0.57	090
77781		A	High intensity brachytherapy	1.21	4.41	12.62	NA	NA	1.14	XXX
77781	TC	A	High intensity brachytherapy	0.00	4.01	12.16	NA	NA	1.06	XXX
77781	26	A	High intensity brachytherapy	1.21	0.40	0.46	0.40	0.46	0.08	XXX
77782		A	High intensity brachytherapy	2.04	12.42	16.76	NA	NA	1.19	XXX
77782	TC	A	High intensity brachytherapy	0.00	11.75	16.03	NA	NA	1.06	XXX
77782	26	A	High intensity brachytherapy	2.04	0.67	0.73	0.67	0.73	0.13	XXX
77783		A	High intensity brachytherapy	3.27	24.21	22.86	NA	NA	1.25	XXX
77783	TC	A	High intensity brachytherapy	0.00	23.14	21.73	NA	NA	1.06	XXX
77783	26	A	High intensity brachytherapy	3.27	1.07	1.13	1.07	1.13	0.19	XXX
77784		A	High intensity brachytherapy	5.15	45.71	33.91	NA	NA	1.35	XXX
77784	TC	A	High intensity brachytherapy	0.00	44.03	32.17	NA	NA	1.06	XXX
77784	26	A	High intensity brachytherapy	5.15	1.68	1.74	1.68	1.74	0.29	XXX
77789		A	Apply surface radiation	1.14	2.02	1.42	NA	NA	0.08	000
77789	TC	A	Apply surface radiation	0.00	1.64	1.04	NA	NA	0.02	000
77789	26	A	Apply surface radiation	1.14	0.38	0.38	0.38	0.38	0.06	000
77790		A	Radiation handling	1.05	1.46	1.15	NA	NA	0.07	XXX
77790	TC	A	Radiation handling	0.00	1.12	0.81	NA	NA	0.02	XXX
77790	26	A	Radiation handling	1.05	0.34	0.34	0.34	0.34	0.05	XXX
77799		C	Radium/radioisotope therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
77799	TC	C	Radium/radioisotope therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
77799	26	C	Radium/radioisotope therapy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78000		A	Thyroid, single uptake	0.19	1.85	1.44	NA	NA	0.07	XXX
78000	TC	A	Thyroid, single uptake	0.00	1.79	1.38	NA	NA	0.06	XXX
78000	26	A	Thyroid, single uptake	0.19	0.06	0.06	0.06	0.06	0.01	XXX
78001		A	Thyroid, multiple uptakes	0.26	2.31	1.85	NA	NA	0.08	XXX
78001	TC	A	Thyroid, multiple uptakes	0.00	2.22	1.76	NA	NA	0.07	XXX
78001	26	A	Thyroid, multiple uptakes	0.26	0.09	0.09	0.09	0.09	0.01	XXX
78003		A	Thyroid suppress/stimul	0.33	1.94	1.50	NA	NA	0.07	XXX
78003	TC	A	Thyroid suppress/stimul	0.00	1.82	1.39	NA	NA	0.06	XXX
78003	26	A	Thyroid suppress/stimul	0.33	0.12	0.11	0.12	0.11	0.01	XXX
78006		A	Thyroid imaging with uptake	0.49	6.23	4.38	NA	NA	0.15	XXX
78006	TC	A	Thyroid imaging with uptake	0.00	6.06	4.22	NA	NA	0.13	XXX
78006	26	A	Thyroid imaging with uptake	0.49	0.17	0.16	0.17	0.16	0.02	XXX
78007		A	Thyroid image, mult uptakes	0.50	3.06	2.90	NA	NA	0.16	XXX
78007	TC	A	Thyroid image, mult uptakes	0.00	2.89	2.73	NA	NA	0.14	XXX
78007	26	A	Thyroid image, mult uptakes	0.50	0.17	0.17	0.17	0.17	0.02	XXX
78010		A	Thyroid imaging	0.39	4.19	3.07	NA	NA	0.13	XXX
78010	TC	A	Thyroid imaging	0.00	4.06	2.94	NA	NA	0.11	XXX
78010	26	A	Thyroid imaging	0.39	0.13	0.13	0.13	0.13	0.02	XXX
78011		A	Thyroid imaging with flow	0.45	4.55	3.55	NA	NA	0.15	XXX
78011	TC	A	Thyroid imaging with flow	0.00	4.39	3.40	NA	NA	0.13	XXX
78011	26	A	Thyroid imaging with flow	0.45	0.16	0.15	0.16	0.15	0.02	XXX
78015		A	Thyroid met imaging	0.67	5.34	4.08	NA	NA	0.17	XXX
78015	TC	A	Thyroid met imaging	0.00	5.12	3.85	NA	NA	0.14	XXX
78015	26	A	Thyroid met imaging	0.67	0.22	0.23	0.22	0.23	0.03	XXX
78016		A	Thyroid met imaging/studies	0.82	8.54	6.15	NA	NA	0.21	XXX
78016	TC	A	Thyroid met imaging/studies	0.00	8.26	5.87	NA	NA	0.18	XXX
78016	26	A	Thyroid met imaging/studies	0.82	0.28	0.28	0.28	0.28	0.03	XXX
78018		A	Thyroid met imaging, body	0.86	7.94	6.83	NA	NA	0.33	XXX
78018	TC	A	Thyroid met imaging, body	0.00	7.64	6.53	NA	NA	0.29	XXX
78018	26	A	Thyroid met imaging, body	0.86	0.30	0.30	0.30	0.30	0.04	XXX
78020		A	Thyroid met uptake	0.60	1.80	1.66	NA	NA	0.16	ZZZ
78020	TC	A	Thyroid met uptake	0.00	1.60	1.45	NA	NA	0.14	ZZZ
78020	26	A	Thyroid met uptake	0.60	0.20	0.21	0.20	0.21	0.02	ZZZ
78070		A	Parathyroid nuclear imaging	0.82	3.48	4.02	NA	NA	0.15	XXX
78070	TC	A	Parathyroid nuclear imaging	0.00	3.20	3.74	NA	NA	0.11	XXX
78070	26	A	Parathyroid nuclear imaging	0.82	0.28	0.28	0.28	0.28	0.04	XXX
78075		A	Adrenal nuclear imaging	0.74	11.63	8.65	NA	NA	0.32	XXX
78075	TC	A	Adrenal nuclear imaging	0.00	11.38	8.40	NA	NA	0.29	XXX
78075	26	A	Adrenal nuclear imaging	0.74	0.25	0.25	0.25	0.25	0.03	XXX
78099		C	Endocrine nuclear procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
78099	TC	C	Endocrine nuclear procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
78099	26	C	Endocrine nuclear procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78102		A	Bone marrow imaging, ltd	0.55	4.18	3.21	NA	NA	0.14	XXX
78102	TC	A	Bone marrow imaging, ltd	0.00	3.99	3.02	NA	NA	0.12	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
78102	26	A	Bone marrow imaging, ltd	0.55	0.19	0.19	0.19	0.19	0.02	XXX
78103		A	Bone marrow imaging, mult	0.75	5.44	4.44	NA	NA	0.20	XXX
78103	TC	A	Bone marrow imaging, mult	0.00	5.18	4.18	NA	NA	0.17	XXX
78103	26	A	Bone marrow imaging, mult	0.75	0.26	0.26	0.26	0.26	0.03	XXX
78104		A	Bone marrow imaging, body	0.80	6.23	5.29	NA	NA	0.25	XXX
78104	TC	A	Bone marrow imaging, body	0.00	5.94	5.01	NA	NA	0.22	XXX
78104	26	A	Bone marrow imaging, body	0.80	0.29	0.28	0.29	0.28	0.03	XXX
78110		A	Plasma volume, single	0.19	2.13	1.58	NA	NA	0.07	XXX
78110	TC	A	Plasma volume, single	0.00	2.06	1.51	NA	NA	0.06	XXX
78110	26	A	Plasma volume, single	0.19	0.07	0.07	0.07	0.07	0.01	XXX
78111		A	Plasma volume, multiple	0.22	2.14	2.40	NA	NA	0.15	XXX
78111	TC	A	Plasma volume, multiple	0.00	2.07	2.32	NA	NA	0.14	XXX
78111	26	A	Plasma volume, multiple	0.22	0.07	0.08	0.07	0.08	0.01	XXX
78120		A	Red cell mass, single	0.23	2.10	1.96	NA	NA	0.12	XXX
78120	TC	A	Red cell mass, single	0.00	2.02	1.88	NA	NA	0.11	XXX
78120	26	A	Red cell mass, single	0.23	0.08	0.08	0.08	0.08	0.01	XXX
78121		A	Red cell mass, multiple	0.32	2.20	2.62	NA	NA	0.15	XXX
78121	TC	A	Red cell mass, multiple	0.00	2.10	2.51	NA	NA	0.14	XXX
78121	26	A	Red cell mass, multiple	0.32	0.10	0.11	0.10	0.11	0.01	XXX
78122		A	Blood volume	0.45	2.25	3.51	NA	NA	0.26	XXX
78122	TC	A	Blood volume	0.00	2.10	3.35	NA	NA	0.24	XXX
78122	26	A	Blood volume	0.45	0.15	0.16	0.15	0.16	0.02	XXX
78130		A	Red cell survival study	0.61	3.50	3.28	NA	NA	0.17	XXX
78130	TC	A	Red cell survival study	0.00	3.29	3.07	NA	NA	0.14	XXX
78130	26	A	Red cell survival study	0.61	0.21	0.21	0.21	0.21	0.03	XXX
78135		A	Red cell survival kinetics	0.64	8.68	6.89	NA	NA	0.28	XXX
78135	TC	A	Red cell survival kinetics	0.00	8.46	6.67	NA	NA	0.25	XXX
78135	26	A	Red cell survival kinetics	0.64	0.22	0.22	0.22	0.22	0.03	XXX
78140		A	Red cell sequestration	0.61	2.95	3.54	NA	NA	0.24	XXX
78140	TC	A	Red cell sequestration	0.00	2.73	3.33	NA	NA	0.21	XXX
78140	26	A	Red cell sequestration	0.61	0.22	0.21	0.22	0.21	0.03	XXX
78185		A	Spleen imaging	0.40	5.20	3.85	NA	NA	0.15	XXX
78185	TC	A	Spleen imaging	0.00	5.06	3.71	NA	NA	0.13	XXX
78185	26	A	Spleen imaging	0.40	0.14	0.14	0.14	0.14	0.02	XXX
78190		A	Platelet survival, kinetics	1.09	8.38	7.24	NA	NA	0.38	XXX
78190	TC	A	Platelet survival, kinetics	0.00	8.13	6.92	NA	NA	0.30	XXX
78190	26	A	Platelet survival, kinetics	1.09	0.25	0.32	0.25	0.32	0.08	XXX
78191		A	Platelet survival	0.61	3.52	5.53	NA	NA	0.40	XXX
78191	TC	A	Platelet survival	0.00	3.31	5.32	NA	NA	0.37	XXX
78191	26	A	Platelet survival	0.61	0.21	0.21	0.21	0.21	0.03	XXX
78195		A	Lymph system imaging	1.20	8.69	6.58	NA	NA	0.28	XXX
78195	TC	A	Lymph system imaging	0.00	8.28	6.17	NA	NA	0.22	XXX
78195	26	A	Lymph system imaging	1.20	0.41	0.41	0.41	0.41	0.06	XXX
78199		C	Blood/lymph nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78199	TC	C	Blood/lymph nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78199	26	C	Blood/lymph nuclear exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78201		A	Liver imaging	0.44	4.60	3.56	NA	NA	0.15	XXX
78201	TC	A	Liver imaging	0.00	4.47	3.42	NA	NA	0.13	XXX
78201	26	A	Liver imaging	0.44	0.13	0.14	0.13	0.14	0.02	XXX
78202		A	Liver imaging with flow	0.51	5.35	4.20	NA	NA	0.16	XXX
78202	TC	A	Liver imaging with flow	0.00	5.18	4.03	NA	NA	0.14	XXX
78202	26	A	Liver imaging with flow	0.51	0.17	0.17	0.17	0.17	0.02	XXX
78205		A	Liver imaging (3D)	0.71	5.27	5.71	NA	NA	0.34	XXX
78205	TC	A	Liver imaging (3D)	0.00	5.02	5.47	NA	NA	0.31	XXX
78205	26	A	Liver imaging (3D)	0.71	0.25	0.24	0.25	0.24	0.03	XXX
78206		A	Liver image (3d) with flow	0.96	8.61	7.42	NA	NA	0.15	XXX
78206	TC	A	Liver image (3d) with flow	0.00	8.27	7.09	NA	NA	0.11	XXX
78206	26	A	Liver image (3d) with flow	0.96	0.34	0.33	0.34	0.33	0.04	XXX
78215		A	Liver and spleen imaging	0.49	4.82	3.97	NA	NA	0.16	XXX
78215	TC	A	Liver and spleen imaging	0.00	4.65	3.80	NA	NA	0.14	XXX
78215	26	A	Liver and spleen imaging	0.49	0.17	0.17	0.17	0.17	0.02	XXX
78216		A	Liver & spleen image/flow	0.57	2.86	3.26	NA	NA	0.20	XXX
78216	TC	A	Liver & spleen image/flow	0.00	2.66	3.07	NA	NA	0.18	XXX
78216	26	A	Liver & spleen image/flow	0.57	0.20	0.19	0.20	0.19	0.02	XXX
78220		A	Liver function study	0.49	3.08	3.48	NA	NA	0.21	XXX
78220	TC	A	Liver function study	0.00	2.91	3.32	NA	NA	0.19	XXX
78220	26	A	Liver function study	0.49	0.17	0.16	0.17	0.16	0.02	XXX
78223		A	Hepatobiliary imaging	0.84	8.51	6.23	NA	NA	0.23	XXX
78223	TC	A	Hepatobiliary imaging	0.00	8.22	5.94	NA	NA	0.19	XXX
78223	26	A	Hepatobiliary imaging	0.84	0.29	0.29	0.29	0.29	0.04	XXX
78230		A	Salivary gland imaging	0.45	4.17	3.25	NA	NA	0.15	XXX
78230	TC	A	Salivary gland imaging	0.00	4.01	3.10	NA	NA	0.13	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
78230	26	A	Salivary gland imaging	0.45	0.16	0.15	0.16	0.15	0.02	XXX
78231		A	Serial salivary imaging	0.52	2.81	3.07	NA	NA	0.19	XXX
78231	TC	A	Serial salivary imaging	0.00	2.64	2.90	NA	NA	0.17	XXX
78231	26	A	Serial salivary imaging	0.52	0.17	0.17	0.17	0.17	0.02	XXX
78232		A	Salivary gland function exam	0.47	2.78	3.24	NA	NA	0.20	XXX
78232	TC	A	Salivary gland function exam	0.00	2.63	3.08	NA	NA	0.18	XXX
78232	26	A	Salivary gland function exam	0.47	0.15	0.16	0.15	0.16	0.02	XXX
78258		A	Esophageal motility study	0.74	5.52	4.33	NA	NA	0.17	XXX
78258	TC	A	Esophageal motility study	0.00	5.25	4.07	NA	NA	0.14	XXX
78258	26	A	Esophageal motility study	0.74	0.27	0.26	0.27	0.26	0.03	XXX
78261		A	Gastric mucosa imaging	0.69	6.01	5.17	NA	NA	0.25	XXX
78261	TC	A	Gastric mucosa imaging	0.00	5.77	4.93	NA	NA	0.22	XXX
78261	26	A	Gastric mucosa imaging	0.69	0.24	0.24	0.24	0.24	0.03	XXX
78262		A	Gastroesophageal reflux exam	0.68	5.96	5.22	NA	NA	0.25	XXX
78262	TC	A	Gastroesophageal reflux exam	0.00	5.74	5.00	NA	NA	0.22	XXX
78262	26	A	Gastroesophageal reflux exam	0.68	0.22	0.22	0.22	0.22	0.03	XXX
78264		A	Gastric emptying study	0.78	7.16	5.78	NA	NA	0.25	XXX
78264	TC	A	Gastric emptying study	0.00	6.89	5.51	NA	NA	0.22	XXX
78264	26	A	Gastric emptying study	0.78	0.27	0.27	0.27	0.27	0.03	XXX
78267		X	Breath tst attain/anal c-14	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78268		X	Breath test analysis, c-14	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78270		A	Vit B-12 absorption exam	0.20	1.95	1.78	NA	NA	0.11	XXX
78270	TC	A	Vit B-12 absorption exam	0.00	1.88	1.71	NA	NA	0.10	XXX
78270	26	A	Vit B-12 absorption exam	0.20	0.07	0.07	0.07	0.07	0.01	XXX
78271		A	Vit b-12 absrp exam, int fac	0.20	1.89	1.80	NA	NA	0.11	XXX
78271	TC	A	Vit b-12 absrp exam, int fac	0.00	1.84	1.74	NA	NA	0.10	XXX
78271	26	A	Vit b-12 absrp exam, int fac	0.20	0.05	0.06	0.05	0.06	0.01	XXX
78272		A	Vit B-12 absorp, combined	0.27	2.06	2.24	NA	NA	0.14	XXX
78272	TC	A	Vit B-12 absorp, combined	0.00	1.99	2.16	NA	NA	0.13	XXX
78272	26	A	Vit B-12 absorp, combined	0.27	0.07	0.08	0.07	0.08	0.01	XXX
78278		A	Acute GI blood loss imaging	0.99	8.61	6.91	NA	NA	0.29	XXX
78278	TC	A	Acute GI blood loss imaging	0.00	8.26	6.57	NA	NA	0.25	XXX
78278	26	A	Acute GI blood loss imaging	0.99	0.35	0.34	0.35	0.34	0.04	XXX
78282		C	GI protein loss exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78282	TC	C	GI protein loss exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78282	26	A	GI protein loss exam	0.38	0.13	0.13	0.13	0.13	0.02	XXX
78290		A	MeckelÆs divert exam	0.68	8.52	5.91	NA	NA	0.19	XXX
78290	TC	A	MeckelÆs divert exam	0.00	8.28	5.67	NA	NA	0.16	XXX
78290	26	A	MeckelÆs divert exam	0.68	0.24	0.24	0.24	0.24	0.03	XXX
78291		A	Leveen/shunt patency exam	0.88	6.15	4.76	NA	NA	0.20	XXX
78291	TC	A	Leveen/shunt patency exam	0.00	5.85	4.46	NA	NA	0.16	XXX
78291	26	A	Leveen/shunt patency exam	0.88	0.30	0.30	0.30	0.30	0.04	XXX
78299		C	GI nuclear procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
78299	TC	C	GI nuclear procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
78299	26	C	GI nuclear procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78300		A	Bone imaging, limited area	0.62	4.23	3.46	NA	NA	0.17	XXX
78300	TC	A	Bone imaging, limited area	0.00	4.01	3.25	NA	NA	0.14	XXX
78300	26	A	Bone imaging, limited area	0.62	0.22	0.21	0.22	0.21	0.03	XXX
78305		A	Bone imaging, multiple areas	0.83	5.48	4.71	NA	NA	0.23	XXX
78305	TC	A	Bone imaging, multiple areas	0.00	5.20	4.43	NA	NA	0.19	XXX
78305	26	A	Bone imaging, multiple areas	0.83	0.28	0.28	0.28	0.28	0.04	XXX
78306		A	Bone imaging, whole body	0.86	6.07	5.32	NA	NA	0.26	XXX
78306	TC	A	Bone imaging, whole body	0.00	5.77	5.02	NA	NA	0.22	XXX
78306	26	A	Bone imaging, whole body	0.86	0.30	0.30	0.30	0.30	0.04	XXX
78315		A	Bone imaging, 3 phase	1.02	8.60	6.86	NA	NA	0.29	XXX
78315	TC	A	Bone imaging, 3 phase	0.00	8.24	6.51	NA	NA	0.25	XXX
78315	26	A	Bone imaging, 3 phase	1.02	0.36	0.35	0.36	0.35	0.04	XXX
78320		A	Bone imaging (3D)	1.04	5.35	5.82	NA	NA	0.35	XXX
78320	TC	A	Bone imaging (3D)	0.00	4.99	5.46	NA	NA	0.31	XXX
78320	26	A	Bone imaging (3D)	1.04	0.36	0.36	0.36	0.36	0.04	XXX
78350		N	Bone mineral, single photon	0.22	0.51	0.67	NA	NA	0.06	XXX
78350	TC	N	Bone mineral, single photon	0.00	0.46	0.61	NA	NA	0.05	XXX
78350	26	N	Bone mineral, single photon	0.22	0.05	0.06	0.05	0.06	0.01	XXX
78351		N	Bone mineral, dual photon	0.30	NA	NA	0.07	0.09	0.01	XXX
78399		C	Musculoskeletal nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78399	TC	C	Musculoskeletal nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78399	26	C	Musculoskeletal nuclear exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78414		C	Non-imaging heart function	0.00	0.00	0.00	NA	NA	0.00	XXX
78414	TC	C	Non-imaging heart function	0.00	0.00	0.00	NA	NA	0.00	XXX
78414	26	A	Non-imaging heart function	0.45	0.17	0.17	0.17	0.17	0.02	XXX
78428		A	Cardiac shunt imaging	0.78	5.26	3.90	NA	NA	0.16	XXX
78428	TC	A	Cardiac shunt imaging	0.00	4.90	3.58	NA	NA	0.13	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
78428	26	A	Cardiac shunt imaging	0.78	0.36	0.32	0.36	0.32	0.03	XXX
78445		A	Vascular flow imaging	0.49	4.49	3.26	NA	NA	0.13	XXX
78445	TC	A	Vascular flow imaging	0.00	4.32	3.09	NA	NA	0.11	XXX
78445	26	A	Vascular flow imaging	0.49	0.17	0.17	0.17	0.17	0.02	XXX
78456		A	Acute venous thrombus image	1.00	8.81	6.57	NA	NA	0.33	XXX
78456	TC	A	Acute venous thrombus image	0.00	8.44	6.21	NA	NA	0.29	XXX
78456	26	A	Acute venous thrombus image	1.00	0.37	0.36	0.37	0.36	0.04	XXX
78457		A	Venous thrombosis imaging	0.77	4.66	3.79	NA	NA	0.17	XXX
78457	TC	A	Venous thrombosis imaging	0.00	4.41	3.54	NA	NA	0.14	XXX
78457	26	A	Venous thrombosis imaging	0.77	0.25	0.25	0.25	0.25	0.03	XXX
78458		A	Ven thrombosis images, bilat	0.90	4.51	4.43	NA	NA	0.25	XXX
78458	TC	A	Ven thrombosis images, bilat	0.00	4.22	4.12	NA	NA	0.21	XXX
78458	26	A	Ven thrombosis images, bilat	0.90	0.29	0.31	0.29	0.31	0.04	XXX
78459		C	Heart muscle imaging (PET)	0.00	0.00	0.00	NA	NA	0.00	XXX
78459	TC	C	Heart muscle imaging (PET)	0.00	0.00	0.00	NA	NA	0.00	XXX
78459	26	A	Heart muscle imaging (PET)	1.50	0.61	0.59	0.61	0.59	0.05	XXX
78460		A	Heart muscle blood, single	0.86	4.66	3.65	NA	NA	0.17	XXX
78460	TC	A	Heart muscle blood, single	0.00	4.34	3.35	NA	NA	0.13	XXX
78460	26	A	Heart muscle blood, single	0.86	0.32	0.30	0.32	0.30	0.04	XXX
78461		A	Heart muscle blood, multiple	1.23	4.07	4.61	NA	NA	0.30	XXX
78461	TC	A	Heart muscle blood, multiple	0.00	3.61	4.17	NA	NA	0.25	XXX
78461	26	A	Heart muscle blood, multiple	1.23	0.46	0.44	0.46	0.44	0.05	XXX
78464		A	Heart image (3d), single	1.09	5.86	6.66	NA	NA	0.41	XXX
78464	TC	A	Heart image (3d), single	0.00	5.36	6.22	NA	NA	0.37	XXX
78464	26	A	Heart image (3d), single	1.09	0.50	0.44	0.50	0.44	0.04	XXX
78465		A	Heart image (3d), multiple	1.46	11.46	11.88	NA	NA	0.67	XXX
78465	TC	A	Heart image (3d), multiple	0.00	10.75	11.27	NA	NA	0.62	XXX
78465	26	A	Heart image (3d), multiple	1.46	0.71	0.61	0.71	0.61	0.05	XXX
78466		A	Heart infarct image	0.69	4.58	3.72	NA	NA	0.17	XXX
78466	TC	A	Heart infarct image	0.00	4.29	3.46	NA	NA	0.14	XXX
78466	26	A	Heart infarct image	0.69	0.29	0.26	0.29	0.26	0.03	XXX
78468		A	Heart infarct image (ef)	0.80	5.88	4.90	NA	NA	0.22	XXX
78468	TC	A	Heart infarct image (ef)	0.00	5.48	4.57	NA	NA	0.19	XXX
78468	26	A	Heart infarct image (ef)	0.80	0.40	0.33	0.40	0.33	0.03	XXX
78469		A	Heart infarct image (3D)	0.92	6.29	5.92	NA	NA	0.31	XXX
78469	TC	A	Heart infarct image (3D)	0.00	5.85	5.54	NA	NA	0.28	XXX
78469	26	A	Heart infarct image (3D)	0.92	0.44	0.38	0.44	0.38	0.03	XXX
78472		A	Gated heart, planar, single	0.98	6.03	5.94	NA	NA	0.34	XXX
78472	TC	A	Gated heart, planar, single	0.00	5.62	5.57	NA	NA	0.30	XXX
78472	26	A	Gated heart, planar, single	0.98	0.41	0.37	0.41	0.37	0.04	XXX
78473		A	Gated heart, multiple	1.47	7.76	8.27	NA	NA	0.48	XXX
78473	TC	A	Gated heart, multiple	0.00	7.12	7.69	NA	NA	0.42	XXX
78473	26	A	Gated heart, multiple	1.47	0.64	0.58	0.64	0.58	0.06	XXX
78478		A	Heart wall motion add-on	0.50	0.80	1.30	NA	NA	0.12	XXX
78478	TC	A	Heart wall motion add-on	0.00	0.56	1.06	NA	NA	0.10	XXX
78478	26	A	Heart wall motion add-on	0.50	0.24	0.24	0.24	0.24	0.02	XXX
78480		A	Heart function add-on	0.30	0.70	1.24	NA	NA	0.12	XXX
78480	TC	A	Heart function add-on	0.00	0.56	1.06	NA	NA	0.10	XXX
78480	26	A	Heart function add-on	0.30	0.14	0.18	0.14	0.18	0.02	XXX
78481		A	Heart first pass, single	0.98	5.07	5.33	NA	NA	0.31	XXX
78481	TC	A	Heart first pass, single	0.00	4.58	4.90	NA	NA	0.28	XXX
78481	26	A	Heart first pass, single	0.98	0.49	0.43	0.49	0.43	0.03	XXX
78483		A	Heart first pass, multiple	1.47	6.87	7.64	NA	NA	0.46	XXX
78483	TC	A	Heart first pass, multiple	0.00	6.09	6.98	NA	NA	0.41	XXX
78483	26	A	Heart first pass, multiple	1.47	0.78	0.66	0.78	0.66	0.05	XXX
78491		C	Heart image (pet), single	0.00	0.00	0.00	NA	NA	0.00	XXX
78491	TC	C	Heart image (pet), single	0.00	0.00	0.00	NA	NA	0.00	XXX
78491	26	A	Heart image (pet), single	1.50	0.63	0.61	0.63	0.61	0.06	XXX
78492		C	Heart image (pet), multiple	0.00	0.00	0.00	NA	NA	0.00	XXX
78492	TC	C	Heart image (pet), multiple	0.00	0.00	0.00	NA	NA	0.00	XXX
78492	26	A	Heart image (pet), multiple	1.87	0.91	0.82	0.91	0.82	0.07	XXX
78494		A	Heart image, spect	1.19	6.23	6.86	NA	NA	0.35	XXX
78494	TC	A	Heart image, spect	0.00	5.69	6.38	NA	NA	0.30	XXX
78494	26	A	Heart image, spect	1.19	0.54	0.48	0.54	0.48	0.05	XXX
78496		A	Heart first pass add-on	0.50	0.88	4.06	NA	NA	0.32	ZZZ
78496	TC	A	Heart first pass add-on	0.00	0.65	3.86	NA	NA	0.30	ZZZ
78496	26	A	Heart first pass add-on	0.50	0.23	0.20	0.23	0.20	0.02	ZZZ
78499		C	Cardiovascular nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78499	TC	C	Cardiovascular nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78499	26	C	Cardiovascular nuclear exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78580		A	Lung perfusion imaging	0.74	5.13	4.41	NA	NA	0.21	XXX
78580	TC	A	Lung perfusion imaging	0.00	4.87	4.15	NA	NA	0.18	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
78580	26	A	Lung perfusion imaging	0.74	0.26	0.26	0.26	0.26	0.03	XXX
78584		A	Lung V/Q image single breath	0.99	3.02	3.28	NA	NA	0.21	XXX
78584	TC	A	Lung V/Q image single breath	0.00	2.67	2.94	NA	NA	0.17	XXX
78584	26	A	Lung V/Q image single breath	0.99	0.35	0.34	0.35	0.34	0.04	XXX
78585		A	Lung V/Q imaging	1.09	8.63	7.32	NA	NA	0.35	XXX
78585	TC	A	Lung V/Q imaging	0.00	8.25	6.95	NA	NA	0.30	XXX
78585	26	A	Lung V/Q imaging	1.09	0.38	0.37	0.38	0.37	0.05	XXX
78586		A	Aerosol lung image, single	0.40	4.17	3.44	NA	NA	0.16	XXX
78586	TC	A	Aerosol lung image, single	0.00	4.03	3.31	NA	NA	0.14	XXX
78586	26	A	Aerosol lung image, single	0.40	0.14	0.13	0.14	0.13	0.02	XXX
78587		A	Aerosol lung image, multiple	0.49	5.44	4.21	NA	NA	0.16	XXX
78587	TC	A	Aerosol lung image, multiple	0.00	5.27	4.04	NA	NA	0.14	XXX
78587	26	A	Aerosol lung image, multiple	0.49	0.17	0.17	0.17	0.17	0.02	XXX
78588		A	Perfusion lung image	1.09	8.66	6.11	NA	NA	0.23	XXX
78588	TC	A	Perfusion lung image	0.00	8.28	5.74	NA	NA	0.18	XXX
78588	26	A	Perfusion lung image	1.09	0.38	0.37	0.38	0.37	0.05	XXX
78591		A	Vent image, 1 breath, 1 proj	0.40	4.17	3.58	NA	NA	0.16	XXX
78591	TC	A	Vent image, 1 breath, 1 proj	0.00	4.03	3.44	NA	NA	0.14	XXX
78591	26	A	Vent image, 1 breath, 1 proj	0.40	0.14	0.14	0.14	0.14	0.02	XXX
78593		A	Vent image, 1 proj, gas	0.49	4.82	4.21	NA	NA	0.20	XXX
78593	TC	A	Vent image, 1 proj, gas	0.00	4.65	4.05	NA	NA	0.18	XXX
78593	26	A	Vent image, 1 proj, gas	0.49	0.17	0.16	0.17	0.16	0.02	XXX
78594		A	Vent image, mult proj, gas	0.53	5.29	5.23	NA	NA	0.27	XXX
78594	TC	A	Vent image, mult proj, gas	0.00	5.11	5.05	NA	NA	0.25	XXX
78594	26	A	Vent image, mult proj, gas	0.53	0.18	0.18	0.18	0.18	0.02	XXX
78596		A	Lung differential function	1.27	8.68	8.09	NA	NA	0.42	XXX
78596	TC	A	Lung differential function	0.00	8.29	7.68	NA	NA	0.37	XXX
78596	26	A	Lung differential function	1.27	0.39	0.41	0.39	0.41	0.05	XXX
78599		C	Respiratory nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78599	TC	C	Respiratory nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78599	26	C	Respiratory nuclear exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78600		A	Brain image < 4 views	0.44	4.39	3.71	NA	NA	0.16	XXX
78600	TC	A	Brain image < 4 views	0.00	4.24	3.56	NA	NA	0.14	XXX
78600	26	A	Brain image < 4 views	0.44	0.15	0.15	0.15	0.15	0.02	XXX
78601		A	Brain image w/flow < 4 views	0.51	5.39	4.47	NA	NA	0.20	XXX
78601	TC	A	Brain image w/flow < 4 views	0.00	5.21	4.30	NA	NA	0.18	XXX
78601	26	A	Brain image w/flow < 4 views	0.51	0.18	0.17	0.18	0.17	0.02	XXX
78605		A	Brain image 4+ views	0.53	4.85	4.22	NA	NA	0.20	XXX
78605	TC	A	Brain image 4+ views	0.00	4.66	4.03	NA	NA	0.18	XXX
78605	26	A	Brain image 4+ views	0.53	0.19	0.19	0.19	0.19	0.02	XXX
78606		A	Brain image w/flow 4 + views	0.64	8.54	6.31	NA	NA	0.24	XXX
78606	TC	A	Brain image w/flow 4 + views	0.00	8.32	6.10	NA	NA	0.21	XXX
78606	26	A	Brain image w/flow 4 + views	0.64	0.22	0.21	0.22	0.21	0.03	XXX
78607		A	Brain imaging (3D)	1.23	8.64	7.81	NA	NA	0.40	XXX
78607	TC	A	Brain imaging (3D)	0.00	8.23	7.39	NA	NA	0.35	XXX
78607	26	A	Brain imaging (3D)	1.23	0.41	0.42	0.41	0.42	0.05	XXX
78608		C	Brain imaging (PET)	0.00	0.00	0.00	NA	NA	0.00	XXX
78608	TC	C	Brain imaging (PET)	0.00	0.00	0.00	NA	NA	0.00	XXX
78608	26	A	Brain imaging (PET)	1.50	0.49	0.50	0.49	0.50	0.06	XXX
78609		N	Brain imaging (PET)	1.50	0.00	0.49	NA	NA	0.06	XXX
78609	TC	N	Brain imaging (PET)	0.00	0.00	0.00	NA	NA	0.00	XXX
78609	26	N	Brain imaging (PET)	1.50	0.00	0.49	0.00	0.49	0.06	XXX
78610		A	Brain flow imaging only	0.30	4.46	4.24	NA	NA	0.11	XXX
78610	TC	A	Brain flow imaging only	0.00	4.36	4.11	NA	NA	0.10	XXX
78610	26	A	Brain flow imaging only	0.30	0.10	0.13	0.10	0.13	0.01	XXX
78630		A	Cerebrospinal fluid scan	0.68	8.66	6.96	NA	NA	0.30	XXX
78630	TC	A	Cerebrospinal fluid scan	0.00	8.42	6.73	NA	NA	0.27	XXX
78630	26	A	Cerebrospinal fluid scan	0.68	0.24	0.23	0.24	0.23	0.03	XXX
78635		A	CSF ventriculography	0.61	8.80	5.79	NA	NA	0.16	XXX
78635	TC	A	CSF ventriculography	0.00	8.59	5.57	NA	NA	0.14	XXX
78635	26	A	CSF ventriculography	0.61	0.21	0.22	0.21	0.22	0.02	XXX
78645		A	CSF shunt evaluation	0.57	8.49	6.05	NA	NA	0.20	XXX
78645	TC	A	CSF shunt evaluation	0.00	8.29	5.86	NA	NA	0.18	XXX
78645	26	A	CSF shunt evaluation	0.57	0.20	0.19	0.20	0.19	0.02	XXX
78647		A	Cerebrospinal fluid scan	0.90	8.53	7.38	NA	NA	0.35	XXX
78647	TC	A	Cerebrospinal fluid scan	0.00	8.24	7.08	NA	NA	0.31	XXX
78647	26	A	Cerebrospinal fluid scan	0.90	0.29	0.30	0.29	0.30	0.04	XXX
78650		A	CSF leakage imaging	0.61	8.57	6.71	NA	NA	0.27	XXX
78650	TC	A	CSF leakage imaging	0.00	8.36	6.50	NA	NA	0.24	XXX
78650	26	A	CSF leakage imaging	0.61	0.21	0.21	0.21	0.21	0.03	XXX
78660		A	Nuclear exam of tear flow	0.53	4.26	3.28	NA	NA	0.14	XXX
78660	TC	A	Nuclear exam of tear flow	0.00	4.07	3.10	NA	NA	0.12	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
78660	26	A	Nuclear exam of tear flow	0.53	0.19	0.18	0.19	0.18	0.02	XXX
78699		C	Nervous system nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78699	TC	C	Nervous system nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78699	26	C	Nervous system nuclear exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78700		A	Kidney imaging, morphol	0.45	4.39	3.80	NA	NA	0.18	XXX
78700	TC	A	Kidney imaging, morphol	0.00	4.23	3.64	NA	NA	0.16	XXX
78700	26	A	Kidney imaging, morphol	0.45	0.16	0.16	0.16	0.16	0.02	XXX
78701		A	Kidney imaging with flow	0.49	5.39	4.56	NA	NA	0.20	XXX
78701	TC	A	Kidney imaging with flow	0.00	5.22	4.39	NA	NA	0.18	XXX
78701	26	A	Kidney imaging with flow	0.49	0.17	0.17	0.17	0.17	0.02	XXX
78707		A	K flow/funct image w/o drug	0.96	5.49	5.14	NA	NA	0.27	XXX
78707	TC	A	K flow/funct image w/o drug	0.00	5.15	4.81	NA	NA	0.23	XXX
78707	26	A	K flow/funct image w/o drug	0.96	0.34	0.33	0.34	0.33	0.04	XXX
78708		A	K flow/funct image w/drug	1.21	3.48	4.18	NA	NA	0.28	XXX
78708	TC	A	K flow/funct image w/drug	0.00	3.05	3.76	NA	NA	0.23	XXX
78708	26	A	K flow/funct image w/drug	1.21	0.43	0.42	0.43	0.42	0.05	XXX
78709		A	K flow/funct image, multiple	1.41	8.89	6.91	NA	NA	0.29	XXX
78709	TC	A	K flow/funct image, multiple	0.00	8.40	6.43	NA	NA	0.23	XXX
78709	26	A	K flow/funct image, multiple	1.41	0.49	0.48	0.49	0.48	0.06	XXX
78710		A	Kidney imaging (3D)	0.66	5.28	5.71	NA	NA	0.34	XXX
78710	TC	A	Kidney imaging (3D)	0.00	5.06	5.49	NA	NA	0.31	XXX
78710	26	A	Kidney imaging (3D)	0.66	0.22	0.22	0.22	0.22	0.03	XXX
78725		A	Kidney function study	0.38	2.35	2.14	NA	NA	0.13	XXX
78725	TC	A	Kidney function study	0.00	2.23	2.01	NA	NA	0.11	XXX
78725	26	A	Kidney function study	0.38	0.12	0.13	0.12	0.13	0.02	XXX
78730		A	Urinary bladder retention	0.15	1.99	1.78	NA	NA	0.10	ZZZ
78730	TC	A	Urinary bladder retention	0.00	1.93	1.69	NA	NA	0.08	ZZZ
78730	26	A	Urinary bladder retention	0.15	0.06	0.09	0.06	0.09	0.02	ZZZ
78740		A	Ureteral reflux study	0.57	5.65	3.98	NA	NA	0.15	XXX
78740	TC	A	Ureteral reflux study	0.00	5.46	3.79	NA	NA	0.12	XXX
78740	26	A	Ureteral reflux study	0.57	0.19	0.19	0.19	0.19	0.03	XXX
78761		A	Testicular imaging w/flow	0.71	5.06	4.24	NA	NA	0.20	XXX
78761	TC	A	Testicular imaging w/flow	0.00	4.81	4.00	NA	NA	0.17	XXX
78761	26	A	Testicular imaging w/flow	0.71	0.25	0.24	0.25	0.24	0.03	XXX
78799		C	Genitourinary nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78799	TC	C	Genitourinary nuclear exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78799	26	C	Genitourinary nuclear exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
78800		A	Tumor imaging, limited area	0.66	4.34	3.99	NA	NA	0.22	XXX
78800	TC	A	Tumor imaging, limited area	0.00	4.13	3.77	NA	NA	0.18	XXX
78800	26	A	Tumor imaging, limited area	0.66	0.21	0.22	0.21	0.22	0.04	XXX
78801		A	Tumor imaging, mult areas	0.79	6.06	5.27	NA	NA	0.27	XXX
78801	TC	A	Tumor imaging, mult areas	0.00	5.79	5.00	NA	NA	0.22	XXX
78801	26	A	Tumor imaging, mult areas	0.79	0.27	0.27	0.27	0.27	0.05	XXX
78802		A	Tumor imaging, whole body	0.86	8.15	6.98	NA	NA	0.34	XXX
78802	TC	A	Tumor imaging, whole body	0.00	7.85	6.69	NA	NA	0.30	XXX
78802	26	A	Tumor imaging, whole body	0.86	0.30	0.29	0.30	0.29	0.04	XXX
78803		A	Tumor imaging (3D)	1.09	8.54	7.74	NA	NA	0.40	XXX
78803	TC	A	Tumor imaging (3D)	0.00	8.17	7.36	NA	NA	0.35	XXX
78803	26	A	Tumor imaging (3D)	1.09	0.37	0.38	0.37	0.38	0.05	XXX
78804		A	Tumor imaging, whole body	1.07	14.85	13.14	NA	NA	0.34	XXX
78804	TC	A	Tumor imaging, whole body	0.00	14.48	12.77	NA	NA	0.30	XXX
78804	26	A	Tumor imaging, whole body	1.07	0.37	0.37	0.37	0.37	0.04	XXX
78805		A	Abscess imaging, ltd area	0.73	4.23	3.94	NA	NA	0.21	XXX
78805	TC	A	Abscess imaging, ltd area	0.00	3.98	3.69	NA	NA	0.18	XXX
78805	26	A	Abscess imaging, ltd area	0.73	0.25	0.25	0.25	0.25	0.03	XXX
78806		A	Abscess imaging, whole body	0.86	8.36	7.54	NA	NA	0.39	XXX
78806	TC	A	Abscess imaging, whole body	0.00	8.06	7.25	NA	NA	0.35	XXX
78806	26	A	Abscess imaging, whole body	0.86	0.30	0.29	0.30	0.29	0.04	XXX
78807		A	Nuclear localization/abscess	1.09	8.52	7.73	NA	NA	0.39	XXX
78807	TC	A	Nuclear localization/abscess	0.00	8.15	7.35	NA	NA	0.35	XXX
78807	26	A	Nuclear localization/abscess	1.09	0.37	0.38	0.37	0.38	0.04	XXX
78811		C	Pet image, ltd area	0.00	0.00	0.00	NA	NA	0.00	XXX
78811	TC	C	Pet image, ltd area	0.00	0.00	0.00	NA	NA	0.00	XXX
78811	26	A	Pet image, ltd area	1.54	0.54	0.53	0.54	0.53	0.11	XXX
78812		C	Pet image, skull-thigh	0.00	0.00	0.00	NA	NA	0.00	XXX
78812	TC	C	Pet image, skull-thigh	0.00	0.00	0.00	NA	NA	0.00	XXX
78812	26	A	Pet image, skull-thigh	1.93	0.67	0.66	0.67	0.66	0.11	XXX
78813		C	Pet image, full body	0.00	0.00	0.00	NA	NA	0.00	XXX
78813	TC	C	Pet image, full body	0.00	0.00	0.00	NA	NA	0.00	XXX
78813	26	A	Pet image, full body	2.00	0.68	0.69	0.68	0.69	0.11	XXX
78814		C	Pet image w/ct, lmtd	0.00	0.00	0.00	NA	NA	0.00	XXX
78814	TC	C	Pet image w/ct, lmtd	0.00	0.00	0.00	NA	NA	0.00	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
78814	26	A	Pet image w/ct, lmtd	2.20	0.74	0.75	0.74	0.75	0.11	XXX
78815		C	Pet image w/ct, skull-thigh	0.00	0.00	0.00	NA	NA	0.00	XXX
78815	TC	C	Pet image w/ct, skull-thigh	0.00	0.00	0.00	NA	NA	0.00	XXX
78815	26	A	Pet image w/ct, skull-thigh	2.44	0.84	0.84	0.84	0.84	0.11	XXX
78816		C	Pet image w/ct, full body	0.00	0.00	0.00	NA	NA	0.00	XXX
78816	TC	C	Pet image w/ct, full body	0.00	0.00	0.00	NA	NA	0.00	XXX
78816	26	A	Pet image w/ct, full body	2.50	0.85	0.86	0.85	0.86	0.11	XXX
78890		B	Nuclear medicine data proc	0.05	0.39	0.86	NA	NA	0.07	XXX
78890	TC	B	Nuclear medicine data proc	0.00	0.38	0.84	NA	NA	0.06	XXX
78890	26	B	Nuclear medicine data proc	0.05	0.01	0.02	0.01	0.02	0.01	XXX
78891		B	Nuclear med data proc	0.10	0.88	1.77	NA	NA	0.14	XXX
78891	TC	B	Nuclear med data proc	0.00	0.86	1.74	NA	NA	0.13	XXX
78891	26	B	Nuclear med data proc	0.10	0.02	0.03	0.02	0.03	0.01	XXX
78999		C	Nuclear diagnostic exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78999	TC	C	Nuclear diagnostic exam	0.00	0.00	0.00	NA	NA	0.00	XXX
78999	26	C	Nuclear diagnostic exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
79005		A	Nuclear rx, oral admin	1.80	1.85	2.54	NA	NA	0.22	XXX
79005	TC	A	Nuclear rx, oral admin	0.00	1.27	1.95	NA	NA	0.14	XXX
79005	26	A	Nuclear rx, oral admin	1.80	0.58	0.59	0.58	0.59	0.08	XXX
79101		A	Nuclear rx, iv admin	1.96	2.17	2.73	NA	NA	0.22	XXX
79101	TC	A	Nuclear rx, iv admin	0.00	1.43	2.03	NA	NA	0.14	XXX
79101	26	A	Nuclear rx, iv admin	1.96	0.74	0.70	0.74	0.70	0.08	XXX
79200		A	Nuclear rx, intracav admin	1.99	2.22	2.77	NA	NA	0.23	XXX
79200	TC	A	Nuclear rx, intracav admin	0.00	1.57	2.10	NA	NA	0.14	XXX
79200	26	A	Nuclear rx, intracav admin	1.99	0.65	0.67	0.65	0.67	0.09	XXX
79300		C	Nuclr rx, interstit colloid	0.00	0.00	0.00	NA	NA	0.00	XXX
79300	TC	C	Nuclr rx, interstit colloid	0.00	0.00	0.00	NA	NA	0.00	XXX
79300	26	A	Nuclr rx, interstit colloid	1.60	0.54	0.55	0.54	0.55	0.13	XXX
79403		A	Hematopoietic nuclear tx	2.25	2.92	4.04	NA	NA	0.24	XXX
79403	TC	A	Hematopoietic nuclear tx	0.00	2.17	3.22	NA	NA	0.14	XXX
79403	26	A	Hematopoietic nuclear tx	2.25	0.75	0.82	0.75	0.82	0.10	XXX
79440		A	Nuclear rx, intra-articular	1.99	1.84	2.59	NA	NA	0.22	XXX
79440	TC	A	Nuclear rx, intra-articular	0.00	1.16	1.89	NA	NA	0.14	XXX
79440	26	A	Nuclear rx, intra-articular	1.99	0.68	0.70	0.68	0.70	0.08	XXX
79445		C	Nuclear rx, intra-arterial	0.00	0.00	0.00	NA	NA	0.00	XXX
79445	TC	C	Nuclear rx, intra-arterial	0.00	0.00	0.00	NA	NA	0.00	XXX
79445	26	A	Nuclear rx, intra-arterial	2.40	0.85	0.83	0.85	0.83	0.12	XXX
79999		C	Nuclear medicine therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
79999	TC	C	Nuclear medicine therapy	0.00	0.00	0.00	NA	NA	0.00	XXX
79999	26	C	Nuclear medicine therapy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
80500		A	Lab pathology consultation	0.37	0.20	0.20	0.11	0.14	0.01	XXX
80502		A	Lab pathology consultation	1.33	0.31	0.43	0.25	0.40	0.04	XXX
83020	26	A	Hemoglobin electrophoresis	0.37	0.12	0.13	0.12	0.13	0.01	XXX
83912	26	A	Genetic examination	0.37	0.11	0.12	0.11	0.12	0.01	XXX
84165	26	A	Protein e-phoresis, serum	0.37	0.12	0.13	0.12	0.13	0.01	XXX
84166	26	A	Protein e-phoresis/urine/csf	0.37	0.12	0.13	0.12	0.13	0.01	XXX
84181	26	A	Western blot test	0.37	0.12	0.13	0.12	0.13	0.01	XXX
84182	26	A	Protein, western blot test	0.37	0.12	0.14	0.12	0.14	0.02	XXX
85060		A	Blood smear interpretation	0.45	0.14	0.16	0.14	0.16	0.02	XXX
85097		A	Bone marrow interpretation	0.94	1.25	1.58	0.27	0.34	0.04	XXX
85390	26	A	Fibrinolysins screen	0.37	0.13	0.13	0.13	0.13	0.01	XXX
85396		A	Clotting assay, whole blood	0.37	NA	NA	0.10	0.13	0.04	XXX
85576	26	A	Blood platelet aggregation	0.37	0.12	0.14	0.12	0.14	0.01	XXX
86077		A	Physician blood bank service	0.94	0.38	0.39	0.30	0.34	0.03	XXX
86078		A	Physician blood bank service	0.94	0.38	0.42	0.30	0.35	0.03	XXX
86079		A	Physician blood bank service	0.94	0.39	0.42	0.30	0.36	0.03	XXX
86255	26	A	Fluorescent antibody, screen	0.37	0.12	0.13	0.12	0.13	0.01	XXX
86256	26	A	Fluorescent antibody, titer	0.37	0.12	0.14	0.12	0.14	0.01	XXX
86320	26	A	Serum immunoelectrophoresis	0.37	0.12	0.14	0.12	0.14	0.01	XXX
86325	26	A	Other immunoelectrophoresis	0.37	0.12	0.13	0.12	0.13	0.01	XXX
86327	26	A	Immunoelectrophoresis assay	0.42	0.12	0.15	0.12	0.15	0.02	XXX
86334	26	A	Immunofix e-phoresis, serum	0.37	0.12	0.13	0.12	0.13	0.01	XXX
86335	26	A	Immunfix e-phorsis/urine/csf	0.37	0.12	0.13	0.12	0.13	0.01	XXX
86485		C	Skin test, candida	0.00	0.00	0.00	0.00	0.00	0.00	XXX
86486		A	Skin test, nos antigen	0.00	0.13	0.13	NA	NA	0.02	XXX
86490		A	Coccidioidomycosis skin test	0.00	0.13	0.21	NA	NA	0.02	XXX
86510		A	Histoplasmosis skin test	0.00	0.13	0.22	NA	NA	0.02	XXX
86580		A	TB intradermal test	0.00	0.16	0.20	NA	NA	0.02	XXX
87164	26	A	Dark field examination	0.37	0.12	0.12	0.12	0.12	0.01	XXX
87207	26	A	Smear, special stain	0.37	0.12	0.14	0.12	0.14	0.01	XXX
88104		A	Cytopath fl nongyn, smears	0.56	1.19	1.02	NA	NA	0.04	XXX
88104	TC	A	Cytopath fl nongyn, smears	0.00	1.03	0.82	NA	NA	0.02	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
88104	26	A	Cytopath fl nongyn, smears	0.56	0.16	0.20	0.16	0.20	0.02	XXX
88106		A	Cytopath fl nongyn, filter	0.56	1.52	1.44	NA	NA	0.04	XXX
88106	TC	A	Cytopath fl nongyn, filter	0.00	1.37	1.24	NA	NA	0.02	XXX
88106	26	A	Cytopath fl nongyn, filter	0.56	0.15	0.20	0.15	0.20	0.02	XXX
88107		A	Cytopath fl nongyn, sm/fltr	0.76	2.00	1.77	NA	NA	0.05	XXX
88107	TC	A	Cytopath fl nongyn, sm/fltr	0.00	1.77	1.49	NA	NA	0.02	XXX
88107	26	A	Cytopath fl nongyn, sm/fltr	0.76	0.23	0.28	0.23	0.28	0.03	XXX
88108		A	Cytopath, concentrate tech	0.56	1.47	1.34	NA	NA	0.04	XXX
88108	TC	A	Cytopath, concentrate tech	0.00	1.32	1.14	NA	NA	0.02	XXX
88108	26	A	Cytopath, concentrate tech	0.56	0.15	0.20	0.15	0.20	0.02	XXX
88112		A	Cytopath, cell enhance tech	1.18	1.47	1.72	NA	NA	0.04	XXX
88112	TC	A	Cytopath, cell enhance tech	0.00	1.18	1.32	NA	NA	0.02	XXX
88112	26	A	Cytopath, cell enhance tech	1.18	0.29	0.40	0.29	0.40	0.02	XXX
88125		A	Forensic cytopathology	0.26	0.21	0.24	NA	NA	0.02	XXX
88125	TC	A	Forensic cytopathology	0.00	0.16	0.16	NA	NA	0.01	XXX
88125	26	A	Forensic cytopathology	0.26	0.05	0.08	0.05	0.08	0.01	XXX
88141		A	Cytopath, c/v, interpret	0.42	0.38	0.26	0.38	0.26	0.02	XXX
88160		A	Cytopath smear, other source	0.50	0.91	0.87	NA	NA	0.04	XXX
88160	TC	A	Cytopath smear, other source	0.00	0.78	0.70	NA	NA	0.02	XXX
88160	26	A	Cytopath smear, other source	0.50	0.13	0.17	0.13	0.17	0.02	XXX
88161		A	Cytopath smear, other source	0.50	1.06	1.00	NA	NA	0.04	XXX
88161	TC	A	Cytopath smear, other source	0.00	0.92	0.82	NA	NA	0.02	XXX
88161	26	A	Cytopath smear, other source	0.50	0.14	0.18	0.14	0.18	0.02	XXX
88162		A	Cytopath smear, other source	0.76	1.58	1.30	NA	NA	0.05	XXX
88162	TC	A	Cytopath smear, other source	0.00	1.35	1.02	NA	NA	0.02	XXX
88162	26	A	Cytopath smear, other source	0.76	0.23	0.28	0.23	0.28	0.03	XXX
88172		A	Cytopathology eval of fna	0.60	0.81	0.77	NA	NA	0.04	XXX
88172	TC	A	Cytopathology eval of fna	0.00	0.64	0.55	NA	NA	0.02	XXX
88172	26	A	Cytopathology eval of fna	0.60	0.17	0.22	0.17	0.22	0.02	XXX
88173		A	Cytopath eval, fna, report	1.39	2.20	2.16	NA	NA	0.07	XXX
88173	TC	A	Cytopath eval, fna, report	0.00	1.82	1.68	NA	NA	0.02	XXX
88173	26	A	Cytopath eval, fna, report	1.39	0.38	0.48	0.38	0.48	0.05	XXX
88182		A	Cell marker study	0.77	2.02	1.99	NA	NA	0.07	XXX
88182	TC	A	Cell marker study	0.00	1.88	1.76	NA	NA	0.04	XXX
88182	26	A	Cell marker study	0.77	0.14	0.23	0.14	0.23	0.03	XXX
88184		A	Flowcytometry/ tc, 1 marker	0.00	2.47	1.89	NA	NA	0.02	XXX
88185		A	Flowcytometry/tc, add-on	0.00	1.50	1.07	NA	NA	0.02	ZZZ
88187		A	Flowcytometry/read, 2-8	1.36	0.40	0.42	0.40	0.42	0.01	XXX
88188		A	Flowcytometry/read, 9-15	1.69	0.44	0.51	0.44	0.51	0.01	XXX
88189		A	Flowcytometry/read, 16 & >	2.23	0.47	0.61	0.47	0.61	0.01	XXX
88199		C	Cytopathology procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
88199	TC	C	Cytopathology procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
88199	26	C	Cytopathology procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
88291		A	Cyto/molecular report	0.52	0.27	0.22	0.27	0.22	0.02	XXX
88299		C	Cytogenetic study	0.00	0.00	0.00	0.00	0.00	0.00	XXX
88300		A	Surgical path, gross	0.08	0.56	0.51	NA	NA	0.02	XXX
88300	TC	A	Surgical path, gross	0.00	0.54	0.48	NA	NA	0.01	XXX
88300	26	A	Surgical path, gross	0.08	0.02	0.03	0.02	0.03	0.01	XXX
88302		A	Tissue exam by pathologist	0.13	1.29	1.16	NA	NA	0.03	XXX
88302	TC	A	Tissue exam by pathologist	0.00	1.25	1.11	NA	NA	0.02	XXX
88302	26	A	Tissue exam by pathologist	0.13	0.04	0.05	0.04	0.05	0.01	XXX
88304		A	Tissue exam by pathologist	0.22	1.48	1.39	NA	NA	0.03	XXX
88304	TC	A	Tissue exam by pathologist	0.00	1.42	1.32	NA	NA	0.02	XXX
88304	26	A	Tissue exam by pathologist	0.22	0.06	0.07	0.06	0.07	0.01	XXX
88305		A	Tissue exam by pathologist	0.75	2.05	1.97	NA	NA	0.07	XXX
88305	TC	A	Tissue exam by pathologist	0.00	1.85	1.71	NA	NA	0.04	XXX
88305	26	A	Tissue exam by pathologist	0.75	0.20	0.26	0.20	0.26	0.03	XXX
88307		A	Tissue exam by pathologist	1.59	4.41	3.79	NA	NA	0.12	XXX
88307	TC	A	Tissue exam by pathologist	0.00	3.94	3.21	NA	NA	0.06	XXX
88307	26	A	Tissue exam by pathologist	1.59	0.47	0.58	0.47	0.58	0.06	XXX
88309		A	Tissue exam by pathologist	2.80	6.17	5.28	NA	NA	0.14	XXX
88309	TC	A	Tissue exam by pathologist	0.00	5.34	4.38	NA	NA	0.06	XXX
88309	26	A	Tissue exam by pathologist	2.80	0.83	0.90	0.83	0.90	0.08	XXX
88311		A	Decalcify tissue	0.24	0.24	0.23	NA	NA	0.02	XXX
88311	TC	A	Decalcify tissue	0.00	0.17	0.15	NA	NA	0.01	XXX
88311	26	A	Decalcify tissue	0.24	0.07	0.08	0.07	0.08	0.01	XXX
88312		A	Special stains	0.54	2.30	1.90	NA	NA	0.03	XXX
88312	TC	A	Special stains	0.00	2.16	1.72	NA	NA	0.01	XXX
88312	26	A	Special stains	0.54	0.14	0.18	0.14	0.18	0.02	XXX
88313		A	Special stains	0.24	1.95	1.60	NA	NA	0.02	XXX
88313	TC	A	Special stains	0.00	1.89	1.52	NA	NA	0.01	XXX
88313	26	A	Special stains	0.24	0.06	0.08	0.06	0.08	0.01	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
88314		A	Histochemical stain	0.45	1.96	2.01	NA	NA	0.04	XXX
88314	TC	A	Histochemical stain	0.00	1.82	1.85	NA	NA	0.02	XXX
88314	26	A	Histochemical stain	0.45	0.14	0.16	0.14	0.16	0.02	XXX
88318		A	Chemical histochemistry	0.42	2.95	2.30	NA	NA	0.03	XXX
88318	TC	A	Chemical histochemistry	0.00	2.83	2.15	NA	NA	0.01	XXX
88318	26	A	Chemical histochemistry	0.42	0.12	0.15	0.12	0.15	0.02	XXX
88319		A	Enzyme histochemistry	0.53	3.23	3.32	NA	NA	0.04	XXX
88319	TC	A	Enzyme histochemistry	0.00	3.08	3.13	NA	NA	0.02	XXX
88319	26	A	Enzyme histochemistry	0.53	0.15	0.19	0.15	0.19	0.02	XXX
88321		A	Microslide consultation	1.63	0.71	0.75	0.46	0.51	0.05	XXX
88323		A	Microslide consultation	1.83	2.21	2.00	NA	NA	0.07	XXX
88323	TC	A	Microslide consultation	0.00	1.75	1.48	NA	NA	0.02	XXX
88323	26	A	Microslide consultation	1.83	0.46	0.52	0.46	0.52	0.05	XXX
88325		A	Comprehensive review of data	2.50	2.40	2.67	0.69	0.82	0.07	XXX
88329		A	Path consult introp	0.67	0.66	0.66	0.20	0.24	0.02	XXX
88331		A	Path consult intraop, 1 bloc	1.19	1.21	1.16	NA	NA	0.08	XXX
88331	TC	A	Path consult intraop, 1 bloc	0.00	0.84	0.72	NA	NA	0.04	XXX
88331	26	A	Path consult intraop, 1 bloc	1.19	0.37	0.44	0.37	0.44	0.04	XXX
88332		A	Path consult intraop, addÆl	0.59	0.48	0.47	NA	NA	0.04	XXX
88332	TC	A	Path consult intraop, addÆl	0.00	0.30	0.25	NA	NA	0.02	XXX
88332	26	A	Path consult intraop, addÆl	0.59	0.18	0.22	0.18	0.22	0.02	XXX
88333		A	Intraop cyto path consult, 1	1.20	1.32	1.20	NA	NA	0.08	XXX
88333	TC	A	Intraop cyto path consult, 1	0.00	0.95	0.75	NA	NA	0.04	XXX
88333	26	A	Intraop cyto path consult, 1	1.20	0.37	0.45	0.37	0.45	0.04	XXX
88334		A	Intraop cyto path consult, 2	0.73	0.78	0.69	NA	NA	0.04	XXX
88334	TC	A	Intraop cyto path consult, 2	0.00	0.56	0.45	NA	NA	0.02	XXX
88334	26	A	Intraop cyto path consult, 2	0.73	0.22	0.24	0.22	0.24	0.02	XXX
88342		A	Immunohistochemistry	0.85	2.00	1.72	NA	NA	0.05	XXX
88342	TC	A	Immunohistochemistry	0.00	1.77	1.43	NA	NA	0.02	XXX
88342	26	A	Immunohistochemistry	0.85	0.23	0.29	0.23	0.29	0.03	XXX
88346		A	Immunofluorescent study	0.86	1.91	1.74	NA	NA	0.05	XXX
88346	TC	A	Immunofluorescent study	0.00	1.68	1.45	NA	NA	0.02	XXX
88346	26	A	Immunofluorescent study	0.86	0.23	0.29	0.23	0.29	0.03	XXX
88347		A	Immunofluorescent study	0.86	1.31	1.29	NA	NA	0.05	XXX
88347	TC	A	Immunofluorescent study	0.00	1.13	1.02	NA	NA	0.02	XXX
88347	26	A	Immunofluorescent study	0.86	0.18	0.27	0.18	0.27	0.03	XXX
88348		A	Electron microscopy	1.51	18.26	13.81	NA	NA	0.13	XXX
88348	TC	A	Electron microscopy	0.00	17.84	13.28	NA	NA	0.07	XXX
88348	26	A	Electron microscopy	1.51	0.42	0.53	0.42	0.53	0.06	XXX
88349		A	Scanning electron microscopy	0.76	9.40	6.48	NA	NA	0.09	XXX
88349	TC	A	Scanning electron microscopy	0.00	9.17	6.20	NA	NA	0.06	XXX
88349	26	A	Scanning electron microscopy	0.76	0.23	0.28	0.23	0.28	0.03	XXX
88355		A	Analysis, skeletal muscle	1.85	3.22	6.00	NA	NA	0.13	XXX
88355	TC	A	Analysis, skeletal muscle	0.00	2.85	5.42	NA	NA	0.06	XXX
88355	26	A	Analysis, skeletal muscle	1.85	0.37	0.58	0.37	0.58	0.07	XXX
88356		A	Analysis, nerve	3.02	5.36	4.77	NA	NA	0.19	XXX
88356	TC	A	Analysis, nerve	0.00	4.78	3.85	NA	NA	0.07	XXX
88356	26	A	Analysis, nerve	3.02	0.58	0.92	0.58	0.92	0.12	XXX
88358		A	Analysis, tumor	0.95	1.10	0.97	NA	NA	0.17	XXX
88358	TC	A	Analysis, tumor	0.00	0.94	0.69	NA	NA	0.07	XXX
88358	26	A	Analysis, tumor	0.95	0.16	0.28	0.16	0.28	0.10	XXX
88360		A	Tumor immunohistochem/manual	1.10	2.22	1.98	NA	NA	0.08	XXX
88360	TC	A	Tumor immunohistochem/manual	0.00	1.95	1.61	NA	NA	0.02	XXX
88360	26	A	Tumor immunohistochem/manual	1.10	0.27	0.37	0.27	0.37	0.06	XXX
88361		A	Tumor immunohistochem/comput	1.18	2.80	2.91	NA	NA	0.17	XXX
88361	TC	A	Tumor immunohistochem/comput	0.00	2.53	2.53	NA	NA	0.07	XXX
88361	26	A	Tumor immunohistochem/comput	1.18	0.27	0.38	0.27	0.38	0.10	XXX
88362		A	Nerve teasing preparations	2.17	5.00	4.85	NA	NA	0.15	XXX
88362	TC	A	Nerve teasing preparations	0.00	4.43	4.10	NA	NA	0.06	XXX
88362	26	A	Nerve teasing preparations	2.17	0.57	0.75	0.57	0.75	0.09	XXX
88365		A	Insitu hybridization (fish)	1.20	3.34	2.73	NA	NA	0.05	XXX
88365	TC	A	Insitu hybridization (fish)	0.00	3.04	2.33	NA	NA	0.02	XXX
88365	26	A	Insitu hybridization (fish)	1.20	0.30	0.40	0.30	0.40	0.03	XXX
88367		A	Insitu hybridization, auto	1.30	5.16	4.60	NA	NA	0.12	XXX
88367	TC	A	Insitu hybridization, auto	0.00	4.94	4.22	NA	NA	0.06	XXX
88367	26	A	Insitu hybridization, auto	1.30	0.22	0.38	0.22	0.38	0.06	XXX
88368		A	Insitu hybridization, manual	1.40	4.97	3.69	NA	NA	0.12	XXX
88368	TC	A	Insitu hybridization, manual	0.00	4.72	3.26	NA	NA	0.06	XXX
88368	26	A	Insitu hybridization, manual	1.40	0.25	0.43	0.25	0.43	0.06	XXX
88371	26	A	Protein, western blot tissue	0.37	0.10	0.12	0.10	0.12	0.01	XXX
88372	26	A	Protein analysis w/probe	0.37	0.12	0.14	0.12	0.14	0.01	XXX
88380		A	Microdissection, laser	1.56	2.66	2.66	NA	NA	0.14	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
88380	TC	A	Microdissection, laser	0.00	2.23	2.23	NA	NA	0.07	XXX
88380	26	A	Microdissection, laser	1.56	0.43	0.43	0.43	0.43	0.07	XXX
88381		A	Microdissection, manual	1.18	4.47	4.47	NA	NA	0.08	XXX
88381	TC	A	Microdissection, manual	0.00	4.15	4.15	NA	NA	0.02	XXX
88381	26	A	Microdissection, manual	1.18	0.32	0.32	0.32	0.32	0.06	XXX
88384		C	Eval molecular probes, 11-50	0.00	0.00	0.00	NA	NA	0.00	XXX
88384	TC	C	Eval molecular probes, 11-50	0.00	0.00	0.00	NA	NA	0.00	XXX
88384	26	C	Eval molecular probes, 11-50	0.00	0.00	0.00	0.00	0.00	0.00	XXX
88385		A	Eval molecul probes, 51-250	1.50	15.55	11.32	NA	NA	0.12	XXX
88385	TC	A	Eval molecul probes, 51-250	0.00	15.28	10.86	NA	NA	0.06	XXX
88385	26	A	Eval molecul probes, 51-250	1.50	0.27	0.46	0.27	0.46	0.06	XXX
88386		A	Eval molecul probes, 251-500	1.88	15.46	11.25	NA	NA	0.16	XXX
88386	TC	A	Eval molecul probes, 251-500	0.00	15.12	10.67	NA	NA	0.08	XXX
88386	26	A	Eval molecul probes, 251-500	1.88	0.34	0.58	0.34	0.58	0.08	XXX
88399		C	Surgical pathology procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
88399	TC	C	Surgical pathology procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
88399	26	C	Surgical pathology procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
89049		A	Chct for mal hyperthermia	1.40	3.56	3.56	0.19	0.23	0.06	XXX
89060	26	A	Exam,synovial fluid crystals	0.37	0.12	0.14	0.12	0.14	0.01	XXX
89100		A	Sample intestinal contents	0.60	7.90	4.87	0.54	0.37	0.03	XXX
89105		A	Sample intestinal contents	0.50	7.85	5.04	0.46	0.32	0.02	XXX
89130		A	Sample stomach contents	0.45	6.55	4.15	0.38	0.25	0.02	XXX
89132		A	Sample stomach contents	0.19	8.39	4.97	0.39	0.22	0.01	XXX
89135		A	Sample stomach contents	0.79	8.83	5.36	0.67	0.46	0.04	XXX
89136		A	Sample stomach contents	0.21	5.95	3.84	0.26	0.18	0.01	XXX
89140		A	Sample stomach contents	0.94	6.22	4.15	0.43	0.35	0.04	XXX
89141		A	Sample stomach contents	0.85	6.36	4.58	0.49	0.41	0.03	XXX
89220		A	Sputum specimen collection	0.00	0.37	0.40	NA	NA	0.02	XXX
89230		A	Collect sweat for test	0.00	0.07	0.09	NA	NA	0.02	XXX
89240		C	Pathology lab procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90281		I	Human ig, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90283		I	Human ig, iv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90284		X	Human ig, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90287		I	Botulinum antitoxin	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90288		I	Botulism ig, iv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90291		I	Cmv ig, iv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90296		E	Diphtheria antitoxin	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90371		E	Hep b ig, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90375		E	Rabies ig, im/sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90376		E	Rabies ig, heat treated	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90378		X	Rsv ig, im, 50mg	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90379		I	Rsv ig, iv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90384		I	Rh ig, full-dose, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90385		E	Rh ig, minidose, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90386		I	Rh ig, iv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90389		I	Tetanus ig, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90393		E	Vaccina ig, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90396		E	Varicella-zoster ig, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90399		I	Immune globulin	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90465		A	Immune admin 1 inj, < 8 yrs	0.17	0.44	0.38	NA	NA	0.01	XXX
90466		A	Immune admin addl inj, < 8 y	0.15	0.12	0.12	0.04	0.08	0.01	ZZZ
90467		R	Immune admin o or n, < 8 yrs	0.17	0.17	0.17	0.07	0.08	0.01	XXX
90468		R	Immune admin o/n, addl < 8 y	0.15	0.11	0.11	0.04	0.05	0.01	ZZZ
90471		A	Immunization admin	0.17	0.44	0.38	NA	NA	0.01	XXX
90472		A	Immunization admin, each add	0.15	0.12	0.13	0.04	0.08	0.01	ZZZ
90473		R	Immune admin oral/nasal	0.17	0.17	0.18	0.04	0.06	0.01	XXX
90474		R	Immune admin oral/nasal addl	0.15	0.08	0.09	0.04	0.05	0.01	ZZZ
90476		E	Adenovirus vaccine, type 4	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90477		E	Adenovirus vaccine, type 7	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90581		E	Anthrax vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90585		E	Bcg vaccine, percut	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90586		E	Bcg vaccine, intravesical	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90632		E	Hep a vaccine, adult im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90633		E	Hep a vacc, ped/adol, 2 dose	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90634		E	Hep a vacc, ped/adol, 3 dose	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90636		E	Hep a/hep b vacc, adult im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90645		E	Hib vaccine, hboc, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90646		E	Hib vaccine, prp-d, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90647		E	Hib vaccine, prp-omp, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90648		E	Hib vaccine, prp-t, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90649		E	H papilloma vacc 3 dose im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90655		X	Flu vaccine no preserv 6-35m	0.00	0.00	0.00	0.00	0.00	0.00	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
90656		X	Flu vaccine no preserv 3 & >	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90657		X	Flu vaccine, 3 yrs, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90658		X	Flu vaccine, 3 yrs & >, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90660		X	Flu vaccine, nasal	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90661		X	Flu vacc cell cult prsv free	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90662		X	Flu vacc prsv free inc antig	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90663		X	Flu vacc pandemic	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90665		E	Lyme disease vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90669		X	Pneumococcal vacc, ped <5	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90675		E	Rabies vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90676		E	Rabies vaccine, id	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90680		E	Rotovirus vacc 3 dose, oral	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90690		E	Typhoid vaccine, oral	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90691		E	Typhoid vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90692		E	Typhoid vaccine, h-p, sc/id	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90693		E	Typhoid vaccine, akd, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90698		E	Dtap-hib-ip vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90700		E	Dtap vaccine, < 7 yrs, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90701		E	Dtp vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90702		E	Dt vaccine < 7, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90703		E	Tetanus vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90704		E	Mumps vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90705		E	Measles vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90706		E	Rubella vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90707		E	Mmr vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90708		E	Measles-rubella vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90710		E	Mmrv vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90712		E	Oral poliovirus vaccine	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90713		E	Poliovirus, ipv, sc/im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90714		E	Td vaccine no prsrv >/= 7 im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90715		E	Tdap vaccine >7 im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90716		E	Chicken pox vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90717		E	Yellow fever vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90718		E	Td vaccine > 7, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90719		E	Diphtheria vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90720		E	Dtp/hib vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90721		E	Dtap/hib vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90723		I	Dtap-hep b-ipv vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90725		E	Cholera vaccine, injectable	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90727		E	Plague vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90732		X	Pneumococcal vaccine	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90733		E	Meningococcal vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90734		E	Meningococcal vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90735		E	Encephalitis vaccine, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90736		E	Zoster vacc, sc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90740		X	Hepb vacc, ill pat 3 dose im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90743		X	Hep b vacc, adol, 2 dose, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90744		X	Hepb vacc ped/adol 3 dose im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90746		X	Hep b vaccine, adult, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90747		X	Hepb vacc, ill pat 4 dose im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90748		I	Hep b/hib vaccine, im	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90749		E	Vaccine toxoid	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90760		A	Hydration iv infusion, init	0.17	1.32	1.37	NA	NA	0.07	XXX
90761		A	Hydrate iv infusion, add-on	0.09	0.32	0.36	NA	NA	0.04	ZZZ
90765		A	Ther/proph/diag iv inf, init	0.21	1.62	1.69	NA	NA	0.07	XXX
90766		A	Ther/proph/dg iv inf, add-on	0.18	0.37	0.42	NA	NA	0.04	ZZZ
90767		A	Tx/proph/dg addl seq iv inf	0.19	0.69	0.79	NA	NA	0.04	ZZZ
90768		A	Ther/diag concurrent inf	0.17	0.33	0.39	NA	NA	0.04	ZZZ
90769		A	Sc ther infusion, up to 1 hr	0.21	3.93	3.93	NA	NA	0.06	XXX
90770		A	Sc ther infusion, addl hr	0.18	0.22	0.22	NA	NA	0.04	ZZZ
90771		A	Sc ther infusion, reset pump	0.00	1.86	1.86	NA	NA	0.01	ZZZ
90772		A	Ther/proph/diag inj, sc/im	0.17	0.44	0.38	NA	NA	0.01	XXX
90773		A	Ther/proph/diag inj, ia	0.17	0.30	0.31	NA	NA	0.02	XXX
90774		A	Ther/proph/diag inj, iv push	0.18	1.33	1.32	NA	NA	0.04	XXX
90775		A	Tx/pro/dx inj new drug addon	0.10	0.51	0.54	NA	NA	0.04	ZZZ
90776		X	Tx/pro/dx inj same drug adon	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
90779		C	Ther/prop/diag inj/inf proc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90801		A	Psy dx interview	2.80	1.49	1.33	0.60	0.76	0.06	XXX
90802		A	Intac psy dx interview	3.01	1.54	1.37	0.68	0.83	0.07	XXX
90804		A	Psytx, office, 20-30 min	1.21	0.56	0.52	0.22	0.30	0.03	XXX
90805		A	Psytx, off, 20-30 min w/e&m	1.37	0.60	0.55	0.24	0.33	0.03	XXX
90806		A	Psytx, off, 45-50 min	1.86	0.53	0.61	0.33	0.46	0.04	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
90807		A	Psytx, off, 45-50 min w/e&m	2.02	0.70	0.70	0.35	0.49	0.05	XXX
90808		A	Psytx, office, 75-80 min	2.79	0.69	0.86	0.49	0.70	0.06	XXX
90809		A	Psytx, off, 75-80, w/e&m	2.95	0.86	0.93	0.52	0.72	0.07	XXX
90810		A	Intac psytx, off, 20-30 min	1.32	0.54	0.52	0.23	0.33	0.04	XXX
90811		A	Intac psytx, 20-30, w/e&m	1.48	0.72	0.64	0.26	0.36	0.04	XXX
90812		A	Intac psytx, off, 45-50 min	1.97	0.65	0.72	0.34	0.49	0.04	XXX
90813		A	Intac psytx, 45-50 min w/e&m	2.13	0.83	0.80	0.37	0.52	0.05	XXX
90814		A	Intac psytx, off, 75-80 min	2.90	0.81	0.95	0.53	0.75	0.06	XXX
90815		A	Intac psytx, 75-80 w/e&m	3.06	0.99	1.02	0.53	0.74	0.07	XXX
90816		A	Psytx, hosp, 20-30 min	1.25	NA	NA	0.33	0.39	0.03	XXX
90817		A	Psytx, hosp, 20-30 min w/e&m	1.41	NA	NA	0.35	0.40	0.03	XXX
90818		A	Psytx, hosp, 45-50 min	1.89	NA	NA	0.44	0.56	0.04	XXX
90819		A	Psytx, hosp, 45-50 min w/e&m	2.05	NA	NA	0.46	0.56	0.05	XXX
90821		A	Psytx, hosp, 75-80 min	2.83	NA	NA	0.60	0.80	0.06	XXX
90822		A	Psytx, hosp, 75-80 min w/e&m	2.99	NA	NA	0.63	0.79	0.08	XXX
90823		A	Intac psytx, hosp, 20-30 min	1.36	NA	NA	0.35	0.41	0.03	XXX
90824		A	Intac psytx, hsp 20-30 w/e&m	1.52	NA	NA	0.37	0.43	0.04	XXX
90826		A	Intac psytx, hosp, 45-50 min	2.01	NA	NA	0.46	0.59	0.05	XXX
90827		A	Intac psytx, hsp 45-50 w/e&m	2.16	NA	NA	0.48	0.58	0.05	XXX
90828		A	Intac psytx, hosp, 75-80 min	2.94	NA	NA	0.62	0.84	0.06	XXX
90829		A	Intac psytx, hsp 75-80 w/e&m	3.10	NA	NA	0.64	0.81	0.07	XXX
90845		A	Psychoanalysis	1.79	0.39	0.48	0.32	0.43	0.04	XXX
90846		R	Family psytx w/o patient	1.83	0.51	0.58	0.43	0.54	0.04	XXX
90847		R	Family psytx w/patient	2.21	0.74	0.78	0.49	0.63	0.05	XXX
90849		R	Multiple family group psytx	0.59	0.33	0.30	0.21	0.22	0.02	XXX
90853		A	Group psychotherapy	0.59	0.26	0.26	0.20	0.21	0.01	XXX
90857		A	Intac group psytx	0.63	0.38	0.33	0.21	0.23	0.01	XXX
90862		A	Medication management	0.95	0.62	0.51	0.27	0.29	0.02	XXX
90865		A	Narcosynthesis	2.84	1.17	1.26	0.63	0.77	0.12	XXX
90870		A	Electroconvulsive therapy	1.88	1.92	1.93	0.38	0.49	0.04	000
90875		N	Psychophysiological therapy	1.20	0.53	0.71	0.28	0.37	0.04	XXX
90876		N	Psychophysiological therapy	1.90	0.67	0.92	0.44	0.58	0.05	XXX
90880		A	Hypnotherapy	2.19	0.58	0.81	0.39	0.54	0.05	XXX
90882		N	Environmental manipulation	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90885		B	Psy evaluation of records	0.97	0.22	0.30	0.22	0.30	0.02	XXX
90887		B	Consultation with family	1.48	0.61	0.71	0.34	0.45	0.04	XXX
90889		B	Preparation of report	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90899		C	Psychiatric service/therapy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90901		A	Biofeedback train, any meth	0.41	0.46	0.56	0.10	0.12	0.02	000
90911		A	Biofeedback peri/uro/rectal	0.89	1.37	1.47	0.30	0.30	0.06	000
90918		I	ESRD related services, month	11.16	4.70	5.41	3.74	4.93	0.36	XXX
90919		I	ESRD related services, month	8.53	3.03	3.52	2.55	3.28	0.29	XXX
90920		I	ESRD related services, month	7.26	2.74	3.24	2.27	3.01	0.23	XXX
90921		I	ESRD related services, month	4.46	1.71	2.08	1.61	2.03	0.14	XXX
90922		I	ESRD related services, day	0.37	0.16	0.18	0.13	0.17	0.01	XXX
90923		I	Esrd related services, day	0.28	0.10	0.11	0.08	0.11	0.01	XXX
90924		I	Esrd related services, day	0.24	0.09	0.10	0.07	0.10	0.01	XXX
90925		I	Esrd related services, day	0.15	0.05	0.07	0.05	0.07	0.01	XXX
90935		A	Hemodialysis, one evaluation	1.22	NA	NA	0.54	0.60	0.04	000
90937		A	Hemodialysis, repeated eval	2.11	NA	NA	0.77	0.87	0.07	000
90940		X	Hemodialysis access study	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90945		A	Dialysis, one evaluation	1.28	NA	NA	0.55	0.62	0.04	000
90947		A	Dialysis, repeated eval	2.16	NA	NA	0.79	0.89	0.07	000
90989		X	Dialysis training, complete	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90993		X	Dialysis training, incompl	0.00	0.00	0.00	0.00	0.00	0.00	XXX
90997		A	Hemoperfusion	1.84	NA	NA	0.50	0.58	0.06	000
90999		C	Dialysis procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
91000		A	Esophageal intubation	0.73	2.13	1.23	NA	NA	0.04	000
91000	TC	A	Esophageal intubation	0.00	1.91	0.99	NA	NA	0.01	000
91000	26	A	Esophageal intubation	0.73	0.22	0.24	0.22	0.24	0.03	000
91010		A	Esophagus motility study	1.25	3.67	4.04	NA	NA	0.12	000
91010	TC	A	Esophagus motility study	0.00	3.12	3.55	NA	NA	0.06	000
91010	26	A	Esophagus motility study	1.25	0.55	0.49	0.55	0.49	0.06	000
91011		A	Esophagus motility study	1.50	5.38	5.30	NA	NA	0.13	000
91011	TC	A	Esophagus motility study	0.00	4.66	4.68	NA	NA	0.06	000
91011	26	A	Esophagus motility study	1.50	0.72	0.62	0.72	0.62	0.07	000
91012		A	Esophagus motility study	1.46	5.44	5.60	NA	NA	0.13	000
91012	TC	A	Esophagus motility study	0.00	4.76	5.00	NA	NA	0.07	000
91012	26	A	Esophagus motility study	1.46	0.68	0.60	0.68	0.60	0.06	000
91020		A	Gastric motility studies	1.44	4.82	4.67	NA	NA	0.13	000
91020	TC	A	Gastric motility studies	0.00	4.21	4.12	NA	NA	0.06	000
91020	26	A	Gastric motility studies	1.44	0.61	0.55	0.61	0.55	0.07	000

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91022		A	Duodenal motility study	1.44	3.14	3.76	NA	NA	0.13	000
91022	TC	A	Duodenal motility study	0.00	2.52	3.20	NA	NA	0.06	000
91022	26	A	Duodenal motility study	1.44	0.62	0.56	0.62	0.56	0.07	000
91030		A	Acid perfusion of esophagus	0.91	2.90	2.67	NA	NA	0.06	000
91030	TC	A	Acid perfusion of esophagus	0.00	2.48	2.30	NA	NA	0.02	000
91030	26	A	Acid perfusion of esophagus	0.91	0.42	0.37	0.42	0.37	0.04	000
91034		A	Gastroesophageal reflux test	0.97	4.15	4.69	NA	NA	0.12	000
91034	TC	A	Gastroesophageal reflux test	0.00	3.73	4.31	NA	NA	0.06	000
91034	26	A	Gastroesophageal reflux test	0.97	0.42	0.38	0.42	0.38	0.06	000
91035		A	G-esoph reflx tst w/electrod	1.59	11.39	11.10	NA	NA	0.12	000
91035	TC	A	G-esoph reflx tst w/electrod	0.00	10.69	10.47	NA	NA	0.06	000
91035	26	A	G-esoph reflx tst w/electrod	1.59	0.70	0.63	0.70	0.63	0.06	000
91037		A	Esoph imped function test	0.97	3.47	3.20	NA	NA	0.12	000
91037	TC	A	Esoph imped function test	0.00	3.03	2.81	NA	NA	0.06	000
91037	26	A	Esoph imped function test	0.97	0.44	0.39	0.44	0.39	0.06	000
91038		A	Esoph imped funct test > 1h	1.10	2.81	2.52	NA	NA	0.12	000
91038	TC	A	Esoph imped funct test > 1h	0.00	2.31	2.07	NA	NA	0.06	000
91038	26	A	Esoph imped funct test > 1h	1.10	0.50	0.45	0.50	0.45	0.06	000
91040		A	Esoph balloon distension tst	0.97	7.73	9.43	NA	NA	0.12	000
91040	TC	A	Esoph balloon distension tst	0.00	7.45	9.12	NA	NA	0.06	000
91040	26	A	Esoph balloon distension tst	0.97	0.28	0.31	0.28	0.31	0.06	000
91052		A	Gastric analysis test	0.79	2.92	2.68	NA	NA	0.05	000
91052	TC	A	Gastric analysis test	0.00	2.55	2.36	NA	NA	0.02	000
91052	26	A	Gastric analysis test	0.79	0.37	0.32	0.37	0.32	0.03	000
91055		A	Gastric intubation for smear	0.94	2.58	2.76	NA	NA	0.07	000
91055	TC	A	Gastric intubation for smear	0.00	2.29	2.48	NA	NA	0.02	000
91055	26	A	Gastric intubation for smear	0.94	0.29	0.28	0.29	0.28	0.05	000
91065		A	Breath hydrogen test	0.20	1.34	1.40	NA	NA	0.03	000
91065	TC	A	Breath hydrogen test	0.00	1.28	1.33	NA	NA	0.02	000
91065	26	A	Breath hydrogen test	0.20	0.06	0.07	0.06	0.07	0.01	000
91100		A	Pass intestine bleeding tube	1.08	2.14	2.47	0.32	0.30	0.07	000
91105		A	Gastric intubation treatment	0.37	1.67	1.89	0.07	0.08	0.03	000
91110		A	Gi tract capsule endoscopy	3.64	20.66	21.42	NA	NA	0.16	XXX
91110	TC	A	Gi tract capsule endoscopy	0.00	18.99	19.95	NA	NA	0.07	XXX
91110	26	A	Gi tract capsule endoscopy	3.64	1.67	1.47	1.67	1.47	0.09	XXX
91111		A	Esophageal capsule endoscopy	1.00	18.84	18.84	NA	NA	0.05	XXX
91111	TC	A	Esophageal capsule endoscopy	0.00	18.39	18.39	NA	NA	0.02	XXX
91111	26	A	Esophageal capsule endoscopy	1.00	0.45	0.45	0.45	0.45	0.03	XXX
91120		A	Rectal sensation test	0.97	8.89	9.94	NA	NA	0.11	XXX
91120	TC	A	Rectal sensation test	0.00	8.62	9.63	NA	NA	0.04	XXX
91120	26	A	Rectal sensation test	0.97	0.27	0.31	0.27	0.31	0.07	XXX
91122		A	Anal pressure record	1.77	4.31	4.70	NA	NA	0.21	000
91122	TC	A	Anal pressure record	0.00	3.69	4.09	NA	NA	0.08	000
91122	26	A	Anal pressure record	1.77	0.62	0.61	0.62	0.61	0.13	000
91123		B	Irrigate fecal impaction	0.00	0.00	0.00	0.00	0.00	0.00	XXX
91132		C	Electrogastrography	0.00	0.00	0.00	NA	NA	0.00	XXX
91132	TC	C	Electrogastrography	0.00	0.00	0.00	NA	NA	0.00	XXX
91132	26	A	Electrogastrography	0.52	0.25	0.22	0.25	0.22	0.02	XXX
91133		C	Electrogastrography w/test	0.00	0.00	0.00	NA	NA	0.00	XXX
91133	TC	C	Electrogastrography w/test	0.00	0.00	0.00	NA	NA	0.00	XXX
91133	26	A	Electrogastrography w/test	0.66	0.32	0.28	0.32	0.28	0.03	XXX
91299		C	Gastroenterology procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
91299	TC	C	Gastroenterology procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
91299	26	C	Gastroenterology procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92002		A	Eye exam, new patient	0.88	0.93	0.95	0.25	0.30	0.02	XXX
92004		A	Eye exam, new patient	1.82	1.57	1.63	0.55	0.62	0.04	XXX
92012		A	Eye exam established pat	0.92	0.99	1.01	0.31	0.30	0.02	XXX
92014		A	Eye exam & treatment	1.42	1.37	1.39	0.46	0.46	0.03	XXX
92015		N	Refraction	0.38	0.10	0.79	0.09	0.12	0.01	XXX
92018		A	New eye exam & treatment	2.50	NA	NA	0.86	0.96	0.07	XXX
92019		A	Eye exam & treatment	1.31	NA	NA	0.35	0.46	0.03	XXX
92020		A	Special eye evaluation	0.37	0.25	0.29	0.13	0.14	0.01	XXX
92025		A	Corneal topography	0.35	0.49	0.49	NA	NA	0.02	XXX
92025	TC	A	Corneal topography	0.00	0.37	0.37	NA	NA	0.01	XXX
92025	26	A	Corneal topography	0.35	0.12	0.12	0.12	0.12	0.01	XXX
92060		A	Special eye evaluation	0.69	0.76	0.75	NA	NA	0.03	XXX
92060	TC	A	Special eye evaluation	0.00	0.54	0.49	NA	NA	0.01	XXX
92060	26	A	Special eye evaluation	0.69	0.22	0.26	0.22	0.26	0.02	XXX
92065		A	Orthoptic/pleoptic training	0.37	0.86	0.69	NA	NA	0.02	XXX
92065	TC	A	Orthoptic/pleoptic training	0.00	0.77	0.57	NA	NA	0.01	XXX
92065	26	A	Orthoptic/pleoptic training	0.37	0.09	0.12	0.09	0.12	0.01	XXX
92070		A	Fitting of contact lens	0.70	0.90	0.99	0.22	0.27	0.02	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
92081		A	Visual field examination(s)	0.36	0.95	0.95	NA	NA	0.02	XXX
92081	TC	A	Visual field examination(s)	0.00	0.84	0.82	NA	NA	0.01	XXX
92081	26	A	Visual field examination(s)	0.36	0.11	0.13	0.11	0.13	0.01	XXX
92082		A	Visual field examination(s)	0.44	1.32	1.27	NA	NA	0.02	XXX
92082	TC	A	Visual field examination(s)	0.00	1.18	1.11	NA	NA	0.01	XXX
92082	26	A	Visual field examination(s)	0.44	0.14	0.16	0.14	0.16	0.01	XXX
92083		A	Visual field examination(s)	0.50	1.51	1.47	NA	NA	0.02	XXX
92083	TC	A	Visual field examination(s)	0.00	1.35	1.28	NA	NA	0.01	XXX
92083	26	A	Visual field examination(s)	0.50	0.16	0.19	0.16	0.19	0.01	XXX
92100		A	Serial tonometry exam(s)	0.92	1.24	1.29	0.27	0.32	0.02	XXX
92120		A	Tonography & eye evaluation	0.81	0.97	1.02	0.25	0.28	0.02	XXX
92130		A	Water provocation tonography	0.81	1.18	1.23	0.27	0.32	0.02	XXX
92135		A	Ophth dx imaging post seg	0.35	0.79	0.79	NA	NA	0.02	XXX
92135	TC	A	Ophth dx imaging post seg	0.00	0.67	0.66	NA	NA	0.01	XXX
92135	26	A	Ophth dx imaging post seg	0.35	0.12	0.13	0.12	0.13	0.01	XXX
92136		A	Ophthalmic biometry	0.54	1.42	1.54	NA	NA	0.08	XXX
92136	TC	A	Ophthalmic biometry	0.00	1.23	1.32	NA	NA	0.07	XXX
92136	26	A	Ophthalmic biometry	0.54	0.19	0.22	0.19	0.22	0.01	XXX
92140		A	Glaucoma provocative tests	0.50	0.89	0.94	0.14	0.18	0.01	XXX
92225		A	Special eye exam, initial	0.38	0.24	0.23	0.12	0.14	0.01	XXX
92226		A	Special eye exam, subsequent	0.33	0.23	0.22	0.11	0.13	0.01	XXX
92230		A	Eye exam with photos	0.60	0.68	1.10	0.19	0.19	0.02	XXX
92235		A	Eye exam with photos	0.81	2.26	2.44	NA	NA	0.08	XXX
92235	TC	A	Eye exam with photos	0.00	1.97	2.11	NA	NA	0.06	XXX
92235	26	A	Eye exam with photos	0.81	0.29	0.33	0.29	0.33	0.02	XXX
92240		A	Icg angiography	1.10	4.38	5.25	NA	NA	0.09	XXX
92240	TC	A	Icg angiography	0.00	3.99	4.80	NA	NA	0.06	XXX
92240	26	A	Icg angiography	1.10	0.39	0.45	0.39	0.45	0.03	XXX
92250		A	Eye exam with photos	0.44	1.30	1.41	NA	NA	0.02	XXX
92250	TC	A	Eye exam with photos	0.00	1.16	1.25	NA	NA	0.01	XXX
92250	26	A	Eye exam with photos	0.44	0.14	0.16	0.14	0.16	0.01	XXX
92260		A	Ophthalmoscopy/dynamometry	0.20	0.23	0.24	0.07	0.08	0.01	XXX
92265		A	Eye muscle evaluation	0.81	1.00	1.24	NA	NA	0.06	XXX
92265	TC	A	Eye muscle evaluation	0.00	0.76	0.98	NA	NA	0.02	XXX
92265	26	A	Eye muscle evaluation	0.81	0.24	0.26	0.24	0.26	0.04	XXX
92270		A	Electro-oculography	0.81	1.32	1.42	NA	NA	0.05	XXX
92270	TC	A	Electro-oculography	0.00	1.09	1.14	NA	NA	0.02	XXX
92270	26	A	Electro-oculography	0.81	0.23	0.28	0.23	0.28	0.03	XXX
92275		A	Electroretinography	1.01	2.42	2.18	NA	NA	0.05	XXX
92275	TC	A	Electroretinography	0.00	2.07	1.79	NA	NA	0.02	XXX
92275	26	A	Electroretinography	1.01	0.35	0.39	0.35	0.39	0.03	XXX
92283		A	Color vision examination	0.17	0.99	0.91	NA	NA	0.02	XXX
92283	TC	A	Color vision examination	0.00	0.94	0.85	NA	NA	0.01	XXX
92283	26	A	Color vision examination	0.17	0.05	0.06	0.05	0.06	0.01	XXX
92284		A	Dark adaptation eye exam	0.24	1.13	1.50	NA	NA	0.02	XXX
92284	TC	A	Dark adaptation eye exam	0.00	1.06	1.43	NA	NA	0.01	XXX
92284	26	A	Dark adaptation eye exam	0.24	0.07	0.07	0.07	0.07	0.01	XXX
92285		A	Eye photography	0.20	0.80	0.89	NA	NA	0.02	XXX
92285	TC	A	Eye photography	0.00	0.73	0.81	NA	NA	0.01	XXX
92285	26	A	Eye photography	0.20	0.07	0.08	0.07	0.08	0.01	XXX
92286		A	Internal eye photography	0.66	2.09	2.56	NA	NA	0.04	XXX
92286	TC	A	Internal eye photography	0.00	1.87	2.31	NA	NA	0.02	XXX
92286	26	A	Internal eye photography	0.66	0.22	0.25	0.22	0.25	0.02	XXX
92287		A	Internal eye photography	0.81	1.90	2.14	0.27	0.29	0.02	XXX
92310		N	Contact lens fitting	1.17	1.06	1.09	0.27	0.36	0.04	XXX
92311		A	Contact lens fitting	1.08	1.27	1.18	0.31	0.33	0.03	XXX
92312		A	Contact lens fitting	1.26	1.45	1.27	0.33	0.42	0.03	XXX
92313		A	Contact lens fitting	0.92	1.42	1.24	0.31	0.30	0.02	XXX
92314		N	Prescription of contact lens	0.69	1.14	1.04	0.16	0.21	0.01	XXX
92315		A	Prescription of contact lens	0.45	1.31	1.08	0.13	0.14	0.01	XXX
92316		A	Prescription of contact lens	0.68	1.63	1.27	0.22	0.26	0.02	XXX
92317		A	Prescription of contact lens	0.45	1.31	1.12	0.11	0.13	0.01	XXX
92325		A	Modification of contact lens	0.00	0.83	0.62	NA	NA	0.01	XXX
92326		A	Replacement of contact lens	0.00	0.73	1.18	NA	NA	0.06	XXX
92340		N	Fitting of spectacles	0.37	0.44	0.57	0.09	0.11	0.01	XXX
92341		N	Fitting of spectacles	0.47	0.46	0.60	0.11	0.14	0.01	XXX
92342		N	Fitting of spectacles	0.53	0.48	0.62	0.12	0.17	0.01	XXX
92352		B	Special spectacles fitting	0.37	0.56	0.62	0.09	0.11	0.01	XXX
92353		B	Special spectacles fitting	0.50	0.59	0.66	0.11	0.15	0.02	XXX
92354		B	Special spectacles fitting	0.00	0.28	4.58	NA	NA	0.10	XXX
92355		B	Special spectacles fitting	0.00	0.44	2.39	NA	NA	0.01	XXX
92358		B	Eye prosthesis service	0.00	0.24	0.60	NA	NA	0.05	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
92370		N	Repair & adjust spectacles	0.32	0.39	0.47	0.07	0.10	0.02	XXX
92371		B	Repair & adjust spectacles	0.00	0.24	0.43	NA	NA	0.02	XXX
92499		C	Eye service or procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
92499	TC	C	Eye service or procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
92499	26	C	Eye service or procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92502		A	Ear and throat examination	1.51	NA	NA	0.90	1.01	0.05	000
92504		A	Ear microscopy examination	0.18	0.60	0.55	0.06	0.07	0.01	XXX
92506		A	Speech/hearing evaluation	0.86	3.50	3.05	0.28	0.34	0.03	XXX
92507		A	Speech/hearing therapy	0.52	1.23	1.17	0.16	0.19	0.02	XXX
92508		A	Speech/hearing therapy	0.26	0.55	0.53	0.09	0.11	0.01	XXX
92511		A	Nasopharyngoscopy	0.84	3.12	3.22	0.67	0.72	0.03	000
92512		A	Nasal function studies	0.55	1.00	1.07	0.17	0.18	0.02	XXX
92516		A	Facial nerve function test	0.43	1.23	1.21	0.14	0.18	0.01	XXX
92520		A	Laryngeal function studies	0.75	0.93	0.72	0.24	0.31	0.03	XXX
92526		A	Oral function therapy	0.55	1.70	1.67	0.16	0.18	0.02	XXX
92531		B	Spontaneous nystagmus study	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92532		B	Positional nystagmus test	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92533		B	Caloric vestibular test	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92534		B	Optokinetic nystagmus test	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92541		A	Spontaneous nystagmus test	0.40	1.15	1.09	NA	NA	0.04	XXX
92541	TC	A	Spontaneous nystagmus test	0.00	1.04	0.94	NA	NA	0.02	XXX
92541	26	A	Spontaneous nystagmus test	0.40	0.11	0.15	0.11	0.15	0.02	XXX
92542		A	Positional nystagmus test	0.33	1.29	1.22	NA	NA	0.03	XXX
92542	TC	A	Positional nystagmus test	0.00	1.20	1.09	NA	NA	0.02	XXX
92542	26	A	Positional nystagmus test	0.33	0.09	0.13	0.09	0.13	0.01	XXX
92543		A	Caloric vestibular test	0.10	0.65	0.61	NA	NA	0.02	XXX
92543	TC	A	Caloric vestibular test	0.00	0.62	0.57	NA	NA	0.01	XXX
92543	26	A	Caloric vestibular test	0.10	0.03	0.04	0.03	0.04	0.01	XXX
92544		A	Optokinetic nystagmus test	0.26	1.03	0.97	NA	NA	0.03	XXX
92544	TC	A	Optokinetic nystagmus test	0.00	0.96	0.87	NA	NA	0.02	XXX
92544	26	A	Optokinetic nystagmus test	0.26	0.07	0.10	0.07	0.10	0.01	XXX
92545		A	Oscillating tracking test	0.23	1.00	0.90	NA	NA	0.03	XXX
92545	TC	A	Oscillating tracking test	0.00	0.94	0.81	NA	NA	0.02	XXX
92545	26	A	Oscillating tracking test	0.23	0.06	0.09	0.06	0.09	0.01	XXX
92546		A	Sinusoidal rotational test	0.29	1.81	1.90	NA	NA	0.03	XXX
92546	TC	A	Sinusoidal rotational test	0.00	1.73	1.80	NA	NA	0.02	XXX
92546	26	A	Sinusoidal rotational test	0.29	0.08	0.10	0.08	0.10	0.01	XXX
92547		A	Supplemental electrical test	0.00	0.11	0.09	0.11	0.09	0.06	ZZZ
92548		A	Posturography	0.50	1.70	1.98	NA	NA	0.15	XXX
92548	TC	A	Posturography	0.00	1.56	1.78	NA	NA	0.13	XXX
92548	26	A	Posturography	0.50	0.14	0.20	0.14	0.20	0.02	XXX
92551		N	Pure tone hearing test, air	0.00	0.25	0.25	NA	NA	0.01	XXX
92552		A	Pure tone audiometry, air	0.00	0.61	0.52	NA	NA	0.04	XXX
92553		A	Audiometry, air & bone	0.00	0.77	0.71	NA	NA	0.06	XXX
92555		A	Speech threshold audiometry	0.00	0.41	0.40	NA	NA	0.04	XXX
92556		A	Speech audiometry, complete	0.00	0.51	0.54	NA	NA	0.06	XXX
92557		A	Comprehensive hearing test	0.60	0.29	0.74	0.20	0.69	0.12	XXX
92559		N	Group audiometric testing	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92560		N	Bekesy audiometry, screen	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92561		A	Bekesy audiometry, diagnosis	0.00	0.70	0.71	NA	NA	0.06	XXX
92562		A	Loudness balance test	0.00	0.62	0.51	NA	NA	0.04	XXX
92563		A	Tone decay hearing test	0.00	0.55	0.46	NA	NA	0.04	XXX
92564		A	Sisi hearing test	0.00	0.48	0.47	NA	NA	0.05	XXX
92565		A	Stenger test, pure tone	0.00	0.25	0.33	NA	NA	0.04	XXX
92567		A	Tympanometry	0.20	0.13	0.33	0.07	0.29	0.06	XXX
92568		A	Acoustic refl threshold tst	0.29	0.10	0.24	0.09	0.24	0.04	XXX
92569		A	Acoustic reflex decay test	0.20	0.07	0.24	0.07	0.24	0.04	XXX
92571		A	Filtered speech hearing test	0.00	0.44	0.41	NA	NA	0.04	XXX
92572		A	Staggered spondaic word test	0.00	0.59	0.34	NA	NA	0.01	XXX
92575		A	Sensorineural acuity test	0.00	1.15	0.73	NA	NA	0.02	XXX
92576		A	Synthetic sentence test	0.00	0.58	0.51	NA	NA	0.05	XXX
92577		A	Stenger test, speech	0.00	0.26	0.49	NA	NA	0.07	XXX
92579		A	Visual audiometry (vra)	0.70	0.35	0.54	0.23	0.48	0.06	XXX
92582		A	Conditioning play audiometry	0.00	1.17	0.95	NA	NA	0.06	XXX
92583		A	Select picture audiometry	0.00	0.73	0.81	NA	NA	0.08	XXX
92584		A	Electrocochleography	0.00	1.36	1.92	NA	NA	0.21	XXX
92585		A	Auditor evoke potent, compre	0.50	2.10	2.08	NA	NA	0.17	XXX
92585	TC	A	Auditor evoke potent, compre	0.00	1.95	1.90	NA	NA	0.14	XXX
92585	26	A	Auditor evoke potent, compre	0.50	0.15	0.18	0.15	0.18	0.03	XXX
92586		A	Auditor evoke potent, limit	0.00	1.41	1.64	NA	NA	0.14	XXX
92587		A	Evoked auditory test	0.13	0.65	1.01	NA	NA	0.12	XXX
92587	TC	A	Evoked auditory test	0.00	0.61	0.96	NA	NA	0.11	XXX

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92587	26	A	Evoked auditory test	0.13	0.04	0.05	0.04	0.05	0.01	XXX
92588		A	Evoked auditory test	0.36	1.12	1.38	NA	NA	0.14	XXX
92588	TC	A	Evoked auditory test	0.00	1.01	1.24	NA	NA	0.13	XXX
92588	26	A	Evoked auditory test	0.36	0.11	0.14	0.11	0.14	0.01	XXX
92590		N	Hearing aid exam, one ear	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92591		N	Hearing aid exam, both ears	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92592		N	Hearing aid check, one ear	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92593		N	Hearing aid check, both ears	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92594		N	Electro hearng aid test, one	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92595		N	Electro hearng aid tst, both	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92596		A	Ear protector evaluation	0.00	1.02	0.80	NA	NA	0.06	XXX
92597		A	Oral speech device eval	0.86	1.99	1.84	0.28	0.37	0.03	XXX
92601		A	Cochlear implt f/up exam < 7	2.30	1.09	2.29	0.64	2.07	0.07	XXX
92602		A	Reprogram cochlear implt < 7	1.30	0.84	1.61	0.40	1.39	0.07	XXX
92603		A	Cochlear implt f/up exam 7 >	2.25	1.19	1.67	0.73	1.44	0.07	XXX
92604		A	Reprogram cochlear implt 7 >	1.25	0.78	1.06	0.41	0.88	0.07	XXX
92605		B	Eval for nonspeech device rx	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92606		B	Non-speech device service	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92607		A	Ex for speech device rx, 1hr	0.00	4.63	3.86	NA	NA	0.05	XXX
92608		A	Ex for speech device rx addl	0.00	0.88	0.72	NA	NA	0.05	XXX
92609		A	Use of speech device service	0.00	2.45	2.02	NA	NA	0.04	XXX
92610		A	Evaluate swallowing function	0.00	1.70	2.57	NA	NA	0.08	XXX
92611		A	Motion fluoroscopy/swallow	0.00	1.95	2.69	NA	NA	0.08	XXX
92612		A	Endoscopy swallow tst (fees)	1.27	2.97	2.86	0.42	0.54	0.04	XXX
92613		A	Endoscopy swallow tst (fees)	0.71	0.24	0.32	0.24	0.31	0.05	XXX
92614		A	Laryngoscopic sensory test	1.27	2.42	2.46	0.42	0.54	0.04	XXX
92615		A	Eval laryngoscopy sense tst	0.63	0.21	0.28	0.21	0.28	0.05	XXX
92616		A	Fees w/laryngeal sense test	1.88	3.16	3.28	0.61	0.80	0.06	XXX
92617		A	Interprt fees/laryngeal test	0.79	0.26	0.35	0.26	0.35	0.05	XXX
92620		A	Auditory function, 60 min	0.00	1.93	1.54	NA	NA	0.06	XXX
92621		A	Auditory function, + 15 min	0.00	0.44	0.34	NA	NA	0.06	ZZZ
92625		A	Tinnitus assessment	0.00	1.94	1.53	1.94	1.53	0.06	XXX
92626		A	Eval aud rehab status	0.00	2.01	2.10	NA	NA	0.06	XXX
92627		A	Eval aud status rehab add-on	0.00	0.46	0.50	0.46	0.50	0.02	ZZZ
92630		I	Aud rehab pre-ling hear loss	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92633		I	Aud rehab postling hear loss	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92640		A	Aud brainstem implt programg	0.00	1.34	1.34	1.34	1.34	0.01	XXX
92700		C	Ent procedure/service	0.00	0.00	0.00	0.00	0.00	0.00	XXX
92950		A	Heart/lung resuscitation cpr	3.79	3.25	3.72	0.77	0.87	0.28	000
92953		A	Temporary external pacing	0.23	NA	NA	0.07	0.07	0.02	000
92960		A	Cardioversion electric, ext	2.25	4.37	5.34	1.45	1.31	0.07	000
92961		A	Cardioversion, electric, int	4.59	NA	NA	2.43	2.26	0.29	000
92970		A	Cardioassist, internal	3.51	NA	NA	1.46	1.26	0.16	000
92971		A	Cardioassist, external	1.77	NA	NA	1.09	0.97	0.06	000
92973		A	Percut coronary thrombectomy	3.28	NA	NA	1.76	1.52	0.23	ZZZ
92974		A	Cath place, cardio brachytx	3.00	NA	NA	1.62	1.40	0.21	ZZZ
92975		A	Dissolve clot, heart vessel	7.24	NA	NA	3.84	3.33	0.50	000
92977		A	Dissolve clot, heart vessel	0.00	1.73	4.89	NA	NA	0.46	XXX
92978		C	Intravasc us, heart add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
92978	TC	C	Intravasc us, heart add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
92978	26	A	Intravasc us, heart add-on	1.80	0.96	0.84	0.96	0.84	0.06	ZZZ
92979		C	Intravasc us, heart add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
92979	TC	C	Intravasc us, heart add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
92979	26	A	Intravasc us, heart add-on	1.44	0.77	0.67	0.77	0.67	0.06	ZZZ
92980		A	Insert intracoronary stent	14.82	NA	NA	8.13	7.09	1.03	000
92981		A	Insert intracoronary stent	4.16	NA	NA	2.23	1.93	0.29	ZZZ
92982		A	Coronary artery dilation	10.96	NA	NA	6.06	5.29	0.76	000
92984		A	Coronary artery dilation	2.97	NA	NA	1.58	1.37	0.21	ZZZ
92986		A	Revision of aortic valve	22.70	NA	NA	15.34	13.59	1.51	090
92987		A	Revision of mitral valve	23.48	NA	NA	15.96	14.09	1.59	090
92990		A	Revision of pulmonary valve	18.12	NA	NA	11.34	10.57	1.20	090
92992		C	Revision of heart chamber	0.00	0.00	0.00	0.00	0.00	0.00	090
92993		C	Revision of heart chamber	0.00	0.00	0.00	0.00	0.00	0.00	090
92995		A	Coronary atherectomy	12.07	NA	NA	6.65	5.80	0.84	000
92996		A	Coronary atherectomy add-on	3.26	NA	NA	1.76	1.51	0.10	ZZZ
92997		A	Pul art balloon repr, percut	11.98	NA	NA	5.61	5.22	0.40	000
92998		A	Pul art balloon repr, percut	5.99	NA	NA	3.00	2.60	0.28	ZZZ
93000		A	Electrocardiogram, complete	0.17	0.35	0.42	NA	NA	0.03	XXX
93005		A	Electrocardiogram, tracing	0.00	0.28	0.36	NA	NA	0.02	XXX
93010		A	Electrocardiogram report	0.17	0.07	0.06	0.07	0.06	0.01	XXX
93012		A	Transmission of ecg	0.00	4.17	5.09	NA	NA	0.18	XXX
93014		A	Report on transmitted ecg	0.52	0.22	0.21	0.22	0.21	0.02	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
93015		A	Cardiovascular stress test	0.75	1.91	1.94	NA	NA	0.14	XXX
93016		A	Cardiovascular stress test	0.45	0.22	0.20	0.22	0.20	0.02	XXX
93017		A	Cardiovascular stress test	0.00	1.54	1.61	NA	NA	0.11	XXX
93018		A	Cardiovascular stress test	0.30	0.15	0.13	0.15	0.13	0.01	XXX
93024		A	Cardiac drug stress test	1.17	2.40	1.98	NA	NA	0.12	XXX
93024	TC	A	Cardiac drug stress test	0.00	1.82	1.47	NA	NA	0.08	XXX
93024	26	A	Cardiac drug stress test	1.17	0.58	0.51	0.58	0.51	0.04	XXX
93025		A	Microvolt t-wave assess	0.75	3.93	5.77	NA	NA	0.14	XXX
93025	TC	A	Microvolt t-wave assess	0.00	3.55	5.43	NA	NA	0.11	XXX
93025	26	A	Microvolt t-wave assess	0.75	0.38	0.34	0.38	0.34	0.03	XXX
93040		A	Rhythm ECG with report	0.16	0.19	0.20	NA	NA	0.02	XXX
93041		A	Rhythm ECG, tracing	0.00	0.14	0.15	NA	NA	0.01	XXX
93042		A	Rhythm ECG, report	0.16	0.05	0.05	0.05	0.05	0.01	XXX
93224		A	ECG monitor/report, 24 hrs	0.52	2.31	2.97	NA	NA	0.24	XXX
93225		A	ECG monitor/record, 24 hrs	0.00	0.85	1.05	NA	NA	0.08	XXX
93226		A	ECG monitor/report, 24 hrs	0.00	1.19	1.69	NA	NA	0.14	XXX
93227		A	ECG monitor/review, 24 hrs	0.52	0.27	0.23	0.27	0.23	0.02	XXX
93230		A	ECG monitor/report, 24 hrs	0.52	2.30	3.10	NA	NA	0.26	XXX
93231		A	Ecg monitor/record, 24 hrs	0.00	0.72	1.12	NA	NA	0.11	XXX
93232		A	ECG monitor/report, 24 hrs	0.00	1.35	1.77	NA	NA	0.13	XXX
93233		A	ECG monitor/review, 24 hrs	0.52	0.23	0.21	0.23	0.21	0.02	XXX
93235		C	ECG monitor/report, 24 hrs	0.00	0.00	0.00	0.00	0.00	0.00	XXX
93236		C	ECG monitor/report, 24 hrs	0.00	0.00	0.00	0.00	0.00	0.00	XXX
93237		A	ECG monitor/review, 24 hrs	0.45	0.22	0.19	0.22	0.19	0.02	XXX
93268		A	ECG record/review	0.52	5.79	6.61	NA	NA	0.28	XXX
93270		A	ECG recording	0.00	0.29	0.76	NA	NA	0.08	XXX
93271		A	Ecg/monitoring and analysis	0.00	5.28	5.65	NA	NA	0.18	XXX
93272		A	Ecg/review, interpret only	0.52	0.22	0.20	0.22	0.20	0.02	XXX
93278		A	ECG/signal-averaged	0.25	0.62	0.93	NA	NA	0.12	XXX
93278	TC	A	ECG/signal-averaged	0.00	0.52	0.83	NA	NA	0.11	XXX
93278	26	A	ECG/signal-averaged	0.25	0.10	0.10	0.10	0.10	0.01	XXX
93303		A	Echo transthoracic	1.30	4.50	4.41	NA	NA	0.27	XXX
93303	TC	A	Echo transthoracic	0.00	3.97	3.91	NA	NA	0.23	XXX
93303	26	A	Echo transthoracic	1.30	0.53	0.50	0.53	0.50	0.04	XXX
93304		A	Echo transthoracic	0.75	3.10	2.67	NA	NA	0.15	XXX
93304	TC	A	Echo transthoracic	0.00	2.80	2.38	NA	NA	0.13	XXX
93304	26	A	Echo transthoracic	0.75	0.30	0.29	0.30	0.29	0.02	XXX
93307		A	Echo exam of heart	0.92	3.73	3.97	NA	NA	0.26	XXX
93307	TC	A	Echo exam of heart	0.00	3.28	3.57	NA	NA	0.23	XXX
93307	26	A	Echo exam of heart	0.92	0.45	0.40	0.45	0.40	0.03	XXX
93308		A	Echo exam of heart	0.53	2.62	2.38	NA	NA	0.15	XXX
93308	TC	A	Echo exam of heart	0.00	2.35	2.15	NA	NA	0.13	XXX
93308	26	A	Echo exam of heart	0.53	0.27	0.23	0.27	0.23	0.02	XXX
93312		A	Echo transesophageal	2.20	7.39	5.98	NA	NA	0.37	XXX
93312	TC	A	Echo transesophageal	0.00	6.42	5.10	NA	NA	0.29	XXX
93312	26	A	Echo transesophageal	2.20	0.97	0.88	0.97	0.88	0.08	XXX
93313		A	Echo transesophageal	0.95	NA	NA	0.12	0.17	0.06	XXX
93314		A	Echo transesophageal	1.25	7.22	5.73	NA	NA	0.33	XXX
93314	TC	A	Echo transesophageal	0.00	6.66	5.22	NA	NA	0.29	XXX
93314	26	A	Echo transesophageal	1.25	0.56	0.51	0.56	0.51	0.04	XXX
93315		C	Echo transesophageal	0.00	0.00	0.00	NA	NA	0.00	XXX
93315	TC	C	Echo transesophageal	0.00	0.00	0.00	NA	NA	0.00	XXX
93315	26	A	Echo transesophageal	2.78	1.31	1.16	1.31	1.16	0.09	XXX
93316		A	Echo transesophageal	0.95	NA	NA	0.26	0.25	0.05	XXX
93317		C	Echo transesophageal	0.00	0.00	0.00	NA	NA	0.00	XXX
93317	TC	C	Echo transesophageal	0.00	0.00	0.00	NA	NA	0.00	XXX
93317	26	A	Echo transesophageal	1.83	0.55	0.61	0.55	0.61	0.08	XXX
93318		C	Echo transesophageal intraop	0.00	0.00	0.00	NA	NA	0.00	XXX
93318	TC	C	Echo transesophageal intraop	0.00	0.00	0.00	NA	NA	0.00	XXX
93318	26	A	Echo transesophageal intraop	2.20	0.86	0.67	0.86	0.67	0.14	XXX
93320		A	Doppler echo exam, heart	0.38	1.67	1.77	NA	NA	0.13	ZZZ
93320	TC	A	Doppler echo exam, heart	0.00	1.49	1.60	NA	NA	0.12	ZZZ
93320	26	A	Doppler echo exam, heart	0.38	0.18	0.17	0.18	0.17	0.01	ZZZ
93321		A	Doppler echo exam, heart	0.15	0.61	0.89	NA	NA	0.09	ZZZ
93321	TC	A	Doppler echo exam, heart	0.00	0.54	0.82	NA	NA	0.08	ZZZ
93321	26	A	Doppler echo exam, heart	0.15	0.07	0.07	0.07	0.07	0.01	ZZZ
93325		A	Doppler color flow add-on	0.07	0.66	1.80	NA	NA	0.22	ZZZ
93325	TC	A	Doppler color flow add-on	0.00	0.63	1.77	NA	NA	0.21	ZZZ
93325	26	A	Doppler color flow add-on	0.07	0.03	0.03	0.03	0.03	0.01	ZZZ
93350		A	Echo transthoracic	1.48	5.09	3.71	NA	NA	0.18	XXX
93350	TC	A	Echo transthoracic	0.00	4.33	3.05	NA	NA	0.13	XXX
93350	26	A	Echo transthoracic	1.48	0.76	0.66	0.76	0.66	0.05	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
93501		A	Right heart catheterization	3.02	18.71	18.39	NA	NA	1.27	000
93501	TC	A	Right heart catheterization	0.00	17.14	17.03	NA	NA	1.06	000
93501	26	A	Right heart catheterization	3.02	1.57	1.36	1.57	1.36	0.21	000
93503		A	Insert/place heart catheter	2.91	NA	NA	NA	NA	0.20	000
93505		A	Biopsy of heart lining	4.37	20.92	12.29	NA	NA	0.46	000
93505	TC	A	Biopsy of heart lining	0.00	18.64	10.31	NA	NA	0.16	000
93505	26	A	Biopsy of heart lining	4.37	2.28	1.98	2.28	1.98	0.30	000
93508		A	Cath placement, angiography	4.09	28.85	21.78	NA	NA	0.93	000
93508	TC	A	Cath placement, angiography	0.00	26.68	19.65	NA	NA	0.65	000
93508	26	A	Cath placement, angiography	4.09	2.17	2.13	2.17	2.13	0.28	000
93510		A	Left heart catheterization	4.32	28.15	33.65	NA	NA	2.61	000
93510	TC	A	Left heart catheterization	0.00	25.87	31.42	NA	NA	2.31	000
93510	26	A	Left heart catheterization	4.32	2.28	2.23	2.28	2.23	0.30	000
93511		C	Left heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93511	TC	C	Left heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93511	26	A	Left heart catheterization	5.02	2.65	2.55	2.65	2.55	0.35	000
93514		C	Left heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93514	TC	C	Left heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93514	26	A	Left heart catheterization	7.04	2.95	3.04	2.95	3.04	0.49	000
93524		C	Left heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93524	TC	C	Left heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93524	26	A	Left heart catheterization	6.94	3.78	3.47	3.78	3.47	0.48	000
93526		A	Rt & Lt heart catheters	5.98	35.14	43.04	NA	NA	3.46	000
93526	TC	A	Rt & Lt heart catheters	0.00	31.97	40.05	NA	NA	3.04	000
93526	26	A	Rt & Lt heart catheters	5.98	3.17	2.99	3.17	2.99	0.42	000
93527		C	Rt & Lt heart catheters	0.00	NA	NA	NA	NA	0.00	000
93527	TC	C	Rt & Lt heart catheters	0.00	NA	NA	NA	NA	0.00	000
93527	26	A	Rt & Lt heart catheters	7.27	3.86	3.59	3.86	3.59	0.51	000
93528		C	Rt & Lt heart catheters	0.00	NA	NA	NA	NA	0.00	000
93528	TC	C	Rt & Lt heart catheters	0.00	NA	NA	NA	NA	0.00	000
93528	26	A	Rt & Lt heart catheters	8.99	4.43	4.23	4.43	4.23	0.62	000
93529		C	Rt, lt heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93529	TC	C	Rt, lt heart catheterization	0.00	NA	NA	NA	NA	0.00	000
93529	26	A	Rt, lt heart catheterization	4.79	2.58	2.43	2.58	2.43	0.33	000
93530		C	Rt heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93530	TC	C	Rt heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93530	26	A	Rt heart cath, congenital	4.22	1.84	1.89	1.84	1.89	0.29	000
93531		C	R & l heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93531	TC	C	R & l heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93531	26	A	R & l heart cath, congenital	8.34	3.57	3.58	3.57	3.58	0.58	000
93532		C	R & l heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93532	TC	C	R & l heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93532	26	A	R & l heart cath, congenital	9.99	3.66	3.95	3.66	3.95	0.69	000
93533		C	R & l heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93533	TC	C	R & l heart cath, congenital	0.00	NA	NA	NA	NA	0.00	000
93533	26	A	R & l heart cath, congenital	6.69	3.16	2.98	3.16	2.98	0.47	000
93539		A	Injection, cardiac cath	0.40	2.47	1.31	0.21	0.19	0.01	000
93540		A	Injection, cardiac cath	0.43	8.62	4.39	0.23	0.20	0.01	000
93541		A	Injection for lung angiogram	0.29	0.15	0.13	0.15	0.13	0.01	000
93542		A	Injection for heart x-rays	0.29	5.19	2.65	0.15	0.13	0.01	000
93543		A	Injection for heart x-rays	0.29	2.62	1.37	0.16	0.13	0.01	000
93544		A	Injection for aortography	0.25	1.84	0.97	0.13	0.12	0.01	000
93545		A	Inject for coronary x-rays	0.40	5.87	3.01	0.21	0.19	0.01	000
93555		A	Imaging, cardiac cath	0.81	0.60	3.59	NA	NA	0.37	XXX
93555	TC	A	Imaging, cardiac cath	0.00	0.17	3.22	NA	NA	0.34	XXX
93555	26	A	Imaging, cardiac cath	0.81	0.43	0.37	0.43	0.37	0.03	XXX
93556		A	Imaging, cardiac cath	0.83	0.88	5.55	NA	NA	0.54	XXX
93556	TC	A	Imaging, cardiac cath	0.00	0.44	5.17	NA	NA	0.51	XXX
93556	26	A	Imaging, cardiac cath	0.83	0.44	0.38	0.44	0.38	0.03	XXX
93561		C	Cardiac output measurement	0.00	NA	NA	NA	NA	0.00	000
93561	TC	C	Cardiac output measurement	0.00	NA	NA	NA	NA	0.00	000
93561	26	A	Cardiac output measurement	0.50	0.14	0.15	0.14	0.15	0.02	000
93562		C	Cardiac output measurement	0.00	NA	NA	NA	NA	0.00	000
93562	TC	C	Cardiac output measurement	0.00	NA	NA	NA	NA	0.00	000
93562	26	A	Cardiac output measurement	0.16	0.03	0.04	0.03	0.04	0.01	000
93571		C	Heart flow reserve measure	0.00	NA	NA	NA	NA	0.00	ZZZ
93571	TC	C	Heart flow reserve measure	0.00	NA	NA	NA	NA	0.00	ZZZ
93571	26	A	Heart flow reserve measure	1.80	0.96	0.82	0.96	0.82	0.06	ZZZ
93572		C	Heart flow reserve measure	0.00	NA	NA	NA	NA	0.00	ZZZ
93572	TC	C	Heart flow reserve measure	0.00	NA	NA	NA	NA	0.00	ZZZ
93572	26	A	Heart flow reserve measure	1.44	0.74	0.62	0.74	0.62	0.04	ZZZ
93580		A	Transcath closure of asd	17.97	NA	NA	9.41	8.40	1.25	000

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
93581		A	Transcath closure of vsd	24.39	NA	NA	11.56	10.48	1.72	000
93600		C	Bundle of His recording	0.00	0.00	0.00	NA	NA	0.00	000
93600	TC	C	Bundle of His recording	0.00	0.00	0.00	NA	NA	0.00	000
93600	26	A	Bundle of His recording	2.12	1.09	0.96	1.09	0.96	0.16	000
93602		C	Intra-atrial recording	0.00	0.00	0.00	NA	NA	0.00	000
93602	TC	C	Intra-atrial recording	0.00	0.00	0.00	NA	NA	0.00	000
93602	26	A	Intra-atrial recording	2.12	1.04	0.93	1.04	0.93	0.17	000
93603		C	Right ventricular recording	0.00	0.00	0.00	NA	NA	0.00	000
93603	TC	C	Right ventricular recording	0.00	0.00	0.00	NA	NA	0.00	000
93603	26	A	Right ventricular recording	2.12	1.04	0.92	1.04	0.92	0.18	000
93609		C	Map tachycardia, add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93609	TC	C	Map tachycardia, add-on	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93609	26	A	Map tachycardia, add-on	4.99	2.61	2.29	2.61	2.29	0.35	ZZZ
93610		C	Intra-atrial pacing	0.00	0.00	0.00	NA	NA	0.00	000
93610	TC	C	Intra-atrial pacing	0.00	0.00	0.00	NA	NA	0.00	000
93610	26	A	Intra-atrial pacing	3.02	1.47	1.31	1.47	1.31	0.24	000
93612		C	Intraventricular pacing	0.00	0.00	0.00	NA	NA	0.00	000
93612	TC	C	Intraventricular pacing	0.00	0.00	0.00	NA	NA	0.00	000
93612	26	A	Intraventricular pacing	3.02	1.43	1.29	1.43	1.29	0.25	000
93613		A	Electrophys map 3d, add-on	6.99	NA	NA	3.69	3.23	0.49	ZZZ
93615		C	Esophageal recording	0.00	0.00	0.00	NA	NA	0.00	000
93615	TC	C	Esophageal recording	0.00	0.00	0.00	NA	NA	0.00	000
93615	26	A	Esophageal recording	0.99	0.54	0.40	0.54	0.40	0.03	000
93616		C	Esophageal recording	0.00	0.00	0.00	NA	NA	0.00	000
93616	TC	C	Esophageal recording	0.00	0.00	0.00	NA	NA	0.00	000
93616	26	A	Esophageal recording	1.49	0.26	0.35	0.26	0.35	0.09	000
93618		C	Heart rhythm pacing	0.00	0.00	0.00	NA	NA	0.00	000
93618	TC	C	Heart rhythm pacing	0.00	0.00	0.00	NA	NA	0.00	000
93618	26	A	Heart rhythm pacing	4.25	2.28	1.97	2.28	1.97	0.30	000
93619		C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	000
93619	TC	C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	000
93619	26	A	Electrophysiology evaluation	7.31	3.87	3.53	3.87	3.53	0.51	000
93620		C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	000
93620	TC	C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	000
93620	26	A	Electrophysiology evaluation	11.57	6.09	5.46	6.09	5.46	0.80	000
93621		C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93621	TC	C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93621	26	A	Electrophysiology evaluation	2.10	1.10	0.96	1.10	0.96	0.15	ZZZ
93622		C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93622	TC	C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93622	26	A	Electrophysiology evaluation	3.10	1.57	1.39	1.57	1.39	0.22	ZZZ
93623		C	Stimulation, pacing heart	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93623	TC	C	Stimulation, pacing heart	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93623	26	A	Stimulation, pacing heart	2.85	1.50	1.30	1.50	1.30	0.20	ZZZ
93624		C	Electrophysiologic study	0.00	0.00	0.00	NA	NA	0.00	000
93624	TC	C	Electrophysiologic study	0.00	0.00	0.00	NA	NA	0.00	000
93624	26	A	Electrophysiologic study	4.80	2.60	2.40	2.60	2.40	0.33	000
93631		C	Heart pacing, mapping	0.00	0.00	0.00	NA	NA	0.00	000
93631	TC	C	Heart pacing, mapping	0.00	0.00	0.00	NA	NA	0.00	000
93631	26	A	Heart pacing, mapping	7.59	2.75	2.76	2.75	2.76	0.97	000
93640		C	Evaluation heart device	0.00	0.00	0.00	NA	NA	0.00	000
93640	TC	C	Evaluation heart device	0.00	0.00	0.00	NA	NA	0.00	000
93640	26	A	Evaluation heart device	3.51	1.82	1.59	1.82	1.59	0.24	000
93641		C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	000
93641	TC	C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	000
93641	26	A	Electrophysiology evaluation	5.92	3.11	2.71	3.11	2.71	0.41	000
93642		C	Electrophysiology evaluation	0.00	0.00	0.00	NA	NA	0.00	000
93642	TC	A	Electrophysiology evaluation	0.00	4.77	5.97	NA	NA	0.42	000
93642	26	A	Electrophysiology evaluation	4.88	2.60	2.41	2.60	2.41	0.15	000
93650		A	Ablate heart dysrhythm focus	10.49	NA	NA	5.80	5.12	0.73	000
93651		A	Ablate heart dysrhythm focus	16.23	NA	NA	8.53	7.43	1.13	000
93652		A	Ablate heart dysrhythm focus	17.65	NA	NA	9.35	8.12	1.23	000
93660		A	Tilt table evaluation	1.89	3.01	2.71	NA	NA	0.08	000
93660	TC	A	Tilt table evaluation	0.00	2.04	1.86	NA	NA	0.02	000
93660	26	A	Tilt table evaluation	1.89	0.97	0.85	0.97	0.85	0.06	000
93662		C	Intracardiac ecg (ice)	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93662	TC	C	Intracardiac ecg (ice)	0.00	0.00	0.00	NA	NA	0.00	ZZZ
93662	26	A	Intracardiac ecg (ice)	2.80	1.47	1.29	1.47	1.29	0.09	ZZZ
93668		N	Peripheral vascular rehab	0.00	0.41	0.41	NA	NA	0.01	XXX
93701		A	Bioimpedance, thoracic	0.17	0.70	0.84	NA	NA	0.02	XXX
93701	TC	A	Bioimpedance, thoracic	0.00	0.64	0.77	NA	NA	0.01	XXX
93701	26	A	Bioimpedance, thoracic	0.17	0.06	0.07	0.06	0.07	0.01	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
93720		A	Total body plethysmography	0.17	1.17	0.97	NA	NA	0.07	XXX
93721		A	Plethysmography tracing	0.00	1.13	0.92	NA	NA	0.06	XXX
93722		A	Plethysmography report	0.17	0.04	0.05	0.04	0.05	0.01	XXX
93724		A	Analyze pacemaker system	4.88	3.23	4.55	NA	NA	0.39	000
93724	TC	A	Analyze pacemaker system	0.00	0.88	2.42	NA	NA	0.24	000
93724	26	A	Analyze pacemaker system	4.88	2.35	2.13	2.35	2.13	0.15	000
93727		A	Analyze ilr system	0.52	0.64	0.42	0.64	0.42	0.02	XXX
93731		A	Analyze pacemaker system	0.45	0.79	0.72	NA	NA	0.05	XXX
93731	TC	A	Analyze pacemaker system	0.00	0.55	0.52	NA	NA	0.04	XXX
93731	26	A	Analyze pacemaker system	0.45	0.24	0.20	0.24	0.20	0.01	XXX
93732		A	Analyze pacemaker system	0.92	1.15	1.01	NA	NA	0.07	XXX
93732	TC	A	Analyze pacemaker system	0.00	0.67	0.59	NA	NA	0.04	XXX
93732	26	A	Analyze pacemaker system	0.92	0.48	0.42	0.48	0.42	0.03	XXX
93733		A	Telephone analy, pacemaker	0.17	0.93	0.86	NA	NA	0.07	XXX
93733	TC	A	Telephone analy, pacemaker	0.00	0.85	0.79	NA	NA	0.06	XXX
93733	26	A	Telephone analy, pacemaker	0.17	0.08	0.07	0.08	0.07	0.01	XXX
93734		A	Analyze pacemaker system	0.38	0.69	0.60	NA	NA	0.03	XXX
93734	TC	A	Analyze pacemaker system	0.00	0.50	0.43	NA	NA	0.02	XXX
93734	26	A	Analyze pacemaker system	0.38	0.19	0.17	0.19	0.17	0.01	XXX
93735		A	Analyze pacemaker system	0.74	0.96	0.84	NA	NA	0.06	XXX
93735	TC	A	Analyze pacemaker system	0.00	0.57	0.51	NA	NA	0.04	XXX
93735	26	A	Analyze pacemaker system	0.74	0.39	0.33	0.39	0.33	0.02	XXX
93736		A	Telephonic analy, pacemaker	0.15	0.91	0.79	NA	NA	0.07	XXX
93736	TC	A	Telephonic analy, pacemaker	0.00	0.84	0.73	NA	NA	0.06	XXX
93736	26	A	Telephonic analy, pacemaker	0.15	0.07	0.06	0.07	0.06	0.01	XXX
93740		B	Temperature gradient studies	0.16	0.04	0.11	NA	NA	0.02	XXX
93740	TC	B	Temperature gradient studies	0.00	0.00	0.07	NA	NA	0.01	XXX
93740	26	B	Temperature gradient studies	0.16	0.04	0.04	0.04	0.04	0.01	XXX
93741		A	Analyze ht pace device sngl	0.80	1.02	0.99	NA	NA	0.07	XXX
93741	TC	A	Analyze ht pace device sngl	0.00	0.60	0.63	NA	NA	0.04	XXX
93741	26	A	Analyze ht pace device sngl	0.80	0.42	0.36	0.42	0.36	0.03	XXX
93742		A	Analyze ht pace device sngl	0.91	1.15	1.09	NA	NA	0.07	XXX
93742	TC	A	Analyze ht pace device sngl	0.00	0.67	0.67	NA	NA	0.04	XXX
93742	26	A	Analyze ht pace device sngl	0.91	0.48	0.42	0.48	0.42	0.03	XXX
93743		A	Analyze ht pace device dual	1.03	1.19	1.16	NA	NA	0.07	XXX
93743	TC	A	Analyze ht pace device dual	0.00	0.64	0.69	NA	NA	0.04	XXX
93743	26	A	Analyze ht pace device dual	1.03	0.55	0.47	0.55	0.47	0.03	XXX
93744		A	Analyze ht pace device dual	1.18	1.35	1.23	NA	NA	0.08	XXX
93744	TC	A	Analyze ht pace device dual	0.00	0.72	0.69	NA	NA	0.04	XXX
93744	26	A	Analyze ht pace device dual	1.18	0.63	0.54	0.63	0.54	0.04	XXX
93745		C	Set-up cardiovert-defibrill	0.00	0.00	0.00	NA	NA	0.00	XXX
93745	TC	C	Set-up cardiovert-defibrill	0.00	0.00	0.00	NA	NA	0.00	XXX
93745	26	C	Set-up cardiovert-defibrill	0.00	0.00	0.00	0.00	0.00	0.00	XXX
93760		N	Cephalic thermogram	0.00	0.00	0.00	0.00	0.00	0.00	XXX
93762		N	Peripheral thermogram	0.00	0.00	0.00	0.00	0.00	0.00	XXX
93770		B	Measure venous pressure	0.16	0.04	0.05	NA	NA	0.02	XXX
93770	TC	B	Measure venous pressure	0.00	0.00	0.01	NA	NA	0.01	XXX
93770	26	B	Measure venous pressure	0.16	0.04	0.04	0.04	0.04	0.01	XXX
93784		A	Ambulatory BP monitoring	0.38	1.39	1.47	NA	NA	0.03	XXX
93786		A	Ambulatory BP recording	0.00	0.81	0.86	NA	NA	0.01	XXX
93788		A	Ambulatory BP analysis	0.00	0.45	0.48	NA	NA	0.01	XXX
93790		A	Review/report BP recording	0.38	0.13	0.13	0.13	0.13	0.01	XXX
93797		A	Cardiac rehab	0.18	0.32	0.31	0.09	0.08	0.01	000
93798		A	Cardiac rehab/monitor	0.28	0.44	0.45	0.13	0.12	0.01	000
93799		C	Cardiovascular procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
93799	TC	C	Cardiovascular procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
93799	26	C	Cardiovascular procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
93875		A	Extracranial study	0.22	2.55	2.44	NA	NA	0.12	XXX
93875	TC	A	Extracranial study	0.00	2.48	2.37	NA	NA	0.11	XXX
93875	26	A	Extracranial study	0.22	0.07	0.07	0.07	0.07	0.01	XXX
93880		A	Extracranial study	0.60	6.16	5.85	NA	NA	0.39	XXX
93880	TC	A	Extracranial study	0.00	5.95	5.65	NA	NA	0.35	XXX
93880	26	A	Extracranial study	0.60	0.21	0.20	0.21	0.20	0.04	XXX
93882		A	Extracranial study	0.40	4.12	3.82	NA	NA	0.26	XXX
93882	TC	A	Extracranial study	0.00	4.01	3.69	NA	NA	0.22	XXX
93882	26	A	Extracranial study	0.40	0.11	0.13	0.11	0.13	0.04	XXX
93886		A	Intracranial study	0.94	7.03	6.88	NA	NA	0.45	XXX
93886	TC	A	Intracranial study	0.00	6.75	6.56	NA	NA	0.39	XXX
93886	26	A	Intracranial study	0.94	0.28	0.32	0.28	0.32	0.06	XXX
93888		A	Intracranial study	0.62	4.92	4.57	NA	NA	0.32	XXX
93888	TC	A	Intracranial study	0.00	4.72	4.36	NA	NA	0.27	XXX
93888	26	A	Intracranial study	0.62	0.20	0.21	0.20	0.21	0.05	XXX

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93890		A	Tcd, vasoreactivity study	1.00	6.44	5.68	NA	NA	0.45	XXX
93890	TC	A	Tcd, vasoreactivity study	0.00	6.13	5.32	NA	NA	0.39	XXX
93890	26	A	Tcd, vasoreactivity study	1.00	0.31	0.36	0.31	0.36	0.06	XXX
93892		A	Tcd, emboli detect w/o inj	1.15	6.85	6.00	NA	NA	0.45	XXX
93892	TC	A	Tcd, emboli detect w/o inj	0.00	6.53	5.61	NA	NA	0.39	XXX
93892	26	A	Tcd, emboli detect w/o inj	1.15	0.32	0.39	0.32	0.39	0.06	XXX
93893		A	Tcd, emboli detect w/inj	1.15	7.00	6.01	NA	NA	0.45	XXX
93893	TC	A	Tcd, emboli detect w/inj	0.00	6.67	5.62	NA	NA	0.39	XXX
93893	26	A	Tcd, emboli detect w/inj	1.15	0.33	0.39	0.33	0.39	0.06	XXX
93922		A	Extremity study	0.25	3.11	2.90	NA	NA	0.15	XXX
93922	TC	A	Extremity study	0.00	3.03	2.82	NA	NA	0.13	XXX
93922	26	A	Extremity study	0.25	0.08	0.08	0.08	0.08	0.02	XXX
93923		A	Extremity study	0.45	4.68	4.35	NA	NA	0.26	XXX
93923	TC	A	Extremity study	0.00	4.54	4.21	NA	NA	0.22	XXX
93923	26	A	Extremity study	0.45	0.14	0.14	0.14	0.14	0.04	XXX
93924		A	Extremity study	0.50	5.94	5.36	NA	NA	0.30	XXX
93924	TC	A	Extremity study	0.00	5.77	5.19	NA	NA	0.25	XXX
93924	26	A	Extremity study	0.50	0.17	0.17	0.17	0.17	0.05	XXX
93925		A	Lower extremity study	0.58	8.02	7.40	NA	NA	0.39	XXX
93925	TC	A	Lower extremity study	0.00	7.83	7.21	NA	NA	0.35	XXX
93925	26	A	Lower extremity study	0.58	0.19	0.19	0.19	0.19	0.04	XXX
93926		A	Lower extremity study	0.39	5.14	4.60	NA	NA	0.27	XXX
93926	TC	A	Lower extremity study	0.00	5.03	4.48	NA	NA	0.23	XXX
93926	26	A	Lower extremity study	0.39	0.11	0.12	0.11	0.12	0.04	XXX
93930		A	Upper extremity study	0.46	6.25	5.80	NA	NA	0.41	XXX
93930	TC	A	Upper extremity study	0.00	6.10	5.65	NA	NA	0.37	XXX
93930	26	A	Upper extremity study	0.46	0.15	0.15	0.15	0.15	0.04	XXX
93931		A	Upper extremity study	0.31	4.18	3.83	NA	NA	0.27	XXX
93931	TC	A	Upper extremity study	0.00	4.08	3.73	NA	NA	0.24	XXX
93931	26	A	Upper extremity study	0.31	0.10	0.10	0.10	0.10	0.03	XXX
93965		A	Extremity study	0.35	3.01	2.90	NA	NA	0.14	XXX
93965	TC	A	Extremity study	0.00	2.90	2.79	NA	NA	0.12	XXX
93965	26	A	Extremity study	0.35	0.11	0.11	0.11	0.11	0.02	XXX
93970		A	Extremity study	0.68	6.20	5.73	NA	NA	0.46	XXX
93970	TC	A	Extremity study	0.00	5.99	5.51	NA	NA	0.40	XXX
93970	26	A	Extremity study	0.68	0.21	0.22	0.21	0.22	0.06	XXX
93971		A	Extremity study	0.45	4.07	3.83	NA	NA	0.30	XXX
93971	TC	A	Extremity study	0.00	3.92	3.68	NA	NA	0.27	XXX
93971	26	A	Extremity study	0.45	0.15	0.15	0.15	0.15	0.03	XXX
93975		A	Vascular study	1.80	8.46	8.04	NA	NA	0.56	XXX
93975	TC	A	Vascular study	0.00	7.83	7.43	NA	NA	0.43	XXX
93975	26	A	Vascular study	1.80	0.63	0.61	0.63	0.61	0.13	XXX
93976		A	Vascular study	1.21	4.58	4.45	NA	NA	0.35	XXX
93976	TC	A	Vascular study	0.00	4.16	4.04	NA	NA	0.30	XXX
93976	26	A	Vascular study	1.21	0.42	0.41	0.42	0.41	0.05	XXX
93978		A	Vascular study	0.65	6.03	5.28	NA	NA	0.43	XXX
93978	TC	A	Vascular study	0.00	5.82	5.06	NA	NA	0.37	XXX
93978	26	A	Vascular study	0.65	0.21	0.22	0.21	0.22	0.06	XXX
93979		A	Vascular study	0.44	4.16	3.69	NA	NA	0.27	XXX
93979	TC	A	Vascular study	0.00	4.02	3.54	NA	NA	0.24	XXX
93979	26	A	Vascular study	0.44	0.14	0.15	0.14	0.15	0.03	XXX
93980		A	Penile vascular study	1.25	3.48	3.16	NA	NA	0.42	XXX
93980	TC	A	Penile vascular study	0.00	3.02	2.73	NA	NA	0.34	XXX
93980	26	A	Penile vascular study	1.25	0.46	0.43	0.46	0.43	0.08	XXX
93981		A	Penile vascular study	0.44	2.84	2.86	NA	NA	0.33	XXX
93981	TC	A	Penile vascular study	0.00	2.68	2.71	NA	NA	0.31	XXX
93981	26	A	Penile vascular study	0.44	0.16	0.15	0.16	0.15	0.02	XXX
93982		R	Aneurysm pressure sens study	0.30	0.80	0.80	NA	NA	0.01	XXX
93990		A	Doppler flow testing	0.25	5.22	4.61	NA	NA	0.26	XXX
93990	TC	A	Doppler flow testing	0.00	5.16	4.53	NA	NA	0.23	XXX
93990	26	A	Doppler flow testing	0.25	0.06	0.08	0.06	0.08	0.03	XXX
94002		A	Vent mgmt inpat, init day	1.99	NA	NA	0.35	0.34	0.09	XXX
94003		A	Vent mgmt inpat, subq day	1.37	NA	NA	0.32	0.32	0.06	XXX
94004		A	Vent mgmt nf per day	1.00	NA	NA	0.23	0.23	0.04	XXX
94005		B	Home vent mgmt supervision	1.50	0.70	0.70	NA	NA	0.06	XXX
94010		A	Breathing capacity test	0.17	0.74	0.71	NA	NA	0.03	XXX
94010	TC	A	Breathing capacity test	0.00	0.70	0.66	NA	NA	0.02	XXX
94010	26	A	Breathing capacity test	0.17	0.04	0.05	0.04	0.05	0.01	XXX
94014		A	Patient recorded spirometry	0.52	0.81	0.78	NA	NA	0.03	XXX
94015		A	Patient recorded spirometry	0.00	0.67	0.63	NA	NA	0.01	XXX
94016		A	Review patient spirometry	0.52	0.14	0.15	0.14	0.15	0.02	XXX
94060		A	Evaluation of wheezing	0.31	1.32	1.19	NA	NA	0.07	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
94060	TC	A	Evaluation of wheezing	0.00	1.24	1.11	NA	NA	0.06	XXX
94060	26	A	Evaluation of wheezing	0.31	0.08	0.08	0.08	0.08	0.01	XXX
94070		A	Evaluation of wheezing	0.60	1.00	0.90	NA	NA	0.13	XXX
94070	TC	A	Evaluation of wheezing	0.00	0.85	0.74	NA	NA	0.10	XXX
94070	26	A	Evaluation of wheezing	0.60	0.15	0.16	0.15	0.16	0.03	XXX
94150		B	Vital capacity test	0.07	0.48	0.47	NA	NA	0.02	XXX
94150	TC	B	Vital capacity test	0.00	0.46	0.45	NA	NA	0.01	XXX
94150	26	B	Vital capacity test	0.07	0.02	0.02	0.02	0.02	0.01	XXX
94200		A	Lung function test (MBC/MVV)	0.11	0.51	0.47	NA	NA	0.03	XXX
94200	TC	A	Lung function test (MBC/MVV)	0.00	0.48	0.44	NA	NA	0.02	XXX
94200	26	A	Lung function test (MBC/MVV)	0.11	0.03	0.03	0.03	0.03	0.01	XXX
94240		A	Residual lung capacity	0.26	0.82	0.74	NA	NA	0.06	XXX
94240	TC	A	Residual lung capacity	0.00	0.76	0.67	NA	NA	0.05	XXX
94240	26	A	Residual lung capacity	0.26	0.06	0.07	0.06	0.07	0.01	XXX
94250		A	Expired gas collection	0.11	0.51	0.58	NA	NA	0.02	XXX
94250	TC	A	Expired gas collection	0.00	0.48	0.55	NA	NA	0.01	XXX
94250	26	A	Expired gas collection	0.11	0.03	0.03	0.03	0.03	0.01	XXX
94260		A	Thoracic gas volume	0.13	0.76	0.66	NA	NA	0.05	XXX
94260	TC	A	Thoracic gas volume	0.00	0.73	0.63	NA	NA	0.04	XXX
94260	26	A	Thoracic gas volume	0.13	0.03	0.03	0.03	0.03	0.01	XXX
94350		A	Lung nitrogen washout curve	0.26	0.61	0.69	NA	NA	0.05	XXX
94350	TC	A	Lung nitrogen washout curve	0.00	0.55	0.62	NA	NA	0.04	XXX
94350	26	A	Lung nitrogen washout curve	0.26	0.06	0.07	0.06	0.07	0.01	XXX
94360		A	Measure airflow resistance	0.26	0.95	0.82	NA	NA	0.07	XXX
94360	TC	A	Measure airflow resistance	0.00	0.89	0.75	NA	NA	0.06	XXX
94360	26	A	Measure airflow resistance	0.26	0.06	0.07	0.06	0.07	0.01	XXX
94370		A	Breath airway closing volume	0.26	0.60	0.66	NA	NA	0.03	XXX
94370	TC	A	Breath airway closing volume	0.00	0.53	0.59	NA	NA	0.02	XXX
94370	26	A	Breath airway closing volume	0.26	0.07	0.07	0.07	0.07	0.01	XXX
94375		A	Respiratory flow volume loop	0.31	0.73	0.66	NA	NA	0.03	XXX
94375	TC	A	Respiratory flow volume loop	0.00	0.65	0.58	NA	NA	0.02	XXX
94375	26	A	Respiratory flow volume loop	0.31	0.08	0.08	0.08	0.08	0.01	XXX
94400		A	CO2 breathing response curve	0.40	1.03	0.94	NA	NA	0.09	XXX
94400	TC	A	CO2 breathing response curve	0.00	0.93	0.83	NA	NA	0.06	XXX
94400	26	A	CO2 breathing response curve	0.40	0.10	0.11	0.10	0.11	0.03	XXX
94450		A	Hypoxia response curve	0.40	1.01	0.92	NA	NA	0.04	XXX
94450	TC	A	Hypoxia response curve	0.00	0.92	0.82	NA	NA	0.02	XXX
94450	26	A	Hypoxia response curve	0.40	0.09	0.10	0.09	0.10	0.02	XXX
94452		A	Hast w/report	0.31	1.27	1.14	NA	NA	0.04	XXX
94452	TC	A	Hast w/report	0.00	1.20	1.06	NA	NA	0.02	XXX
94452	26	A	Hast w/report	0.31	0.07	0.08	0.07	0.08	0.02	XXX
94453		A	Hast w/oxygen titrate	0.40	1.69	1.60	NA	NA	0.04	XXX
94453	TC	A	Hast w/oxygen titrate	0.00	1.59	1.49	NA	NA	0.02	XXX
94453	26	A	Hast w/oxygen titrate	0.40	0.10	0.11	0.10	0.11	0.02	XXX
94610		A	Surfactant admin thru tube	1.16	0.34	0.34	0.34	0.34	0.26	XXX
94620		A	Pulmonary stress test/simple	0.64	0.79	1.64	NA	NA	0.13	XXX
94620	TC	A	Pulmonary stress test/simple	0.00	0.63	1.46	NA	NA	0.10	XXX
94620	26	A	Pulmonary stress test/simple	0.64	0.16	0.18	0.16	0.18	0.03	XXX
94621		A	Pulm stress test/complex	1.42	3.18	2.69	NA	NA	0.16	XXX
94621	TC	A	Pulm stress test/complex	0.00	2.73	2.25	NA	NA	0.10	XXX
94621	26	A	Pulm stress test/complex	1.42	0.45	0.44	0.45	0.44	0.06	XXX
94640		A	Airway inhalation treatment	0.00	0.38	0.34	NA	NA	0.02	XXX
94642		C	Aerosol inhalation treatment	0.00	0.00	0.00	0.00	0.00	0.00	XXX
94644		A	Cbt, 1st hour	0.00	0.96	0.96	NA	NA	0.02	XXX
94645		A	Cbt, each addl hour	0.00	0.35	0.35	NA	NA	0.02	XXX
94660		A	Pos airway pressure, CPAP	0.76	0.81	0.73	0.19	0.21	0.04	XXX
94662		A	Neg press ventilation, cnp	0.76	NA	NA	0.20	0.21	0.03	XXX
94664		A	Evaluate pt use of inhaler	0.00	0.40	0.36	NA	NA	0.04	XXX
94667		A	Chest wall manipulation	0.00	0.54	0.53	NA	NA	0.05	XXX
94668		A	Chest wall manipulation	0.00	0.51	0.48	NA	NA	0.02	XXX
94680		A	Exhaled air analysis, o2	0.26	1.06	1.46	NA	NA	0.07	XXX
94680	TC	A	Exhaled air analysis, o2	0.00	1.00	1.39	NA	NA	0.06	XXX
94680	26	A	Exhaled air analysis, o2	0.26	0.06	0.07	0.06	0.07	0.01	XXX
94681		A	Exhaled air analysis, o2/co2	0.20	1.07	1.79	NA	NA	0.13	XXX
94681	TC	A	Exhaled air analysis, o2/co2	0.00	1.02	1.74	NA	NA	0.12	XXX
94681	26	A	Exhaled air analysis, o2/co2	0.20	0.05	0.05	0.05	0.05	0.01	XXX
94690		A	Exhaled air analysis	0.07	1.04	1.52	NA	NA	0.05	XXX
94690	TC	A	Exhaled air analysis	0.00	1.02	1.50	NA	NA	0.04	XXX
94690	26	A	Exhaled air analysis	0.07	0.02	0.02	0.02	0.02	0.01	XXX
94720		A	Monoxide diffusing capacity	0.26	1.15	1.08	NA	NA	0.07	XXX
94720	TC	A	Monoxide diffusing capacity	0.00	1.09	1.01	NA	NA	0.06	XXX
94720	26	A	Monoxide diffusing capacity	0.26	0.06	0.07	0.06	0.07	0.01	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
94725		A	Membrane diffusion capacity	0.26	0.98	1.94	NA	NA	0.13	XXX
94725	TC	A	Membrane diffusion capacity	0.00	0.91	1.87	NA	NA	0.12	XXX
94725	26	A	Membrane diffusion capacity	0.26	0.07	0.07	0.07	0.07	0.01	XXX
94750		A	Pulmonary compliance study	0.23	1.77	1.55	NA	NA	0.05	XXX
94750	TC	A	Pulmonary compliance study	0.00	1.71	1.49	NA	NA	0.04	XXX
94750	26	A	Pulmonary compliance study	0.23	0.06	0.06	0.06	0.06	0.01	XXX
94760		T	Measure blood oxygen level	0.00	0.06	0.05	NA	NA	0.02	XXX
94761		T	Measure blood oxygen level	0.00	0.11	0.09	NA	NA	0.06	XXX
94762		A	Measure blood oxygen level	0.00	0.84	0.66	NA	NA	0.10	XXX
94770		A	Exhaled carbon dioxide test	0.15	0.81	0.78	NA	NA	0.08	XXX
94770	TC	A	Exhaled carbon dioxide test	0.00	0.77	0.74	NA	NA	0.07	XXX
94770	26	A	Exhaled carbon dioxide test	0.15	0.04	0.04	0.04	0.04	0.01	XXX
94772		C	Breath recording, infant	0.00	0.00	0.00	NA	NA	0.00	XXX
94772	TC	C	Breath recording, infant	0.00	0.00	0.00	NA	NA	0.00	XXX
94772	26	C	Breath recording, infant	0.00	0.00	0.00	0.00	0.00	0.00	XXX
94774		C	Ped home apnea rec, compl	0.00	0.00	0.00	0.00	0.00	0.00	YYY
94775		C	Ped home apnea rec, hk-up	0.00	0.00	0.00	0.00	0.00	0.00	YYY
94776		C	Ped home apnea rec, downld	0.00	0.00	0.00	0.00	0.00	0.00	YYY
94777		C	Ped home apnea rec, report	0.00	0.00	0.00	0.00	0.00	0.00	YYY
94799		C	Pulmonary service/procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
94799	TC	C	Pulmonary service/procedure	0.00	0.00	0.00	NA	NA	0.00	XXX
94799	26	C	Pulmonary service/procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95004		A	Percut allergy skin tests	0.01	0.15	0.13	NA	NA	0.01	XXX
95010		A	Percut allergy titrate test	0.15	0.31	0.32	NA	NA	0.01	XXX
95012		A	Exhaled nitric oxide meas	0.00	0.49	0.49	NA	NA	0.01	XXX
95015		A	Id allergy titrate-drug/bug	0.15	0.21	0.18	NA	NA	0.01	XXX
95024		A	Id allergy test, drug/bug	0.01	0.17	0.16	NA	NA	0.01	XXX
95027		A	Id allergy titrate-airborne	0.01	0.10	0.12	NA	NA	0.01	XXX
95028		A	Id allergy test-delayed type	0.00	0.31	0.27	NA	NA	0.01	XXX
95044		A	Allergy patch tests	0.00	0.15	0.18	NA	NA	0.01	XXX
95052		A	Photo patch test	0.00	0.16	0.20	NA	NA	0.01	XXX
95056		A	Photosensitivity tests	0.00	1.25	0.71	NA	NA	0.01	XXX
95060		A	Eye allergy tests	0.00	0.73	0.54	0.73	0.54	0.02	XXX
95065		A	Nose allergy test	0.00	0.70	0.45	0.70	0.45	0.01	XXX
95070		A	Bronchial allergy tests	0.00	0.81	1.55	NA	NA	0.02	XXX
95071		A	Bronchial allergy tests	0.00	0.98	1.95	NA	NA	0.02	XXX
95075		A	Ingestion challenge test	0.95	0.68	0.75	0.26	0.32	0.03	XXX
95115		A	Immunotherapy, one injection	0.00	0.23	0.31	NA	NA	0.02	XXX
95117		A	Immunotherapy injections	0.00	0.28	0.39	NA	NA	0.02	XXX
95120		I	Immunotherapy, one injection	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95125		I	Immunotherapy, many antigens	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95130		I	Immunotherapy, insect venom	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95131		I	Immunotherapy, insect venoms	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95132		I	Immunotherapy, insect venoms	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95133		I	Immunotherapy, insect venoms	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95134		I	Immunotherapy, insect venoms	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95144		A	Antigen therapy services	0.06	0.27	0.23	0.02	0.02	0.01	XXX
95145		A	Antigen therapy services	0.06	0.36	0.34	0.02	0.02	0.01	XXX
95146		A	Antigen therapy services	0.06	0.68	0.56	0.02	0.02	0.01	XXX
95147		A	Antigen therapy services	0.06	0.66	0.54	0.02	0.02	0.01	XXX
95148		A	Antigen therapy services	0.06	0.98	0.78	0.02	0.02	0.01	XXX
95149		A	Antigen therapy services	0.06	1.30	1.05	0.02	0.02	0.01	XXX
95165		A	Antigen therapy services	0.06	0.26	0.23	0.02	0.02	0.01	XXX
95170		A	Antigen therapy services	0.06	0.20	0.17	0.02	0.02	0.01	XXX
95180		A	Rapid desensitization	2.01	1.66	1.85	0.77	0.85	0.04	XXX
95199		C	Allergy immunology services	0.00	0.00	0.00	0.00	0.00	0.00	XXX
95250		A	Glucose monitoring, cont	0.00	3.50	3.80	NA	NA	0.01	XXX
95251		A	Gluc monitor, cont, phys i&r	0.85	0.26	0.22	0.26	0.22	0.02	XXX
95805		A	Multiple sleep latency test	1.88	7.02	12.14	NA	NA	0.43	XXX
95805	TC	A	Multiple sleep latency test	0.00	6.51	11.56	NA	NA	0.34	XXX
95805	26	A	Multiple sleep latency test	1.88	0.51	0.58	0.51	0.58	0.09	XXX
95806		A	Sleep study, unattended	1.66	3.93	3.64	NA	NA	0.39	XXX
95806	TC	A	Sleep study, unattended	0.00	3.46	3.13	NA	NA	0.31	XXX
95806	26	A	Sleep study, unattended	1.66	0.47	0.51	0.47	0.51	0.08	XXX
95807		A	Sleep study, attended	1.66	12.31	12.08	NA	NA	0.50	XXX
95807	TC	A	Sleep study, attended	0.00	11.90	11.61	NA	NA	0.42	XXX
95807	26	A	Sleep study, attended	1.66	0.41	0.47	0.41	0.47	0.08	XXX
95808		A	Polysomnography, 1-3	2.65	15.76	14.48	NA	NA	0.55	XXX
95808	TC	A	Polysomnography, 1-3	0.00	15.06	13.67	NA	NA	0.42	XXX
95808	26	A	Polysomnography, 1-3	2.65	0.70	0.81	0.70	0.81	0.13	XXX
95810		A	Polysomnography, 4 or more	3.52	17.70	17.60	NA	NA	0.59	XXX
95810	TC	A	Polysomnography, 4 or more	0.00	16.80	16.56	NA	NA	0.42	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
95810	26	A	Polysomnography, 4 or more	3.52	0.90	1.04	0.90	1.04	0.17	XXX
95811		A	Polysomnography w/cpap	3.79	19.70	19.45	NA	NA	0.61	XXX
95811	TC	A	Polysomnography w/cpap	0.00	18.74	18.34	NA	NA	0.43	XXX
95811	26	A	Polysomnography w/cpap	3.79	0.96	1.11	0.96	1.11	0.18	XXX
95812		A	Eeg, 41-60 minutes	1.08	5.90	4.97	NA	NA	0.17	XXX
95812	TC	A	Eeg, 41-60 minutes	0.00	5.60	4.59	NA	NA	0.11	XXX
95812	26	A	Eeg, 41-60 minutes	1.08	0.30	0.38	0.30	0.38	0.06	XXX
95813		A	Eeg, over 1 hour	1.73	6.52	5.77	NA	NA	0.20	XXX
95813	TC	A	Eeg, over 1 hour	0.00	6.04	5.18	NA	NA	0.11	XXX
95813	26	A	Eeg, over 1 hour	1.73	0.48	0.59	0.48	0.59	0.09	XXX
95816		A	Eeg, awake and drowsy	1.08	5.28	4.49	NA	NA	0.16	XXX
95816	TC	A	Eeg, awake and drowsy	0.00	4.98	4.11	NA	NA	0.10	XXX
95816	26	A	Eeg, awake and drowsy	1.08	0.30	0.38	0.30	0.38	0.06	XXX
95819		A	Eeg, awake and asleep	1.08	6.13	4.56	NA	NA	0.16	XXX
95819	TC	A	Eeg, awake and asleep	0.00	5.83	4.18	NA	NA	0.10	XXX
95819	26	A	Eeg, awake and asleep	1.08	0.30	0.38	0.30	0.38	0.06	XXX
95822		A	Eeg, coma or sleep only	1.08	5.52	5.06	NA	NA	0.19	XXX
95822	TC	A	Eeg, coma or sleep only	0.00	5.22	4.68	NA	NA	0.13	XXX
95822	26	A	Eeg, coma or sleep only	1.08	0.30	0.38	0.30	0.38	0.06	XXX
95824		C	Eeg, cerebral death only	0.00	0.00	0.00	NA	NA	0.00	XXX
95824	TC	C	Eeg, cerebral death only	0.00	0.00	0.00	NA	NA	0.00	XXX
95824	26	A	Eeg, cerebral death only	0.74	0.21	0.26	0.21	0.26	0.04	XXX
95827		A	Eeg, all night recording	1.08	11.54	7.12	NA	NA	0.19	XXX
95827	TC	A	Eeg, all night recording	0.00	11.24	6.77	NA	NA	0.14	XXX
95827	26	A	Eeg, all night recording	1.08	0.30	0.35	0.30	0.35	0.05	XXX
95829		A	Surgery electrocorticogram	6.20	24.77	27.90	NA	NA	0.50	XXX
95829	TC	A	Surgery electrocorticogram	0.00	23.01	25.86	NA	NA	0.02	XXX
95829	26	A	Surgery electrocorticogram	6.20	1.76	2.04	1.76	2.04	0.48	XXX
95830		A	Insert electrodes for EEG	1.70	2.97	3.13	0.41	0.57	0.11	XXX
95831		A	Limb muscle testing, manual	0.28	0.40	0.43	0.09	0.11	0.01	XXX
95832		A	Hand muscle testing, manual	0.29	0.37	0.35	0.10	0.11	0.02	XXX
95833		A	Body muscle testing, manual	0.47	0.50	0.54	0.14	0.18	0.02	XXX
95834		A	Body muscle testing, manual	0.60	0.54	0.58	0.17	0.23	0.03	XXX
95851		A	Range of motion measurements	0.16	0.26	0.31	0.04	0.06	0.01	XXX
95852		A	Range of motion measurements	0.11	0.24	0.25	0.04	0.04	0.01	XXX
95857		A	Tensilon test	0.53	0.58	0.59	0.16	0.19	0.02	XXX
95860		A	Muscle test, one limb	0.96	1.16	1.29	NA	NA	0.07	XXX
95860	TC	A	Muscle test, one limb	0.00	0.84	0.92	NA	NA	0.02	XXX
95860	26	A	Muscle test, one limb	0.96	0.32	0.37	0.32	0.37	0.05	XXX
95861		A	Muscle test, 2 limbs	1.54	1.66	1.53	NA	NA	0.13	XXX
95861	TC	A	Muscle test, 2 limbs	0.00	1.15	0.94	NA	NA	0.06	XXX
95861	26	A	Muscle test, 2 limbs	1.54	0.51	0.59	0.51	0.59	0.07	XXX
95863		A	Muscle test, 3 limbs	1.87	1.92	1.82	NA	NA	0.15	XXX
95863	TC	A	Muscle test, 3 limbs	0.00	1.35	1.14	NA	NA	0.06	XXX
95863	26	A	Muscle test, 3 limbs	1.87	0.57	0.68	0.57	0.68	0.09	XXX
95864		A	Muscle test, 4 limbs	1.99	2.14	2.40	NA	NA	0.21	XXX
95864	TC	A	Muscle test, 4 limbs	0.00	1.53	1.66	NA	NA	0.12	XXX
95864	26	A	Muscle test, 4 limbs	1.99	0.61	0.74	0.61	0.74	0.09	XXX
95865		A	Muscle test, larynx	1.57	1.39	1.42	NA	NA	0.11	XXX
95865	TC	A	Muscle test, larynx	0.00	0.90	0.79	NA	NA	0.03	XXX
95865	26	A	Muscle test, larynx	1.57	0.49	0.63	0.49	0.63	0.08	XXX
95866		A	Muscle test, hemidiaphragm	1.25	1.32	1.03	NA	NA	0.10	XXX
95866	TC	A	Muscle test, hemidiaphragm	0.00	0.93	0.56	NA	NA	0.03	XXX
95866	26	A	Muscle test, hemidiaphragm	1.25	0.39	0.47	0.39	0.47	0.07	XXX
95867		A	Muscle test cran nerv unilat	0.79	1.15	1.04	NA	NA	0.07	XXX
95867	TC	A	Muscle test cran nerv unilat	0.00	0.91	0.75	NA	NA	0.04	XXX
95867	26	A	Muscle test cran nerv unilat	0.79	0.24	0.29	0.24	0.29	0.03	XXX
95868		A	Muscle test cran nerve bilat	1.18	1.47	1.35	NA	NA	0.10	XXX
95868	TC	A	Muscle test cran nerve bilat	0.00	1.11	0.91	NA	NA	0.05	XXX
95868	26	A	Muscle test cran nerve bilat	1.18	0.36	0.44	0.36	0.44	0.05	XXX
95869		A	Muscle test, thor paraspinal	0.37	1.03	0.70	NA	NA	0.04	XXX
95869	TC	A	Muscle test, thor paraspinal	0.00	0.91	0.56	NA	NA	0.02	XXX
95869	26	A	Muscle test, thor paraspinal	0.37	0.12	0.14	0.12	0.14	0.02	XXX
95870		A	Muscle test, nonparaspinal	0.37	0.99	0.68	NA	NA	0.04	XXX
95870	TC	A	Muscle test, nonparaspinal	0.00	0.87	0.54	NA	NA	0.02	XXX
95870	26	A	Muscle test, nonparaspinal	0.37	0.12	0.14	0.12	0.14	0.02	XXX
95872		A	Muscle test, one fiber	2.88	1.64	1.43	NA	NA	0.13	XXX
95872	TC	A	Muscle test, one fiber	0.00	0.76	0.68	NA	NA	0.05	XXX
95872	26	A	Muscle test, one fiber	2.88	0.88	0.75	0.88	0.75	0.08	XXX
95873		A	Guide nerv destr, elec stim	0.37	1.02	0.69	NA	NA	0.04	ZZZ
95873	TC	A	Guide nerv destr, elec stim	0.00	0.88	0.54	NA	NA	0.02	ZZZ
95873	26	A	Guide nerv destr, elec stim	0.37	0.14	0.15	0.14	0.15	0.02	ZZZ

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
95874		A	Guide nerv destr, needle emg	0.37	0.95	0.67	NA	NA	0.04	ZZZ
95874	TC	A	Guide nerv destr, needle emg	0.00	0.83	0.52	NA	NA	0.02	ZZZ
95874	26	A	Guide nerv destr, needle emg	0.37	0.12	0.15	0.12	0.15	0.02	ZZZ
95875		A	Limb exercise test	1.10	1.48	1.46	NA	NA	0.11	XXX
95875	TC	A	Limb exercise test	0.00	1.09	1.03	NA	NA	0.06	XXX
95875	26	A	Limb exercise test	1.10	0.39	0.43	0.39	0.43	0.05	XXX
95900		A	Motor nerve conduction test	0.42	0.92	1.09	NA	NA	0.04	XXX
95900	TC	A	Motor nerve conduction test	0.00	0.78	0.93	NA	NA	0.02	XXX
95900	26	A	Motor nerve conduction test	0.42	0.14	0.16	0.14	0.16	0.02	XXX
95903		A	Motor nerve conduction test	0.60	1.00	1.10	NA	NA	0.05	XXX
95903	TC	A	Motor nerve conduction test	0.00	0.83	0.88	NA	NA	0.02	XXX
95903	26	A	Motor nerve conduction test	0.60	0.17	0.22	0.17	0.22	0.03	XXX
95904		A	Sense nerve conduction test	0.34	0.84	0.97	NA	NA	0.04	XXX
95904	TC	A	Sense nerve conduction test	0.00	0.74	0.84	NA	NA	0.02	XXX
95904	26	A	Sense nerve conduction test	0.34	0.10	0.13	0.10	0.13	0.02	XXX
95920		A	Intraop nerve test add-on	2.11	1.72	1.99	NA	NA	0.23	ZZZ
95920	TC	A	Intraop nerve test add-on	0.00	1.10	1.21	NA	NA	0.07	ZZZ
95920	26	A	Intraop nerve test add-on	2.11	0.62	0.78	0.62	0.78	0.16	ZZZ
95921		A	Autonomic nerv function test	0.90	1.16	0.94	NA	NA	0.06	XXX
95921	TC	A	Autonomic nerv function test	0.00	0.91	0.65	NA	NA	0.02	XXX
95921	26	A	Autonomic nerv function test	0.90	0.25	0.29	0.25	0.29	0.04	XXX
95922		A	Autonomic nerv function test	0.96	1.61	1.19	NA	NA	0.07	XXX
95922	TC	A	Autonomic nerv function test	0.00	1.35	0.86	NA	NA	0.02	XXX
95922	26	A	Autonomic nerv function test	0.96	0.26	0.33	0.26	0.33	0.05	XXX
95923		A	Autonomic nerv function test	0.90	2.33	2.14	NA	NA	0.07	XXX
95923	TC	A	Autonomic nerv function test	0.00	2.08	1.82	NA	NA	0.02	XXX
95923	26	A	Autonomic nerv function test	0.90	0.25	0.32	0.25	0.32	0.05	XXX
95925		A	Somatosensory testing	0.54	3.07	2.10	NA	NA	0.10	XXX
95925	TC	A	Somatosensory testing	0.00	2.92	1.91	NA	NA	0.06	XXX
95925	26	A	Somatosensory testing	0.54	0.15	0.19	0.15	0.19	0.04	XXX
95926		A	Somatosensory testing	0.54	3.00	2.07	NA	NA	0.09	XXX
95926	TC	A	Somatosensory testing	0.00	2.85	1.88	NA	NA	0.06	XXX
95926	26	A	Somatosensory testing	0.54	0.15	0.19	0.15	0.19	0.03	XXX
95927		A	Somatosensory testing	0.54	3.13	2.15	NA	NA	0.10	XXX
95927	TC	A	Somatosensory testing	0.00	2.97	1.94	NA	NA	0.06	XXX
95927	26	A	Somatosensory testing	0.54	0.16	0.21	0.16	0.21	0.04	XXX
95928		A	C motor evoked, uppr limbs	1.50	3.94	3.48	NA	NA	0.09	XXX
95928	TC	A	C motor evoked, uppr limbs	0.00	3.50	2.94	NA	NA	0.03	XXX
95928	26	A	C motor evoked, uppr limbs	1.50	0.44	0.54	0.44	0.54	0.06	XXX
95929		A	C motor evoked, lwr limbs	1.50	4.26	3.74	NA	NA	0.09	XXX
95929	TC	A	C motor evoked, lwr limbs	0.00	3.82	3.19	NA	NA	0.03	XXX
95929	26	A	C motor evoked, lwr limbs	1.50	0.44	0.55	0.44	0.55	0.06	XXX
95930		A	Visual evoked potential test	0.35	2.64	2.45	NA	NA	0.03	XXX
95930	TC	A	Visual evoked potential test	0.00	2.54	2.32	NA	NA	0.01	XXX
95930	26	A	Visual evoked potential test	0.35	0.10	0.13	0.10	0.13	0.02	XXX
95933		A	Blink reflex test	0.59	1.11	1.07	NA	NA	0.10	XXX
95933	TC	A	Blink reflex test	0.00	0.94	0.86	NA	NA	0.06	XXX
95933	26	A	Blink reflex test	0.59	0.17	0.21	0.17	0.21	0.04	XXX
95934		A	H-reflex test	0.51	0.85	0.64	NA	NA	0.04	XXX
95934	TC	A	H-reflex test	0.00	0.70	0.45	NA	NA	0.02	XXX
95934	26	A	H-reflex test	0.51	0.15	0.19	0.15	0.19	0.02	XXX
95936		A	H-reflex test	0.55	0.59	0.52	NA	NA	0.05	XXX
95936	TC	A	H-reflex test	0.00	0.43	0.32	NA	NA	0.02	XXX
95936	26	A	H-reflex test	0.55	0.16	0.20	0.16	0.20	0.03	XXX
95937		A	Neuromuscular junction test	0.65	0.92	0.76	NA	NA	0.10	XXX
95937	TC	A	Neuromuscular junction test	0.00	0.72	0.53	NA	NA	0.02	XXX
95937	26	A	Neuromuscular junction test	0.65	0.20	0.23	0.20	0.23	0.08	XXX
95950		A	Ambulatory eeg monitoring	1.51	4.93	4.43	NA	NA	0.51	XXX
95950	TC	A	Ambulatory eeg monitoring	0.00	4.50	3.90	NA	NA	0.43	XXX
95950	26	A	Ambulatory eeg monitoring	1.51	0.43	0.53	0.43	0.53	0.08	XXX
95951		C	EEG monitoring/videorecord	0.00	0.00	0.00	NA	NA	0.00	XXX
95951	TC	C	EEG monitoring/videorecord	0.00	0.00	0.00	NA	NA	0.00	XXX
95951	26	A	EEG monitoring/videorecord	5.99	1.68	2.12	1.68	2.12	0.32	XXX
95953		A	EEG monitoring/computer	3.30	7.22	7.43	NA	NA	0.60	XXX
95953	TC	A	EEG monitoring/computer	0.00	6.29	6.32	NA	NA	0.43	XXX
95953	26	A	EEG monitoring/computer	3.30	0.93	1.11	0.93	1.11	0.17	XXX
95954		A	EEG monitoring/giving drugs	2.45	4.38	4.30	NA	NA	0.19	XXX
95954	TC	A	EEG monitoring/giving drugs	0.00	3.96	3.57	NA	NA	0.06	XXX
95954	26	A	EEG monitoring/giving drugs	2.45	0.42	0.73	0.42	0.73	0.13	XXX
95955		A	EEG during surgery	1.01	2.76	2.54	NA	NA	0.22	XXX
95955	TC	A	EEG during surgery	0.00	2.48	2.22	NA	NA	0.17	XXX
95955	26	A	EEG during surgery	1.01	0.28	0.32	0.28	0.32	0.05	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
95956		A	Eeg monitoring, cable/radio	3.08	16.30	15.86	NA	NA	0.59	XXX
95956	TC	A	Eeg monitoring, cable/radio	0.00	15.44	14.78	NA	NA	0.43	XXX
95956	26	A	Eeg monitoring, cable/radio	3.08	0.86	1.08	0.86	1.08	0.16	XXX
95957		A	EEG digital analysis	1.98	5.85	4.20	NA	NA	0.23	XXX
95957	TC	A	EEG digital analysis	0.00	5.30	3.50	NA	NA	0.12	XXX
95957	26	A	EEG digital analysis	1.98	0.55	0.70	0.55	0.70	0.11	XXX
95958		A	EEG monitoring/function test	4.24	6.70	5.10	NA	NA	0.34	XXX
95958	TC	A	EEG monitoring/function test	0.00	5.47	3.61	NA	NA	0.13	XXX
95958	26	A	EEG monitoring/function test	4.24	1.23	1.49	1.23	1.49	0.21	XXX
95961		A	Electrode stimulation, brain	2.97	3.05	2.84	NA	NA	0.55	XXX
95961	TC	A	Electrode stimulation, brain	0.00	2.18	1.74	NA	NA	0.07	XXX
95961	26	A	Electrode stimulation, brain	2.97	0.87	1.10	0.87	1.10	0.48	XXX
95962		A	Electrode stim, brain add-on	3.21	2.21	2.45	NA	NA	0.39	ZZZ
95962	TC	A	Electrode stim, brain add-on	0.00	1.30	1.30	NA	NA	0.07	ZZZ
95962	26	A	Electrode stim, brain add-on	3.21	0.91	1.15	0.91	1.15	0.32	ZZZ
95965		C	Meg, spontaneous	0.00	0.00	0.00	NA	NA	0.00	XXX
95965	TC	C	Meg, spontaneous	0.00	0.00	0.00	NA	NA	0.00	XXX
95965	26	A	Meg, spontaneous	7.99	2.39	2.91	2.39	2.91	0.46	XXX
95966		C	Meg, evoked, single	0.00	0.00	0.00	NA	NA	0.00	XXX
95966	TC	C	Meg, evoked, single	0.00	0.00	0.00	NA	NA	0.00	XXX
95966	26	A	Meg, evoked, single	3.99	1.19	1.45	1.19	1.45	0.19	XXX
95967		C	Meg, evoked, each addÆl	0.00	0.00	0.00	NA	NA	0.00	ZZZ
95967	TC	C	Meg, evoked, each addÆl	0.00	0.00	0.00	NA	NA	0.00	ZZZ
95967	26	A	Meg, evoked, each addÆl	3.49	1.01	1.09	1.01	1.09	0.16	ZZZ
95970		A	Analyze neurostim, no prog	0.45	0.90	0.87	0.13	0.13	0.03	XXX
95971		A	Analyze neurostim, simple	0.78	0.58	0.63	0.18	0.20	0.07	XXX
95972		A	Analyze neurostim, complex	1.50	1.15	1.18	0.44	0.46	0.14	XXX
95973		A	Analyze neurostim, complex	0.92	0.49	0.55	0.22	0.28	0.07	ZZZ
95974		A	Cranial neurostim, complex	3.00	1.44	1.57	0.78	1.04	0.16	XXX
95975		A	Cranial neurostim, complex	1.70	0.73	0.81	0.47	0.60	0.12	ZZZ
95978		A	Analyze neurostim brain/1h	3.50	1.86	1.90	1.02	1.16	0.18	XXX
95979		A	Analyz neurostim brain addon	1.64	0.72	0.80	0.46	0.58	0.08	ZZZ
95980		A	Io anal gast n-stim init	0.80	NA	NA	0.25	0.25	0.07	XXX
95981		A	Io anal gast n-stim subsq	0.30	0.44	0.44	0.12	0.12	0.02	XXX
95982		A	Io ga n-stim subsq w/reprog	0.65	0.47	0.47	0.18	0.18	0.05	XXX
95990		A	Spin/brain pump refil & main	0.00	1.62	1.56	NA	NA	0.06	XXX
95991		A	Spin/brain pump refil & main	0.77	1.61	1.55	0.17	0.17	0.06	XXX
95999		C	Neurological procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
96000		A	Motion analysis, video/3d	1.80	NA	NA	0.44	0.48	0.11	XXX
96001		A	Motion test w/ft press meas	2.15	NA	NA	0.56	0.61	0.10	XXX
96002		A	Dynamic surface emg	0.41	NA	NA	0.10	0.13	0.02	XXX
96003		A	Dynamic fine wire emg	0.37	NA	NA	0.09	0.10	0.02	XXX
96004		A	Phys review of motion tests	2.14	0.65	0.79	0.65	0.79	0.11	XXX
96020		C	Functional brain mapping	0.00	0.00	0.00	NA	NA	0.00	XXX
96020	TC	C	Functional brain mapping	0.00	0.00	0.00	NA	NA	0.00	XXX
96020	26	A	Functional brain mapping	3.43	1.07	1.07	1.07	1.07	0.17	XXX
96040		B	Genetic counseling, 30 min	0.00	0.98	0.98	NA	NA	0.01	XXX
96101		A	Psycho testing by psych/phys	1.86	0.35	0.50	0.33	0.48	0.05	XXX
96102		A	Psycho testing by technician	0.50	1.10	0.88	0.09	0.13	0.01	XXX
96103		A	Psycho testing admin by comp	0.51	0.92	0.56	0.10	0.14	0.02	XXX
96105		A	Assessment of aphasia	0.00	1.66	1.71	NA	NA	0.18	XXX
96110		A	Developmental test, lim	0.00	0.19	0.18	NA	NA	0.18	XXX
96111		A	Developmental test, extend	2.60	0.69	0.87	0.58	0.81	0.18	XXX
96116		A	Neurobehavioral status exam	1.86	0.53	0.68	0.40	0.52	0.18	XXX
96118		A	Neuropsych tst by psych/phys	1.86	0.84	1.11	0.33	0.48	0.18	XXX
96119		A	Neuropsych testing by tec	0.55	1.53	1.27	0.10	0.14	0.18	XXX
96120		A	Neuropsych tst admin w/comp	0.51	1.69	1.21	0.10	0.13	0.02	XXX
96125		A	Cognitive test by hc pro	1.70	0.76	0.76	0.37	0.37	0.16	XXX
96150		A	Assess hlth/behave, init	0.50	0.10	0.14	0.09	0.13	0.01	XXX
96151		A	Assess hlth/behave, subseq	0.48	0.10	0.14	0.09	0.13	0.01	XXX
96152		A	Intervene hlth/behave, indiv	0.46	0.09	0.13	0.08	0.12	0.01	XXX
96153		A	Intervene hlth/behave, group	0.10	0.02	0.03	0.02	0.02	0.01	XXX
96154		A	Interv hlth/behav, fam w/pt	0.45	0.09	0.13	0.08	0.12	0.01	XXX
96155		N	Interv hlth/behav fam no pt	0.44	0.10	0.14	0.10	0.14	0.02	XXX
96401		A	Chemo, anti-neopl, sq/im	0.21	1.86	1.51	NA	NA	0.01	XXX
96402		A	Chemo hormon antineopl sq/im	0.19	0.78	0.89	NA	NA	0.01	XXX
96405		A	Chemo intralesional, up to 7	0.52	3.69	3.06	0.24	0.24	0.03	000
96406		A	Chemo intralesional over 7	0.80	3.62	3.31	0.32	0.31	0.03	000
96409		A	Chemo, iv push, sngl drug	0.24	2.80	2.86	NA	NA	0.06	XXX
96411		A	Chemo, iv push, addl drug	0.20	1.50	1.55	NA	NA	0.06	ZZZ
96413		A	Chemo, iv infusion, 1 hr	0.28	3.64	3.91	NA	NA	0.08	XXX
96415		A	Chemo, iv infusion, addl hr	0.19	0.66	0.71	NA	NA	0.07	ZZZ

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
96416		A	Chemo prolong infuse w/pump	0.21	4.09	4.34	NA	NA	0.08	XXX
96417		A	Chemo iv infus each addl seq	0.21	1.73	1.84	NA	NA	0.07	ZZZ
96420		A	Chemo, ia, push tecnique	0.17	2.78	2.72	NA	NA	0.08	XXX
96422		A	Chemo ia infusion up to 1 hr	0.17	4.50	4.66	NA	NA	0.08	XXX
96423		A	Chemo ia infuse each addl hr	0.17	1.99	1.94	NA	NA	0.02	ZZZ
96425		A	Chemotherapy,infusion method	0.17	4.67	4.57	NA	NA	0.08	XXX
96440		A	Chemotherapy, intracavitary	2.37	5.56	6.84	0.98	1.10	0.17	000
96445		A	Chemotherapy, intracavitary	2.20	5.42	6.73	0.96	1.07	0.14	000
96450		A	Chemotherapy, into CNS	1.53	4.99	5.97	0.83	1.06	0.09	000
96521		A	Refill/maint, portable pump	0.21	3.16	3.46	NA	NA	0.06	XXX
96522		A	Refill/maint pump/resvr syst	0.21	2.78	2.71	NA	NA	0.06	XXX
96523		T	Irrig drug delivery device	0.04	0.64	0.67	NA	NA	0.01	XXX
96542		A	Chemotherapy injection	0.75	3.56	3.90	0.32	0.49	0.07	XXX
96549		C	Chemotherapy, unspecified	0.00	0.00	0.00	0.00	0.00	0.00	XXX
96567		A	Photodynamic tx, skin	0.00	3.74	2.85	NA	NA	0.04	XXX
96570		A	Photodynamic tx, 30 min	1.10	0.40	0.38	0.40	0.38	0.11	ZZZ
96571		A	Photodynamic tx, addl 15 min	0.55	0.19	0.19	0.19	0.19	0.03	ZZZ
96900		A	Ultraviolet light therapy	0.00	0.57	0.50	NA	NA	0.02	XXX
96902		B	Trichogram	0.41	0.11	0.15	0.09	0.13	0.01	XXX
96904		R	Whole body photography	0.00	1.90	1.90	NA	NA	0.01	XXX
96910		A	Photochemotherapy with UV-B	0.00	2.01	1.50	NA	NA	0.04	XXX
96912		A	Photochemotherapy with UV-A	0.00	2.58	1.92	NA	NA	0.05	XXX
96913		A	Photochemotherapy, UV-A or B	0.00	3.47	2.57	NA	NA	0.10	XXX
96920		A	Laser tx, skin < 250 sq cm	1.15	3.58	3.06	0.56	0.56	0.02	000
96921		A	Laser tx, skin 250-500 sq cm	1.17	3.33	2.97	0.51	0.54	0.03	000
96922		A	Laser tx, skin > 500 sq cm	2.10	4.64	4.06	1.04	0.83	0.04	000
96999		C	Dermatological procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97001		A	Pt evaluation	1.20	0.65	0.70	NA	NA	0.05	XXX
97002		A	Pt re-evaluation	0.60	0.41	0.42	NA	NA	0.02	XXX
97003		A	Ot evaluation	1.20	0.76	0.82	NA	NA	0.06	XXX
97004		A	Ot re-evaluation	0.60	0.54	0.61	NA	NA	0.02	XXX
97005		I	Athletic train eval	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97006		I	Athletic train reeval	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97010		B	Hot or cold packs therapy	0.06	0.07	0.06	NA	NA	0.01	XXX
97012		A	Mechanical traction therapy	0.25	0.14	0.14	NA	NA	0.01	XXX
97014		I	Electric stimulation therapy	0.18	0.18	0.18	NA	NA	0.01	XXX
97016		A	Vasopneumatic device therapy	0.18	0.24	0.21	NA	NA	0.01	XXX
97018		A	Paraffin bath therapy	0.06	0.17	0.13	NA	NA	0.01	XXX
97022		A	Whirlpool therapy	0.17	0.33	0.27	NA	NA	0.01	XXX
97024		A	Diathermy eg, microwave	0.06	0.08	0.07	NA	NA	0.01	XXX
97026		A	Infrared therapy	0.06	0.07	0.06	NA	NA	0.01	XXX
97028		A	Ultraviolet therapy	0.08	0.08	0.08	NA	NA	0.01	XXX
97032		A	Electrical stimulation	0.25	0.20	0.18	NA	NA	0.01	XXX
97033		A	Electric current therapy	0.26	0.44	0.36	NA	NA	0.01	XXX
97034		A	Contrast bath therapy	0.21	0.20	0.17	NA	NA	0.01	XXX
97035		A	Ultrasound therapy	0.21	0.10	0.10	NA	NA	0.01	XXX
97036		A	Hydrotherapy	0.28	0.44	0.38	NA	NA	0.01	XXX
97039		C	Physical therapy treatment	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97110		A	Therapeutic exercises	0.45	0.32	0.29	NA	NA	0.02	XXX
97112		A	Neuromuscular reeducation	0.45	0.34	0.33	NA	NA	0.01	XXX
97113		A	Aquatic therapy/exercises	0.44	0.53	0.46	NA	NA	0.01	XXX
97116		A	Gait training therapy	0.40	0.27	0.26	NA	NA	0.01	XXX
97124		A	Massage therapy	0.35	0.27	0.25	NA	NA	0.01	XXX
97139		C	Physical medicine procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97140		A	Manual therapy	0.43	0.29	0.27	NA	NA	0.01	XXX
97150		A	Group therapeutic procedures	0.27	0.22	0.20	NA	NA	0.01	XXX
97530		A	Therapeutic activities	0.44	0.38	0.35	NA	NA	0.01	XXX
97532		A	Cognitive skills development	0.44	0.22	0.21	NA	NA	0.01	XXX
97533		A	Sensory integration	0.44	0.27	0.25	NA	NA	0.01	XXX
97535		A	Self care mngment training	0.45	0.37	0.35	NA	NA	0.01	XXX
97537		A	Community/work reintegration	0.45	0.28	0.27	NA	NA	0.01	XXX
97542		A	Wheelchair mngment training	0.45	0.29	0.28	NA	NA	0.01	XXX
97545		R	Work hardening	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97546		R	Work hardening add-on	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
97597		A	Active wound care/20 cm or <	0.58	1.10	0.88	0.12	0.39	0.05	XXX
97598		A	Active wound care > 20 cm	0.80	1.27	1.03	0.17	0.48	0.05	XXX
97602		B	Wound(s) care non-selective	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97605		A	Neg press wound tx, < 50 cm	0.55	0.40	0.37	0.11	0.17	0.02	XXX
97606		A	Neg press wound tx, > 50 cm	0.60	0.41	0.38	0.13	0.18	0.03	XXX
97750		A	Physical performance test	0.45	0.33	0.32	NA	NA	0.02	XXX
97755		A	Assistive technology assess	0.62	0.27	0.28	NA	NA	0.02	XXX
97760		A	Orthotic mgmt and training	0.45	0.42	0.38	NA	NA	0.03	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
97761		A	Prosthetic training	0.45	0.33	0.30	NA	NA	0.02	XXX
97762		A	C/o for orthotic/prosth use	0.25	0.73	0.58	NA	NA	0.02	XXX
97799		C	Physical medicine procedure	0.00	0.00	0.00	0.00	0.00	0.00	XXX
97802		A	Medical nutrition, indiv, in	0.45	0.14	0.30	0.11	0.29	0.01	XXX
97803		A	Med nutrition, indiv, subseq	0.37	0.12	0.29	0.09	0.28	0.01	XXX
97804		A	Medical nutrition, group	0.25	0.08	0.13	0.07	0.12	0.01	XXX
97810		N	Acupunct w/o stimul 15 min	0.60	0.26	0.32	0.14	0.18	0.03	XXX
97811		N	Acupunct w/o stimul addl 15m	0.50	0.15	0.20	0.11	0.15	0.03	ZZZ
97813		N	Acupunct w/stimul 15 min	0.65	0.27	0.33	0.15	0.20	0.03	XXX
97814		N	Acupunct w/stimul addl 15m	0.55	0.19	0.24	0.13	0.17	0.03	ZZZ
98925		A	Osteopathic manipulation	0.45	0.29	0.30	0.12	0.13	0.02	000
98926		A	Osteopathic manipulation	0.65	0.37	0.39	0.17	0.21	0.03	000
98927		A	Osteopathic manipulation	0.87	0.45	0.48	0.22	0.26	0.03	000
98928		A	Osteopathic manipulation	1.03	0.51	0.55	0.26	0.30	0.04	000
98929		A	Osteopathic manipulation	1.19	0.57	0.62	0.30	0.33	0.05	000
98940		A	Chiropractic manipulation	0.45	0.21	0.22	0.12	0.12	0.01	000
98941		A	Chiropractic manipulation	0.65	0.27	0.29	0.17	0.17	0.01	000
98942		A	Chiropractic manipulation	0.87	0.33	0.35	0.24	0.23	0.02	000
98943		N	Chiropractic manipulation	0.40	0.17	0.21	0.09	0.13	0.01	XXX
98960		B	Self-mgmt educ & train, 1 pt	0.00	0.58	0.58	NA	NA	0.01	XXX
98961		B	Self-mgmt educ/train, 2-4 pt	0.00	0.28	0.28	NA	NA	0.01	XXX
98962		B	Self-mgmt educ/train, 5-8 pt	0.00	0.20	0.20	NA	NA	0.01	XXX
98966		N	Hc pro phone call 5-10 min	0.25	0.09	0.09	0.06	0.06	0.01	XXX
98967		N	Hc pro phone call 11-20 min	0.50	0.14	0.14	0.11	0.11	0.02	XXX
98968		N	Hc pro phone call 21-30 min	0.75	0.20	0.20	0.17	0.17	0.03	XXX
98969		N	Online service by hc pro	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99000		B	Specimen handling	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99001		B	Specimen handling	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99002		B	Device handling	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99024		B	Postop follow-up visit	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99026		N	In-hospital on call service	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99027		N	Out-of-hosp on call service	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99050		B	Medical services after hrs	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99051		B	Med serv, eve/wkend/holiday	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99053		B	Med serv 10pm-8am, 24 hr fac	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99056		B	Med service out of office	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99058		B	Office emergency care	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99060		B	Out of office emerg med serv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99070		B	Special supplies	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99071		B	Patient education materials	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99075		N	Medical testimony	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99078		B	Group health education	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99080		B	Special reports or forms	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99082		C	Unusual physician travel	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99090		B	Computer data analysis	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99091		B	Collect/review data from pt	1.10	0.25	0.25	NA	NA	0.04	XXX
99100		B	Special anesthesia service	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
99116		B	Anesthesia with hypothermia	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
99135		B	Special anesthesia procedure	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
99140		B	Emergency anesthesia	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
99143		C	Mod cs by same phys, < 5 yrs	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99144		C	Mod cs by same phys, 5 yrs +	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99145		C	Mod cs by same phys add-on	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
99148		C	Mod cs diff phys < 5 yrs	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99149		C	Mod cs diff phys 5 yrs +	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99150		C	Mod cs diff phys add-on	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
99170		A	Anogenital exam, child	1.75	1.83	1.80	0.61	0.58	0.08	000
99172		N	Ocular function screen	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99173		N	Visual acuity screen	0.00	0.06	0.06	NA	NA	0.01	XXX
99174		N	Ocular photoscreening	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99175		A	Induction of vomiting	0.00	0.36	0.87	NA	NA	0.10	XXX
99183		A	Hyperbaric oxygen therapy	2.34	2.60	2.92	0.57	0.65	0.16	XXX
99185		A	Regional hypothermia	0.00	1.67	1.15	NA	NA	0.04	XXX
99186		A	Total body hypothermia	0.00	1.63	1.71	NA	NA	0.45	XXX
99190		X	Special pump services	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99191		X	Special pump services	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99192		X	Special pump services	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99195		A	Phlebotomy	0.00	2.56	1.50	NA	NA	0.02	XXX
99199		C	Special service/proc/report	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99201		A	Office/outpatient visit, new	0.45	0.55	0.52	0.16	0.15	0.03	XXX
99202		A	Office/outpatient visit, new	0.88	0.84	0.81	0.29	0.30	0.05	XXX
99203		A	Office/outpatient visit, new	1.34	1.11	1.12	0.43	0.45	0.09	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
99204		A	Office/outpatient visit, new	2.30	1.49	1.49	0.71	0.71	0.12	XXX
99205		A	Office/outpatient visit, new	3.00	1.79	1.78	0.91	0.93	0.15	XXX
99211		A	Office/outpatient visit, est	0.17	0.32	0.36	0.06	0.06	0.01	XXX
99212		A	Office/outpatient visit, est	0.45	0.55	0.55	0.15	0.15	0.03	XXX
99213		A	Office/outpatient visit, est	0.92	0.76	0.73	0.28	0.26	0.03	XXX
99214		A	Office/outpatient visit, est	1.42	1.10	1.06	0.44	0.42	0.05	XXX
99215		A	Office/outpatient visit, est	2.00	1.38	1.35	0.61	0.63	0.08	XXX
99217		A	Observation care discharge	1.28	NA	NA	0.50	0.51	0.06	XXX
99218		A	Observation care	1.28	NA	NA	0.38	0.41	0.06	XXX
99219		A	Observation care	2.14	NA	NA	0.59	0.65	0.10	XXX
99220		A	Observation care	2.99	NA	NA	0.84	0.93	0.14	XXX
99221		A	Initial hospital care	1.88	NA	NA	0.54	0.50	0.07	XXX
99222		A	Initial hospital care	2.56	NA	NA	0.71	0.72	0.10	XXX
99223		A	Initial hospital care	3.78	NA	NA	1.07	1.05	0.13	XXX
99231		A	Subsequent hospital care	0.76	NA	NA	0.24	0.23	0.03	XXX
99232		A	Subsequent hospital care	1.39	NA	NA	0.42	0.40	0.04	XXX
99233		A	Subsequent hospital care	2.00	NA	NA	0.59	0.56	0.06	XXX
99234		A	Observ/hosp same date	2.56	NA	NA	0.78	0.83	0.13	XXX
99235		A	Observ/hosp same date	3.41	NA	NA	0.98	1.07	0.16	XXX
99236		A	Observ/hosp same date	4.26	NA	NA	1.21	1.32	0.19	XXX
99238		A	Hospital discharge day	1.28	NA	NA	0.49	0.52	0.05	XXX
99239		A	Hospital discharge day	1.90	NA	NA	0.67	0.70	0.07	XXX
99241		A	Office consultation	0.64	0.66	0.65	0.22	0.22	0.05	XXX
99242		A	Office consultation	1.34	1.08	1.06	0.48	0.47	0.10	XXX
99243		A	Office consultation	1.88	1.45	1.42	0.67	0.65	0.13	XXX
99244		A	Office consultation	3.02	1.93	1.88	1.08	1.00	0.16	XXX
99245		A	Office consultation	3.77	2.26	2.27	1.31	1.27	0.21	XXX
99251		A	Inpatient consultation	1.00	NA	NA	0.31	0.27	0.05	XXX
99252		A	Inpatient consultation	1.50	NA	NA	0.49	0.50	0.09	XXX
99253		A	Inpatient consultation	2.27	NA	NA	0.80	0.74	0.11	XXX
99254		A	Inpatient consultation	3.29	NA	NA	1.19	1.08	0.13	XXX
99255		A	Inpatient consultation	4.00	NA	NA	1.39	1.37	0.18	XXX
99281		A	Emergency dept visit	0.45	NA	NA	0.09	0.09	0.02	XXX
99282		A	Emergency dept visit	0.88	NA	NA	0.17	0.15	0.04	XXX
99283		A	Emergency dept visit	1.34	NA	NA	0.25	0.28	0.09	XXX
99284		A	Emergency dept visit	2.56	NA	NA	0.46	0.47	0.14	XXX
99285		A	Emergency dept visit	3.80	NA	NA	0.67	0.69	0.23	XXX
99288		B	Direct advanced life support	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99289		A	Ped crit care transport	4.79	NA	NA	1.08	1.26	0.24	XXX
99290		A	Ped crit care transport addl	2.40	NA	NA	0.89	0.85	0.12	ZZZ
99291		A	Critical care, first hour	4.50	2.26	2.42	1.10	1.19	0.21	XXX
99292		A	Critical care, addÆl 30 min	2.25	0.80	0.85	0.56	0.60	0.11	ZZZ
99293		A	Ped critical care, initial	15.98	NA	NA	3.78	4.27	1.12	XXX
99294		A	Ped critical care, subseq	7.99	NA	NA	1.65	2.03	0.45	XXX
99295		A	Neonate crit care, initial	18.46	NA	NA	4.57	4.97	1.16	XXX
99296		A	Neonate critical care subseq	7.99	NA	NA	2.06	2.30	0.32	XXX
99298		A	Ic for lbw infant < 1500 gm	2.75	NA	NA	0.68	0.80	0.17	XXX
99299		A	Ic, lbw infant 1500-2500 gm	2.50	NA	NA	0.58	0.72	0.16	XXX
99300		A	Ic, infant pbw 2501-5000 gm	2.40	NA	NA	0.71	0.77	0.15	XXX
99304		A	Nursing facility care, init	1.61	0.57	0.53	0.57	0.53	0.05	XXX
99305		A	Nursing facility care, init	2.30	0.74	0.68	0.74	0.68	0.07	XXX
99306		A	Nursing facility care, init	3.00	0.91	0.83	0.91	0.83	0.09	XXX
99307		A	Nursing fac care, subseq	0.76	0.31	0.29	0.31	0.29	0.03	XXX
99308		A	Nursing fac care, subseq	1.16	0.47	0.46	0.47	0.46	0.04	XXX
99309		A	Nursing fac care, subseq	1.55	0.61	0.61	0.61	0.61	0.06	XXX
99310		A	Nursing fac care, subseq	2.35	0.87	0.82	0.87	0.82	0.08	XXX
99315		A	Nursing fac discharge day	1.13	0.41	0.43	0.41	0.43	0.05	XXX
99316		A	Nursing fac discharge day	1.50	0.51	0.55	0.51	0.55	0.06	XXX
99318		A	Annual nursing fac assessmnt	1.71	0.56	0.53	0.56	0.53	0.05	XXX
99324		A	Domicil/r-home visit new pat	1.01	0.43	0.46	NA	NA	0.05	XXX
99325		A	Domicil/r-home visit new pat	1.52	0.55	0.62	NA	NA	0.07	XXX
99326		A	Domicil/r-home visit new pat	2.63	0.82	0.87	NA	NA	0.10	XXX
99327		A	Domicil/r-home visit new pat	3.46	1.02	1.09	NA	NA	0.13	XXX
99328		A	Domicil/r-home visit new pat	4.09	1.16	1.29	NA	NA	0.16	XXX
99334		A	Domicil/r-home visit est pat	1.07	0.43	0.42	NA	NA	0.04	XXX
99335		A	Domicil/r-home visit est pat	1.72	0.59	0.58	NA	NA	0.06	XXX
99336		A	Domicil/r-home visit est pat	2.46	0.77	0.79	NA	NA	0.09	XXX
99337		A	Domicil/r-home visit est pat	3.58	1.03	1.09	NA	NA	0.13	XXX
99339		B	Domicil/r-home care supervis	1.25	0.58	0.58	NA	NA	0.06	XXX
99340		B	Domicil/r-home care supervis	1.80	0.77	0.77	NA	NA	0.07	XXX
99341		A	Home visit, new patient	1.01	0.43	0.45	NA	NA	0.05	XXX
99342		A	Home visit, new patient	1.52	0.56	0.62	NA	NA	0.07	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
99343		A	Home visit, new patient	2.53	0.82	0.88	NA	NA	0.10	XXX
99344		A	Home visit, new patient	3.38	1.00	1.09	NA	NA	0.13	XXX
99345		A	Home visit, new patient	4.09	1.15	1.29	NA	NA	0.16	XXX
99347		A	Home visit, est patient	1.00	0.42	0.41	NA	NA	0.04	XXX
99348		A	Home visit, est patient	1.56	0.56	0.57	NA	NA	0.06	XXX
99349		A	Home visit, est patient	2.33	0.73	0.78	NA	NA	0.09	XXX
99350		A	Home visit, est patient	3.28	0.96	1.07	NA	NA	0.13	XXX
99354		A	Prolonged service, office	1.77	0.65	0.71	0.50	0.58	0.08	ZZZ
99355		A	Prolonged service, office	1.77	0.62	0.68	0.47	0.54	0.07	ZZZ
99356		A	Prolonged service, inpatient	1.71	NA	NA	0.50	0.56	0.07	ZZZ
99357		A	Prolonged service, inpatient	1.71	NA	NA	0.50	0.56	0.08	ZZZ
99358		B	Prolonged serv, w/o contact	2.10	0.51	0.51	0.51	0.51	0.09	ZZZ
99359		B	Prolonged serv, w/o contact	1.00	0.26	0.26	0.26	0.26	0.04	ZZZ
99360		X	Physician standby services	1.20	0.28	0.28	0.28	0.28	0.05	XXX
99363		B	Anticoag mgmt, init	1.65	1.30	1.30	0.38	0.38	0.07	XXX
99364		B	Anticoag mgmt, subseq	0.63	0.38	0.38	0.14	0.14	0.04	XXX
99366		B	Team conf w/pat by hc pro	0.82	0.20	0.20	0.19	0.19	0.06	XXX
99367		B	Team conf w/o pat by phys	1.10	0.25	0.25	0.25	0.25	0.05	XXX
99368		B	Team conf w/o pat by hc pro	0.72	0.16	0.16	0.16	0.16	0.03	XXX
99374		B	Home health care supervision	1.10	0.55	0.62	0.25	0.34	0.05	XXX
99375		I	Home health care supervision	1.73	0.75	1.15	0.40	0.97	0.07	XXX
99377		B	Hospice care supervision	1.10	0.55	0.62	0.25	0.34	0.05	XXX
99378		I	Hospice care supervision	1.73	0.75	1.35	0.40	1.17	0.07	XXX
99379		B	Nursing fac care supervision	1.10	0.55	0.62	0.25	0.34	0.04	XXX
99380		B	Nursing fac care supervision	1.73	0.75	0.87	0.40	0.53	0.06	XXX
99381		N	Init pm e/m, new pat, inf	1.19	1.00	1.25	0.27	0.36	0.05	XXX
99382		N	Init pm e/m, new pat 1-4 yrs	1.36	1.04	1.29	0.31	0.42	0.05	XXX
99383		N	Prev visit, new, age 5-11	1.36	1.03	1.25	0.31	0.42	0.05	XXX
99384		N	Prev visit, new, age 12-17	1.53	1.07	1.31	0.35	0.47	0.06	XXX
99385		N	Prev visit, new, age 18-39	1.53	1.07	1.31	0.35	0.47	0.06	XXX
99386		N	Prev visit, new, age 40-64	1.88	1.15	1.45	0.43	0.58	0.07	XXX
99387		N	Init pm e/m, new pat 65+ yrs	2.06	1.28	1.58	0.47	0.63	0.07	XXX
99391		N	Per pm reeval, est pat, inf	1.02	0.86	0.94	0.24	0.31	0.04	XXX
99392		N	Prev visit, est, age 1-4	1.19	0.90	1.00	0.27	0.36	0.05	XXX
99393		N	Prev visit, est, age 5-11	1.19	0.90	0.98	0.27	0.36	0.05	XXX
99394		N	Prev visit, est, age 12-17	1.36	0.93	1.03	0.31	0.42	0.05	XXX
99395		N	Prev visit, est, age 18-39	1.36	0.94	1.05	0.31	0.42	0.05	XXX
99396		N	Prev visit, est, age 40-64	1.53	0.98	1.11	0.35	0.47	0.06	XXX
99397		N	Per pm reeval est pat 65+ yr	1.71	1.12	1.24	0.39	0.53	0.06	XXX
99401		N	Preventive counseling, indiv	0.48	0.36	0.49	0.11	0.15	0.01	XXX
99402		N	Preventive counseling, indiv	0.98	0.48	0.67	0.22	0.30	0.02	XXX
99403		N	Preventive counseling, indiv	1.46	0.59	0.84	0.34	0.45	0.04	XXX
99404		N	Preventive counseling, indiv	1.95	0.70	1.01	0.45	0.60	0.05	XXX
99406		A	Behav chng smoking 3-10 min	0.24	0.11	0.10	0.07	0.08	0.01	XXX
99407		A	Behav chng smoking < 10 min	0.50	0.18	0.18	0.13	0.15	0.01	XXX
99408		N	Audit/dast, 15-30 min	0.65	0.19	0.19	0.15	0.15	0.01	XXX
99409		N	Audit/dast, over 30 min	1.30	0.34	0.34	0.30	0.30	0.03	XXX
99411		N	Preventive counseling, group	0.15	0.22	0.20	0.03	0.05	0.01	XXX
99412		N	Preventive counseling, group	0.25	0.24	0.25	0.06	0.08	0.01	XXX
99420		N	Health risk assessment test	0.00	0.22	0.22	NA	NA	0.01	XXX
99429		N	Unlisted preventive service	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99431		A	Initial care, normal newborn	1.17	NA	NA	0.27	0.32	0.05	XXX
99432		A	Newborn care, not in hosp	1.26	1.01	0.97	0.29	0.34	0.07	XXX
99433		A	Normal newborn care/hospital	0.62	NA	NA	0.17	0.19	0.02	XXX
99435		A	Newborn discharge day hosp	1.50	NA	NA	0.50	0.54	0.06	XXX
99436		A	Attendance, birth	1.50	NA	NA	0.33	0.40	0.06	XXX
99440		A	Newborn resuscitation	2.93	NA	NA	0.67	0.80	0.12	XXX
99441		N	Phone e/m by phys 5-10 min	0.25	0.09	0.09	0.06	0.06	0.02	XXX
99442		N	Phone e/m by phys 11-20 min	0.50	0.14	0.14	0.11	0.11	0.02	XXX
99443		N	Phone e/m by phys 21-30 min	0.75	0.20	0.20	0.17	0.17	0.03	XXX
99444		N	Online e/m by phys	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99450		N	Basic life disability exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99455		R	Work related disability exam	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99456		R	Disability examination	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99477		A	Init day hosp neonate care	7.00	1.98	1.98	1.98	1.98	0.32	XXX
99499		C	Unlisted e&m service	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99500		I	Home visit, prenatal	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99501		I	Home visit, postnatal	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99502		I	Home visit, nb care	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99503		I	Home visit, resp therapy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99504		I	Home visit mech ventilator	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99505		I	Home visit, stoma care	0.00	0.00	0.00	0.00	0.00	0.00	XXX

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CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
99506		I	Home visit, im injection	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99507		I	Home visit, cath maintain	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99509		I	Home visit day life activity	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99510		I	Home visit, sing/m/fam couns	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99511		I	Home visit, fecal/enema mgmt	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99512		I	Home visit for hemodialysis	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99600		I	Home visit nos	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99601		I	Home infusion/visit, 2 hrs	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99602		I	Home infusion, each addtl hr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99605		X	Mtms by pharm, np, 15 min	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99606		X	Mtms by pharm, est, 15 min	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99607		X	Mtms by pharm, addl 15 min	0.00	0.00	0.00	0.00	0.00	0.00	XXX
A4890		R	Repair/maint cont hemo equip	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0008		X	Admin influenza virus vac	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0009		X	Admin pneumococcal vaccine	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0010		X	Admin hepatitis b vaccine	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0027		X	Semen analysis	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0101		A	CA screen;pelvic/breast exam	0.45	0.48	0.50	NA	NA	0.02	XXX
G0102		A	Prostate ca screening; dre	0.17	0.32	0.36	0.06	0.06	0.01	XXX
G0103		X	PSA screening	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0104		A	CA screen;flexi sigmoidscope	0.96	2.52	2.40	0.62	0.56	0.08	000
G0105		A	Colorectal scrn; hi risk ind	3.69	6.39	6.27	1.82	1.65	0.30	000
G0105	53	A	Colorectal scrn; hi risk ind	0.96	2.52	2.40	0.62	0.56	0.08	000
G0106		A	Colon CA screen;barium enema	0.99	4.95	3.75	NA	NA	0.17	XXX
G0106	TC	A	Colon CA screen;barium enema	0.00	4.60	3.42	NA	NA	0.13	XXX
G0106	26	A	Colon CA screen;barium enema	0.99	0.35	0.33	0.35	0.33	0.04	XXX
G0108		A	Diab manage trn per indiv	0.00	0.59	0.71	NA	NA	0.01	XXX
G0109		A	Diab manage trn ind/group	0.00	0.31	0.40	NA	NA	0.01	XXX
G0117		T	Glaucoma scrn hgh risk direc	0.45	0.76	0.74	NA	NA	0.01	XXX
G0118		T	Glaucoma scrn hgh risk direc	0.17	0.71	0.62	NA	NA	0.01	XXX
G0120		A	Colon ca scrn; barium enema	0.99	4.95	3.75	NA	NA	0.17	XXX
G0120	TC	A	Colon ca scrn; barium enema	0.00	4.60	3.42	NA	NA	0.13	XXX
G0120	26	A	Colon ca scrn; barium enema	0.99	0.35	0.33	0.35	0.33	0.04	XXX
G0121		A	Colon ca scrn not hi rsk ind	3.69	6.39	6.27	1.82	1.65	0.30	000
G0121	53	A	Colon ca scrn not hi rsk ind	0.96	2.52	2.40	0.62	0.56	0.08	000
G0122		N	Colon ca scrn; barium enema	0.99	5.65	4.11	NA	NA	0.18	XXX
G0122	TC	N	Colon ca scrn; barium enema	0.00	5.42	3.81	NA	NA	0.13	XXX
G0122	26	N	Colon ca scrn; barium enema	0.99	0.23	0.30	0.23	0.30	0.05	XXX
G0123		X	Screen cerv/vag thin layer	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0124		A	Screen c/v thin layer by MD	0.42	0.38	0.26	0.38	0.26	0.02	XXX
G0127		R	Trim nail(s)	0.17	0.38	0.32	0.04	0.06	0.01	000
G0128		R	CORF skilled nursing service	0.08	0.02	0.02	0.02	0.02	0.01	XXX
G0130		A	Single energy x-ray study	0.22	0.55	0.72	NA	NA	0.06	XXX
G0130	TC	A	Single energy x-ray study	0.00	0.49	0.65	NA	NA	0.05	XXX
G0130	26	A	Single energy x-ray study	0.22	0.06	0.07	0.06	0.07	0.01	XXX
G0141		A	Scr c/v cyto,autosys and md	0.42	0.38	0.26	0.38	0.26	0.02	XXX
G0143		X	Scr c/v cyto,thinlayer,rescr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0144		X	Scr c/v cyto,thinlayer,rescr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0145		X	Scr c/v cyto,thinlayer,rescr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0147		X	Scr c/v cyto, automated sys	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0148		X	Scr c/v cyto, autosys, rescr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0166		A	Extrnl counterpulse, per tx	0.07	4.50	4.04	NA	NA	0.01	XXX
G0168		A	Wound closure by adhesive	0.45	1.58	1.76	0.21	0.21	0.03	000
G0173		X	Linear acc stereo radsur com	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0175		X	OPPS Service,sched team conf	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0176		X	OPPS/PHP;activity therapy	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0177		X	OPPS/PHP; train & educ serv	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0179		A	MD recertification HHA PT	0.45	0.48	0.75	NA	NA	0.02	XXX
G0180		A	MD certification HHA patient	0.67	0.56	0.91	NA	NA	0.03	XXX
G0181		A	Home health care supervision	1.73	0.80	1.14	NA	NA	0.07	XXX
G0182		A	Hospice care supervision	1.73	0.82	1.24	NA	NA	0.07	XXX
G0186		C	Dstry eye lesn,fdr vssl tech	0.00	0.00	0.00	0.00	0.00	0.00	YYY
G0202		A	Screeningmammographydigital	0.70	2.81	2.79	NA	NA	0.10	XXX
G0202	TC	A	Screeningmammographydigital	0.00	2.57	2.56	NA	NA	0.07	XXX
G0202	26	A	Screeningmammographydigital	0.70	0.24	0.23	0.24	0.23	0.03	XXX
G0204		A	Diagnosticmammographydigital	0.87	3.40	3.09	NA	NA	0.11	XXX
G0204	TC	A	Diagnosticmammographydigital	0.00	3.10	2.80	NA	NA	0.07	XXX
G0204	26	A	Diagnosticmammographydigital	0.87	0.30	0.29	0.30	0.29	0.04	XXX
G0206		A	Diagnosticmammographydigital	0.70	2.67	2.46	NA	NA	0.09	XXX
G0206	TC	A	Diagnosticmammographydigital	0.00	2.43	2.23	NA	NA	0.06	XXX
G0206	26	A	Diagnosticmammographydigital	0.70	0.24	0.23	0.24	0.23	0.03	XXX
G0219		N	PET img wholbod melano nonco	0.00	0.00	0.00	NA	NA	0.00	XXX

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G0219	TC	N	PET img wholbod melano nonco	0.00	0.00	0.00	NA	NA	0.00	XXX
G0219	26	N	PET img wholbod melano nonco	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0235		N	PET not otherwise specified	0.00	0.00	0.00	NA	NA	0.00	XXX
G0235	TC	N	PET not otherwise specified	0.00	0.00	0.00	NA	NA	0.00	XXX
G0235	26	N	PET not otherwise specified	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0237		A	Therapeutic procd strg endur	0.00	0.21	0.34	NA	NA	0.02	XXX
G0238		A	Oth resp proc, indiv	0.00	0.23	0.36	NA	NA	0.02	XXX
G0239		A	Oth resp proc, group	0.00	0.31	0.32	NA	NA	0.02	XXX
G0245		R	Initial foot exam pt lops	0.88	0.84	0.81	0.29	0.30	0.04	XXX
G0246		R	Followup eval of foot pt lop	0.45	0.55	0.55	0.15	0.15	0.02	XXX
G0247		R	Routine footcare pt w lops	0.50	0.68	0.60	0.16	0.18	0.02	ZZZ
G0248		R	Demonstrate use home inr mon	0.00	3.41	5.01	NA	NA	0.01	XXX
G0249		R	Provide test material,equipm	0.00	3.40	3.68	NA	NA	0.01	XXX
G0250		R	MD review interpret of test	0.18	0.08	0.07	NA	NA	0.01	XXX
G0251		E	Linear acc based stero radio	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0252		N	PET imaging initial dx	0.00	0.00	0.00	NA	NA	0.00	XXX
G0252	TC	N	PET imaging initial dx	0.00	0.00	0.00	NA	NA	0.00	XXX
G0252	26	N	PET imaging initial dx	1.50	0.00	0.60	0.00	0.60	0.04	XXX
G0255		N	Current percep threshold tst	0.00	0.00	0.00	NA	NA	0.00	XXX
G0255	TC	N	Current percep threshold tst	0.00	0.00	0.00	NA	NA	0.00	XXX
G0255	26	N	Current percep threshold tst	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0257		E	Unsched dialysis ESRD pt hos	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0259		E	Inject for sacroiliac joint	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0260		E	Inj for sacroiliac jt anesth	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0268		A	Removal of impacted wax md	0.61	0.66	0.65	0.20	0.22	0.02	000
G0269		B	Occlusive device in vein art	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0270		A	MNT subs tx for change dx	0.37	0.12	0.29	0.09	0.28	0.01	XXX
G0271		A	Group MNT 2 or more 30 mins	0.25	0.08	0.13	0.07	0.12	0.01	XXX
G0275		A	Renal angio, cardiac cath	0.25	NA	NA	0.13	0.12	0.01	ZZZ
G0278		A	Iliac art angio,cardiac cath	0.25	NA	NA	0.13	0.12	0.01	ZZZ
G0281		A	Elec stim unattend for press	0.18	0.14	0.12	NA	NA	0.01	XXX
G0282		N	Elect stim wound care not pd	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0283		A	Elec stim other than wound	0.18	0.14	0.12	NA	NA	0.01	XXX
G0288		A	Recon, CTA for surg plan	0.00	1.03	5.83	NA	NA	0.18	XXX
G0289		A	Arthro, loose body + chondro	1.48	NA	NA	0.58	0.69	0.26	ZZZ
G0290		E	Drug-eluting stents, single	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0291		E	Drug-eluting stents,each add	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0293		E	Non-cov surg proc,clin trial	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0294		E	Non-cov proc, clinical trial	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0295		N	Electromagnetic therapy onc	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0297		X	Insert single chamber/cd	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0300		X	Insert reposit lead dual+gen	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0302		X	Pre-op service LVRS complete	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0303		X	Pre-op service LVRS 10-15dos	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0304		X	Pre-op service LVRS 1-9 dos	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0305		X	Post op service LVRS min 6	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0306		X	CBC/diffwbc w/o platelet	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0307		X	CBC without platelet	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0308		A	ESRD related svc 4+mo < 2yrs	12.74	5.57	7.06	5.57	7.06	0.42	XXX
G0309		A	ESRD related svc 2-3mo <2yrs	10.61	4.16	5.63	4.16	5.63	0.36	XXX
G0310		A	ESRD related svc 1 vst <2yrs	8.49	2.78	4.24	2.78	4.24	0.28	XXX
G0311		A	ESRD related svs 4+mo 2-11yr	9.73	3.55	4.13	3.55	4.13	0.34	XXX
G0312		A	ESRD relate svs 2-3 mo 2-11y	8.11	2.70	3.31	2.70	3.31	0.29	XXX
G0313		A	ESRD related svs 1 mon 2-11y	6.49	1.84	2.49	1.84	2.49	0.22	XXX
G0314		A	ESRD related svs 4+ mo 12-19	8.28	3.39	3.90	3.39	3.90	0.27	XXX
G0315		A	ESRD related svs 2-3mo/12-19	6.90	2.56	3.12	2.56	3.12	0.23	XXX
G0316		A	ESRD related svs 1vis/12-19y	5.52	1.66	2.30	1.66	2.30	0.17	XXX
G0317		A	ESRD related svs 4+mo 20+yrs	5.09	2.25	2.56	2.25	2.56	0.17	XXX
G0318		A	ESRD related svs 2-3 mo 20+y	4.24	1.69	2.04	1.69	2.04	0.14	XXX
G0319		A	ESRD related svs 1visit 20+y	3.39	1.13	1.52	1.13	1.52	0.11	XXX
G0320		A	ESD related svs home undr 2	10.61	2.69	4.90	2.69	4.90	0.36	XXX
G0321		A	ESRDrelatedsvs home mo 2-11y	8.11	1.99	2.95	1.99	2.95	0.29	XXX
G0322		A	ESRD related svs hom mo12-19	6.90	1.71	2.69	1.71	2.69	0.23	XXX
G0323		A	ESRD related svs home mo 20+	4.24	1.14	1.76	1.14	1.76	0.14	XXX
G0324		A	ESRD relate svs home/dy <2yr	0.35	0.16	0.20	0.16	0.20	0.01	XXX
G0325		A	ESRD relate home/day/ 2-11yr	0.23	0.09	0.10	0.09	0.10	0.01	XXX
G0326		A	ESRD relate home/dy 12-19yr	0.27	0.10	0.11	0.10	0.11	0.01	XXX
G0327		A	ESRD relate home/dy 20+yrs	0.14	0.06	0.07	0.06	0.07	0.01	XXX
G0328		X	Fecal blood scrn immunoassay	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0329		A	Electromagntic tx for ulcers	0.06	0.15	0.15	NA	NA	0.01	XXX
G0332		A	Preadmin IV immunoglobulin	0.00	0.00	1.97	NA	NA	0.00	XXX
G0333		X	Dispense fee initial 30 day	0.00	0.00	0.00	0.00	0.00	0.00	XXX

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ADDENDUM B.—RELATIVE VALUE UNITS AND RELATED INFORMATION USED IN DETERMINING MEDICARE PAYMENTS FOR 2008; CORRECTED—Continued

CPT[1]/ HCPCS	Mod	Status	Description	Physician work RVUs[2]	Fully Implemented non-facility PE RVUs[2]	Year 2008 transitional non-facility PE RVUs[2]	Fully implemented facility PE RVUs[2]	Year 2008 transitional facility PE RVUs[2]	Mal-practice RVUs[2]	Global
G0337		X	Hospice evaluation preelecti	1.34	0.31	0.41	0.31	0.41	0.09	XXX
G0339		C	Robot lin-radsurg com, first	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0340		C	Robt lin-radsurg fractx 2-5	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0341		A	Percutaneous islet celltrans	6.98	NA	NA	2.36	2.48	0.48	000
G0342		A	Laparoscopy islet cell trans	11.92	NA	NA	5.07	5.18	1.46	090
G0343		A	Laparotomy islet cell transp	19.85	NA	NA	8.55	8.66	2.07	090
G0344		A	Initial preventive exam	1.34	1.11	1.12	0.43	0.45	0.10	XXX
G0364		A	Bone marrow aspirate &biopsy	0.16	0.16	0.15	0.07	0.06	0.04	ZZZ
G0365		A	Vessel mapping hemo access	0.25	5.22	4.61	NA	NA	0.25	XXX
G0365	TC	A	Vessel mapping hemo access	0.00	5.16	4.53	NA	NA	0.23	XXX
G0365	26	A	Vessel mapping hemo access	0.25	0.06	0.08	0.06	0.08	0.02	XXX
G0366		A	EKG for initial prevent exam	0.17	0.35	0.42	NA	NA	0.03	XXX
G0367		A	EKG tracing for initial prev	0.00	0.28	0.36	NA	NA	0.02	XXX
G0368		A	EKG interpret & report preve	0.17	0.07	0.06	0.07	0.06	0.01	XXX
G0372		A	MD service required for PMD	0.17	0.04	0.22	0.04	0.05	0.01	XXX
G0377		X	Administra Part D vaccine	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0378		X	Hospital observation per hr	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0379		X	Direct admit hospital observ	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0389		A	Ultrasound exam AAA screen	0.58	2.41	2.41	NA	NA	0.11	XXX
G0389	TC	A	Ultrasound exam AAA screen	0.00	2.21	2.21	NA	NA	0.08	XXX
G0389	26	A	Ultrasound exam AAA screen	0.58	0.20	0.20	0.20	0.20	0.03	XXX
G0392		A	AV fistula or graft arterial	9.48	48.69	52.41	3.39	3.47	0.62	000
G0393		A	AV fistula or graft venous	6.03	37.15	40.96	2.23	2.29	0.34	000
G0394		X	Blood occult test,colorectal	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G0396		A	Alcohol/subs interv 15-30mn	0.65	0.19	0.19	0.15	0.15	0.01	XXX
G0397		A	Alcohol/subs interv >30 min	1.30	0.34	0.34	0.29	0.29	0.03	XXX
G3001		X	Admin + supply, tositumomab	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9001		X	MCCD, initial rate	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9002		X	MCCD,maintenance rate	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9003		X	MCCD, risk adj hi, initial	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9004		X	MCCD, risk adj lo, initial	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9005		X	MCCD, risk adj, maintenance	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9006		X	MCCD, Home monitoring	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9007		X	MCCD, sch team conf	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9008		X	Mccd,phys coor-care ovrsght	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9009		X	MCCD, risk adj, level 3	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9010		X	MCCD, risk adj, level 4	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9011		X	MCCD, risk adj, level 5	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9012		X	Other Specified Case Mgmt	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9013		N	ESRD demo bundle level I	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9014		N	ESRD demo bundle-level II	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9016		N	Demo-smoking cessation coun	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9017		X	Amantadine HCL 100mg oral	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9018		X	Zanamivir,inhalation pwd 10m	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9019		X	Oseltamivir phosphate 75mg	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9020		X	Rimantadine HCL 100mg oral	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9033		X	Amantadine HCL oral brand	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9034		X	Zanamivir, inh pwdr, brand	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9035		X	Oseltamivir phosp, brand	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9036		X	Rimantadine HCL, brand	0.00	0.00	0.00	0.00	0.00	0.00	XXX
G9041		A	Low vision rehab occupationa	0.44	0.10	0.20	0.10	0.20	0.01	XXX
G9042		A	Low vision rehab orient/mobi	0.10	0.02	0.16	0.02	0.16	0.01	XXX
G9043		A	Low vision lowvision therapi	0.10	0.02	0.16	0.02	0.16	0.01	XXX
G9044		A	Low vision rehabilate teache	0.10	0.02	0.13	0.02	0.13	0.01	XXX
G9140		X	Frontier extended stay demo	0.00	0.00	0.00	0.00	0.00	0.00	XXX
M0064		A	Visit for drug monitoring	0.37	0.91	0.62	0.07	0.09	0.01	XXX
P3001		A	Screening pap smear by phys	0.42	0.38	0.26	0.38	0.26	0.02	XXX
Q0035		A	Cardiokymography	0.17	0.30	0.37	NA	NA	0.03	XXX
Q0035	TC	A	Cardiokymography	0.00	0.25	0.32	NA	NA	0.02	XXX
Q0035	26	A	Cardiokymography	0.17	0.05	0.05	0.05	0.05	0.01	XXX
Q0091		A	Obtaining screen pap smear	0.37	0.75	0.71	0.10	0.12	0.02	XXX
Q0092		A	Set up port xray equipment	0.00	0.47	0.40	0.47	0.40	0.01	XXX
Q3001		C	Brachytherapy Radioelements	0.00	0.00	0.00	0.00	0.00	0.00	XXX
Q3014		X	Telehealth facility fee	0.00	0.00	0.00	0.00	0.00	0.00	XXX
R0070		C	Transport portable x-ray	0.00	0.00	0.00	0.00	0.00	0.00	XXX
R0075		C	Transport port x-ray multipl	0.00	0.00	0.00	0.00	0.00	0.00	XXX
R0076		B	Transport portable EKG	0.00	0.00	0.00	0.00	0.00	0.00	XXX
V5299		R	Hearing service	0.00	0.00	0.00	0.00	0.00	0.00	XXX

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2. On pages 66543 through 66545, Addendum C, Codes with Interim RVUs, the table is corrected to read as follows:

ADDENDUM C.—CODES WITH INTERIM RVUS

CPT [1]/ HCPCS	Mod	Status	Description	Physician work RVUs [2]	Fully imple-mented non-facility PE RVUs [2]	Year 2008 transitional non-facility PE RVUs [2]	Fully imple-mented facility PE RVUs [2]	Year 2008 transitional facility PE RVUs [2]	Mal-practice RVUs [2]	Global
20555		A	Place ndl musc/tis for rt	6.00	NA	NA	2.18	2.18	0.43	000
20660		A	Apply, rem fixation device	4.00	2.28	2.28	1.55	1.55	0.59	000
20690		A	Apply bone fixation device	8.65	NA	NA	3.71	3.71	0.59	090
20692		A	Apply bone fixation device	16.00	NA	NA	6.79	6.79	1.05	090
20985		A	Cptr-asst dir ms px	2.50	0.99	0.99	0.99	0.99	0.48	ZZZ
20986		C	Cptr-asst dir ms px io img	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
20987		C	Cptr-asst dir ms px pre img	0.00	0.00	0.00	0.00	0.00	0.00	ZZZ
21073		A	Mnpj of tmj w/anesth	3.33	5.50	5.50	2.31	2.31	0.43	090
22206		A	Cut spine 3 col, thor	37.00	NA	NA	17.73	17.73	6.23	090
22207		A	Cut spine 3 col, lumb	36.50	NA	NA	17.61	17.61	6.07	090
22208		A	Cut spine 3 col, addl seg	9.66	3.73	3.73	3.73	3.73	2.07	ZZZ
23515		A	Treat clavicle fracture	9.53	NA	NA	6.78	6.78	1.28	090
23585		A	Treat scapula fracture	14.07	NA	NA	8.08	8.08	1.54	090
23615		A	Treat humerus fracture	12.12	NA	NA	8.45	8.45	1.62	090
23616		A	Treat humerus fracture	18.19	NA	NA	12.30	12.30	3.70	090
23630		A	Treat humerus fracture	10.39	NA	NA	7.00	7.00	1.27	090
23670		A	Treat dislocation/fracture	12.12	NA	NA	7.38	7.38	1.36	090
23680		A	Treat dislocation/fracture	12.99	NA	NA	8.17	8.17	1.76	090
24357		A	Repair elbow, perc	5.32	NA	NA	5.15	5.15	0.87	090
24358		A	Repair elbow w/deb, open	6.54	NA	NA	5.73	5.73	1.07	090
24359		A	Repair elbow deb/attch open	8.86	NA	NA	6.20	6.20	1.41	090
24545		A	Treat humerus fracture	12.99	NA	NA	8.37	8.37	1.83	090
24546		A	Treat humerus fracture	14.73	NA	NA	10.22	10.22	2.74	090
24575		A	Treat humerus fracture	9.53	NA	NA	7.69	7.69	1.87	090
24579		A	Treat humerus fracture	11.26	NA	NA	8.29	8.29	2.03	090
24635		A	Treat elbow fracture	8.64	NA	NA	10.31	10.31	2.29	090
24685		A	Treat ulnar fracture	8.21	NA	NA	7.02	7.02	1.52	090
25515		A	Treat fracture of radius	8.64	NA	NA	6.97	6.97	1.59	090
25525		A	Treat fracture of radius	10.37	NA	NA	8.71	8.71	2.13	090
25526		A	Treat fracture of radius	12.96	NA	NA	11.10	11.10	2.20	090
25545		A	Treat fracture of ulna	7.78	NA	NA	6.95	6.95	1.53	090
25574		A	Treat fracture radius & ulna	8.64	NA	NA	6.88	6.88	1.21	090
25575		A	Treat fracture radius/ulna	12.10	NA	NA	8.94	8.94	1.82	090
25628		A	Treat wrist bone fracture	9.51	NA	NA	7.34	7.34	1.37	090
26615		A	Treat metacarpal fracture	6.91	NA	NA	5.66	5.66	0.86	090
26650		A	Treat thumb fracture	5.19	NA	NA	5.79	5.79	0.94	090
26665		A	Treat thumb fracture	7.78	NA	NA	6.47	6.47	0.90	090
26685		A	Treat hand dislocation	6.91	NA	NA	6.06	6.06	1.09	090
26715		A	Treat knuckle dislocation	6.87	NA	NA	5.76	5.76	0.91	090
26735		A	Treat finger fracture, each	7.26	NA	NA	5.84	5.84	0.95	090
26746		A	Treat finger fracture, each	9.59	NA	NA	6.38	6.38	0.91	090
26765		A	Treat finger fracture, each	5.70	NA	NA	4.93	4.93	0.66	090
26785		A	Treat finger dislocation	6.44	NA	NA	5.15	5.15	0.68	090
27248		A	Treat thigh fracture	10.64	NA	NA	7.30	7.30	1.82	090
27267		A	Cltx thigh fx	5.38	NA	NA	4.40	4.40	0.89	090
27268		A	Cltx thigh fx w/mnpj	7.00	NA	NA	5.02	5.02	1.16	090
27269		A	Optx thigh fx	18.75	NA	NA	9.89	9.89	2.93	090
27416		A	Osteochondral knee autograft	14.00	NA	NA	8.39	8.39	2.32	090
27511		A	Treatment of thigh fracture	14.97	NA	NA	9.66	9.66	2.38	090
27513		A	Treatment of thigh fracture	19.11	NA	NA	11.82	11.82	3.13	090
27514		A	Treatment of thigh fracture	14.46	NA	NA	10.62	10.62	3.01	090
27519		A	Treat thigh fx growth plate	13.11	NA	NA	9.49	9.49	2.56	090
27535		A	Treat knee fracture	13.27	NA	NA	8.78	8.78	2.01	090
27540		A	Treat knee fracture	11.16	NA	NA	8.45	8.45	2.28	090
27556		A	Treat knee dislocation	12.86	NA	NA	9.46	9.46	2.51	090
27557		A	Treat knee dislocation	15.76	NA	NA	10.79	10.79	2.98	090
27558		A	Treat knee dislocation	18.25	NA	NA	11.17	11.17	3.09	090
27726		A	Repair fibula nonunion	14.20	NA	NA	7.68	7.68	1.43	090
27766		A	Optx medial ankle fx	7.73	NA	NA	6.68	6.68	1.44	090
27767		A	Cltx post ankle fx	2.50	3.62	3.62	3.65	3.65	0.30	090
27768		A	Cltx post ankle fx w/mnpj	5.00	NA	NA	4.30	4.30	0.79	090
27769		A	Optx post ankle fx	10.00	NA	NA	6.08	6.08	1.45	090
27784		A	Treatment of fibula fracture	9.51	NA	NA	6.66	6.66	1.23	090
27792		A	Treatment of ankle fracture	9.55	NA	NA	6.89	6.89	1.32	090
27814		A	Treatment of ankle fracture	10.46	NA	NA	7.90	7.90	1.86	090
27822		A	Treatment of ankle fracture	11.03	NA	NA	9.43	9.43	1.92	090
27823		A	Treatment of ankle fracture	12.98	NA	NA	10.21	10.21	2.26	090
27826		A	Treat lower leg fracture	10.92	NA	NA	8.52	8.52	1.47	090
27827		A	Treat lower leg fracture	14.56	NA	NA	11.48	11.48	2.44	090
27828		A	Treat lower leg fracture	18.20	NA	NA	12.76	12.76	2.82	090

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ADDENDUM C.—CODES WITH INTERIM RVUS—Continued

CPT [1]/ HCPCS	Mod	Status	Description	Physician work RVUs [2]	Fully implemented non-facility PE RVUs [2]	Year 2008 transitional non-facility PE RVUs [2]	Fully implemented facility PE RVUs [2]	Year 2008 transitional facility PE RVUs [2]	Malpractice RVUs [2]	Global
27829		A	Treat lower leg joint	8.64	NA	NA	6.88	6.88	0.95	090
27832		A	Treat lower leg dislocation	10.01	NA	NA	6.50	6.50	1.03	090
28415		A	Treat heel fracture	15.96	NA	NA	11.77	11.77	2.67	090
28420		A	Treat/graft heel fracture	17.29	NA	NA	11.60	11.60	2.81	090
28445		A	Treat ankle fracture	15.53	NA	NA	10.26	10.26	2.59	090
28446		A	Osteochondral talus autogrft	17.50	NA	NA	10.36	10.36	2.45	090
28465		A	Treat midfoot fracture, each	8.64	NA	NA	6.19	6.19	1.10	090
28485		A	Treat metatarsal fracture	7.28	NA	NA	5.51	5.51	0.83	090
28505		A	Treat big toe fracture	7.28	8.28	8.28	4.36	4.36	0.56	090
28525		A	Treat toe fracture	5.46	7.82	7.82	3.88	3.88	0.49	090
28555		A	Repair foot dislocation	9.49	10.36	10.36	5.99	5.99	1.04	090
28585		A	Repair foot dislocation	10.92	9.45	9.45	6.41	6.41	1.25	090
28615		A	Repair foot dislocation	10.46	NA	NA	8.09	8.09	1.30	090
28645		A	Repair toe dislocation	7.28	6.65	6.65	3.95	3.95	0.57	090
28675		A	Repair of toe dislocation	5.46	7.69	7.69	3.90	3.90	0.45	090
29828		A	Arthroscopy biceps tenodesis	13.00	NA	NA	8.18	8.18	2.17	090
29904		A	Subtalar arthro w/fb rmvl	8.50	NA	NA	5.89	5.89	1.25	090
29905		A	Subtalar arthro w/exc	9.00	NA	NA	6.52	6.52	1.32	090
29906		A	Subtalar arthro w/deb	9.47	NA	NA	6.88	6.88	1.39	090
29907		A	Subtalar arthro w/fusion	12.00	NA	NA	7.87	7.87	1.90	090
31500		A	Insert emergency airway	2.33	NA	NA	0.48	0.48	0.17	000
33257		A	Ablate atria, lmtd, add-on	9.63	NA	NA	5.47	5.47	0.89	ZZZ
33258		A	Ablate atria, x10sv, add-on	11.00	NA	NA	5.99	5.99	1.09	ZZZ
33259		A	Ablate atria w/bypass add-on	14.14	NA	NA	7.80	7.80	1.78	ZZZ
33864		A	Ascending aortic graft	60.00	NA	NA	20.11	20.11	6.73	090
34806		A	Aneurysm press sensor add-on	2.06	0.51	0.51	0.51	0.51	0.30	ZZZ
35523		A	Artery bypass graft	24.00	NA	NA	9.22	9.22	2.14	090
36591		T	Draw blood off venous device	0.00	0.54	0.54	NA	NA	0.01	XXX
36592		T	Collect blood from picc	0.00	0.67	0.67	NA	NA	0.01	XXX
36593		A	Declot vascular device	0.00	0.60	0.60	NA	NA	0.37	XXX
36620		A	Insertion catheter, artery	1.15	NA	NA	0.19	0.19	0.07	000
41019		A	Place needles h&n for rt	8.84	NA	NA	3.28	3.28	0.59	000
43760		A	Change gastrostomy tube	0.90	4.04	4.04	0.39	0.39	0.09	000
49203		A	Exc abd tum 5 cm or less	20.00	NA	NA	7.66	7.66	2.27	090
49204		A	Exc abd tum over 5 cm	26.00	NA	NA	9.27	9.27	2.94	090
49205		A	Exc abd tum over 10 cm	30.00	NA	NA	10.35	10.35	3.40	090
49440		A	Place gastrostomy tube perc	4.18	25.06	25.06	1.81	1.81	0.49	010
49441		A	Place duod/jej tube perc	4.77	30.13	30.13	2.01	2.01	0.29	010
49442		A	Place cecostomy tube perc	4.00	24.46	24.46	1.63	1.63	0.24	010
49446		A	Change g-tube to g-j perc	3.31	25.78	25.78	1.15	1.15	0.18	000
49450		A	Replace g/c tube perc	1.36	18.97	18.97	0.44	0.44	0.08	000
49451		A	Replace duod/jej tube perc	1.84	19.71	19.71	0.64	0.64	0.11	000
49452		A	Replace g-j tube perc	2.86	23.51	23.51	1.00	1.00	0.18	000
49460		A	Fix g/colon tube w/device	0.96	20.59	20.59	0.31	0.31	0.05	000
49465		A	Fluoro exam of g/colon tube	0.62	3.89	3.89	0.22	0.22	0.03	000
50385		A	Change stent via transureth	4.44	30.64	30.64	2.05	2.05	0.27	000
50386		A	Remove stent via transureth	3.30	19.38	19.38	1.61	1.61	0.20	000
50593		A	Perc cryo ablate renal tum	9.08	114.62	114.62	3.45	3.45	0.58	010
51797	26	A	Intraabdominal pressure test	0.80	0.41	0.41	0.41	0.41	0.12	ZZZ
52649		A	2Prostate laser enucleation	17.16	NA	NA	9.32	9.32	1.11	090
55920		A	Place needles pelvic for rt	8.31	NA	NA	3.14	3.14	0.58	000
57284		A	Repair paravag defect, open	14.25	NA	NA	6.57	6.57	1.41	090
57285		A	Repair paravag defect, vag	11.52	NA	NA	5.16	5.16	0.63	090
57423		A	Repair paravag defect, lap	16.00	NA	NA	6.52	6.52	1.65	090
58570		A	Tlh, uterus 250 g or less	15.75	NA	NA	6.46	6.46	1.82	090
58571		A	Tlh w/t/o 250 g or less	17.56	NA	NA	6.95	6.95	1.81	090
58572		A	Tlh, uterus over 250 g	19.96	NA	NA	7.60	7.60	2.31	090
58573		A	Tlh w/t/o uterus over 250 g	22.98	NA	NA	8.42	8.42	2.28	090
67041		A	Vit for macular pucker	19.00	NA	NA	10.37	10.37	0.86	090
67042		A	Vit for macular hole	22.13	NA	NA	11.49	11.49	1.00	090
67043		A	Vit for membrane dissect	22.94	NA	NA	12.35	12.35	1.04	090
67113		A	Repair retinal detach, cplx	25.00	NA	NA	13.75	13.75	1.13	090
67229		A	Tr retinal les preterm inf	16.00	NA	NA	9.52	9.52	0.71	090
68816		A	Probe nl duct w/balloon	3.00	12.75	12.75	2.51	2.51	0.16	010
75557	26	A	Cardiac mri for morph	2.35	0.94	0.94	0.94	0.94	0.10	XXX
75558	26	N	Cardiac mri flow/velocity	2.60	0.60	0.60	0.60	0.60	0.11	XXX
75559	26	A	Cardiac mri w/stress img	2.95	1.27	1.27	1.27	1.27	0.10	XXX
75560	26	N	Cardiac mri flow/vel/stress	3.00	0.69	0.69	0.69	0.69	0.11	XXX
75561	26	A	Cardiac mri for morph w/dye	2.60	1.04	1.04	1.04	1.04	0.11	XXX
75562	26	N	Card mri flow/vel w/dye	2.86	0.66	0.66	0.66	0.66	0.11	XXX
75563	26	A	Card mri w/stress img & dye	3.00	1.38	1.38	1.38	1.38	0.11	XXX
75564	26	N	Ht mri w/flo/vel/strs & dye	3.35	0.77	0.77	0.77	0.77	0.13	XXX
78811	26	A	Pet image, ltd area	1.54	0.53	0.53	0.53	0.53	0.11	XXX

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[2] If values are reflected for codes not payable by Medicare, please note that these values have been established as a courtesy to the general public and are not used for Medicare payment.

ADDENDUM C.—CODES WITH INTERIM RVUS—Continued

CPT [1]/ HCPCS	Mod	Status	Description	Physician work RVUs [2]	Fully imple-mented non-facility PE RVUs [2]	Year 2008 transitional non-facility PE RVUs [2]	Fully imple-mented facility PE RVUs [2]	Year 2008 transitional facility PE RVUs [2]	Mal-practice RVUs [2]	Global
78812	26	A	Pet image, skull-thigh	1.93	0.66	0.66	0.66	0.66	0.11	XXX
78813	26	A	Pet image, full body	2.00	0.69	0.69	0.69	0.69	0.11	XXX
78814	26	A	Pet image w/ct, lmtd	2.20	0.75	0.75	0.75	0.75	0.11	XXX
78815	26	A	Pet image w/ct, skull-thigh	2.44	0.84	0.84	0.84	0.84	0.11	XXX
78816	26	A	Pet image w/ct, full body	2.50	0.86	0.86	0.86	0.86	0.11	XXX
86486		A	Skin test, nos antigen	0.00	0.13	0.13	NA	NA	0.02	XXX
88380	26	A	Microdissection, laser	1.56	0.43	0.43	0.43	0.43	0.07	XXX
88381	26	A	Microdissection, manual	1.18	0.32	0.32	0.32	0.32	0.06	XXX
90769		A	Sc ther infusion, up to 1 hr	0.21	3.93	3.93	NA	NA	0.06	XXX
90770		A	Sc ther infusion, addl hr	0.18	0.22	0.22	NA	NA	0.04	ZZZ
90771		A	Sc ther infusion, reset pump	0.00	1.86	1.86	NA	NA	0.01	ZZZ
93503		A	Insert/place heart catheter	2.91	NA	NA	NA	NA	0.20	000
93982		R	Aneurysm pressure sens study	0.30	0.80	0.80	NA	NA	0.01	XXX
95004		A	Percut allergy skin tests	0.01	0.13	0.13	NA	NA	0.01	XXX
95024		A	Id allergy test, drug/bug	0.01	0.16	0.16	NA	NA	0.01	XXX
95027		A	Id allergy titrate-airborne	0.01	0.12	0.12	NA	NA	0.01	XXX
95980		A	Io anal gast n-stim init	0.80	NA	NA	0.25	0.25	0.07	XXX
95981		A	Io anal gast n-stim subsq	0.30	0.44	0.44	0.12	0.12	0.02	XXX
95982		A	Io ga n-stim subsq w/reprog	0.65	0.47	0.47	0.18	0.18	0.05	XXX
96125		A	Cognitive test by hc pro	1.70	0.76	0.76	0.37	0.37	0.16	XXX
98966		N	Hc pro phone call 5-10 min	0.25	0.09	0.09	0.06	0.06	0.01	XXX
98967		N	Hc pro phone call 11-20 min	0.50	0.14	0.14	0.11	0.11	0.02	XXX
98968		N	Hc pro phone call 21-30 min	0.75	0.20	0.20	0.17	0.17	0.03	XXX
98969		N	Online service by hc pro	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99174		N	Ocular photoscreening	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99366		B	Team conf w/pat by hc pro	0.82	0.20	0.20	0.19	0.19	0.06	XXX
99367		B	Team conf w/o pat by phys	1.10	0.25	0.25	0.25	0.25	0.05	XXX
99368		B	Team conf w/o pat by hc pro	0.72	0.16	0.16	0.16	0.16	0.03	XXX
99406		A	Behav chng smoking 3-10 min	0.24	0.10	0.10	0.08	0.08	0.01	XXX
99407		A	Behav chng smoking < 10 min	0.50	0.18	0.18	0.15	0.15	0.01	XXX
99408		N	Audit/dast, 15-30 min	0.65	0.19	0.19	0.15	0.15	0.01	XXX
99409		N	Audit/dast, over 30 min	1.30	0.34	0.34	0.30	0.30	0.03	XXX
99441		N	Phone e/m by phys 5-10 min	0.25	0.09	0.09	0.06	0.06	0.02	XXX
99442		N	Phone e/m by phys 11-20 min	0.50	0.14	0.14	0.11	0.11	0.02	XXX
99443		N	Phone e/m by phys 21-30 min	0.75	0.20	0.20	0.17	0.17	0.03	XXX
99444		N	Online e/m by phys	0.00	0.00	0.00	0.00	0.00	0.00	XXX
99477		A	Init day hosp neonate care	7.00	1.98	1.98	1.98	1.98	0.32	XXX
G0396		A	Alcohol/subs interv 15-30mn	0.65	0.19	0.19	0.15	0.15	0.01	XXX
G0397		A	Alcohol/subs interv > 30 min	1.30	0.34	0.34	0.29	0.29	0.03	XXX

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[2] If values are reflected for codes not payable by Medicare, please note that these values have been established as a courtesy to the general public and are not used for Medicare payment.

3. On pages 66545 through 66546, Addendum D, 2008 Geographic Adjustment Factors (GAFs), the table is corrected to read as follows:

ADDENDUM D.—2008 GEOGRAPHIC ADJUSTMENT FACTORS (GAFS) BY MEDICARE LOCALITY

Carrier	Locality	Locality name	GAF
31140	06	San Mateo, CA	1.231
31140	05	San Francisco, CA	1.228
31140	09	Santa Clara, CA	1.207
00803	01	Manhattan, NY	1.174
00803	02	NYC Suburbs/Long I., NY	1.171
31140	07	Oakland/Berkeley, CA	1.154
31143	01	Metropolitan Boston	1.143
14330	04	Queens, NY	1.137
31140	03	Marin/Napa/Solano, CA	1.133
00805	01	Northern NJ	1.130
00903	01	DC + MD/VA Suburbs	1.126
31146	26	Anaheim/Santa Ana, CA	1.124
31146	17	Ventura, CA	1.102
31146	18	Los Angeles, CA	1.100
00591	00	Connecticut	1.096
00952	16	Chicago, IL	1.093
00590	04	Miami, FL	1.092
00953	01	Detroit, MI	1.090
00805	99	Rest of New Jersey	1.078
00952	15	Suburban Chicago, IL	1.074
00865	01	Metropolitan Philadelphia, PA	1.072
00833	01	Hawaii/Guam	1.050
00831	01	Alaska	1.045

ADDENDUM D.—2008 GEOGRAPHIC ADJUSTMENT FACTORS (GAFS) BY MEDICARE LOCALITY—Continued

Carrier	Locality	Locality name	GAF
00836	02	Seattle (King Cnty), WA	1.045
31143	99	Rest of Massachusetts	1.042
00803	03	Poughkpsie/N NYC Suburbs, NY	1.040
00901	01	Baltimore/Surr. Cntys, MD	1.037
00590	03	Fort Lauderdale, FL	1.033
00524	01	Rhode Island	1.031
00511	01	Atlanta, GA	1.024
00900	11	Dallas, TX	1.022
00900	18	Houston, TX	1.021
00834	00	Nevada	1.019
31140	99	Rest of California *	1.014
31146	99	Rest of California *	1.014
00902	01	Delaware	1.012
00900	31	Austin, TX	1.001
00835	01	Portland, OR	0.996
31144	40	New Hampshire	0.994
00900	09	Brazoria, TX	0.994
00528	01	New Orleans, LA	0.993
00952	12	East St. Louis, IL	0.992
00900	28	Fort Worth, TX	0.989
00973	50	Virgin Islands	0.989
00900	15	Galveston, TX	0.986
00824	01	Colorado	0.983
31142	03	Southern Maine	0.981
00901	99	Rest of Maryland	0.981
03102	00	Arizona	0.980
00740	02	Metropolitan Kansas City, MO	0.980
00590	99	Rest of Florida	0.977
00953	99	Rest of Michigan	0.976
00836	99	Rest of Washington	0.973
00523	01	Metropolitan St Louis, MO	0.971
00883	00	Ohio	0.970
00954	00	Minnesota	0.967
00865	99	Rest of Pennsylvania	0.956
31145	50	Vermont	0.953
00904	00	Virginia	0.950
03502	09	Utah	0.948
00900	20	Beaumont, TX	0.946
00801	99	Rest of New York	0.945
00951	00	Wisconsin	0.943
00952	99	Rest of Illinois	0.941
05535	00	North Carolina	0.937
00521	05	New Mexico	0.936
00630	00	Indiana	0.935
00511	99	Rest of Georgia	0.931
00900	99	Rest of Texas	0.931
00835	99	Rest of Oregon	0.930
00884	16	West Virginia	0.925
00528	99	Rest of Louisiana	0.923
05440	35	Tennessee	0.923
00880	01	South Carolina	0.920
00650	00	Kansas *	0.917
00740	04	Kansas *	0.917
31142	99	Rest of Maine	0.915
00660	00	Kentucky	0.912
00510	00	Alabama	0.910
05130	00	Idaho	0.909
03602	21	Wyoming	0.907
00826	00	Iowa	0.906
00512	00	Mississippi	0.902
00655	00	Nebraska	0.902
03202	01	Montana	0.898
00522	00	Oklahoma	0.898
00523	99	Rest of Missouri *	0.889
00740	99	Rest of Missouri *	0.889
03402	02	South Dakota	0.889
00520	13	Arkansas	0.888
03302	01	North Dakota	0.887
00973	20	Puerto Rico	0.789

* Indicates multiple carriers.

4. On pages 66546 through 66547, Addendum E, 2008*** Geographic Practice Cost Indices by State and Medicare Locality, the table is corrected to read as follows:

ADDENDUM E.—2008** GEOGRAPHIC PRACTICE COST INDICES BY STATE AND MEDICARE LOCALITY

Carrier	Locality	Locality name	2008 GPCIs		
			Work	PE	MP
00510	00	Alabama	0.982	0.850	0.617
00831	01	Alaska	1.017	1.098	0.828
03102	00	Arizona	0.988	0.975	0.936
00520	13	Arkansas	0.961	0.839	0.439
31146	26	Anaheim/Santa Ana, CA	1.034	1.254	0.874
31146	18	Los Angeles, CA	1.041	1.192	0.871
31140	03	Marin/Napa/Solano, CA	1.034	1.304	0.535
31140	07	Oakland/Berkeley, CA	1.053	1.330	0.531
31140	05	San Francisco, CA	1.059	1.494	0.526
31140	06	San Mateo, CA	1.072	1.486	0.510
31140	09	Santa Clara, CA	1.083	1.419	0.485
31146	17	Ventura, CA	1.027	1.223	0.749
31140	99	Rest of California *	1.007	1.056	0.634
31146	99	Rest of California *	1.007	1.056	0.634
00824	01	Colorado	0.986	1.004	0.715
00591	00	Connecticut	1.038	1.179	0.934
00903	01	DC + MD/VA Suburbs	1.047	1.235	0.972
00902	01	Delaware	1.011	1.033	0.777
00590	03	Fort Lauderdale, FL	0.989	1.004	1.965
00590	04	Miami, FL	1.000	1.059	2.703
00590	99	Rest of Florida	0.973	0.937	1.489
00511	01	Atlanta, GA	1.009	1.053	0.892
00511	99	Rest of Georgia	0.979	0.878	0.889
00833	01	Hawaii/Guam	1.001	1.137	0.726
05130	00	Idaho	0.967	0.876	0.500
00952	12	East St. Louis, IL	0.989	0.929	1.757
00952	15	Suburban Chicago, IL	1.017	1.093	1.628
00952	16	Chicago, IL	1.025	1.104	1.888
00952	99	Rest of Illinois	0.975	0.877	1.196
00630	00	Indiana	0.986	0.912	0.514
00826	00	Iowa	0.966	0.869	0.506
00650	00	Kansas *	0.968	0.881	0.632
00740	04	Kansas *	0.968	0.881	0.632
00660	00	Kentucky	0.969	0.857	0.754
00528	01	New Orleans, LA	0.986	0.995	1.066
00528	99	Rest of Louisiana	0.970	0.863	0.965
31142	03	Southern Maine	0.980	1.020	0.558
31142	99	Rest of Maine	0.962	0.889	0.558
00901	01	Baltimore/Surr. Cntys, MD	1.012	1.069	1.010
00901	99	Rest of Maryland	0.994	0.981	0.812
31143	01	Metropolitan Boston	1.029	1.311	0.787
31143	99	Rest of Massachusetts	1.007	1.106	0.787
00953	01	Detroit, MI	1.036	1.048	2.300
00953	99	Rest of Michigan	0.998	0.922	1.287
00954	00	Minnesota	0.992	0.994	0.324
00512	00	Mississippi	0.959	0.847	0.760
00523	01	Metropolitan St Louis, MO	0.993	0.943	1.001
00740	02	Metropolitan Kansas City, MO	0.990	0.960	1.061
00523	99	Rest of Missouri *	0.949	0.812	0.938
00740	99	Rest of Missouri *	0.949	0.812	0.938
03202	01	Montana	0.950	0.846	0.780
00655	00	Nebraska	0.959	0.882	0.345
00834	00	Nevada	1.002	1.036	1.067
31144	40	New Hampshire	0.982	1.034	0.693
00805	01	Northern NJ	1.057	1.225	1.038
00805	99	Rest of New Jersey	1.042	1.124	1.038
00521	05	New Mexico	0.973	0.888	0.989
00803	01	Manhattan, NY	1.064	1.299	1.243
00803	02	NYC Suburbs/Long I., NY	1.051	1.286	1.493
00803	03	Poughkpsie/N NYC Suburbs, NY	1.014	1.077	0.983
14330	04	Queens, NY	1.032	1.235	1.449
00801	99	Rest of New York	0.997	0.919	0.544
05535	00	North Carolina	0.972	0.923	0.632
03302	01	North Dakota	0.946	0.852	0.490
00883	00	Ohio	0.993	0.930	1.097
00522	00	Oklahoma	0.964	0.853	0.503

ADDENDUM E.—2008** GEOGRAPHIC PRACTICE COST INDICES BY STATE AND MEDICARE LOCALITY—Continued

Carrier	Locality	Locality name	2008 GPCIs		
			Work	PE	MP
00835	01	Portland, OR	1.002	1.037	0.453
00835	99	Rest of Oregon	0.968	0.926	0.453
00865	01	Metropolitan Philadelphia, PA	1.016	1.102	1.492
00865	99	Rest of Pennsylvania	0.993	0.914	0.938
00973	20	Puerto Rico	0.905	0.696	0.254
00524	01	Rhode Island	1.029	1.040	0.946
00880	01	South Carolina	0.975	0.899	0.417
03402	02	South Dakota	0.942	0.870	0.390
05440	35	Tennessee	0.978	0.884	0.615
00900	31	Austin, TX	0.991	1.016	0.969
00900	20	Beaumont, TX	0.984	0.868	1.311
00900	09	Brazoria, TX	1.019	0.942	1.250
00900	11	Dallas, TX	1.009	1.033	1.077
00900	28	Fort Worth, TX	0.998	0.971	1.077
00900	15	Galveston, TX	0.991	0.956	1.250
00900	18	Houston, TX	1.016	1.001	1.310
00900	99	Rest of Texas	0.968	0.872	1.092
03502	09	Utah	0.977	0.922	0.841
31145	50	Vermont	0.968	0.976	0.497
00904	00	Virginia	0.982	0.941	0.614
00973	50	Virgin Islands	0.982	0.996	0.998
00836	02	Seattle (King Cnty), WA	1.014	1.109	0.755
00836	99	Rest of Washington	0.987	0.976	0.748
00951	00	Wisconsin	0.988	0.920	0.592
00884	16	West Virginia	0.973	0.823	1.436
03602	21	Wyoming	0.956	0.848	0.904

* Indicates multiple carriers.
** 2008 GPCIs are the first year of the update transition.

5. On page 66551, Addendum F, CPT/HCPCS Imaging Codes Defined by DRA 5102(B), the descriptors for the following CPT codes are corrected to read as follows:

ADDENDUM F.—CPT/HCPCS IMAGING CODES DEFINED BY DRA 5102(B)

HCPCS/CPT*	Short descriptor
92135	Ophth dx imaging post seg.
92235	Eye exam with photos.
92240	Icg angiography.
92250	Eye exam with photos.
92285	Eye photography.
92286	Internal eye photography.

6. On pages 66575 through 66578, Addendum I, List of CPT [1]/HCPCS Codes Used to Describe Certain Designated Health Service Categories [2] Under Section 1877 of the Social Security Act, the table is corrected by—

a. Correcting the following entries:

Radiology and Certain Other Imaging Services	
0146T	Ccta w/wo dye.
0147T	Ccta w/wo, quan calcium.
71010	Chest x-ray.
71015	Chest x-ray.
76801	Ob us < 14 wks, single fetus.
A9501	Technetium TC-99m teboroxime.
Q9953	Inj Fe-based MR contrast, 1ml.
Radiation Therapy Services and Supplies	
C1716	Brachytx, non-str, Gold-198.
C1717	Brachytx, non-str, HDR Ir-192.
C1719	Brachytx, NS, Non-HDRIr-192.
C2616	Brachytx, non-str, Yttrium-90.
C2634	Brachytx, non-str, HA, I-125.
C2635	Brachytx, non-str, HA, P-103.
C2636	Brachy linear, non-str, P-103.
C2640	Brachytx, stranded, P-103.
C2641	Brachytx, non-stranded, P-103.
G0103	PSA screening.

b. Deleting the following entries:

Radiology and Certain Other Imaging Services	
75558	Cardiac MRI flow/velocity.
75560	Cardiac MRI flo/vel/stress.
75562	Card MRI flow/vel w/dye.
75564	Ht MRI w/flow/vel/strs & dye.
Radiation Therapy Services and Supplies	
C2637	Brachytx, Ytterbium-169.

IV. Waiver of Proposed Rulemaking and Delay in Effective Date

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 the notice and comment procedures 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 rule.

Section 553(d) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

This correction notice addresses typographical and technical errors made in FR Doc. 07–5506, the CY 2008 PFS final rule with comment period, which appeared in the November 27, 2007 **Federal Register** (72 FR 66222), and is, with limited exceptions as noted in that rule, effective January 1, 2008. The provisions of the final rule with comment period have been subjected previously to notice and comment procedures. These corrections contained in this correction notice are consistent with, and do not make substantive

changes to, the payment methodologies and policies adopted in the CY 2008 PFS final rule with comment period. As such, this correction notice is intended to ensure the CY 2008 PFS final rule with comment period accurately reflects the policies adopted in that rule. We find, therefore, for good cause that it is unnecessary and would be contrary to the public interest to undertake further notice and comment procedures to incorporate these corrections into the final rule with comment period.

For the same reasons, we are also waiving the 30-day delay in effective date for this correction notice. We believe that it is in the public interest to ensure that the CY 2008 PFS final rule with comment period accurately states our policies as of the date they take effect. Therefore, we find that delaying the effective date of these corrections beyond the effective date of the final rule with comment period would be contrary to the public interest. In so doing, we find good cause to waive the 30-day delay in the effective date.

Authority: (Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: December 31, 2007.

Ashley Files Flory,

Deputy Executive Secretary to the Department.

[FR Doc. 07–6308 Filed 12–31–07; 4:47 pm]

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Federal Register

Tuesday,
January 15, 2008

Part III

Department of Veterans Affairs

48 CFR Chapter 8

VA Acquisition Regulation: Plain Language Rewrite; Final Rule

DEPARTMENT OF VETERANS AFFAIRS

48 CFR Chapter 8

RIN 2900–AK78

VA Acquisition Regulation: Plain Language Rewrite

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs (VA) Acquisition Regulation (VAAR). This document revises the VAAR to conform to plain language principles, updates delegations of authority, and removes non-regulatory material. The document also makes changes in format, arrangement, and numbering to make the VAAR parallel to the Federal Acquisition Regulation (FAR) as required by the FAR. In addition, provisions that simply restate FAR provisions that are already applicable have been removed, and procedures for providing notice and a hearing to resolve issues regarding possible violations of the Gratuities clause, for establishing qualified products lists, for suspending or debarring a contractor, for expediting payments to small businesses, and for reducing or suspending payments upon a finding of contract fraud have been added. The VAAR clause on Organizational Conflicts of Interest has been expanded to cover a broader range of services that may be subject to organizational conflicts of interest. Additional VAAR clauses have been added to the list of clauses for use in commercial item solicitations and contracts. Items that have been deleted include requirements for setting aside construction and architect-engineer solicitations for small businesses that are in conflict with current statute, a requirement to conduct an audit of section 8(a) price proposals that is contrary to current FAR requirements, and a VAAR provision that requested data from offerors on veteran-owned small businesses that has been replaced by a FAR provision. Guidance to contracting officers on the types of data that should be requested from a contractor when evaluating the contractor's financial condition has been added. Other additions include a requirement to use the clause on Assignment of Claims in purchase orders and guidance to contracting officers on the criteria for revising the payment due dates for invoices. This final rule also makes non-substantive clarifying changes and corrections to the proposed rule. The Veterans Benefits, Health Care, and Information Technology Act of 2006 (Pub. L. 109–461) was issued subsequent to the proposed rule. It will be addressed in a future rulemaking.

DATES: *Effective Date:* February 14, 2008.

FOR FURTHER INFORMATION CONTACT: Arita Tillman, Acquisition Policy Division (049A5A), Office of Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Ave., NW., Washington, DC 20420, telephone (202) 461–6859, e-mail *arita.tillman@va.gov*.

SUPPLEMENTARY INFORMATION: On January 13, 2006, we published in the **Federal Register** (71 FR 2341–2424) a proposed rule to amend the Department of Veterans Affairs Acquisition Regulation (VAAR) to update the VAAR and to revise the VAAR to conform to plain language principles. Comments were solicited concerning the proposal for 60 days, ending March 14, 2006. Eight respondents submitted comments on the proposed rule; most respondents submitted multiple comments. A discussion of the comments is provided below.

One commenter stated that the internal procedure, guidance, format, and work-flow items that do not impact VA's vendor base should be removed from the VAAR and relocated to internal documents.

We appreciate this comment and concur that material in the VAAR that does not impact the public may be removed from 48 Code of Federal Regulations (CFR) Chapter 8, and this final rule does remove some such material formerly contained in the VAAR. VA plans to remove additional material at a future date, but until the internal documents containing that guidance are published and in place within VA, that material cannot be removed from the VAAR. Future changes to the VAAR will be processed as the internal documents are put into place.

One commenter stated that the VAAR language should be updated to keep pace with the direction of Federal procurement and current thinking regarding performance-based acquisition, preference for acquisition of commercial items or services, electronic submissions, interagency contracting, etc.

We believe updating is an ongoing process; we will continue to seek to ensure the VAAR is current and up to date.

One commenter stated that based on recent Federal policy changes, such as the use of the Electronic Subcontracting Reporting System (eSRS), Wage Determinations OnLine (WDOL), and the new security guidance as found in Homeland Security Presidential Directive (HSPD)-12 or Federal Information Processing Standards (FIPS) 201, any procedures in the VAAR that impact VA's vendor base should be updated.

We note that the VAAR supplements the FAR when we consider supplementation necessary. Otherwise, we rely on the FAR for such guidance. We are not aware of any procedures in the VAAR regarding these issues that require updating. We therefore make no change based on this comment.

One commenter stated that many clause prescriptions contain either the word ''must'' or ''shall.'' To remain consistent with the FAR and other regulatory documents found across the Federal government, and ''to simplify the use of any non-subjective language,'' the commenter recommended picking one of the two and using it throughout the document.

We appreciate this comment and based on it, we have changed the term used in all provision and clause prescriptions from ''must insert'' to ''shall insert'' to be consistent with the FAR. The FAR Drafting Guide otherwise provides that ''must'' and ''shall'' have the same meaning.

Several comments were received suggesting additions and changes to sections in Part 801 that are internal to VA and that do not impact the public.

We believe the referenced sections are internal guidance to contracting officers and we do not intend to add more internal guidance to the VAAR than is necessary (see Comment 1 above). However, the comments have been considered and this final rule makes changes from the proposed rule where appropriate in that internal guidance.

Two comments were received regarding the proposed provisions in 809.504(d) to expand the application of the clause at 852.209–70 to cover additional types of services. One commenter stated that the requirement to include the clause at 852.209–70 in all solicitations for services that are addressed in FAR 9.502 is unnecessary and essentially removes any flexibility on the part of contracting officers to make determinations regarding the applicability of organizational conflicts of interest based on the circumstances of a specific procurement. The commenter indicated that FAR 9.505 contains general rules that should be followed in this matter and that VA should empower contracting officers to make the determinations instead of relying on a blanket approach to incorporating this clause. The other commenter does not

believe it is necessary or appropriate to require all offerors for services listed in FAR 9.502 to submit a statement disclosing all facts relevant to an existing or potential conflict of interest. VA is applying the clause to every type of service listed in FAR 9.502 rather than determining what particular solicitations and contracts require the clause. By focusing only on those types of services listed in FAR 9.502, VA may be missing other non-services solicitations that could raise organizational conflict of interest issues. The commenter recommended that VA develop criterion as to when the contracting officer should evaluate the organizational conflict of interest issues in a solicitation and the resulting contract, particularly when some exclusion from future work could result from the instant award.

As an initial matter, we note that currently, 48 CFR Chapter 8 requires contracting officers to include the clause at 852.209–70 in all solicitations and contracts for consulting services. In the proposed rule, we proposed to add solicitations and contracts for management support services, other professional services, technical evaluation services, and systems engineering services, as provided in FAR 9.502, to the types of solicitations and contracts where the clause would be required. The FAR identifies these services as those more likely to involve organizational conflicts of interest. The clause does not require any submission of data or any action on the part of any offeror if the offeror, to the best of the offeror's knowledge and belief, has no organizational conflicts of interest. This is not a determination that the contracting officer can make in advance, as the contracting officer does not know the particular circumstances of each and every potential offeror in advance of issuing the solicitation. Determinations of whether potential organizational conflicts of interest exist are not dependent upon the type of service being procured but rather are dependent upon the specific circumstances of each offeror, circumstances which only the offeror might know. Since FAR 9.502 indicates that organizational conflicts of interest are more likely to occur in contracts for these types of services, we believe it is prudent to extend the use of the clause to at least include solicitations for these types of services. The clause only requires an offeror to provide supplemental information to the contracting officer if the offeror knows or believes that award of the contract to the offeror would involve an organizational conflict of interest. If the offeror does not know or does not believe that award of a contract would involve an organizational conflict of interest, no action is required on the part of the offeror. The contracting officer is not in a position to make a blanket determination for and on behalf of every potential offeror under a specific solicitation. It is the offeror rather than the contracting officer that is in a position to know whether it has a potential organizational conflict of interest. This clause is not a substitute for FAR Subpart 9.5 and does not relieve the contracting officer from compliance with the requirements of 9.5. Rather, it supplements 9.5 by placing some responsibility on offerors to notify contracting officers of the existence of potential organizational conflicts of interest of which the contracting officer would not otherwise be aware. We believe the use of this clause is appropriate for the types of services specified in FAR 9.502 and as set forth in the proposed rule. Therefore, no change is being made in the final rule regarding the use of this clause.

One commenter stated that VA policies in Part 811 should be updated in terms of best value contracting, performance-based acquisition, and preference for commercial items. The part should address requirements for commodities that need specifications and those that do not and should include detailed policy on commercial item preference and use of statements of objectives or performance work statements in those situations where a specification is not required.

VA relies on the FAR for such guidance. We do not believe that additional guidance and coverage is required in Part 811 of the VAAR. Adding additional material to the VAAR that might impact the public is beyond the scope of this rulemaking.

One commenter stated that the focus of the VAAR should be revised from ''purchasing compliance'' to ''purchasing performance.'' For example, adding clauses to Part 812 does not streamline or simplify the purchasing process, and the language which allows contracting officers to tailor solicitations defeats the preference for utilizing commercial practices.

We do not believe the clauses being added for use in commercial item acquisitions, when appropriate, are inconsistent with commercial practices or that they necessarily relate to contract compliance versus performance. The tailoring provisions simply establish agency procedures to implement the tailoring provisions authorized by the FAR at 12.302(c).

One commenter expressed concern that the lead-in language in section 812.301(a), that VA contracting officers ''must use only those provisions and clauses in this part when acquiring commercial items,'' may be misread to mean that the clauses in Part 812 are mandatory. The commenter recommended revising the language to provide that only those clauses listed in FAR 12.3 are mandatory and to affirmatively state that clauses in 812.301 are optional.

We partially concur with the commenter's recommendation. We have made changes in the final rule from the proposed rule's language in 812.301(a) to clarify that the clauses referred to in Part 812 are to be used as appropriate, in accordance with the provision or clause prescriptions. We do not think that it is appropriate to refer in 812.301(a) to FAR 12.3, and believe that such a reference would be redundant.

One commenter expressed concern that by adding clause 852.209–70 to the list of clauses that may be used, as appropriate, in commercial item solicitations, contracting officers may routinely include that clause in all commercial item solicitations.

We partially concur and have made changes in the final rule from the proposed rule's language in 812.301(b) and (c) to clarify that the provisions and clauses listed therein are to be used in accordance with the prescriptions for those provisions and clauses. The prescription for use of clause 852.209–70 provides for use of the clause only in certain types of service contracts.

One commenter requests an update to section 814.201 regarding contract numbering to conform to how VA's Electronic Contract Management System (eCMS) is going to be used to automatically assign numbers to applicable contractual vehicles.

VA appreciates this comment and we intend to update this section upon implementation of eCMS and this final rule makes changes to the proposed rule by adding a statement regarding eCMS to this section.

One commenter stated that proposed VAAR Subparts 817.1 and 817.2 should be clarified regarding their application to standard multi-year pricing provisions and option clauses included in Federal Supply Schedule contracts; clarification should be added regarding multi-year contracts versus multiple options for renewal; and guidance should be added relative to contracts subject to the Veterans Health Care Act, 38 United States Code (U.S.C.) 8126.

We do not believe that this comment relates directly to the proposed rule change to the VAAR, as published in the

Federal Register, and, to the extent that it recommends adding material to the VAAR, it is beyond the scope of this rulemaking. Such additions would require a new proposed rule and opportunity for public comment. Rather, we believe that this comment is directed towards VA's administration of Federal Supply Schedule contracts and their intersection with the Veterans Health Care Act, 38 U.S.C. 8126. The proposed rule change to the VAAR does not affect and is not intended to affect the Veterans Health Care Act. Section 817.105–1 relates to VA's authority to enter into multi-year contracts for up to 5 years, as provided in 38 U.S.C. 114, unless otherwise authorized by statute, and subpart 817.2 relates to the use of options in solicitations under Office of Management and Budget Circular No. A–76. We do not believe it is necessary to further clarify the sections in subparts 817.1 and 817.2. These suggested changes will be considered for possible generation of a new proposed rule change to the VAAR at a future date.

One commenter stated that a clause used in VA Federal Supply Schedule solicitations and contracts regarding an option to extend the term of the contract and relating to the Veterans Health Care Act, 38 U.S.C. 8126, should be added to the VAAR.

We do not believe that the comment relates directly to the proposed changes to the VAAR contained in the proposed rule, as published in the **Federal Register**. Rather, it is beyond the scope of this rulemaking. The suggested change to the VAAR would require a new proposed rule and opportunity for public comment. The suggested change will be considered for possible generation of a new proposed rule change to the VAAR at a future date.

One commenter requested that the VAAR clarify the definition of ''other publications'' in proposed section 832.404 to include electronic media, and stated that subscriptions for publications or products that are available via electronic media are now commonplace in the commercial market.

We appreciate the request for clarification. However, rather than defining ''other publications,'' which could result in an extensive list, the proposed rule revised this section to restate statute, which we believe does cover electronic media. We have made no change based on this comment.

One commenter stated that Section 847 of the National Defense Authorization Act for Fiscal Year 2006 terminates all agency boards of contract appeals, except for the General Services Administration, the Tennessee Valley Authority, and the United States Postal Service, within a year of the date of enactment of the Act. The commenter requested that VA confirm the process for appeals to the VA Board of Contract Appeals prior to that date and the process that will be followed after that date, if possible.

We appreciate this comment and as mandated by Congress, on January 6, 2007, the VA Board of Contract Appeals was terminated and its contract adjudication functions were transferred to the Civilian Board of Contract Appeals. The final rule makes changes to the proposed rule by revising accordingly.

One commenter suggested changes to or clarification of General Services Administration clause 552.238–75.

Changes to the clause in 48 CFR 552.238–75 are outside the scope of this rulemaking. This clause is not a VAAR clause. Suggested changes to this clause should be directed to the General Services Administration. To the extent that the commenter is suggesting the addition of clarifying language to the VAAR supplementing General Services Administration clauses, the suggestion does not directly relate to the proposed changes to the VAAR contained in the proposed rule, as published in the **Federal Register**, and is beyond the scope of this rulemaking. Such a change to the VAAR would require a new proposed rule and opportunity for public comment. The suggested change will be considered for possible generation of a new proposed rule change to the VAAR at a future date.

One commenter suggested that changes be made to the modified version of General Services Administration clause 552.215–72 used in VA Federal Supply Schedule solicitations and contracts.

We believe this is outside the scope of this rulemaking. The suggestion does not relate to the proposed changes to the VAAR as contained in the proposed rule published in the **Federal Register** and is beyond the scope of this rulemaking. The suggested change will be considered for possible generation of a new proposed rule change to the VAAR at a future date.

One commenter suggested that various provisions used by VA in its Federal Supply Schedule solicitations and contracts that are not currently included in the VAAR be added to the VAAR.

We do not believe that the suggestion directly relates to the proposed changes to the VAAR as contained in the proposed rule published in the **Federal Register**. Rather, it is beyond the scope of this rulemaking. The suggestion would involve changes to the VAAR which would require a new proposed rule and opportunity for public comment. The suggestion will be considered for possible generation of a new proposed rule change to the VAAR at a future date. As per Federal Acquisition Regulation (FAR) 8.402, the General Services Administration has delegated authority to the VA to procure health care related products and services under the VA Federal Supply Schedules program. This original General Services Administration delegation occurred via letter to VA in 1960 and was updated most recently in 2004.

One commenter requested that VA ensure that sections 801.670–1 and 847.303–1 clearly be written to conform to FAC 2005–7 and the Interstate Commerce Act, and stated that commercial bills of lading are now required for domestic shipment.

VA believes that sections 801.670–1 and 847.303–1 primarily provide internal VA guidance and we believe they do comply with FAC 2005–7 and the Interstate Commerce Act. The VA Commercial Bill of Lading referenced in section 847.303–1 is a commercial bill of lading.

Three commenters suggested changes to clause 852.211–70, Service data manuals, varying from specific suggested changes that would replace the requirements for hard copies of the manuals with other requirements involving electronic versions, to a suggestion that there be a complete rewrite of the clause to reflect electronic documentation standards used throughout the medical imaging community.

We agree that this clause may require revision and updating to conform to current commercial practices. However, we consider hard copies of such manuals to be necessary. Further, the clause not only impacts VA, it also impacts all of the other Federal agencies for which VA is the contracting office for medical equipment as well as members of the public. We believe that the suggested changes to this clause would require a new proposed rule and opportunity for public comment, including comment from other Federal agencies that might be impacted by such changes. These suggested changes will be considered for possible generation of a new proposed rule change to the VAAR at a future date.

One commenter suggested that clause 852.211–72, Technical industry standards, be revised to add ''voluntary consensus'' prior to the word ''standards'' in the second line of the first paragraph of the clause.

The clause is not intended to limit required standards to only those that are voluntary consensus standards. By making this suggested change, VA would be limited to requiring compliance only with such voluntary standards. We are reluctant to place such limits on the use of this clause. We believe that the term ''standards'' would include voluntary consensus standards; therefore, we are making no changes to the clause.

One commenter urged VA to carefully instruct contracting officers to exercise caution when using the clause at 852.252–70 and incorporating FAR and VAAR provisions and clauses by reference in solicitations for commercial items. The commenter indicated that there is a specific reference in FAR 12.301(b)(2) and FAR clause 52.212–3 addressing the representations and certifications for commercial item contracts and a specific provision at FAR 12.301(e) addressing the use of discretionary clauses.

We believe that clause 852.252–70 allows contracting officers to include by reference in a solicitation any provisions or clauses that require completion by the offeror or prospective contractor. This clause was promulgated in the VAAR based on FAR 52.102(c)(1) and (c)(2). In a commercial item solicitation, only those provisions and clauses that pertain to or are appropriate for use in a commercial item solicitation may be included by reference. We are not sure of the intent of the commenter, but we do not believe contracting officers need special instructions to exercise caution in determining the appropriate provisions and clauses for commercial items. Therefore, we have made no such change in response to the comment.

One commenter stated VA should consider using this as an opportunity to reduce the number of VA-unique forms, such as the VA Form 90–2138 series.

We are making no change at this time based on this comment. This comment is beyond the scope of the proposed rule but will be considered for possible future changes. However, the use of agency-specific forms such as the VA 90–2138 series is authorized by the FAR (see FAR 53.213(f)).

One commenter interpreted the proposed rule as removing specific guidance pertaining to consignment agreements. The commenter urged that it be retained in the VAAR to ensure consistency throughout VA.

The current guidance in the VAAR on consignment agreements is at 870.108–3 in the non-codified portions of the printed VAAR (i.e., material that does not appear in 48 CFR Chapter 8), and is not being removed by this final rule nor was it intended to be affected by the proposed revision of the codified VAAR. This non-codified material, along with the codified portions of the VAAR, can be found on the Office of Acquisition and Materiel Management Web page at *http://www1.va.gov/oamm/oa/ars/policyreg/vaar/index.cfm.* The non-codified material in the VAAR on this Web site is identified by a series of three colons before and after the non-codified material, e.g., :::xxxxxxxxxxx:::. At some future date, this non-codified guidance on consignment agreements may be relocated to VA's Directives Management System or it may simply remain in the non-codified portions of the VAAR, but we do intend to retain the guidance on consignment agreements. To the extent that the commenter considers the guidance to have an impact on the public and that the provisions should be codified in 48 CFR Chapter 8, the comment does not relate to the proposed changes to the VAAR as contained in the proposed rule published in the **Federal Register** and is beyond the scope of this rulemaking. Adding such provisions to the codified VAAR would require a new proposed rule and opportunity for public comment. The suggestion to do so will be considered for possible generation of a new proposed rule change to the VAAR at a future date.

Two commenters suggested that the guidance in VA information letters or clauses in VA solicitations for award of Federal Supply Schedule contracts be added to and included in the VAAR.

We do not believe that these comments directly relate to the proposed changes to the VAAR in the proposed rule. Rather, they are beyond the scope of this rulemaking and we believe that these suggested changes would require a new proposed rule and opportunity for public comment. These suggested changes will be considered for possible generation of a new proposed rule change to the VAAR at a future date.

Other Changes to the Proposed Rule

This final rule removes the citation of authority to negotiate nursing home contracts under 38 U.S.C. 1720 without regard to any other provision of law at 806.302–5(b)(6). That citation was incorrect, as there is no authority under 38 U.S.C. 1720 to negotiate nursing home contracts without regard to any other provision of law. Nursing home contracts must be negotiated in accordance with the FAR and VAAR.

''Glass, Wire'' has been removed from the list of nonavailable articles under the Buy American Act as it duplicates an article, ''wire glass,'' already listed in FAR 25.104.

Material formerly included in the proposed rule as Alternate I to the clause at 852.246–70, Guarantee, has been relocated as paragraph (b) to section 846.302–70, Guarantee clause, with no substantive change. The material has been determined to not be an alternate to the clause itself but rather to be instructions to the contracting officer on how to modify the clause under certain circumstances.

As published in the proposed rule in 852.236–83, paragraph (d)(3) incorrectly and inadvertently duplicated paragraph (d)(4). The correct paragraph (d)(3) is currently published in 48 CFR Chapter 8 and we did not intend to make any changes to paragraph (d)(3) in the proposed rule. This final rule reflects the correct version of paragraph (d)(3), as currently published in 48 CFR Chapter 8.

No substantive change has been made to the verbiage in the clause at 852.237–7, Indemnification and medical liability insurance, but the contracting officer's note in paragraph (a) has been bracketed and italicized to instruct contracting officers to fill in the dollar values of the insurance required. Due to this nonsubstantive modification, the clause date has been changed.

Section 871.207(a)(1) provides that payment for tuition or fees under contracts for training or rehabilitation services shall be made in arrears. Section 871.210(h), which further discusses payment for correspondence courses, contained a typographical error—the word ''areas'' was used instead of the word ''arrears'' when discussing payment. This error has been corrected in section 871.210(h) to read ''arrears.''

Other nonsubstantive changes have been made, principally to reflect current VA organizational structure and to correct typographical, grammatical, and similar errors. Changes have been made to internal VA guidance to contracting officers. These include, but are not limited to, changes to correspond to recently issued Office of Federal Procurement Policy guidance, such as the material covering the contracting officer certification program in 801.690. Internal VA procedures for establishing individual facility and staff office socioeconomic goals that were inadvertently left out of the proposed rule have been added back in at 819.202–5.

Chart of Clauses Renumbered and/or Renamed

A number of clauses have been renumbered and/or renamed by this

rulemaking and a chart listing those changes was published in the preamble to the proposed rule. We are republishing such a chart following this paragraph to assist in tracking those changes. If no name appears in the second column below, the clause name remains unchanged. Only those clauses that have been renumbered or renamed are included in this chart. Other clauses may have been changed without being renumbered or renamed.

Prior VAAR clause and title	Renumbered/renamed as
852.211–71, Guarantee	852.246–70.
852.211–72, Rejected goods	852.246–71, Inspection.
852.211–73, Frozen processed foods	852.246–72.
852.211–74, Special notice	852.211–71.
852.211–75, Technical industry standards	852.211–72.
852.211–76, Noncompliance with packaging, packing, and/or marking	852.246–73.
852.211–77, Brand name or equal	852.211–73.
852.211–78, Liquidated damages	852.211–74.
852.214–71, Alternate item(s)	852.214–71, Restrictions on alternate item(s); 852.214–72, Alternate item(s); and 852.214–73, Alternate packaging and packing.
852.214–73, Bid samples	852.214–74.
852.233–70, Protest content	852.233–70, Protest content/alternative dispute resolution.
852.237–71, Indemnification and insurance	852.228–71.
852.246–1, Special warranties	852.246–74.
852.246–2, Warranty for construction-guarantee period services	852.246–75.
852.252–1, Provisions or clauses that require completion by the offeror or prospective contractor.	852.252–70, Solicitation provisions or clauses incorporated by reference.
852.270–4, Commercial advertising	852.203–70.
852.271–71, Inspection	852.271–74.

As noted in the preamble to the proposed rule, no substantive changes have been made to the clauses in the chart above with the exceptions of 852.233–70, Protest content/alternative dispute resolution, where paragraph (c) has been added to encourage the use of alternative dispute resolution procedures, as provided in FAR 33.103(c), and clauses 852.271–71, Inspection, and 852.271–74, Inspection, which have been combined into one clause for simplicity.

Paperwork Reduction Act of 1995

This final rule contains provisions in sections 832.006–4 and 832.202–4 that constitute collections of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). In the preamble of the proposed rule, we described the collections in the proposed rule that would need approval by the Office of Management and Budget (OMB) and provided a comment period. We did not receive any comments concerning those collections. OMB has approved those proposed collections, and has assigned control number 2900–0688 to them. In section 801.106, OMB approval under the Paperwork Reduction Act, we are making a change in this final rule from the proposed rule by including this OMB control number. OMB assigns a control number for each collection of information it approves. VA may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Conclusion

Based on the rationale set forth in the proposed rule and in this document, VA is adopting the provisions of the proposed rule as a final rule with the changes discussed above.

Executive Order 12866

Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The Executive Order classifies a ''significant regulatory action,'' requiring review by the Office of Management and Budget (OMB) unless OMB waives such review, as any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The economic, interagency, budgetary, legal, and policy implications of this final rule have been examined and it has been determined to be a significant regulatory action under the Executive Order because it is likely to result in a rule that may raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in an expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any given year. This rule will have no such effect on State, local, or tribal governments, or the private sector.

Regulatory Flexibility Act

The Secretary hereby certifies that this rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The primary purpose of this document is to update the existing VAAR to correspond to FAR requirements and internal VA policy and to conform to plain language principles. Many of the changes are internal to VA and do not impact the public, do not impose any requirements on the public, and thus do not have an economic impact on small entities. The

changes that do impact the public are of minimal impact.

The addition of procedures for contractor hearings relative to: (1) Violating the Gratuities clause (section 803.204); (2) voiding or rescinding a contract (section 803.705); and (3) reducing or suspending payment due to fraud (section 832.006–4) only supplement authorities that are already in the FAR and are rarely used by VA. They do not add any new authorities that VA could have exercised under the FAR before issuance of this rule, and VA has not taken any action under these authorities against small entities over the past several years. Few, if any, actions are expected to be taken in the future. Thus, there is no impact on a substantial number of small entities.

The changes to Subpart 809.4 relative to suspension and debarment are changes to form and not to substance. The basic procedures remain unchanged and there is no change on the impact to small businesses.

The change to 819.202–1 relative to granting small businesses improved payment terms on contracts is not a new authority, but the VAAR lacked guidance on how to exercise this authority. Title 5 CFR 1315.5 already authorizes agencies to pay small businesses as quickly as possible. This change may encourage VA contracting officers to use this authority more often, but the impact of this provision on small business would be both minimal and entirely beneficial. With the advent of purchase cards, small businesses that accept the cards already receive payment within a matter of a few days following their submission of a request for payment to VISA. This rule provision would have no impact on small businesses that accept the purchase card.

The rule removes a current provision in section 819.502–2 mandating that certain solicitations be treated as though SBA initiated a set-aside request. This provision is inconsistent with the requirements in FAR subpart 19.10 and the Small Business Competitiveness Demonstration Program of 1988, Public Law 100–656 (codified as amended at 15 U.S.C. 644 note). Those authorities require that competition for procurement contracts relating to construction and A/E services be unrestricted. Because Public Law 100–656 and FAR subpart 19.10 prohibit VA from setting aside a solicitation under the circumstances specified in VAAR 819.502–2, the removal of that superseded provision will not have any effect on small entities.

The changes in sections 803.204, 803.705, and 832.006–4 will not impose more than minimal costs on any small entities, as VA has not taken action under the corresponding FAR provisions over the past several years and we do not expect to take many, if any, actions in future years. The positive financial benefit to small entities of the change to 819.202–1 is also considered to be minimal. The authority to expedite payments already exists under the FAR and we expect few additional cases where this authority will be used as a result of the addition of these provisions to the VAAR. Even where there are additional uses of this authority, the financial benefit to small entities of expedited payment is expected to be minimal. Therefore, under 5 U.S.C. 605(b), this rule is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

List of Subjects

48 CFR Parts 801, 809, 811, 836, and 852

Government procurement, Recordkeeping and reporting requirements.

48 CFR Parts 802, 804, 805, 806, 807, 808, 812, 813, 814, 815, 816, 817, 824, 832, 837, 846, 849, 853, and 873

Government procurement.

48 CFR Part 803

Improper Business Practices and Personal Conflicts of Interest.

48 CFR Part 819

Small Business and Small Disadvantages Business Concerns.

48 CFR Part 822

Application of Labor Laws to Government Acquisitions.

48 CFR Part 825

Foreign Acquisitions.

48 CFR Part 828

Bonds and Insurance.

48 CFR Part 829

Taxes.

48 CFR Parts 831

Contract Cost Principles and Practices.

48 CFR Part 833

Protests, Disputes, Appeal.

48 CFR Part 841

Government procurement, Utilities.

48 CFR Part 847

Government procurement, Transportation.

48 CFR Part 870

Asbestos, Frozen foods, Government procurement, Telecommunications.

48 CFR Part 871

Government procurement, Loan programs—social programs, Loan programs—veterans, Recordkeeping and reporting requirements, Vocational rehabilitation.

Approved: September 28, 2007.

Gordon H. Mansfield,

Deputy Secretary of Veterans Affairs.

Editorial Note: This document was received at the Office of the Federal Register on December 26, 2007.

■ For the reasons set out in the preamble, VA revises 48 CFR Chapter 8 to read as follows:

CHAPTER 8—DEPARTMENT OF VETERANS AFFAIRS

Subchapter A—General

Part

801 Department of Veterans Affairs Acquisition Regulation Systems.
802 Definitions of words and terms.
803 Improper business practices and personal conflicts of interest.
804 Administrative matters.

Subchapter B—Competition and Acquisition Planning

805 Publicizing contract actions.
806 Competition requirements.
807 Acquisition planning.
808 Required sources of supplies and services.
809 Contractor qualifications.
811 Describing agency needs.
812 Acquisition of commercial items.

Subchapter C—Contracting Methods and Contract Types

813 Simplified acquisition procedures.
814 Sealed bidding.
815 Contracting by negotiation.
816 Types of contracts.
817 Special contracting methods.

Subchapter D—Socioeconomic Programs

819 Small business programs.
822 Application of labor laws to Government acquisitions.
823 Environment, energy and water efficiency, renewable energy technologies, occupational safety, and drug-free workplace.
824 Protection of privacy and freedom of information.
825 Foreign acquisition.
826 Other socioeconomic programs.

Subchapter E—General Contracting Requirements

828 Bonds and insurance.
829 Taxes.
830 Cost accounting standards administration.
831 Contract cost principles and procedures.
832 Contract financing.
833 Protests, disputes, and appeals.

Subchapter F—Special Categories of Contracting

836 Construction and architect-engineer contracts.
837 Service contracting.
839 Acquisition of information technology.
841 Acquisition of utility services.

Subchapter G—Contract Management

842 Contract administration and audit services.
844 Subcontracting policies and procedures.
846 Quality assurance.
847 Transportation.
849 Termination of contracts.

Subchapter H—Clauses and Forms

852 Solicitation provisions and contract clauses.
853 Forms.

Subchapter I—Department Supplementary Regulations

870 Special procurement controls.
871 Loan guaranty and vocational rehabilitation and employment programs.
872 [Reserved]
873 Simplified acquisition procedures for health-care resources.

Subchapter A—General

PART 801—DEPARTMENT OF VETERANS AFFAIRS ACQUISITION REGULATION SYSTEM

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801.000 Scope of part.

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801.103 Authority.
801.104 Applicability.
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801.105–2 Arrangement of regulations.
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801.602–73 Review requirements for scarce medical specialist contracts and contracts for health-care resources.
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801.602–75 Review requirements—OGC.
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801.602–77 Processing solicitations and contract documents for legal or technical review—general.
801.602–78 Processing solicitations and contract documents for legal or technical review—Veterans Health Administration field facilities, Central Office (except Office of Construction and Facilities Management), the National Acquisition Center, and the Denver Acquisition and Logistics Center.
801.602–79 Processing solicitations and contract documents for legal or technical review—Veterans Benefits Administration.
801.602–80 Legal and technical review-Office of Construction and Facilities Management and National Cemetery Administration.
801.602–81 Documents required for business clearance reviews.
801.602–82 Documents to submit for legal or technical review—general.
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801.602–84 Documents to submit for business clearance reviews.
801.602–85 Results of review.
801.603 Selection, appointment, and termination of appointment.
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801.690–3 Responsibility under the COCP.
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801.690–8 Interim appointment provisions.
801.690–9 Distribution of Certificates of Appointment.
801.695 VA's Appointment of HCAs program.
801.695–1 Policy.
801.695–2 Procedures for appointment of HCAs.
801.695–3 Authority of the HCA.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

801.000 Scope of part.

This part sets out general Department of Veterans Affairs (VA) Acquisition Regulation (VAAR) policies, including information regarding the maintenance and administration of the VAAR, acquisition policies and practices, and procedures for deviation from the VAAR and the Federal Acquisition Regulation (FAR).

Subpart 801.1—Purpose, Authority, Issuance

801.101 Purpose.

(a) VA established the VAAR to codify and publish uniform policies and procedures for VA's acquisition of supplies and services, including construction.

(b) The VAAR implements and supplements the FAR.

801.103 Authority.

The Secretary issues the VAAR under the authority of 40 U.S.C. 121(c), Title 48 of the Code of Federal Regulations (CFR) 1.301 through 1.304, and other authorities as cited.

801.104 Applicability.

(a) Unless otherwise specified in this chapter or excepted by statute (i.e., expenditures of the VA Canteen Service) or other VA regulations, the FAR and VAAR apply to all VA acquisitions (including construction) made with appropriated funds. Supply Fund monies (38 U.S.C. 8121) and General Post Funds (38 U.S.C. 8302) are appropriated funds.

(b) Use the VAAR and the FAR together. The FAR applies to VA acquisitions except as provided in the VAAR.

801.104–70 Exclusions.

The FAR and VAAR do not apply to purchases and contracts that use General Post Funds if using the FAR and the VAAR would infringe upon a donor's right to specify the exact item to be purchased and/or the source of supply (38 U.S.C. 8303).

801.105 Issuance.

801.105–2 Arrangement of regulations.

(a) *General.* The VAAR is divided into subchapters, parts (each of which covers a separate aspect of acquisition), subparts, sections, and subsections.

(b) *Numbering.* (1) The numbering system permits the discrete identification of every VAAR paragraph. The digits to the left of the decimal point represent the part number. The numbers to the right of the decimal point and to the left of the dash represent, in order, the subpart (one or

two digits), and the section (two digits). The number to the right of the dash represents the subsection. Subdivisions may be used at the section and subsection level to identify individual paragraphs.

(2) Subdivisions below the section or subsection level consist of parenthetical alphanumerics using the following sequence: (a)(1)(i)(A)(*1*)(*i*).

(c) *References and citations.* (1) Unless otherwise stated, cross-references indicate parts, subparts, sections, subsections, paragraphs, subparagraphs, or subdivisions of this Chapter.

(2) This Chapter may be referred to as the ''Department of Veterans Affairs Acquisition Regulation'' or the ''VAAR''.

(3) Using the VAAR coverage at 809.106–4(c) as a typical illustration, reference to the—

(i) Part would be ''VAAR Part 809'' outside the VAAR and ''Part 809'' within the VAAR.

(ii) Subpart would be ''VAAR Subpart 809.1'' outside the VAAR and ''Subpart 809.1'' within the VAAR.

(iii) Section would be ''VAAR 809.106'' outside the VAAR and ''809.106'' within the VAAR.

(iv) Subsection would be ''VAAR 809.106–4'' outside the VAAR and ''809.106–4'' within the VAAR.

(v) Paragraph would be ''VAAR 809.106–4(c)'' outside the VAAR and ''809.106–4(c)'' within the VAAR.

(4) Citations of authority (e.g., statutes or Executive orders) in the VAAR shall follow the **Federal Register** form guides.

801.106 OMB approval under the Paperwork Reduction Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521), the Office of Management and Budget (OMB) has approved the reporting or recordkeeping provisions that are included in the VAAR and has given VA the following approval numbers:

48 CFR part or section where identified and described	Current OMB control number	48 CFR part or section where identified and described	Current OMB control number
809.106–1	2900–0418	852.214–70	2900–0593
809.504(d)	2900–0418	852.228–71	2900–0590
813	2900–0393	852.236–72	2900–0422
832.006–4	2900–0688	852.236–79	2900–0208
832.202–4	2900–0688	852.236–80 (Alt. I)	2900–0422
836.606–71	2900–0208	852.236–82 through 852.236–84	2900–0422
852.207–70	2900–0590	852.236–88	2900–0422
852.209–70	2900–0418	852.236–89	2900–0622
852.211–70	2900–0587	852.236–91	2900–0623
852.211–71	2900–0588	852.237–7	2900–0590
852.211–72	2900–0586	852.270–3	2900–0589
852.211–73	2900–0585		

Subpart 801.2—Administration

801.201 Maintenance of the FAR.

801.201–1 The two councils.

Revisions to the FAR are prepared and issued through the coordinated action of two councils, the Defense Acquisition Regulations Council and the Civilian Agency Acquisition Council. A designee of the Office of Acquisition and Materiel Management will represent VA on the Civilian Agency Acquisition Council.

Subpart 801.3—Department Acquisition Regulations

801.304 Department control and compliance procedures.

The Assistant Secretary for Management is designated as the Department's Chief Acquisition Officer. The Deputy Assistant Secretary (DAS) for Acquisition and Materiel Management is designated as the Department's Senior Procurement Executive (SPE). The Associate DAS for Acquisitions is designated as the Deputy Senior Procurement Executive (DSPE). The DSPE is responsible for amending the VAAR for compliance with FAR 1.304.

Subpart 801.4—Deviations from the FAR or VAAR

801.403 Individual deviations.

(a) Authority to authorize individual deviations from the FAR and VAAR is delegated to the SPE and is further delegated to the DSPE.

(b) When a contracting officer considers it necessary to deviate from the policies in the FAR or VAAR, the contracting officer, in accordance with Administration or staff office procedures, must submit a request through the HCA to the DSPE for authority to deviate.

(c) The request to deviate must clearly state the circumstances warranting the deviation and the nature of the deviation.

(d) The DSPE may authorize individual deviations from the FAR and VAAR when an individual deviation is in the best interest of the Government. When the DSPE authorizes a deviation, the contracting officer must file the authorization in the purchase order or contract file.

801.404 Class deviations.

Authority to authorize class deviations from the FAR and VAAR is delegated to the SPE and is further delegated to the DSPE. The DSPE may authorize class deviations from the FAR and VAAR when a class deviation is in the best interest of the Government. The DSPE must comply with the provisions of FAR 1.404 through the SPE.

Subpart 801.6—Career Development, Contracting Authority, and Responsibilities

801.601 General.

(a) The HCA or the DSPE, within their authority, may appoint a contracting officer under FAR 1.603 and VA's Contracting Officer Certification Program (COCP).

(b) In addition, the HCA may delegate micro-purchase authority to VA employees under VA's purchase card program.

(c) An individual may not commit the Government for purchases of supplies, equipment, or services unless the individual has received delegated contracting authority as a contracting officer or purchase card holder or as provided in 801.670. Individuals making such commitments or acting beyond the scope of their authority may be held financially liable.

801.602 Contracting officers.

(a) Except as otherwise provided by statute, VA regulations, the VAAR, or the FAR, the authority vested in the

Secretary to do the following is delegated to the SPE and is further delegated from the SPE to the DSPE:

(1) Execute, award, and administer contracts, purchase orders, and other agreements (including interagency agreements) for the expenditure of funds for construction and the acquisition of personal property and services (including architect-engineer services).

(2) Issue bills of lading.

(3) Sell personal property.

(4) Enter into leases, sales agreements, and other transactions.

(5) Prescribe and publish acquisition policies and procedures.

(6) Establish clear lines of contracting authority.

(7) Manage and enhance career development of the procurement work force.

(8) Examine, in coordination with the Office of Federal Procurement Policy, the procurement system to determine specific areas where VA should establish and apply Government-wide performance standards, and to participate in developing Government-wide procurement policies, regulations, and standards.

(9) Oversee the competition advocate program.

(b) The DSPE may further delegate authority to execute, award, and administer contracts, purchase orders, and other agreements to other VA officials, such as HCAs and contracting officers, in accordance with the COCP.

801.602–2 Responsibilities.

In the administration of a contract, many problems can and do arise that make the advice and assistance of the Office of General Counsel (OGC) either desirable or necessary. The final decision as to the action to be taken, however, must be made by the contracting officer in each instance. To reduce to the absolute minimum the possibility of litigation resulting from his/her decision, the contracting officer shall submit the problem through channels in sufficient detail to the General Counsel for advice or assistance.

801.602–3 Ratification of unauthorized commitments.

(a) This section applies to unauthorized commitments, including any commitment made by a contracting officer that exceeds that contracting officer's contracting authority and unauthorized commitments made by individuals who lack contracting authority.

(b) A contracting officer must not ratify unauthorized commitments made by other VA personnel or by another contracting officer who lacks authority without prior approval as specified in paragraphs (b)(1) through (b)(3) of this section. The specified approval authorities may not be re-delegated.

(1) At field facilities, for supplies, services (except leases of real property), and construction, the approving authority for unauthorized commitments made by staff assigned to a field facility is the HCA.

(2) For VA Central Office (VACO) organizations, for supplies, services (except leases of real property), and construction, the approving authorities for unauthorized commitments made by staff assigned to the Administrations are the respective chief financial officers of the Administrations concerned. The approving authority for unauthorized commitments made by staff assigned to any other organization within VACO is the Deputy Assistant Secretary for Acquisition and Materiel Management.

(3) For unauthorized commitments for leasehold interest in real property, the approving authority is:

(i) The Director, Office of Construction and Facilities Management, for unauthorized commitments for 1–5,000 square feet of space or for 1–100 parking spaces costing less than $50,000 per annum.

(ii) The Under Secretary for Health for unauthorized commitments for 5,001–20,000 square feet of space or for more than 100 parking spaces costing less than $100,000 per annum.

(iii) The Deputy Secretary for 20,001 square feet of space and above or for more than 100 parking spaces costing more than $100,000 per annum.

(c) The process for contracting officer requests for ratification will be as follows:

(1) The individual who made the unauthorized commitment will furnish the contracting officer with all records and documents concerning the commitment and a complete written statement of facts that includes the following:

(i) Why the procurement office was not used.

(ii) Why the proposed contractor was selected.

(iii) Other sources that were considered.

(iv) A description of work to be performed or products to be furnished.

(v) The estimated or agreed contract price.

(vi) A citation of the appropriation available.

(vii) A statement of whether the contractor has commenced performance.

(viii) The name of the individual responsible for the unauthorized commitment.

(2) The contracting officer will review the file and forward it to the approving authority specified in paragraph (b) of this section with any comments or information that the approving authority should consider in evaluating the request for ratification. If the approving authority determines that a legal review would be desirable, the approving authority will coordinate the request for ratification with OGC or the Regional Counsel, as appropriate.

(3) If the approving authority authorizes the ratification, the approving authority will return the file to the contracting officer for issuance of a purchase order or contract, as appropriate.

(d) If an otherwise proper contract award exceeds the limits of the contracting officer's delegated authority, the ratifying contracting officer must comply with the above requirements and the approving authority must inform the HCA. The HCA will take action to preclude future instances of such awards.

801.602–70 General review requirements.

(a) Contracting officers shall ensure that any document listed under 801.602–71 through 801.602–76 that is submitted for technical or legal review is submitted through or by an official at least one level above the contracting officer.

(b) Before opening a bid, awarding a contract, or signing a contract-related document as specified in 801.602–71 through 801.602–76, the contracting officer shall ensure that the appropriate VA official, including appropriate staff of the Acquisition Resources Service regional or VA Central Office, has reviewed and concurred with the document.

(c) Before signing a contract for a Veterans Benefits Administration field facility for any guidance center or vocational rehabilitation service with an anticipated expenditure of $100,000 or more, the contracting officer shall ensure that the Director, Vocational Rehabilitation and Employment Service, has reviewed and approved the solicitation or proposed contract.

(d) When the following items are for the management, sale, or lease of properties acquired by VA after liquidation of a guaranteed, direct, acquired, or vendee loan, the review requirements specified in 801.602–71 through 801.602–76 do not apply:

(1) Agreements.

(2) Licenses.

(3) Easements.

(4) Deeds.

(e) If there is insufficient time for the legal review required in 801.602–

75(a)(3), the contracting officer (except contracting officers in the Office of Construction and Facilities Management) must at least obtain verbal concurrence from Acquisition Resources Service staff before issuing a change order where:

(1) The change order (unilateral agreement) has an anticipated value of $100,000 or more; or

(2) The change order is for a time extension of 60 days or more.

(f) Unless otherwise stated, all dollar values in 801.602–71 through 801.602–76 are expressed in total dollars involved in the acquisition action.

(1) The contracting officer may not consider the positive and negative status of the figures in determining the total dollar values involved.

(2) An acquisition of $550,000 with a trade-in credit of $70,000 would be valued at $620,000 for legal or technical review purposes rather than the net amount of $480,000. An Energy Savings Performance Contract requiring payment from savings of $10,000,000 to the contractor over the life of the contract would be valued at $10,000,000, despite the fact that there is no immediate cost to VA and no payment if there are no savings.

(g) By separate notice, the DSPE may require technical review of any contract-related materials, regardless of dollar value.

(h) Except as set forth in 801.602–73 and 801.602–75, at its discretion, the Office of Acquisition and Materiel Management may request OGC review.

(i) The requirements of this section or sections 801.602–71 through 801.602–76 do not apply to contracts awarded by or on behalf of the VA Office of Inspector General.

(j) Contracting officers and purchase card holders must ensure compliance with separate guidance on information technology (IT) tracking and approval prior to processing requests for acquisitions of IT and telecommunications software, equipment, and/or services, regardless of dollar value.

801.602–71 Basic review requirements.

Contracting officers must obtain technical review from Acquisition Resources Service staff of the documents set forth in column one of Table 801.602–71 that have anticipated award values equal to or greater than the value in column two.

TABLE 801.602–71

Document	Anticipated contract award value
(a) Supply or service solicitations or quotations (except as provided in 801.602–72 through 801.602–75) (includes indefinite quantity, option year, and multi-year solicitations or quotations where the contracting officer reasonably expects expenditures of $500,000 or more, inclusive of options).	$500,000 or more.
(b) Supply or service solicitations or quotations where a consolidated acquisition activity is performing acquisitions for three or more physically separated VA medical centers (excluding outpatient clinics).	$750,000 or more.
(c) Fixed price, sealed bid construction solicitations, other than 8(a) construction solicitations	$1 million or more.
(d) 8(a) construction solicitations and task orders	$500,000 or more.
(e) Request for Proposal (negotiated) construction solicitations and task orders	$500,000 or more.
(f) Proposed task/delivery orders and blanket purchase agreements (includes orders under Federal Supply Schedule contracts).	$500,000 or more.
(g) Proposed cost-reimbursement, incentive, time-and-materials, and labor-hour contracts (see 816.102(b))	$100,000 or more.
(h) Utility service agreements	$50,000 or more.
(i) Solicitations for advisory and assistance services (see 837.2)	$100,000 or more.
(j) Proposed letter contracts and ensuing formal contracts	$25,000.

801.602–72 Exceptions and additional review requirements.

(a) In addition to the general review requirements in 801.602–71, contracting officers must obtain technical reviews from Acquisition Resources Service staff of any proposed agreement that is unique, novel, or unusual.

(b) Contracting officers must obtain technical reviews from Acquisition Resources Service staff of the following:

(1) Documents relating to bonds (see FAR 28.102–1 and 28.203 through 28.203–5) as follows:

(i) An irrevocable letter of credit.

(ii) A tripartite escrow agreement.

(iii) An individual surety bond. (Note that the FAR at 28.203(f) also requires legal review of the documents pledging the assets of an individual surety.)

(2) Proposed novation and change-of-name agreements (see FAR Subpart 42.12).

(3) Solicitations or proposed contracts containing an economic price adjustment clause (other than a pre-approved VA clause) based on a cost index of material or labor (e.g., the urban consumer price index (CPI–U) (see FAR 16.203–4(d)) or where one of the economic price adjustment clauses specified in FAR 16.203–4 are used.

(4) Proposed multi-year contracts where the cancellation ceiling exceeds 20 percent of the contract amount, regardless of the dollar value of the proposed contract (see 817.105–1(b)).

(5) Proposed solicitations where the contract term total of the basic and option periods may exceed 5 years, regardless of the dollar value of the proposed acquisition (see 817.204).

(6) Proposed membership agreements in a group purchasing organization.

(7) A proposed termination settlement or determination of amounts due the contractor under a terminated contract that involves the expenditure of $100,000 or more of Government funds. Acquisition Resources Service staff shall obtain legal review (see 849.111–70).

(8) Consignment agreements with an anticipated expenditure of $250,000 or more per year (except for a consignment agreement established under, and provided for in, a Federal Supply Schedule contract).

(c) Contracting officers, including purchase card holders, must obtain technical and legal review of all proposed contracts with hotels or similar facilities for conferences or similar functions (e.g., training, meetings) where VA's commitment, expenditure, and liability (combined) exceed $25,000. This dollar figure is based on the combination of all direct costs to VA under the contract (e.g., conference rooms, audio-visual charges, refreshments, catering) and all potential liability (e.g., room guarantee liability, cancellation costs). Even if there is no direct cost to VA, if the proposed contract includes a guarantee on room usage or a cancellation fee that could potentially exceed $25,000, the proposed contract requires legal and technical review. Signing a contract committing VA to hold a conference at a particular hotel is a procurement and

procurement laws and regulations must be followed.

801.602–73 Review requirements for scarce medical specialist contracts and contracts for health-care resources.

For contracts to be awarded under the authority of either 38 U.S.C. 7409 or 38 U.S.C. 8153, contracting officers must obtain technical and legal reviews from the Medical Sharing Office, OGC, and Acquisition Resources Service staff of the following documents:

(a) Each competitive solicitation, quotation, proposed contract, or agreement with an anticipated contract award value of $1,500,000 or more, inclusive of options.

(b) Each noncompetitive solicitation, quotation, proposed contract, or agreement with an anticipated contract award value of $500,000 or more, inclusive of options.

801.602–74 Review requirements for an interagency agreement.

Contracting officers or other staff must obtain technical review from Acquisition Operations Service staff of the following documents:

(a) Each proposed VA Central Office interagency agreement with another Federal agency to be awarded under authority of the Economy Act, regardless of dollar value. For VA Central Office, only the DSPE or designee may sign an interagency agreement.

(b) Each proposed VA field facility interagency agreement with another Federal agency awarded under authority of the Economy Act involving an anticipated expenditure of VA funds of $250,000 or more. A VA field facility contracting officer or a contracting officer at the VA National Acquisition Center or the Denver Acquisition and Logistics Center may sign an interagency agreement if the dollar threshold is within the contracting officer's warrant limit.

801.602–75 Review requirements—OGC.

(a) Contracting officers must obtain legal review or concurrence from OGC for the following categories of proposed contractual actions.

(1) Each contract termination, final decision, cure letter, or ''show cause'' notice proposed under any contract where the total value of the contract is $100,000 or more. A contracting officer may not sign or release a document subject to this provision until OGC has concurred.

(2) Each dispute or claim from a contractor involving a potential total dollar value of $100,000 or more. A contracting officer may not sign or release a document subject to this provision until OGC has concurred.

(3) Each proposed contract modification, including any proposed modification to a supply or service contract, where the total value of the modification is $100,000 or more (*e.g.*, a modification for a $60,000 increase and a $50,000 decrease equals $110,000). Contract modifications issued only to exercise contract options are exempt from this review requirement.

(4) Each proposed contract modification granting a time extension of more than 60 days. The Director, Acquisition Resources Service, may waive the pre-approval requirement under this paragraph for an individual facility when the Director determines that the facility has obtained appropriate ''consideration'' for past time extensions and the extensions were otherwise appropriately granted.

(5) Each proposed modification increasing the value of a letter contract, regardless of dollar value.

(6) Each proposed contract modification for which the contractor takes exception to the accord and satisfaction language specified by VA. The contracting officer may not execute any proposed contract modification under this requirement until the contracting officer receives OGC's concurrence in the proposed language.

(7) An assignment of claims (see FAR Subpart 32.8).

(8) Each change or revision to a FAR or VAAR provision or clause or an internal VA-approved clause (e.g., architect/engineer ''SP'' clauses) not specifically authorized by the regulations.

(9) Each change or revision to a prescribed VA contract form.

(10) A proposed utility construction or connection contract with an anticipated contract award value of $50,000 or more.

(11) Each proposed novation and change-of-name agreement (see 842.1203).

(b) For an action specified in paragraph (a)(1) or (2) of this section, OGC may comment or concur in writing or by telephone.

(c) When a Central Office contracting activity requests legal assistance, the contracting officer will brief OGC on the facts and points of issue to facilitate prompt resolution.

(d) For each solicitation or contract awarded and administered by a Central Office contracting activity, that contracting activity will ask OGC to participate in conferences where legal problems or modifications to contract provisions may be considered and in meetings attended by legal representatives of private parties or other Government agencies. The contracting activity will request assigned procurement counsel participation in drafting correspondence involving significant controversial or sensitive contractual matters.

(e) OGC will prepare any response to the Government Accountability Office (GAO) on GAO bid protests. (See 833.104).

801.602–76 Business clearance review.

(a) A business clearance review is a technical review of all solicitation and contract award or modification documents immediately prior to contract award or modification over the specified dollar threshold.

(b) All VA contracting officers must obtain a business clearance review prior to award of any contract, task or delivery order, or blanket purchase agreement or execution of any contract modification with a value of $5 million or more or prior to award of any lease with a value of $300,000 or more per year.

(c) The dollar threshold in this paragraph is based on the total dollar value of all awards expected under a single solicitation, not the value of each individual award under a solicitation. For example, a solicitation for home oxygen for a Veterans Integrated Service Network (VISN) might result in multiple awards, each of which has a value of less than $5 million. If the total of all awards under that solicitation will exceed $5 million, the contracting officer must obtain a business clearance review of the entire package, including all proposed individual awards.

801.602–77 Processing solicitations and contract documents for legal or technical review—general.

(a) Under 801.602–70 through 801.602–76, before taking contract action, a contracting officer must ensure that any required legal or technical review or concurrence is complete. Contracting officers shall not award or sign contracts, task or delivery orders, blanket purchase agreements, or contract modifications prior to receipt of the final legal and technical review. Should the contracting officer disagree with the advice provided, the contracting officer shall document in the contract file the reasons therefore and provide a copy of that document to the reviewing Office of Acquisition and Materiel Management office. The contracting officer must fully implement any accepted review comments as follows:

(1) Before opening the bid or proposal for a competitively awarded contract.

(2) Before executing contract documents for a contract modification or noncompetitive contract award.

(b) The contracting officer must advise potential bidders or offerors of changes made to the solicitation by issuing an amendment. The contracting officer must give bidders and offerors sufficient time for evaluation before the bid or proposal opens.

801.602–78 Processing solicitations and contract documents for legal or technical review—Veterans Health Administration field facilities, Central Office (except Office of Construction and Facilities Management), the National Acquisition Center, and the Denver Acquisition and Logistics Center.

(a) If legal or technical review is required, the documents listed in Table 801.602–78 must be forwarded for review and approval as shown therein.

TABLE 801.602–78

Documents	Person forwarding	Forward to
(1) Proposed solicitations, quotations, contract-related documents, and agreements specified in Table 801.602.71 and in 801.602–72.	One level above the contracting officer.	Appropriate Acquisition Resources Service central or regional office.
(2) Scarce medical specialist and health-care resource solicitations, quotations, and proposed contracts (i.e., contracts to be awarded under the authority of 38 U.S.C. 7409 or 8153) specified in 801.602–73.	One level above the contracting officer.	Director, Enhanced Sharing Program (10FL), VACO.
(3) Interagency agreements specified in 801.602–74	Approving official, contracting officer.	DSPE, Acquisition Operations Service.
(4) Proposed contract modifications, proposed contract modifications for which the contractor takes exception to the accord and satisfaction language VA specifies, assignment of claims, changes to clauses, and proposed utility connection agreements specified in 801.602–75(a)(3) through (a)(7) and in 801.602–75(a)(9) and (a)(10).	Contracting officer	OGC.
(5) Proposed contract terminations, final decisions, cure letters, show cause notices, disputes, and claims specified in 801.602–75(a)(1) and (a)(2).	Contracting officer	Regional Office of the General Counsel.

(b) The director of the Acquisition Resources Service office conducting the technical review has authority to determine whether to forward documents for legal review.

(c) When the contractor takes exception to the accord and satisfaction language VA specifies in a proposed contract modification, the contracting officer must not sign the modification until OGC concurs with the language proposed by the contractor.

(d) The contracting officer either must fax or send via overnight mail or e-mail all of the relevant documents on proposed contract terminations, final decisions, cure letters, show cause notices, disputes, and claims specified in 801.602–75(a)(1) and (a)(2). OGC will provide concurrence or comments either in writing or by telephone. The contracting officer must not sign or release a document to the contractor until OGC concurs.

(e) For any VA contract form subject to legal review under 801.602–75(a)(8), the contracting officer must process the change or revision in accordance with VA Manual MP–1, Part II, Chapter 4 and any supplements to it (*http://www.va.gov/publ/direc/benefits/mp1p2ch4.htm*).

801.602–79 Processing solicitations and contract documents for legal or technical review—Veterans Benefits Administration.

(a) Contracting officer must ensure that proposed solicitations, quotations, contract-related documents, and agreements listed in Table 801.602–71 are reviewed by the Office of Resource Management prior to document execution. The Office of Resource Management must request legal review of all these documents.

(b) Contracting officer must ensure that proposed solicitations or agreements for guidance center and vocational rehabilitation services are reviewed by the Director, Vocational Rehabilitation and Employment Service, if there is an anticipated expenditure of $100,000 or more.

801.602–80 Legal and technical review-Office of Construction and Facilities Management and National Cemetery Administration.

An Office of Construction and Facilities Management or National Cemetery Administration (Construction Support Division) contracting officer shall submit all A/E contracts, and all construction contracts, time extensions, and modifications, directly to Office of General Counsel (OGC) for review.

801.602–81 Documents required for business clearance reviews.

When a bid or offer, proposed contract modification, or proposed lease requires a business clearance review under 801.602–76, the contracting officer must forward the required documents (see 801.602–84) and the following information to the appropriate Acquisition Resources Service central or regional office. Office of Construction and Facilities Management and National Cemetery Administration (Construction Support Division) contracting officers shall forward the documents to OGC (025):

(a) The date on which award is anticipated.

(b) Results or efforts made to determine whether the contractor is responsible under FAR Subpart 9.4.

(c) A determination of price reasonableness.

(d) An explanation (e.g., the source selection decision as specified in FAR 15.308) if the contracting officer proposes an award to a contractor other than the low responsible bidder or offeror.

801.602–82 Documents to submit for legal or technical review—general.

Table 801.602–82 specifies the documents that must be submitted

when a legal or technical review is required.

TABLE 801.602–82

Action or document subject to review	Documents to submit
(a) Proposed construction contract	One copy of each solicitation document, excluding drawings. Submit not later than the date on which the contracting officer furnishes the documents to prospective bidders.
(b) Proposed solicitation or contract for scarce medical specialist services or health-care resources.	One copy of the solicitation or proposed contract and documents required under VA Manual M–1, Part 1, Chapter 34.
(c) All other proposed solicitations, contracts, and agreements	One copy of each document to be used in the contract solicitation or award, and any other document that supports the proposed procurement action. Submit not later than the date on which the contracting officer furnishes the documents to prospective bidders.

801.602–83 Documents to submit for legal or technical review—contract modifications.

(a) The documents specified in this section related to proposed contract modifications must be submitted to Acquisition Resources Service for review under one or more of the following conditions:

(1) When the total modification value is $100,000 or more.

(2) When the modification is for a time extension of 60 days or more.

(3) Where the contractor takes exception to VA's accord and satisfaction language.

(b) The contracting officer must submit the following documents for review:

(1) A draft of the proposed modification prepared on SF 30, Amendment of Solicitation/Modification of Contract, specifying the exact language proposed and describing any change in work, time, or cost.

(2) A statement describing the need for the changed work with any back-up documentation, including a copy of the general statement of work in the original contract and any existing contract language that will be modified.

(3) A statement addressing whether the proposed modification is within the original scope of the contract and specifically addressing the facts considered in reaching the conclusion.

(4) A statement analyzing what necessitated the modification (e.g., a design error, technical changes, or medical center requirements).

(5) The contracting officer's technical representative's (COTR) technical evaluation of the proposed change.

(6) A memorandum from the appropriate office indicating that funds are available or a statement concerning the actions that must be taken to secure the required funds.

(7) The names and telephone numbers of the contracting officer and COTR.

(8) Costing information including the following:

(i) The contractor's cost proposal in the format required by the contract.

(ii) The COTR's independent cost evaluation.

(iii) The architect/engineer's independent cost evaluation, if applicable and available.

(iv) The contracting officer's Price Negotiation Memorandum under FAR 15.406–3.

(v) Any other relevant costing information, such as independent market research, that VA used or will use as negotiation criteria.

(c) For a proposed modification to an architect/engineer contract, the contracting officer must submit for review each document specified in paragraph (b) of this section and the following additional documents.

(1) A listing of the fees awarded in the original contract and previous modifications.

(2) For a working drawing contract, a statement regarding the actual or estimated cost of the original construction and any estimated change to the overall project cost as a result of the proposed modification.

(d) For a modification to a construction contract or, where applicable, to an architect/engineer contract, the contracting officer must submit for review a copy of the COTR's mark-up of any drawing that delineates the proposed changed work, including a copy of any pertinent technical specifications. When there is a proposed modification involving numerous changes to drawings and specifications for a VA Central Office project, the drawings and specifications must be available for review in the Office of the Project Director in VA Central Office.

801.602–84 Documents to submit for business clearance reviews.

A contracting officer must submit to Acquisition Resources Service (Office of Construction and Facilities Management and National Cemetery Administration contracting officers shall forward the documents to OGC (025)) for review copies of the following documents when a business clearance review is required in accordance with 801.602–76:

(a) The request for contract action, including a justification of need (i.e., the using service purchase request).

(b) The solicitation.

(c) The abstract of the subject bid or offer.

(d) Any applicable Price Negotiation Memorandum.

(e) A statement of the contracting officer's rationale for award.

(f) Any applicable justification and approval under FAR 6.303 and 6.304.

(g) Documents relevant to determining whether the contractor is responsible, including:

(1) Verification that the vendor is not suspended, debarred, or on the Department of Health and Human Services Exclusionary List;

(2) Verification that the vendor has filed any required VETS 100 report (not required if the acquisition is for a commercial item); and

(3) For acquisitions exceeding $10 million, the Equal Employment Opportunity Clearance.

(h) Any applicable approved subcontracting plan.

(i) Documents relevant to price reasonableness (i.e., all documents used to support the contracting officer's determination of price reasonableness).

801.602–85 Results of review.

(a) When the review is complete, the reviewing office will advise the appropriate Central Office activity or contracting officer that the proposal was approved as submitted or provide them with recommended changes. If the Central Office activity is notified, the Central Office activity will forward the information to the contracting officer.

(b) When changes are recommended by technical or legal review staff, if the contracting officer concurs, the contracting officer must take immediate action to amend the document. If the

contracting officer does not concur, the contracting officer must discuss the recommended changes with the technical reviewer or the attorney involved and document in the contract file the reasons why the contracting officer is not following the reviewer's recommendations.

(c) Acquisition Resources Service and OGC will complete reviews as expeditiously as possible, with due regard for procurement actions that require an unusually short period for completing the procurement.

801.603 Selection, appointment, and termination of appointment.

801.603–1 General.

VAAR 801.690 through 801.690–9 and 801.670 establish the policy and procedures for selecting, appointing, and terminating a contracting officer.

801.603–70 Representatives of contracting officers.

(a) In carrying out the responsibilities of FAR 1.602–2, the contracting officer may designate another Government employee as COTR to perform the functions in this section and 801.603–71.

(1) Except as indicated in 801.603–71, a designation under this section must be in writing, must define the scope and limitation of the representative's authority, and must be addressed to the COTR with a copy forwarded to the contractor.

(2) The COTR may not re-delegate authority received under this paragraph.

(3) The contracting officer may not authorize a representative to make any commitment or change that will affect the price, quantity, quality, or delivery terms of a contract.

(4) A contracting officer acting within his or her warranted contracting authority must authorize any change to a contract.

(b) A contracting officer may authorize his or her technical representative to do the following:

(1) Furnish technical guidance and advice or generally supervise the work performed under the contract.

(2) Take any action authorized in the contract, such as issuing a delivery order, rejecting an unsatisfactory item, ordering a replacement of an unsatisfactory item (materials or services) or declaring a contractor in default on specific delivery orders.

(i) Except for a contract for blood, the contracting officer may delegate this authority only to other Government contracting officers under centralized indefinite delivery type contracts and the contract will so state.

(ii) A centralized contract for blood must state that a contracting officer at an ordering office may designate representatives and alternate representatives to place a delivery order subject to the same restrictions in paragraph (b)(3) of this section.

(3) Place an oral or other informal delivery order for items such as, but not limited to, bread, milk, and blood against a local indefinite delivery type contract for which there is a blanket purchase arrangement and for which funds have been obligated.

(c) In the administration of research and development contracts, any representative appointed under this section must be acceptable to the contracting officer and the head of the organization concerned.

(d) When the contracting officer intends to designate a representative under this section for a particular solicitation or contract, the contracting officer must include the clause in 852.270–1, Representatives of contracting officers, in the solicitation and contract.

801.603–71 Representatives of contracting officers; receipt of equipment, supplies, and nonpersonal services.

(a) Without prior notification to the contractor or vendor, the contracting officer may designate other competent personnel, *i.e.*, COTRs, to represent him or her to receive and inspect supplies, equipment and services at a VA facility. The COTRs may perform duties, as specified by the contracting officer, such as, but not limited to, the following:

(1) Inspect and certify compliance with the quality and quantity requirements of the purchase order or contract.

(2) Inspect supplies and equipment for condition and quantity and accept supplies, equipment, and services, based on quality inspection made by another authorized representative.

(b) The Director, Library Services, VA Central Office, and the Chief, Library Service, at a field facility may act as representatives of the contracting officer to receive, inspect and accept library books, newspapers, and periodicals. Purchase documents will specify that delivery will be made directly to the library.

801.670 Special and limited delegation.

The authority vested in the Secretary to execute, award, and administer a contract, purchase order, or other agreement for the expenditure of funds to acquire the specific services set forth in 801.670–1 through 801.670–4 is delegated to the SPE. The SPE further delegates this authority to the DSPE and to employees appointed or designated to the positions specified in those sections.

801.670–1 Issuing bills of lading.

The authority to issue bills of lading previously contained in this section is rescinded. Except for individual small package shipments (e.g., United Parcel Service, Federal Express, or United States Postal Service small package shipments), no VA employee may issue a bill of lading or otherwise procure transportation services for goods unless the employee has been delegated authority to do so as a warranted contracting officer under the VA Contracting Officer Certification Program (ref. 801.690). All transportation services for goods, other than for small package shipments, require a bill of lading. Except for individual small package shipments, individuals with only micro-purchase authority may not issue bills of lading or otherwise procure transportation services. The dollar value of the bill of lading issued or transportation services acquired must not exceed the delegated authority of the contracting officer. Candidates for appointment as transportation contracting officers whose delegated authority will be limited to the acquisition of transportation services for goods only shall comply with the Education, Experience, and Training requirements, if any, in Part 102–117 of title 41 Code of Federal Regulations, the Federal Management Regulation, rather than the requirements in 801.690.

801.670–3 Medical, dental, and ancillary service.

(a) When medical, dental, and ancillary services under $10,000 per authorization are not available from an existing contract or agreement, the following VA officials at VA medical facilities may authorize these services:

(1) The Chief of Staff and the physician assigned the responsibility for the ambulatory care function.

(2) Chief, Medical Administration Service, or the person designated by the facility director to perform medical administration functions.

(b) Forms specified in Part 853 shall be used for ordering services under this paragraph from existing contracts.

(c) The officials named in paragraph (a) of this section may designate one or more of their subordinates to exercise the authority in paragraph (a) of this section.

(d) A designation under this section must be in writing and specifically set forth the scope and limitations of the designee's authority.

801.670–4 National Cemetery Administration.

The Director of Logistics Management Service, the Centralized Contracting Division, and the Construction Support Division are authorized to procure supplies, equipment and non-personal services (including construction) for National Cemetery Administration (NCA) field facilities and other NCA offices when there is an emergency during which the servicing supply organization cannot be used.

801.670–5 Letters of agreement.

(a) Letters of agreement shall not be used. The authority previously contained in this section is rescinded.

(b) The VA Office of Inspector General may issue contracts for commercial items, including services, using a letter format (see FAR 12.204(a)), provided billing information and required clauses are included in the contract. If the dollar value of the acquisition will exceed the simplified acquisition threshold, this is a deviation from the requirement to use Standard Form 1449 at FAR 12.204(a).

801.680 Contracting authority of the Inspector General.

(a) Under section 6(a) of Public Law 95–452 (October 12, 1978), the Inspector General may do the following:

(1) Contract or arrange for audits, studies, analyses, and other services with public agencies and with private persons.

(2) Make payments necessary to carry out the provisions of the Act, to the extent and in amounts provided in advance by appropriations acts.

(b) In exercising the special authority provided in paragraph (a) of this section, the Inspector General may ask the servicing head of the contracting activity for assistance in developing appropriate contract or agreement documents.

(c) The FAR applies to contracts made under paragraph (a) of this section. Such contracts also are subject to provisions of the VAAR that implement and supplement the FAR on matters other than those stemming from or related to delegations of the Secretary's contracting authority. (For example, management controls and approvals specified in Subpart 837.2 will not apply to contract actions under the contract authority of the Inspector General.)

801.690–1 Definitions.

Accredited college or university means a college or university that has been accredited by an accrediting agency recognized by the U.S. Department of Education (see *http://www.ed.gov/admins/finaid/accred/index.html*) or accredited by a foreign government.

ACEP means the Acquisition Continuing Education Program, a program to provide VA's acquisition workforce with classroom knowledge to further develop their acquisition skills. The program supports VA personnel in the GS 1102 contracting series, other contracting officers (regardless of General Schedule series), contracting officers' technical representatives, and contracting officers' representatives to ensure that they meet the continuing education requirements mandated by OFPP Policy Letter No. 05–01, Developing and Managing the Acquisition Workforce, dated April 15, 2005 (see *http://www.whitehouse.gov/omb/procurement/policy_letters/05–01_041505.html*) and the OFPP Memorandum dated January 20, 2006, titled The Federal Acquisition Certification in Contracting Program (see *http://www.whitehouse.gov/omb/procurement/acq_wk/fac_contracting_program.pdf*).

ACM means the Acquisition Career Manager, who is the Associate Deputy Assistant Secretary for Acquisitions.

Acquisition Workforce means those VA employees who are classified as: GS 1102 contract specialists; GS 1105 purchasing agents; contracting officers warranted above the micro-purchase threshold; program and project managers and other significant acquisition-related positions as otherwise identified by the VA Chief Acquisition Officer; contracting officers' technical representatives; and contracting officers' representatives. The acquisition workforce may also include a limited number of employees that perform significant acquisition-related responsibilities, (e.g., employees in the GS–345, GS–346, GS–801, GS–1101, GS–1106, GS–1170, GS–2001, GS–2003, and GS–2005 job series and select program officials).

Appointment means the delegation of authority to any VA employee to enter into, administer, or terminate contracts and to make related determinations and findings.

ATCD means the Acquisition Training and Career Development Division.

Certificate of Appointment as Contracting Officer is a signed certificate on Standard Form 1402 used for the written appointment of contracting officers that states the scope, limitation, and term of the contracting officer's authority.

CLP means continuous learning point, as provided in OFPP Policy Letter 05–01. One CLP is generally equivalent to one hour of classroom training.

COCB means the Contracting Officers Certification Board, a group of VA officials, listed at 801.690–3(c), who evaluate and recommend to the DSPE individuals for delegation of contracting authority as Level II warrant or Level III warrant (Senior Limited or Unlimited) contracting officers.

COCP means the Contracting Officers Certification Program, VA's program established for the selection, appointment, and termination of appointment of contracting officers.

COQS means the Contracting Officer Qualification Statement, a document completed by a candidate for a position as contracting officer that accompanies the request for contracting authority. The certified statement includes information on experience, education, training, and pertinent contracting authority information. The COQS is accompanied by supporting documentation such as training certificates, copies of prior and current warrants, college transcripts, and other relevant information.

Federal Acquisition Certification (see OFPP Policy Letter 05–01, paragraph 8) means a certification program developed by the Federal Acquisition Institute and OFPP that generally reflects a Government-wide standard for education, training, and experience leading to the fulfillment of core competencies in acquisition-related disciplines.

Selection means the appointment of an employee as a contracting officer. The selection process shall consider the complexity and dollar value of the assigned work, the candidate's experience, training, education, business acumen, judgment, character, reputation, and knowledge of acquisition policies, rules and regulations.

Skills Currency means the level of knowledge and abilities that a Level I warrant or higher level warrant contracting officer attains as the result of participating in a minimum of 80 CLPs of continuing education or training every two years. The training is intended to ensure that the employee maintains current acquisition knowledge and skills, as mandated by OFPP Policy Letter No. 05–01 and the OFPP Memorandum dated January 20, 2006, titled The Federal Acquisition Certification in Contracting Program.

Termination means the revocation or rescission of an appointment as contracting officer.

801.690–2 General.

(a) The VA COCP applies to all VA programs except for the appointment of contracting officers under the Inspector

General Act (Pub. L. 95–452) and for contracting officers designated in sections 801.670 through 801.670–5. The COCP also applies to VA officials granted authority to enter into sales agreements (see separate guidance under VA's Directives Management System).

(b) A Certificate of Appointment is not required for a contracting officer designated in 801.670 who exercises special and limited delegations of authority.

(c) Warrant levels are synonymous with the Federal Acquisition Certification in Contracting Program certification levels specified in the OFPP Memorandum dated January 20, 2006, titled ''The Federal Acquisition Certification in Contracting Program.'' The COCP is based on the following levels and types of authority:

(1) *Level I warrant.* Authority for expenditures at or below the simplified acquisition threshold (see FAR 2.101) for open market contracts, blanket purchase agreements, basic ordering agreements, and delivery/task orders against established contracts (except Federal Supply Schedule (FSS) contracts), within the specified geographical limits of the contracting officer's warrant. For FSS contracts, Level I warrant authority includes authority for expenditures up to the maximum order threshold of the FSS contract, within the specified geographical limits of the contracting officer's warrant. This level was formally titled ''Basic'' and any current Basic Level warrant need not be reissued solely to change the title.

(2) *Level II warrant.* Authority for expenditures at or below $5,000,000 or as stated on Standard Form 1402 for open market contracts, blanket purchase agreements, basic ordering agreements, and delivery/task orders against established contracts, within the specified geographic limits of the contracting officer's warrant. This level was formally titled ''Intermediate'' and any current Intermediate Level warrant need not be reissued solely to change the title.

(3) *Level III (Senior Limited) warrant.* Authority for expenditures at or below the dollar threshold and within the geographical limits specified on the contracting officer's warrant, Standard Form 1402. This level was formally titled ''Senior Limited'' and any current Senior Limited Level warrant need not be reissued solely to change the title.

(4) *Level III (Senior Unlimited) warrant.* Authority granted to VA's contracting officers in contracting activities (e.g., the VA National Acquisition Center, Hines, IL, and Acquisition Operations Service, VA Central Office, Washington, DC) that are charged with meeting Department-wide acquisition needs of VA and its customers. The authority is for expenditures at any dollar level without geographical restriction. This level was formally titled ''Senior Unlimited'' and any current Senior Unlimited Level warrant need not be reissued solely to change the title.

(5) *Multi-VISN.* Authority at the Level II warrant and Level III (Senior Limited) warrant levels, granted by the DSPE, that permits procurement consolidations among Veterans Health Administration VISNs, Veterans Benefits Administration Area Offices, and other Government agencies that exist outside the contracting officer's normally assigned geographical area of appointed authority. Multi-VISN authority is generally granted to contracting officers for procurement-specific requirements or to contracting officers who are members of groups or consortiums established for regional contracting initiatives.

(d) *Micro-purchase Level.* Micro-purchase Level authority, not to exceed the micro-purchase threshold (currently $3,000) ($2,500 for acquisition of services subject to the Service Contract Act, and $2,000 for acquisition of construction subject to the Davis Bacon Act) (see FAR 2.101), is separately addressed under VA's purchase card program. Under that program, the HCA may delegate authority to a VA employee as a purchase card holder through the issuance of VA Form 0242.

801.690–3 Responsibilities under the COCP.

(a) *DSPE.* The DSPE is responsible for the following:

(1) Administering and overseeing the COCP;

(2) Appointing and terminating Level II warrant and Level III (Senior Limited and Unlimited) warrant contracting officers;

(3) Establishing and developing additional agency-specific training; and

(4) Developing and implementing policy, procedures, and guidance for VA's acquisition program.

(b) *The Chief, Acquisition Program Management Division.* The Chief, Acquisition Program Management Division, serves as the Executive Secretary to the COCB and is responsible for the following:

(1) Coordinating requests for contracting authority with the COCB;

(2) Proceeding accordingly with appropriate action to carry out the decisions of the DSPE and the COCB;

(3) Maintaining individual records on the appointment and termination of appointment of contracting officers. Records on contracting officers include HCA certifications and qualification statements, Certificates of Appointment, and other supporting documentation used to grant authority; and

(4) Ensuring appropriate and timely disposition of records through the Office of Acquisition and Materiel Management's Records Control Officer.

(c) *The COCB.* (1) The Director, Acquisition Resources Service, will chair the COCB.

(2) COCB membership consists of:

(i) The Chief, Acquisition Program Management Division; and

(ii) The Chief, Acquisition Training and Career Development Division (ATCD).

(d) *HCAs.* HCAs are responsible for the following:

(1) Implementing and maintaining an effective and efficient program for the procurement of personal property and nonpersonal services required by the activity to which the HCA is assigned;

(2) Establishing adequate controls to ensure compliance with applicable laws and regulations;

(3) Appointing or terminating the appointment of contracting officers at the Micro-purchase Level and Level I warrant level within their assigned activity;

(4) Establishing procedures and maintaining records for the appointment and termination of appointment of purchase card holders at the Micro-purchase Level and Level I warrant contracting officers. Records maintained on contracting officers shall include the contracting authority, certification and qualification statements;

(5) Recommending to the DSPE the appointment or termination of appointment of contracting officers at the Level II warrant and Level III (Senior Limited or Unlimited) warrant levels of authority, certifying the candidate's qualifications, and justifying the organizational need;

(6) Ensuring that all GS 1102 contract specialists and other contracting officers meet the minimum core training and continuing education requirements; and

(7) Certifying that the assigned acquisition workforce meets the minimum training, education, and skills currency requirements prescribed by OFPP and the DSPE.

(e) *VA Acquisition Workforce.* All employees identified as members of VA's acquisition workforce (see 801.690–1) are responsible for maintaining records that include certificates of acquisition training, continuing education, college

transcripts, work experience, and other supporting documentation needed to substantiate successful completion of all warrant requirements. These employees shall enroll in the Acquisition Career Management Information System (ACMIS), the data system that serves as the repository of required information on VA's acquisition workforce.

801.690–4 Selection.

(a) The HCA may appoint Level I warrant contracting officers or submit written requests to the DSPE for appointment of Level II warrant or Level III (Senior Limited or Unlimited) warrant contracting officers. A VA official one level above the HCA may submit a written request to the DSPE for the appointment of an HCA as a contracting officer.

(b) Appointment can only be requested in those circumstances where it can be demonstrated that a valid organizational need exists. In making this assessment and justification, the HCA will consider the complexity of the work, volume of actions, organizational structure, and human resource management actions and forecasts, such as rates of retirement, reassignment, and retention.

(c) The request shall consist of the following:

(1) Justification for requesting contracting authority to be granted;

(2) Certification that the candidate's experience and training meet the established minimum qualifications for the requested contracting authority;

(3) Certification that the candidate has a satisfactory-or-above performance rating;

(4) Certification that the candidate maintains high standards of conduct and avoids apparent or actual conflicts of interest, and

(5) Certification that the candidate has appropriate working knowledge of the FAR, VAAR, and other applicable laws, regulations, policies and procedures.

(d) The accompanied COQS shall include the following information:

(1) Candidate's name, position title, series, grade, and location;

(2) Candidate's relevant acquisition or business-related experience that reflects the required number of years of progressive work assignments leading to broader technical abilities;

(3) Education background, including number of acquisition or business-related college credits;

(4) List of core training requirements or equivalent courses that have been successfully completed;

(5) List of continuing education requirements successfully completed within the last two years;

(6) List of current and prior warrant authorities, limitations, and information on termination and cause for termination;

(7) List of other acquisition related activities or memberships;

(8) Certification that the statement is accurate and complete to the best of the candidate's knowledge; and

(9) Attached copies of acquisition or business-related training certificates, course certificates, and diplomas, transcripts, or degrees from accredited colleges or universities.

801.690–5 Requirements for contracting authority.

(a) Effective January 1, 2007, no individual, regardless of job series, may be issued a new contracting officer warrant above the micro-purchase threshold unless the individual meets the requirements for Federal Acquisition Certification (Certification) for the applicable Level I, II, or III warrant level as specified in OFPP Policy Letter 05–01 and the OFPP Memorandum dated January 20, 2006, titled ''the Federal Acquisition Certification in Contracting Program.'' A new contracting officer warrant is defined in OFPP Policy Letter 05–01 as a warrant issued for the first time at a department or agency. For contracting officers warranted before January 1, 2007, certification will not be required to retain their existing warrants, but will be required before higher level warrants can be issued. Certification includes minimum requirements for education, training, and experience. A candidate for a warrant must have at least a satisfactory-or-above performance rating during the most recent performance period.

(b) For contracting officer warrants issued prior to January 1, 2007, the minimum requirements for qualifying as a contracting officer previously specified in VA regulation and other internal VA guidance shall apply.

(c) *Multi-VISN.* The HCA shall obtain written or e-mail concurrence from the HCAs of the other affected VISNs or Area Offices when requesting Multi-VISN contracting authority.

(d) *Training.* (1) Contracting officers and non-warranted contract specialists shall complete the required coursework and on-the-job training needed to possess the established competencies listed in OFPP's Federal Acquisition Institute Contract Specialist Training Blueprints (*http://www.fai.gov/policies/contract.htm*).

(2) The Chief, ATCD, oversees the ATP.

(3) Training course equivalency will be determined and approved by the Chief, ATCD. Candidates should contact the Chief, ATCD, for an equivalency determination and must furnish any information or evidence necessary to support the request. Appeals of decisions may be made to the VA ACM and the decisions of the ACM shall be final.

(e) *Skills Currency.* (1) Contracting officers and non-warranted contract specialists who have completed the core training requirements shall obtain a minimum of 80 CLPs of continuing education or training every two fiscal years to stay abreast of current acquisition knowledge and skills as mandated by OFPP. The HCA (for Level I warrant contracting officers) and the Chief, ATCD (for Level II warrant and Level III warrant contracting officers), shall make written determinations every October 1 for each warranted contracting officer on whether the required CLPs, as specified in OFPP guidance, were completed during the two prior fiscal years. The HCA shall assign CLP values to training taken by Level I warrant contracting officers for training that does not have pre-assigned CLP or continuing education unit (CEU) values assigned to the training by the provider. The Chief, ATCD, shall assign CLP values to training taken by Level II warrant and Level III warrant contracting officers for training that does not have pre-assigned CLP or CEU values assigned to the training by the provider. Values shall be assigned based on guidance provided by OFPP and the combined efforts of the Federal Acquisition Institute and the Defense Acquisition University. Questions regarding the CLP or CEU values assigned to training shall be resolved by the ACM.

(2) The Chief, ATCD, is responsible for the management of the ACEP, the program that assists contracting officers and contract specialists to meet the training requirements.

(3) An expiring warrant will not be re-issued if the contracting officer has not met the continuing education or training requirement.

(f) *Education.* (1) The 24 business-related college credits shall be in any combination of the following fields of study at an accredited college or university: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

(2) The HCA will make the final determination whether a course is accepted as business-related for the purpose of granting Level I warrant authority. The Chief, ATCD, will make the final determination whether a

course is accepted as business-related for the purpose of granting Level II warrant or Level III warrant contracting authority.

(3) American Council on Education (ACE) credits are not considered as college credits until they are converted and included on a transcript from an accredited college or university.

(g) *Grandfather Provision for the Education Requirement.* (1) VA contracting officers, regardless of grade level, who currently hold Level I, Level II, or Level III (Senior Limited or Unlimited) warrants are considered as having met the Experience, Education, and Training requirements for their respective warrant levels. This includes transfers or laterals to other VA contracting activities with similar geographical restrictions. Contracting officers who are promoted up to a GS–12 can maintain their current warrant level authority.

(2) This Grandfather provision does not cover new VA employees, current VA employees who are not warranted, former VA employees who held contracting authority at their previous Federal Government agencies or VA positions, or VA employees whose warrants have been rescinded or have expired. VA contracting officers who are promoted to GS 13-and-above will no longer be covered by this Grandfather provision and, therefore, must meet the current Experience, Education, and Training requirements for the specific warrant authority that they currently hold or to which they wish to be appointed. Contracting officers requesting a higher level warrant (e.g., from Level I warrant to Level II warrant or from Level III (Senior Limited) warrant to Level III (Senior Unlimited) warrant) must also meet the current Experience, Education, and Training requirement for the specific warrant authority requested.

(3) This Grandfather provision for retaining a contracting officer's current warrant authority is voided if the contracting officer does not fully meet the minimum Skills Currency requirement prior to warrant expiration or when the warrant authority is suspended or revoked. The contracting officer will then need to meet all of the current warrant prerequisites before a new warrant can be issued or before the suspended or revoked warrant can be reinstated.

(h) The training requirements for contracting officers whose delegated authority is limited to the acquisition of transportation services, as provided in Part 102–117 of title 41 Code of Federal Regulations, the Federal Management Regulation, shall be as specified therein.

801.690–6 Appointment.

(a) Only the DSPE (for Level II and Level III (Senior Limited or Unlimited)) warrants and the respective HCA (for Level I warrants) may sign the Certificate of Appointment as Contracting Officer. HCAs are authorized to grant Micro-purchase Level and Level I warrant contracting authority up to the thresholds specified for these authorities at 801.690–2(c). The HCA may recommend a candidate to the DSPE for appointment as a Level II warrant or Level III warrant contracting officer. Only the DSPE may grant Level II warrant, Level III (Senior Limited or Unlimited) warrant, and Multi-VISN authority.

(b) All Certificates of Appointment as Contracting Officers and other written documents must clearly state any limitations or restrictions on the authority.

(c) The Privacy Act of 1974 applies to the information collected during contracting officer selection and appointment.

801.690–7 Termination.

(a) The DSPE (for all warrant levels) or HCA (for Micro-purchase Level and Level I warrants) may revoke or rescind the appointment of a contracting officer at any time. HCAs may submit a recommendation to revoke or rescind the appointment of a contracting officer's Level II warrant or Level III (Senior Limited or Unlimited) warrant to the DSPE. Revocation may be based on the following circumstances:

(1) There is no longer a need for the appointment;

(2) There has been a personnel action such as a resignation, retirement, transfer;

(3) Unsatisfactory performance;

(4) Alleged official misconduct pending criminal or administrative investigations;

(5) Failure to meet training or skills currency requirements;

(6) A contracting officer taking an action that exceeds his or her authority;

(7) Blatant disregard for adhering to acquisition regulations, policies and procedures; or

(8) Situations similar to those in paragraphs (a)(1) through (7) of this section that may require remedial action.

(b) The HCA should discuss a termination of contracting authority for cause with the servicing Human Resource Management Office to determine the impact, if any, on the contracting officer's continued employment.

(c) All changes in the status (e.g., departure, name, position, or grade change) of a micro-purchase cardholder or Level I warrant holder shall be reported in writing by the individual's supervisor to the HCA within five workdays of occurrence. All changes in the status of a Level II warrant or Level III (Senior Limited or Unlimited) warrant holder shall be reported in writing by the HCA to the DSPE within five workdays of occurrence. Level II warrants or Level III (Senior Limited or Unlimited) warrants that are terminated, rescinded, or superseded should be returned to the Director, Acquisition Resources Service (049A5), citing the exact reason for the termination, rescission, or supersession.

801.690–8 Interim appointment provisions.

(a) To ensure availability of procurement support, an interim appointment may be granted for a limited period of time when a candidate does not fully meet the minimum qualifications for Experience, Education, or successful completion of all acquisition Training requirements in previous VA regulations or VA internal guidance, if applicable, or as provided in the OFPP Memorandum dated January 20, 2006, titled ''the Federal Acquisition Certification in Contracting Program.'' All interim appointments made after January 1, 2007, for individuals who do not meet the minimum Experience, Education, or Training requirements for Levels I through III warrants shall be signed by the SPE or, if so delegated, the ACM, without power to redelegate, as provided in the OFPP Memorandum dated January 20, 2006, titled ''the Federal Acquisition Certification in Contracting Program.''

(1) In a request for an interim appointment, the HCA must include the information required by 801.690–4 on the candidate's training, experience, performance, and education, and a justification for the interim appointment.

(2) The HCA must ensure that the candidate with interim appointment meets the minimum Experience, Education, and Training requirements within the time specified on the warrant.

(3) A contracting officer with interim appointment should successfully complete all remaining required courses or equivalent courses within the time specified on the warrant.

(b) At the HCA's written request, a permanent warrant may be issued during the interim appointment period when the contracting officer has satisfactorily met the requirements. The appropriate documentation (copies of

course certificates) must be submitted with the HCA's request.

(c) An interim appointment may be appropriate for instances such as organizational changes or sudden, extreme, and unexpected increases in workload complexity and/or volume.

(d) Interim appointments will not be granted under the following circumstances:

(1) To a candidate who is warranted but does not meet the Education or Training requirements for higher level (e.g., from Level I warrant to Level II warrant) contracting authority (unless waived by the SPE);

(2) To a candidate who does not have a current record of satisfactory-or-above performance; or

(3) To a contracting officer whose authority has expired and who has not met the continuing education requirement during the two preceding years.

(e) Generally, an interim appointment may not exceed one year.

801.690–9 Distribution of Certificates of Appointment.

(a) The DSPE or HCA will issue an original Certificate of Appointment as Contracting Officer to the appointed candidate, who must display the Certificate at his or her duty station.

(b) The HCA shall file a copy of the warrant in the delegation of authority file.

(c) The contracting officer must furnish a copy to the respective fiscal activity.

(d) Each Certificate will be serially numbered, reflecting the facility number, the year of issuance (e.g., facility number—year of issuance (2 digits)—sequential number, 560–04–10), and have an effective and expiration date.

801.695 VA's Appointment of HCAs Program.

801.695–1 Policy.

(a) VA's policy is to have a minimum number of HCAs. Generally, there will be one HCA per VISN, other major VA organizational element, or major acquisition organization. The authority vested in the Secretary to select, appoint, and terminate HCAs is delegated to the SPE and is further delegated from the SPE to the DSPE.

(b) Under the FAR at 1.601(a) and 2.101, an HCA is a senior level position. The official who occupies this position should have the education, training, and experience necessary to make the decisions required of an HCA.

(c) Except as provided in the FAR, an HCA may delegate his or her authority to other individuals within the HCA's acquisition activity. Such delegations must be in writing and must set forth the specific limitations on the designee's authority. The delegation may include authority to appoint a contracting officer at the Micro-purchase Level or the Level I warrant levels.

801.695–2 Procedures for appointment of HCAs.

An HCA must be appointed in writing by the DSPE and in accordance with internal VA policy. The written delegation must state any limitation on the HCA's authority, other than a limitation contained in an applicable law or regulation.

801.695–3 Authority of the HCA.

(a) The HCA has overall responsibility for managing the procurement program assigned to the activity.

(b) The HCA's level of contracting authority, if any, shall be specified in the HCA's appointment letter.

(c) The HCA has the authority to appoint and terminate contracting officers with authority to conduct procurements of up to and including the simplified acquisition threshold or the maximum order threshold or limitation for orders placed against Federal Supply Schedule contracts, and to terminate such appointments (Micro-purchase Level and Level I warrant appointments).

PART 802—DEFINITIONS OF WORDS AND TERMS

Subpart 802.1—Definitions

Sec.
802.101 Definitions.

Authority: 40 U.S.C. 121(C) and 48 CFR 1.301–1.304.

Subpart 802.1—Definitions

802.101 Definitions.

A/E means architect/engineer.

Chief Acquisition Officer means the Assistant Secretary for Management.

COTR means Contracting Officer's Technical Representative or Contracting Officer's Representative.

D&S Committee means the VA Debarment and Suspension Committee, a committee consisting of the Director, Acquisition Resources Service (chair), and representatives of the Office of Management, Office of Inspector General, and the program office to which the particular debarment or suspension case relates. A representative from OGC will serve as legal counsel to the D & S Committee.

Debarring official means the DSPE, who is also the Associate Deputy Assistant Secretary for Acquisitions. Authority to impose debarment is delegated to the SPE and is further delegated to the DSPE.

DSPE means the Deputy Senior Procurement Executive, who is also the Associate Deputy Assistant Secretary for Acquisitions. The DSPE must be career member of the Senior Executive Service.

FAR means the Federal Acquisition Regulation.

GAO means the Government Accountability Office.

HCA means the Head of the Contracting Activity, an individual appointed in writing by the DSPE under VA's Appointment of HCAs Program (see 801.695).

OGC means the Office of the General Counsel.

Resident Engineer has the same meaning as contracting officer's technical representative or contacting officer's representative (see 852.270–1).

SPE means the Senior Procurement Executive who is also the Deputy Assistant Secretary for Acquisition and Materiel Management. The SPE is responsible for the management direction of the VA acquisition system. The SPE may further delegate authority to the DSPE.

Suspending official means the DSPE. Authority to impose suspension is delegated to the SPE and is further delegated to the DSPE.

VA means the Department of Veterans Affairs.

VAAR means the Department of Veterans Affairs Acquisition Regulation.

VISN means Veterans Integrated Service Network, an integrated network of VA facilities that are focused on pooling and aligning resources to best meet local needs in the most cost-effective manner and provide greater access to care.

PART 803—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

Subpart 803.1—Safeguards

Sec.
803.101 Standards of conduct.
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803.104 Procurement integrity.
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Subpart 803.4—Contingent Fees

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Subpart 803.5—Other Improper Business Practices

803.502 Subcontractor kickbacks.
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803.602 Exceptions.

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803.806 Processing suspected violations.

Subpart 803.70—Contractor Responsibility To Avoid Improper Business Practices

803.7000 Display of the VA Hotline poster.
803.7001 Contract clause.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 803.1—Safeguards

803.101 Standards of conduct.

803.101–3 Department regulations.

(a) Part 0 of 38 Code of Federal Regulations (CFR) states the standards of conduct for all VA employees, including contracting officials.

(b) Subpart B of 38 CFR part 0 states the employee financial disclosure requirements.

803.104 Procurement integrity.

803.104–7 Violations or possible violations.

(a) Contracting officers must forward the information required by FAR 3.104–7(a)(1) to the HCA. In consultation with OGC, the HCA may make the determination and concurrence specified in FAR 3.104–7(a)(1).

(b) Upon receipt of information describing a violation or possible violation of subsections 27(a), (b), (c), or (d) of the Office of Federal Procurement Policy Act of 1974 (see FAR 3.104–3), the HCA will take action in accordance with FAR 3.104–7(b). The HCA must also report violations or possible violations to the VA Office of the Inspector General.

(c) The authority to make the determinations specified in FAR 3.104–7(b)(5) and 3.104–7(d)(2)(ii)(B) is delegated to the SPE and is further delegated to the DSPE.

(d) As provided in FAR 3.104–7(f), the HCA may authorize a contracting officer to award a contract after notifying the DSPE of the circumstances warranting such an award.

Subpart 803.2—Contractor Gratuities to Government Personnel

803.203 Reporting suspected violations of the Gratuities clause.

(a) Any VA employee must report a suspected violation of the Gratuities clause to the contracting officer or a higher level VA official.

(b) The report must identify the contractor and the personnel involved, provide a summary of the pertinent evidence and circumstances that indicate a violation, and include any other available supporting documentation.

(c) The contracting officer or higher level official must supplement the file with appropriate information and promptly forward the report to the DSPE, with copies to the VA Office of the Inspector General and the Assistant Secretary for Management.

803.204 Treatment of violations.

In providing the notice and hearing required by FAR 3.204, the SPE may make the determinations required by FAR 3.204. This authority is further delegated to the DSPE. The DSPE shall use the following procedures to determine whether or not a violation of the Gratuities clause has occurred:

(a) Upon receipt of an allegation or evidence of a violation of the Gratuities clause, the DSPE shall refer the matter to the D&S Committee to conduct a fact-finding. Upon completion of the fact-finding, the D&S Committee shall present the facts and recommendations for further action to the DSPE.

(b) If the DSPE finds a basis for further action, the D&S Committee shall prepare a notice under FAR 3.204 for signature of the DSPE. If suspension or debarment is also being considered, the D&S Committee shall also follow the procedures contained in 809.4. The signed notice will be sent to the last known address of the contractor, the contractor's counsel, or agent for service of process, by certified mail, return receipt requested, or any other method that provides signed evidence of receipt. In the case of a business, the D&S Committee may send the notice to any partner, principal, officer, director, owner or co-owner, or joint venture.

(c) If VA does not receive a reply from the contractor within 45 calendar days of sending the notice, the D&S Committee will prepare a recommendation and refer the case to the DSPE for a decision on whether or not to take further action under FAR 3.204.

(d) If VA receives a reply from the contractor within 45 calendar days of sending the notice, the D&S Committee must consider the information in the reply before the D&S Committee makes its recommendation to the DSPE.

(e) The D&S Committee, upon the request of the contractor, must, as soon as practicable, allow the contractor an opportunity to appear before the D&S Committee, in person or through a representative, to present information or argument. The contractor may supplement the oral presentation with written information and argument. The proceeding will be conducted in an informal manner and without requirement for a transcript. The D&S Committee shall prepare a report of the presentation for submission to the DSPE and must consider the information presented when making its recommendation to the DSPE.

(f) If the D&S Committee finds that the contractor's submission in opposition to further action under FAR 3.204 raises a genuine dispute over facts material to the action, then the D&S Committee shall submit to the DSPE the information establishing the dispute of material facts. If the DSPE agrees that there is a genuine dispute of material facts, the DSPE shall refer the dispute to a designee for resolution under 809.470. The DSPE may reject the findings of the fact-finding official only if the findings are clearly erroneous or arbitrary and capricious.

(g) If there are no disputes over material facts or if all disputes over material facts have been resolved under 809.470, the DSPE will make a decision on the basis of all information available, including findings of facts and oral or written arguments presented or submitted to the D & S Committee by the contractor. The DSPE should consider any mitigating factors, such as those listed at FAR 9.406–1 and 809.406–1, prior to making a final decision.

Subpart 803.3—Reports of Suspected Antitrust Violations

803.303 Reporting suspected antitrust violations.

(a) Any VA employee who suspects or has evidence of possible antitrust violations must report the suspected violations, in accordance with FAR 3.303, to the VA Office of the Inspector General and to the Assistant Secretary for Management for review and submission to OGC.

(b) Either the General Counsel or the Inspector General will determine whether to submit the case to the U.S. Attorney General.

Subpart 803.4—Contingent Fees

803.405 Misrepresentations or violations of the Covenant Against Contingent Fees.

(a) A VA employee who suspects or has evidence of an attempted or actual exercise of improper influence, misrepresentation of a contingent fee arrangement, or any other violation of the Covenant Against Contingent Fees must report the matter to the contracting officer or to the VA Office of Inspector General.

(b) In addition to the requirement in paragraph (a) of this section, a contracting officer must report a suspected or actual misrepresentation or violation to the DSPE.

(c) Before taking any administrative action under FAR 3.405, a contracting officer must consult with his or her Regional Counsel. A contracting officer in the Central Office must consult with OGC.

(d) Contracting officers shall route any referrals of suspected fraudulent or criminal matters to the Department of Justice under FAR 3.405(b)(4) through OGC or the VA Office of the Inspector General, with a copy to the Assistant Secretary for Management. The General Counsel or the Inspector General will determine whether to forward the referral to the Department of Justice.

Subpart 803.5—Other Improper Business Practices

803.502 Subcontractor kickbacks.

A VA employee who suspects a violation of the Anti-kickback Act must report the suspected violation to OGC for review.

803.570 Commercial advertising.

803.570–1 Policy.

It is VA policy that contractors will not advertise the award of contracts or refer to VA contracts in contractors' commercial advertising in such a manner as to state or imply that VA endorses a product, project, or commercial line of endeavor. The intent of this policy is to preclude the appearance of bias toward any product or service.

803.570–2 Contract clause.

The contracting officer shall insert the clause at 852.203–70, Commercial advertising, in solicitations and contracts expected to equal or exceed the micro-purchase threshold.

Subpart 803.6—Contracts With Government Employees or Organizations Owned or Controlled by Them

803.602 Exceptions.

The authority to authorize an exception to the policy in FAR 3.601 is delegated to the SPE and is further delegated to the DSPE.

Subpart 803.7—Voiding and Rescinding Contracts

803.703 Authority.

The authority to make determinations under FAR Subpart 3.7, Voiding and Rescinding Contracts, is delegated to the SPE and is further delegated to the DSPE.

803.705 Procedures.

In making a determination to void or rescind a contract, the DSPE must follow the procedures of FAR 3.705 and the following:

(a) Upon receipt of an allegation or evidence of situations meeting the provisions of FAR 3.700, the DSPE shall refer the matter to the D&S Committee to conduct a finding of facts. Upon completion of the fact-finding, the D&S Committee shall present the facts and recommendations for further action to the DSPE.

(b) If the DSPE finds a basis for further action, the D&S Committee shall prepare a notice under FAR 3.705 for signature of the DSPE. If suspension or debarment is being considered, the D&S Committee shall also follow the procedures of 809.4. The signed notice will be sent to the last known address of the contractor, the contractor's counsel, or registered agent, by certified mail, return receipt requested. In the case of a business, the D&S Committee may send the notice to any partner, principal, officer, director, owner or co-owner, or joint venture.

(c) If VA does not receive a reply from the contractor within 30 calendar days of receipt of the notice by the addressee, the D&S Committee will prepare a recommendation and refer the case to the DSPE for a decision on whether or not to take further action under FAR 3.705.

(d) If VA receives a reply from the contractor within 30 calendar days of receipt of the notice, the D&S Committee must consider the information in the reply before the D&S Committee makes its recommendation to the DSPE.

(e) The D&S Committee, upon the request of the contractor, must, as soon as practicable, allow the contractor an opportunity to appear before the D&S Committee, in person or through a representative, to present information or argument. The contractor may supplement the oral presentation with written information and argument. The proceeding will be conducted in an informal manner and without requirement for a transcript. The D&S Committee shall prepare a report of the presentation for submission to the DSPE.

(f) If the D&S Committee finds that the contractor's submission in opposition to further action under FAR 3.705 raises a genuine dispute over facts material to the action, then the D&S Committee shall submit to the DSPE the information establishing the dispute of material facts. If the DSPE agrees that there is a genuine dispute of material facts, the DSPE shall refer the dispute to a designee for resolution under 809.470. The DSPE may reject the findings of the fact-finding official only if the findings are clearly erroneous or arbitrary and capricious.

(g) If there are no disputes over material facts or if all disputes over material facts have been resolved under 809.470, the DSPE will make a decision on the basis of all information available, including findings of facts and oral or written arguments presented or submitted to the D&S Committee by the contractor.

Subpart 803.8—Limitation on the Payment of Funds to Influence Federal Transactions

803.804 Policy.

A contracting officer must forward a copy of all contractor disclosures furnished under the clause at FAR 52.203–12, Limitations on Payments to Influence Certain Federal Transactions, to the Director, Acquisition Resources Service, for subsequent submission by the Secretary to Congress.

803.806 Processing suspected violations.

A VA employee must report suspected violations of 31 U.S.C. 1352, Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions, to the Assistant Secretary for Management and the VA Office of the Inspector General.

Subpart 803.70—Contractor Responsibility to Avoid Improper Business Practices

803.7000 Display of the VA Hotline poster.

(a) Under the circumstances described in paragraph (b) of this section, a contractor must display prominently a VA Hotline poster prepared by the VA Office of Inspector General in a common

work area within a business segment performing work under a VA contract.

(b) A contractor must comply with paragraph (a) of this section when all of the following apply:

(1) The contractor is awarded a VA contract for $500,000 or more for supplies or services, or $3 million or more for construction.

(2) The contractor has not established an internal reporting mechanism and program, such as a hotline, by which employees may report suspected instances of improper conduct, and instructions that encourage employees to make such reports.

803.7001 Contract clause.

The contracting officer shall insert the clause at 852.203–71, Display of Department of Veterans Affairs Hotline poster, in solicitations and contracts expected to equal or exceed the dollar thresholds established in 803.7000.

PART 804—ADMINISTRATIVE MATTERS

Subpart 804.1—Contract Execution

Sec.
804.101 Contracting officer's signature.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 804.1—Contract Execution

804.101 Contracting officer's signature.

(a) If a contracting officer's name and title has been typed, stamped, or printed on the contract, and that contracting officer is not available to sign the contract, another contracting officer, as specified in 801.602, may sign the contract.

(b) The contracting officer who signs the contract must have contracting authority to cover the contract to be signed and must annotate his or her name and title below his or her signature.

SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING

PART 805—PUBLICIZING CONTRACT ACTIONS

Subpart 805.2—Synopses of Proposed Contract Actions

Sec.
805.202 Exceptions.
805.205 Special situations.
805.207 Preparation and transmittal of synopses.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 805.2—Synopses of Proposed Contract Actions

805.202 Exceptions.

In accordance with FAR 5.202, the contract actions in 806.302–5 do not require synopsizing.

805.205 Special situations.

(a) A contracting officer may procure paid advertising in a daily newspaper circulated in the local area to publicize a proposed procurement of architectural and engineering (A/E) services not expected to exceed $10,000. See FAR 5.101(b)(4)(i) and 5.502(a).

(b) A contracting officer may procure paid advertising in a daily newspaper circulated in the local area or in professional journals to publicize a proposed procurement of professional services (e.g., scarce medical specialist services, health-care resources, advisory and assistance services). See FAR 5.101(b)(4)(i) and 5.502(a).

805.207 Preparation and transmittal of synopses.

(a) When an A/E evaluation board is ready to advertise for A/E services, the board must establish the geographic area within which it will consider A/E firms (including joint ventures).

(b) The geographic area must be large enough to assure selection of three to five firms highly qualified for the particular project involved, but not so large as to make the evaluation process unduly burdensome.

PART 806—COMPETITION REQUIREMENTS

Subpart 806.3—Other Than Full and Open Competition

Sec.
806.302 Circumstances permitting other than full and open competition.
806.302–5 Authorized or required by statute.
806.302–7 Public interest.
806.304 Approval of the justification.

Subpart 806.5—Competition Advocates

806.501 Requirement.
806.570 Planning requirements.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 806.3—Other Than Full and Open Competition

806.302 Circumstances permitting other than full and open competition.

806.302–5 Authorized or required by statute.

(a) Full and open competition need not be provided for when awarding:

(1) Scarce Medical Specialist contracts negotiated under the authority of 38 U.S.C. 7409, but only when such contracts are with institutions affiliated with VA under 38 U.S.C. 7302. (38 U.S.C. 7409)

(2) Contracts for health-care resources negotiated under the authority of 38 U.S.C. 8153, but only when such contracts are with institutions affiliated with VA under 38 U.S.C. 7302, including medical practice groups and other approved entities associated with affiliated institutions (entities will be approved if determined legally to be associated with affiliated institutions), or with blood banks, organ banks, or research centers. The justification and approval requirements of FAR 6.303 and 806.304 do not apply to such contracts or agreements. (38 U.S.C. 8153)

(3) Contracts for health-care resources, negotiated under the authority of 38 U.S.C. 8153, that are not acquired under the authority of paragraph (a)(2) of this section, but only when the procurement is conducted in accordance with part 873. The justification and approval requirements of FAR 6.303 and 806.304 shall apply to such contracts and agreements conducted on a sole-source basis. (38 U.S.C. 8153)

(b) Various sections of title 38 U.S.C. authorize the Secretary to enter into certain contracts and certain types of contracts without regard to any other provisions of law. When the contracting officer enters into a contract without providing full and open competition for any of the following items or services, the contracting officer must cite 41 U.S.C. 253(c)(5) and the following authorities:

(1) For contracts for orthopedic and prosthetic appliances and related services including research, cite 38 U.S.C. 8123. (38 U.S.C. 8123)

(2) For contracts to purchase or sell merchandise, equipment, fixtures, supplies and services for the operation of the Veterans Canteen Service, cite 38 U.S.C. 7802. (38 U.S.C. 7802)

(3) For contracts or leases for the operation of parking facilities established under authority of 38 U.S.C. 8109(b), provided that the establishment, operation, and maintenance of such facilities have been authorized by the Secretary or designee, cite 38 U.S.C. 8109(f). (38 U.S.C. 8109)

(4) For contracts for laundry and other common services, such as the purchase of steam, negotiated with non-profit, tax-exempt, educational, medical, or community institutions, when specifically approved by the Secretary or designee and when such services are not reasonably available from private commercial sources, cite 38 U.S.C. 8122(c). (38 U.S.C. 8122)

(5) For contracts or agreements with public or private agencies for services of

translators, cite 38 U.S.C. 513. (38 U.S.C. 513)

(c) Except for an acquisition under paragraph (a)(2) of this section, the contracting officer must provide a justification under FAR 6.303 and obtain an approval under 806.304 for each acquisition described in this section.

806.302–7 Public interest.

(a) When the contracting officer uses 41 U.S.C. 253(c)(7) to support a contract award using other than full and open competition, the contracting officer must prepare a Determination and Finding (D&F) under FAR 1.7 and a justification under FAR 6.303. The D&F must be signed by the Secretary.

(b) The contracting officer must submit the D&F and justification through the HCA to the Agency Competition Advocate for signature by the Secretary. The submission must include the date the contracting officer expects to award the contract.

(c) VA must notify Congress 30 days before the expected award date. The Agency Competition Advocate is responsible for preparing this notice. The contracting officer may not award the contract until notified by the Agency Competition Advocate.

806.304 Approval of the justification.

(a) For a justification other than a class justification specified in FAR 6.304(c), Table 806.304–1 provides the authorities who may approve a justification:

TABLE 806.304.1

Proposed contract amount	Approving authority	Alternate approving authority
(1) Not exceeding $500,000	The contracting officer, as provided in FAR 6.304(a)(1).	Not applicable.
(2) Over $500,000 but not exceeding $10 million.	Contracting Activity Competition Advocate (see 806.501(b) and (c)) unless that Advocate is the contracting officer.	The Agency Competition Advocate (see 806.501(a)).
(3) Over $10 million but not exceeding $50 million.	Agency Competition Advocate	Not applicable.
(4) Over $50 million	Senior Procurement Executive (see 802.100)	Not applicable.

(b) For class justifications specified in FAR 6.304(c), the contracting officer must obtain the approval of the Agency Competition Advocate for all proposed justifications with an estimated value of up to $50 million. The contracting officer must obtain the approval of the SPE for all proposed justifications with an estimated value of more than $50 million.

Subpart 806.5—Competition Advocates

806.501 Requirement.

(a) The Associate Deputy Assistant Secretary for Acquisitions is the Agency Competition Advocate. The Agency Competition Advocate may further delegate authority to other VA officials in VA Administrations and staff offices.

(b) The Executive Director and Chief Operating Officer, National Acquisition Center, is the Contracting Activity Competition Advocate for the Center.

(c) Each HCA (see Subpart 802.1) will serve as the Contracting Activity Competition Advocate in all other cases.

(d) The authority in paragraphs (b) and (c) of this section is not delegable.

806.570 Planning requirements.

(a) Each Contracting Activity Competition Advocate must do the following:

(1) Develop a Competition Plan.

(2) Incorporate the Plan in the internal operating procedures of the facility or organization in which the contracting activity is located.

(3) Obtain the endorsement and support of the facility or staff office director.

(4) Ensure that the services and offices that the contracting activity supports understand the plan.

(b) At a minimum, the Competition Plan must include the following:

(1) Approval requirements for other than full and open competition specified in FAR 6.304.

(2) A description of the synopsis requirements in FAR Subpart 5.2 to ensure that responsible staff fully understand the advance procurement planning that is required.

(3) A description of how to integrate the Competition Plan into advance procurement planning.

(4) A listing of obstacles to competition and a proposal for overcoming them.

(5) A method for increasing cost competition for contracts and competition on other significant factors.

PART 807—ACQUISITION PLANNING

Subpart 807.1—Acquisition Plans

Sec.
807.103 Agency-head responsibilities.

Subpart 807.3—Contractor Versus Government Performance

807.300 Scope of subpart.
807.304–77 Right of first refusal.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 807.1—Acquisition Plans

807.103 Agency-head responsibilities.

The authority to prescribe procedures in FAR 7.103 is delegated to the SPE and is further delegated to the DSPE.

Subpart 807.3—Contractor Versus Government Performance

807.300 Scope of subpart.

This subpart prescribes the use of VAAR clause at 852.207–70, Report of employment under commercial activities, when contracting for commercial services under Office of Management and Budget (OMB) Circular A–76 or VA's cost comparison process. The cost comparison process is used by VA to determine whether to use commercial or Government resources to provide commercial services.

807.304–77 Right of first refusal.

(a) In addition to the Right of First Refusal of Employment clause specified in FAR 52.207–3, the contracting officer must include the clause ''Report of Employment Under Commercial Activities'' at 852.207–70 in all cost comparison solicitations where VA personnel may be displaced. This clause is primarily intended to verify that the contractor is meeting its obligation to provide Federal workers who are adversely affected by the contract award and who are qualified for the jobs the first opportunity for employment openings created by the contract.

(b) The Report of Employment Under Commercial Activities clause is also

prescribed to avoid inappropriate severance payment. To implement the clause, the contracting officer (or COTR) must first obtain a list of Federal personnel who will be adversely affected as a result of the anticipated contract from the servicing Human Resources Service office. The list should be requested as soon as a preliminary determination is made to contract out a function subject to OMB Circular A–76. (Contracting officers may designate a COTR to coordinate the information and reporting requirements.)

PART 808—REQUIRED SOURCES OF SUPPLIES AND SERVICES

Sec.
808.002 Priorities for use of Government supply sources.

Subpart 808.4—Federal Supply Schedules

808.402 General.

Subpart 808.8—Acquisition of Printing and Related Supplies

808.802 Policy.

Authority: 40 U.S.C. 121(c) and (d); and 48 CFR 1.301–1.304.

808.002 Priorities for use of Government supply sources.

(a) *Supplies.* (1) As used in FAR 8.002(a)(1)(i), the term ''agency inventories'' includes Supply Fund Stock and VA Excess.

(2) A national committed use contract awarded by the VA National Acquisition Center has a priority between wholesale supply sources (FAR 8.002(a)(1)(v)) and mandatory Federal Supply Schedules (FAR 8.002(a)(1)(vi)).

(3) Federal Supply Schedule contracts awarded by the VA National Acquisition Center in Federal Supply Classification (FSC) Groups 65 and 66 shall be mandatory for use by VA and shall have the same order of priority as mandatory Federal Supply Schedules (FAR 8.002(a)(1)(vi)). VA contracting officers must place orders against Federal Supply Schedules contracts awarded by the VA National Acquisition Center in FSC Groups 65 and 66 in the following descending order of priority:

(i) Nationally awarded Blanket Purchase Agreements (BPAs), issued by the VA National Acquisition Center against Federal Supply Schedules.

(ii) Multi-VISN, single-VISN, or locally awarded BPAs, issued by VISN, regional, or local VA contracting officers against Federal Supply Schedules.

(iii) Federal Supply Schedules without BPAs.

(4) Indefinite delivery indefinite quantity (IDIQ) contracts, awarded by VISN, regional, or local facility VA contracting officers, for supplies not covered by national committed use contracts or Federal Supply Schedule contracts shall have an order of priority between optional use Federal Supply Schedules (FAR 8.002(1)(a)(vii)) and commercial sources (including educational and nonprofit institutions) (FAR 8.002(1)(a)(viii)). VA contracting officers must place delivery orders against IDIQ contracts, awarded by VISN, regional, or a local facility contracting officers, for supplies not covered by national committed use contracts or Federal Supply Schedule contracts in the following descending order of priority:

(i) VISN or regionally awarded contracts.

(ii) Locally awarded contracts.

(5) Open market purchases (purchases not falling within any of the higher priorities in paragraphs (a)(2) through (4) of this section) have the same priority as commercial sources (including educational and nonprofit institutions) (FAR 8.002(1)(a)(viii)).

(b) *Unusual or compelling urgency.* The contracting officer may use a source lower in priority than as specified in paragraph (a) of this section when the need for supplies or services is of an unusual or compelling urgency (see FAR 6.302–2). The Contracting Officer must include a justification for each deviation in the procurement file.

(c) *Eligible Beneficiaries.* (1) A contracting officer may authorize an acquisition from the Veterans Canteen Service or a commercial source when a VA healthcare official (e.g., social worker, physician) determines that personal selection of shoes, clothing, and incidentals will result in a therapeutic benefit to an eligible beneficiary.

(2) The contracting officer must cite Federal Prison Industries, Inc., clearance No. 1206 in the purchase document for any purchase from a commercial source of dress shoes similar to Federal Prison Industries, Inc., Style No. 86–A.

Subpart 808.4—Federal Supply Schedules

808.402 General.

The Executive Director and Chief Operating Officer, VA National Acquisition Center, advertises, negotiates, awards, administers, and issues the Federal Supply Schedules for Federal Supply Classification Groups 62, 65, and 89 and for cost-per-test services under Group 66.

Subpart 808.8—Acquisition of Printing and Related Supplies

808.802 Policy.

The Director, Publications Staff, Office of Acquisition and Materiel Management, VA Central Office, is the Central Printing Authority for VA (see FAR 8.802(b)).

PART 809—CONTRACTOR QUALIFICATIONS

Subpart 809.1—Responsible Prospective Contractors

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Subpart 809.5—Organizational and Consultant Conflicts of Interest

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809.507–1 Solicitation provisions.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 809.1—Responsible Prospective Contractors

809.104 Standards.

809.104–2 Special standards.

(a) For a pre-award survey prescribed by 809.106–1, a contracting officer must develop special standards of sanitation applicable to the acquisition of subsistence and services prescribed by 809.106–1(a).

(b) An appropriate specialist will assist the contracting officer in

developing the special standards under paragraph (a) of this section.

809.106 Pre-award surveys.

809.106–1 Conditions for pre-award surveys.

(a) Except as provided in paragraphs (b) through (e) of this section, a committee under the direction of the contracting officer and composed of representatives of the medical service or using service chiefs or designees appointed by the facility or VISN director will conduct a pre-award on-site evaluation of the plant, personnel, equipment and processes of the prospective contractor for contracts covering the products and services of the following:

(1) Bakeries.

(2) Dairies.

(3) Ice cream plants.

(4) Laundry and dry cleaning activities.

(b) Before any inspection, the contracting officer will determine whether another VA facility or another Federal agency has recently inspected and approved the plant.

(1) The contracting officer will accept an approved inspection report of another VA facility.

(2) If another Federal agency made a plant inspection not more than 6 months before the proposed VA contract period, the contracting officer may accept an approved inspection report of that other Federal agency as satisfactory evidence that the facilities of the bidder meet the bid requirements.

(c) VA will not conduct a pre-award on-site evaluation of a dairy plant when VA receives an acceptable bid from a supplier of dairy products designated as No.1 in the Federal Specifications if the following conditions are met:

(1) The supplier has received a pasteurized milk rating of 90 percent or more for the type of product being supplied, on the basis of the U.S. Public Health Service milk ordinance and code.

(2) The rating is current (not over 2 years old) and has been determined by a certified State milk sanitation rating officer in the State of origin or by the Public Health Service. The contractor must maintain the rating of 90 percent or more during the period of the contract.

(3) The solicitation specifications must include the requirements in paragraphs (c)(1) and (2) of this section.

(d) A dairy plant that does not meet paragraph (c) of this section may offer only dairy products designated as No. 2 in the Federal Specifications. VA will make an award to such a firm only after it completes a pre-award on-site evaluation conducted under paragraph (a) of this section.

(e) Before it makes an open market purchase of fresh bakery products (such as pies, cakes, and cookies), VA will inspect and evaluate the plant where these products are produced or prepared under paragraph (a) of this section. VA will make an on-site evaluation at least annually and record the results on VA Form 10–2079, Inspection Report of Bakery.

Subpart 809.2—Qualifications Requirements

809.201 Definitions.

For the purposes of this subpart:

VA QPL means a VA Qualified Products List, a list of products qualified by the VA under VA specifications, or purchase descriptions, or commercial item descriptions.

VISN QPL means a VISN Qualified Products List, a list of products qualified by a VISN under VA specifications, or purchase descriptions, or commercial item descriptions.

809.202 Policy.

The HCA may sign a justification required by FAR 9.202(a)(1).

809.204 Responsibilities for establishment of a qualification requirement.

(a) Under FAR Subpart 9.2, VA may create VA QPLs for use on individual solicitations or on multiple solicitations issued by one or more VA facilities.

(b) An HCA or designee must support the creation of a VA QPL using one or more of the following justifications:

(1) The time required for testing the product after award would unduly delay product delivery.

(2) The cost of repetitive product testing would be excessive.

(3) Testing the product would require purchasing an expensive or complicated apparatus not commonly available.

(4) It is in the Government's interest to be assured before contract award that the product is satisfactory for its intended use.

(5) Determining acceptability would require providing product performance data to supplement technical requirements in the specification.

(6) Conducting a test would result in substantial or repetitive rejections.

(7) VA cannot economically develop clear, professional specifications for the product performance, balance, design, or construction, and professional judgment is required to determine whether the product is acceptable under VA requirements.

(c) If VA plans to establish a VA QPL for any given product, the contracting officer may limit known suppliers to suppliers whose products are covered by a Federal Supply Schedule contract, as provided at FAR Subpart 8.4.

(d) VA will pay the costs to inspect and test a product sample submitted under this section.

(1) The product supplier must pay for the sample and its transportation to the place of inspecting and testing.

(2) After inspection and testing, VA will return any product sample to the supplier ''as is'' unless:

(i) The inspection or test destroys the sample; or

(ii) The supplier authorizes VA to retain or dispose of the sample.

(e) Once VA accepts a product for the VA QPL, VA may review the product for compliance with the applicable specification at any time.

(1) Where there is a variance between a VA specification that was the basis for the VA QPL and the product furnished by the supplier, the supplier must furnish an item that conforms to the VA specification.

(2) If the supplier fails to or is unable to provide a product that conforms to the applicable VA specification, the product will be removed from the VA QPL.

(f) VA's acceptance of a product for listing on the VA QPL does not:

(1) Guarantee that VA will accept the product in any future purchase; or

(2) Constitute a waiver of the specifications as to acceptance, inspection, testing, or other provisions of any future contract involving the product.

809.206 Acquisitions subject to qualification requirements.

809.206–1 General.

The HCA may determine that an emergency exists, as provided in FAR 9.206–1(b).

809.270 Qualified products for convenience/labor-saving foods.

(a) Each VISN Nutrition and Food Service representative is authorized to establish a common VISN QPL for convenience and labor-saving foods for use at medical facilities within the representative's VISN.

(1) The VISN Nutrition and Food Service representative must notify the Director, Nutrition and Food Service, VA Central Office, of the establishment or amendment of any VISN QPL.

(2) To avoid unnecessary duplication within a VISN, for medical facilities using an applicable VISN QPL under paragraph (b) of this section, the VISN Nutrition and Food Service representative must coordinate and

consolidate test results and recommendations.

(b) Each medical facility may:

(1) Use its VISN QPL; and

(2) Test food of its choice, provided that the facility submits test results to the VISN Nutrition and Food Service representative.

(c) The VISN representative must provide a copy of each approved VISN QPL to the following:

(1) Each contracting office in the VISN.

(2) The Director, Nutrition and Food Service, VA Central Office.

(3) Upon request, the Office of Acquisition and Materiel Management, VA Central Office.

Subpart 809.4—Debarment, Suspension, and Ineligibility

809.400 Scope of subpart.

This subpart supplements provisions of the FAR concerning procedures and related actions for the debarment and suspension of contractors.

809.402 Policy.

(a) When VA receives information that another agency is pursuing a debarment or suspension identical to a VA action against the same contractor, the Debarment and Suspension (D&S) Committee will coordinate prospective action with the appropriate official of the other agency to establish a lead agency.

(b) The D&S Committee will provide the designated lead agency with any information relevant to the action for consideration in the decision-making process.

(c) The D&S Committee will maintain close coordination with the appropriate official through completion of a final debarment or suspension decision.

809.404 Excluded Parties List System.

Acquisition Resources Service, Office of Acquisition and Materiel Management, is responsible for the actions described in FAR 9.404(c).

809.405 Effect of listing.

The authority under FAR 9.405(a), 9.405(d)(2), and 9.405(d)(3) to determine whether to solicit from, evaluate bids or proposals from, or award contracts to contractors whose names appear on the Excluded Parties List System is delegated to the SPE and is further delegated to the DSPE.

809.405–1 Continuation of current contracts.

Authority to make the determinations under FAR 9.405–1 is delegated to the SPE and is further delegated to the DSPE.

809.405–2 Restrictions on subcontracting.

When a subcontract is subject to Government consent, authority to make the written determination required under FAR 9.405–2 consenting to a contractor's use of a subcontractor who is debarred, suspended, or proposed for debarment is delegated to the SPE and is further delegated to the DSPE.

809.406 Debarment.

809.406–1 General.

(a) As provided in FAR 9.406–1(c), authority to determine whether to continue business dealings between VA and a contractor debarred or proposed for debarment is delegated to the SPE and is further delegated to the DSPE.

(b) For the purposes of FAR 9.406–1, the DSPE is the debarring official under the Federal Management Regulation at 41 CFR 102–117.295.

(c) Additional factors that a debarring official should consider before arriving at a debarment decision include the following:

(1) Whether the contractor had a mechanism, such as a hotline, by which employees could have reported suspected instances of improper conduct, and instructions in place that encouraged employees to make such reports.

(2) Whether the contractor conducted periodic reviews of company business practices, procedures, policies, and internal controls for compliance with standards of conduct and the special requirements of Government contracting.

(3) Whether the contractor conducted internal and external audits as appropriate.

(4) Whether the contractor timely reported to appropriate Government officials any suspected or possible violations of law in connection with Government contracts or any other irregularities in connection with such contracts.

809.406–3 Procedures.

(a) Any individual may submit a recommendation to debar a contractor to the DSPE. The recommendation to debar must be supported with evidence of a cause for debarment listed in FAR 9.406–2. When the DSPE receives a recommendation for debarment, he or she will refer the matter to the D&S Committee. If the reporting individual is a VA employee and the recommendation to debar is based on possible criminal or fraudulent activities, the VA employee must report the circumstances to the VA Office of Inspector General before making a recommendation to the DSPE.

(b) When the D&S Committee finds evidence of a cause for debarment, as listed in FAR 9.406–2, with or without a recommendation, it will conduct a fact-finding and present facts to the debarring official.

(c) If the debarring official finds a basis for proposing a contractor for debarment, the D&S Committee will prepare a notice of proposed debarment under FAR 9.406–3(c) for the signature of the debarring official. The signed notice of proposed debarment will be sent to the last known address of the contractor, the contractor's counsel, or agent for service of process, by certified mail, return receipt requested. In the case of a business, the D&S Committee may send the notice of proposed debarment to any partner, principal, officer, director, owner or co-owner, or joint venture. The D&S Committee concurrently must post notice of proposed debarment to the General Services Administration Excluded Parties List System pending a debarment decision.

(d) If VA does not receive a reply from the contractor within 45 calendar days of sending the notice of proposed debarment, the D&S Committee will prepare a recommendation and refer the case to the debarring official for a decision on whether or not to debar based on the information available.

(e) If VA receives a reply from the contractor within 45 calendar days of sending the notice of proposed debarment, the D&S Committee must consider the information in the reply before the D&S Committee makes its recommendation to the debarring official.

(f) The D&S Committee, upon the request of the contractor proposed for debarment, must, as soon as practicable, allow the contractor an opportunity to appear before the D&S Committee to present information or argument in person or through a representative. The contractor may supplement the oral presentation with written information and argument. The proceeding will be conducted in an informal manner and without requirement for a transcript. The D&S Committee shall prepare a report of the proceeding for the debarring official.

(g) If the D&S Committee finds that the contractor's submission in opposition to the debarment raises a genuine dispute over facts material to the proposed debarment and the debarment action is not based on a conviction or civil judgment, then the D&S Committee shall submit to the debarring official the information establishing the dispute of material facts. If the debarring official agrees that

there is a genuine dispute of material facts, the debarring official shall refer the dispute to a designee for resolution pursuant to 809.470.

(h) If there are no disputes over material facts, the debarment action is based on a conviction or civil judgment, or all disputes over material facts have been resolved pursuant to 809.470, the debarring official will make a decision on the basis of all information available, including findings of facts and oral or written arguments presented or submitted to the D&S Committee by the contractor. The D&S Committee must update the status of the action on the General Services Administration Excluded Parties List System.

809.406–4 Period of debarment.

(a) Except in an unusual circumstance, the period of debarment will not exceed 3 years. The debarring official will base the period of debarment on the circumstances surrounding the cause for debarment.

(b) The DSPE may remove a debarment, amend its scope, or reduce the period of debarment based on a D&S Committee recommendation if:

(1) VA has debarred the contractor;

(2) The action is indicated after the DSPE reviews documentary evidence submitted by or on behalf of the contractor setting forth the appropriate grounds for granting relief. Appropriate grounds include newly discovered material evidence, reversal of a conviction, bona fide change of ownership or management, elimination of the cause for which debarment was imposed, or any other appropriate grounds.

809.407 Suspension.

809.407–1 General.

(a) As provided in FAR 9.407–1(d), authority to determine whether to continue business dealings between VA and a suspended contractor is delegated to the SPE and is further delegated to the DSPE.

(b) For the purposes of FAR 9.407–1, the DSPE is the suspending official under the Federal Management Regulation at 41 CFR 102–117.295.

809.407–3 Procedures.

(a) Any individual may submit a recommendation to suspend a contractor to the DSPE. The recommendation to suspend must be supported with evidence of a cause for suspension listed in FAR 9.407–2. When the DSPE receives a recommendation for suspension, he or she will refer the matter to the D&S Committee. If the reporting individual is a VA employee and the recommendation to suspend is based on possible criminal or fraudulent activities, the VA employee must report the circumstances to the VA Office of Inspector General before making a recommendation to the DSPE.

(b) When the D&S Committee finds evidence of a cause for suspension, as listed in FAR 9.407–2, with or without a recommendation, it will conduct a fact-finding and present facts and recommendations to the suspending official.

(c) If the suspending official finds a basis for suspending a contractor, the D&S Committee will prepare a notice of suspension under FAR 9.407–3(c) for the signature of the suspending official. The signed notice of suspension will be sent to the last known address of the contractor, the contractor's counsel, or agent for service of process, by certified mail, return receipt requested. In the case of a business, the D&S Committee may send the notice of suspension to any partner, principal, officer, director, owner or co-owner, or joint venture. The D&S Committee concurrently must post notice of suspension to the General Services Administration Excluded Parties List System pending completion of investigation and any ensuing legal proceedings.

(d) If VA receives a reply from the contractor within 45 calendar days of sending the notice of suspension, the D&S Committee must consider the information in the reply before the Committee makes further recommendations to the suspending official. The D&S Committee, upon the request of a suspended contractor, must, as soon as practicable, allow the contractor an opportunity to appear before the D&S Committee to present information or argument in person or through a representative. The contractor may supplement the oral presentation with written information and argument. The proceeding will be conducted in an informal manner and without requirement for a transcript. The D&S Committee shall prepare a report of the proceeding for the suspending official.

(e) In actions not based on an indictment, if the D&S Committee finds that the contractor's submission in opposition to the suspension raises a genuine dispute over facts material to the suspension, the D&S Committee shall submit to the suspending official the information establishing the dispute of material facts. However, the D&S Committee must first coordinate any further proceeding regarding the facts in dispute with the Department of Justice or with a State prosecuting authority in a case involving a State jurisdiction. VA will take no further action to determine disputed material facts pursuant to this section or 809.470 if the Department of Justice or a State prosecuting authority advises VA that additional proceedings to make such a determination would prejudice Federal or State legal proceedings.

(f) If the suspending official agrees that there is a genuine dispute of material facts, the suspending official shall refer the dispute to the designee for resolution pursuant to 809.470.

809.470 Fact-finding procedures.

The provisions of this section constitute the procedures to be used to resolve genuine disputes of fact pursuant to 809.406–3 and 809.407–3 of this chapter. The DSPE shall appoint a designee to conduct the fact-finding. OGC shall represent VA at any fact-finding hearing and may present witnesses for VA and question any witnesses presented by the contractor. The hearings shall be conducted in Washington, DC. The proceedings before the fact-finder will be limited to a finding of the facts in dispute, as determined by the debarring or suspending official. The fact-finder will establish the date for the fact-finding hearing, normally to be held within 45 working days of the submission of the dispute.

(a) The Government's representative and the contractor will have an opportunity to present evidence relevant to the facts at issue. The contractor may appear in person or through a representative at the fact-finding hearing. The contractor may submit documentary evidence, present witnesses, and confront any person the agency presents.

(b) Witnesses may testify in person. Witnesses will be reminded of the official nature of the proceedings and that any false testimony given is subject to criminal prosecution. Witnesses are subject to cross-examination. Hearsay evidence may be presented and will be given appropriate weight by the fact-finder.

(c) The proceedings shall be transcribed and a copy of the transcript shall be made available at cost to the contractor upon request, unless the contractor and the fact-finder, by mutual agreement, waive the requirement for a transcript.

(d) The fact-finder shall determine the disputed fact(s) by a preponderance of the evidence. As required by FAR 9.406–3(d)(2)(i) and 9.407–3(d)(2)(i), written findings of fact shall be prepared by the fact-finder. A copy of the findings of fact shall be provided to the debarring or suspending official, the

Government's representative, and the contractor.

Subpart 809.5—Organizational and Consultant Conflicts of Interest

809.503 Waiver.

The HCA is delegated authority to waive any general rule or procedure of FAR Subpart 9.5. As provided at FAR 9.503, this authority may not be redelegated.

809.504 Contracting officer responsibilities.

(a) A contracting officer must determine whether awarding a contract will result in an actual or potential conflict of interest for the contractor.

(1) The contracting officer will make a conflict of interest determination after reviewing information submitted by offerors, evaluating information gathered under FAR 9.506, and exercising his or her own judgment.

(2) In evaluating possible organizational conflicts of interest, the contracting officer may obtain the advice of legal counsel and the assistance of technical specialists.

(b) If the contracting officer determines that there is no way to avoid or mitigate an organizational conflict of interest arising from a contract award, the contracting officer may disqualify the offeror from award under FAR 9.504(e).

(c) Even if awarding a contract will result in an organizational conflict of interest, the contracting officer may request a waiver from his or her HCA if awarding the contract is in the best interests of the Government.

(1) Before granting a waiver request under this paragraph, the HCA must obtain the concurrence of OGC.

(2) If the HCA grants a waiver request, the contracting officer may set contract terms and conditions to reduce any organizational conflict of interest to the greatest extent possible.

(d) In any solicitation for the services addressed at FAR 9.502, the contracting officer must require that each offeror submits a statement with its offer disclosing all facts relevant to an existing or potential organizational conflict of interest involving the contractor or any subcontractor during the life of the contract (see 809.507–1(b) and 852.209–70).

809.507 Solicitation provisions and contract clause.

809.507–1 Solicitation provisions.

(a) While conflicts of interest may not presently exist, award of certain types of contracts may create potential future organizational conflicts of interest (see FAR 9.508 for examples). If a solicitation may create a potential future organizational conflict of interest, the contracting officer shall insert a provision in the solicitation imposing an appropriate restraint on the contractor's eligibility for award of contracts in the future. Under FAR 9.507–1, the restraint must be appropriate to the nature of the conflict and may exclude the contractor from award of one or more contracts in the future.

(b) The clause at 852.209–70, Organizational conflicts of interest, must be included in any solicitation for the services addressed in FAR 9.502.

PART 811—DESCRIBING AGENCY NEEDS

Subpart 811.0—Definitions

Sec.
811.001 Definitions.

Subpart 811.1—Selecting and Developing Requirements Documents

811.103 Market acceptance.
811.103–70 Technical industry standards.
811.104 Use of brand name or equal purchase descriptions.
811.104–70 Brand name or equal purchase descriptions.
811.104–71 Purchase description clauses.
811.104–72 Brand name or equal component parts.
811.104–73 Bid samples.
811.104–74 Bid evaluation and award.
811.104–75 Procedure for negotiated procurements.
811.105 Items peculiar to one manufacturer.
811.107 Contract clauses.

Subpart 811.2—Using and Maintaining Requirements Documents

811.202 Maintenance of standardization documents.
811.204 Contract clause.

Subpart 811.4—Delivery or Performance Schedules

811.404 Contract clause.

Subpart 811.5—Liquidated Damages

811.501 Policy.
811.503 Contract clause.

Subpart 811.6—Priorities and Allocations

811.602 General.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

811.001 Definitions.

For the purposes of this part:

Brand name product means a commercial product described by brand name and make or model number or other appropriate nomenclature by which the product is offered for sale to the public by the particular manufacturer, producer or distributor.

Salient characteristics means those particular characteristics that specifically describe the essential physical and functional features of the material or service required. They are features that are identified in the specifications as a mandatory requirement that a proposed ''equal'' product or material must possess for the bid to be considered responsive.

Subpart 811.1—Selecting and Developing Requirements Documents

811.103 Market acceptance.

811.103–70 Technical industry standards.

Where items are required to conform to technical industry standards, such as those adopted by: Underwriters Laboratories, Inc.; Factory Mutual Laboratories; American Gas Association; American Society of Mechanical Engineers; National Electrical Manufacturers Association; American Society of Heating, Refrigerating and Air-Conditioning Engineers; or similar organizations, where such standards are generally recognized and accepted in the industry involved, the invitation for bids, request for proposals or request for quotations will so state. In no instance, where there is a multiple choice of laboratories, shall the invitation for bid, request for proposal, or request for quotation indicate that the label or certificate of only one such laboratory is acceptable. The contracting officer shall include the provision at 852.211–72, Technical industry standards, in solicitations requiring conformance to technical industry standards unless comparable provisions are contained in the item specification.

811.104 Use of brand name or equal purchase descriptions.

811.104–70 Brand name or equal purchase descriptions.

(a) The specification writer may use purchase descriptions that contain references to one or more brand name products only in accordance with 811.104–71 through 811.104–75.

(b) Purchase descriptions that contain references to one or more brand name products must be followed by the words ''or equal,'' except when the acquisition of a specific brand name is fully justified under FAR Subpart 6.3 and 806.3. If more than one brand name is acceptable, the contracting officer should list the known acceptable brand name products in the solicitation.

(c) Where a ''brand name or equal'' purchase description is used, the contracting officer must give bidders an opportunity to offer products other than those specifically referenced by brand

name. Following bid opening or receipt of offers, the contracting officer must determine if non-''brand name'' substitute products fully meet the salient characteristics listed in the solicitation.

(d) When using a ''brand name or equal'' purchase description, the specification writer must set forth those salient physical, functional, or other characteristics of the referenced products that are essential to the minimum needs of the Government. For example, when interchangeability of parts is required, the specification writer must specify this requirement. The purchase description must contain the following information to the extent available:

(1) Complete common generic identification of the item required.

(2) Applicable model, make, or catalog number for each brand name product referenced and identity of the commercial catalog in which it appears.

(3) Name of manufacturer, producer, or distributor of each brand name product referenced (and address if not well known).

(4) Any other information necessary to describe the item required.

(e) When necessary to adequately describe the item required, the contracting officer may use an applicable commercial catalog description or pertinent extract if the description is identified in the solicitation as being that of the particular named manufacturer, producer, or distributor. The contracting officer must insure that a copy of any catalog referenced (except a parts catalog) is available on request for review by bidders at the purchasing office.

(f) Except as noted in paragraph (d) of this section, the specification writer must not include in a purchase description either minimum or maximum restrictive dimensions, weights, materials, or other salient characteristics that are unique to a brand name product or that would tend to eliminate competition or other products that are only marginally outside the restrictions. However, the specification writer may include in a purchase description restrictive dimensions, weights, materials, or other salient characteristic if:

(1) The user determines in writing that the restrictions are essential to the Government's requirements;

(2) The specification writer includes the brand name of the product in the purchase description; and,

(3) The contracting officer makes all other determinations required by 811.105.

(g) The contracting officer must include in the contract file, as appropriate, written justifications for using the ''brand name or equal'' description, the contracting officer's determinations, and bidder submissions.

811.104–71 Purchase description clauses.

(a) When a solicitation uses ''brand name or equal'' purchase descriptions, the contracting officer must include in the solicitation the clause at 852.211–73, Brand name or equal, and the provision set forth at FAR 52.214–21, Descriptive Literature. The contracting officer must review the requirements at FAR 14.202–5 when using the descriptive literature provision.

(b) When a ''brand name or equal'' purchase description is included in an invitation for bids, the contracting officer shall insert the following after each item so described in the solicitation, for completion by the bidder:

Bidding on:

Manufacturer name _____

Brand _____

No. _____

811.104–72 Limited application of brand name or equal.

If the contracting officer determines that the clause at 852.211–73, Brand name or equal, applies to only certain line items of a solicitation, the requirements of 811.104–71(b) apply to those line items and the contracting officer must include a statement in the solicitation as follows:

The clause entitled ''Brand name or equal'' applies only to the following line items: [*List the line items to which the clause applies*]

811.104–73 Bid samples.

(a) When a solicitation contains ''brand name or equal'' purchase descriptions, the contracting officer must not require a bidder who offers brand name products, including component parts, referenced in the descriptions to furnish bid samples of the referenced brand name products.

(b) A solicitation may require the submission of bid samples in the case of a bidder offering ''or equal'' products. If bid samples are required, the contracting officer must include in the solicitation the provision set forth at FAR 52.214–20, Bid Samples.

(c) A bidder must furnish all descriptive literature in accordance with and for the purpose set forth in the ''Brand Name or Equal'' clause, 852.211–73(c)(1) and (c)(2), even though bid samples may not be required.

811.104–74 Bid evaluation and award.

(a) A bid offering products that differ from brand name products referenced in a ''brand name or equal'' purchase description must be considered for award if the contracting officer determines in accordance with the terms of the clause at 852.211–73, Brand name or equal, that the offered products are clearly identified in the bid and are equal in all material respects to the products specified.

(b) In award documents, the contracting officer must include, or incorporate by reference, an identification of the specific products that the contractor is to furnish. The identification must include any brand name and make or model number, descriptive material, and any modifications of brand name products specified in the bid. This requirement also applies when the descriptions of the end items contain ''brand name or equal'' purchase descriptions of component parts or of accessories related to the end item, and the clause at 852.211–73, Brand name or equal, was applied to the component parts or accessories (see 811.104–72).

811.104–75 Procedure for negotiated procurements.

(a) The specification writer and contracting officer must use the policies and procedures prescribed in 811.104–70 through 811.104–74 as a guide in developing adequate purchase descriptions for negotiated procurements.

(b) The contracting officer may adapt the clause at 852.211–73, Brand name or equal, for use in negotiated procurements. When use of the clause is not practical (as may be the case in unusual and compelling urgency purchases), the contracting officer must inform suppliers that proposals offering products different from the products referenced by brand name will be considered if the contracting officer determines that the offered products are equal in all material respects to the products referenced. The contracting officer must place decisions under this paragraph in writing for the contract file, as appropriate.

811.105 Items peculiar to one manufacturer.

(a) Except as provided in paragraph (b) of this section, the specification writer must write specifications in accordance with FAR 11.002.

(b)(1) When the specification writer determines that a particular physical or functional characteristic of only one product will meet the minimum requirements of VA (see FAR 11.105) or

that a ''brand name or equal'' purchase description must be used (see FAR 11.104), the specification writer must identify the item(s) for the contracting officer and do one of the following:

(i) Provide a full written justification of the reason the particular characteristic is essential to the Government's requirements.

(ii) Explain why the ''brand name or equal'' purchase description is necessary.

(2) The contracting officer makes the final determination whether restrictive specifications or ''brand name or equal'' purchase descriptions will be included in the solicitation.

811.107 Contract clauses.

(a) Insert the clause at 852.211–70, Service data manuals, paragraph (a), in solicitations and requests for proposals for technical medical and other technical equipment and devices issued by a field facility unless the facility Chief, Engineering Service, indicates that the service data manuals are not needed. The purpose of the clause is to require the manufacturer to provide VA a manual or groups of manuals that will allow for the in-house repair of the equipment purchased.

(b) Insert the clause at 852.211–70, Service data manuals, paragraph (b), in solicitations and requests for proposals for mechanical equipment (other than technical medical and other technical equipment and devices) issued by a field station.

Subpart 811.2—Using and Maintaining Requirements Documents

811.202 Maintenance of standardization documents.

(a) *Military and departmental specifications.* Contracting officers may, when it is advantageous to VA, use these specifications when procuring supplies and equipment costing less than the simplified acquisition threshold. When purchasing items of perishable subsistence, contracting officers may take into account only those exemptions set forth in paragraphs (b)(2) and (b)(3) of this section.

(b) *Nutrition and Food Service specifications.* (1) VA has adopted for use in the procurement of packinghouse products the purchase descriptions and specifications set forth in the Institutional Meat Purchase Specifications (IMPS) and the IMPS General Requirements, which have been developed by the U.S. Department of Agriculture. Purchase descriptions and specifications for dairy products, poultry, eggs, fresh and frozen fruits and vegetables, as well as certain packinghouse products selected from the IMPS especially for VA use, are contained in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, Publication No. C8900–SL.

(2) The military specifications for meat and meat products contained in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, must be used by VA only when purchasing such items of subsistence from the Defense Logistics Agency (DLA). Military specifications for poultry, eggs, and egg products contained in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, may be used when purchasing either from DLA or from local dealers.

(3) Except as authorized in Part 846, a contracting officer must not deviate from the specifications contained in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, and the IMPS without prior approval from the DSPE.

(4) Items of meat, cured pork and poultry purchased under the Subsistence Prime Vendor national contract or other local procurement sources should be purchased via Commercial Item Descriptions (CID) that require all products meet USDA Grading standards and/or the IMPS as applicable.

(c) *Department of Veterans Affairs specifications.* (1) The Director, Publications Staff, is responsible for developing, publishing, and distributing VA specifications covering printing and binding.

(2) VA specifications, as they are revised, are placed in stock in the VA Forms and Publications Depot. The contracting officer may requisition facility requirements for these specifications from that source.

(d) *Government paper specification standards.* (1) Invitations for bids, requests for proposals, purchase orders, or other procurement instruments covering the purchase of paper stocks to be used in duplicating or printing, or which specify the paper stocks to be used in buying printing, binding, or duplicating, must require that the paper stocks be in accordance with the Government Paper Specification Standards issued by the Congressional Joint Committee on Printing.

(2) All binding or rebinding of books, magazines, pamphlets, newspapers, slip cases, and boxes must be procured in accordance with Government Printing Office (GPO) specifications and must be procured from the servicing GPO Regional Printing Procurement Office or, when appropriate, from commercial sources.

(3) There are three types of binding/rebinding: Class A (hard cover); Perfect (glued); and Lumbinding (sewn). The most suitable type of binding must be procured to satisfy the requirements, based upon the intended use of the bound material.

811.204 Contract clause.

Insert the clause at 852.211–75, Product specifications when product specifications are cited in an invitation for bids or a request for proposals.

Subpart 811.4—Delivery or Performance Schedules

811.404 Contract clause.

When delivery is required by or on a particular date for f.o.b. destination contracts, the contracting officer must add a statement following the Time of Delivery clause in FAR 52.211–8 that the delivery date specified is the date by which the shipment is to be delivered, not the shipping date. In f.o.b. origin contracts, the contracting officer must add a statement following this clause that the date specified is the date shipment is to be accepted by the carrier.

Subpart 811.5—Liquidated Damages

811.501 Policy.

The contracting officer must not routinely include a liquidated damages provision in supply or construction contracts, regardless of dollar amount. The decision to include liquidated damages provisions must conform to the criteria in FAR 11.501. In making this decision, the contracting officer must consider whether the necessity for timely delivery or performance as required in the contract schedule is so critical that a probable increase in contract price is justified. The contracting officer must not use a liquidated damages provision for any of the following reasons:

(a) As insurance against selection of a non-responsible bidder.

(b) As a substitute for efficient contract administration.

(c) As a penalty for failure to perform on time.

811.503 Contract clause.

When the contracting officer determines that the Liquidated damages clause prescribed in FAR 52.211–11 or 52.211–12 must be used and where partial performance by the contractor may be to the advantage of the Government, the contracting officer must include the clause in 852.211–74, Liquidated damages, in the contract.

Subpart 811.6—Priorities and Allocations

811.602 General.

(a) Priorities and allocations of critical materials are controlled by the Department of Commerce. Essentially, priorities and allocations of critical materials are restricted to projects having a direct connection with supporting current defense needs. VA is not authorized to assign a priority rating to its purchase orders or contracts involving the acquisition or use of critical materials.

(b) When it has been technically established that it is not feasible to use a substitute material, the Department of Commerce has agreed to assist the VA in obtaining critical materials for maintenance and repair projects. The Department of Commerce will also, when possible, render assistance in connection with the purchase of new items, which may be in short supply because of their use in connection with the defense effort.

(c) A contracting officer having problems acquiring critical materials must ascertain all the facts necessary to enable the Department of Commerce to render assistance to VA in acquiring these materials. The contracting officer must submit a request for assistance to the DSPE containing the following information:

(1) A description of the maintenance and repair project or the new item.

(2) The critical material and the amount required.

(3) The contractor's sources of supply, including any addresses. If the source is other than the manufacturer or producer, also list the name and address of the manufacturer or producer.

(4) The VA contract or purchase order number.

(5) The contractor's purchase order number, if known, and the delivery time requirement as stated in the solicitation or offer.

(6) The additional time the contractor claims is necessary to deliver the materials if priority assistance is not provided.

(7) The nature and extent of the emergency that will be generated at the station, such as any of the following:

(i) Damage to the physical plant.

(ii) Impairment of the patient care program.

(iii) Creation of safety hazards.

(iv) Any other pertinent condition that could result because of failure to secure assistance in obtaining the critical materials.

(8) If applicable, a statement that the item required is for use in a construction contract that was authorized by the Director, Office of Construction and Facilities Management, to be awarded and administered by the facility contracting officer.

PART 812—ACQUISITION OF COMMERCIAL ITEMS

Subpart 812.1—Acquisition of Commercial Items—General

Sec.
812.102 Applicability.

Subpart 812.3—Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items

812.301 Solicitation provisions and contract clauses for the acquisition of commercial items.
812.302 Tailoring of provisions and clauses for the acquisition of commercial items.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 812.1—Acquisition of Commercial Items—General

812.102 Applicability.

(a) This part shall be used for the acquisition of supplies and services that meet the definition of commercial items at FAR 2.101.

(b) Contracting officers shall use the policies in this part in conjunction with the policies and procedures for the solicitation, evaluation, and award prescribed in Parts 813, Simplified Acquisition Procedures, 814, Sealed Bidding, and 815, Contracting by Negotiation, as appropriate for the particular acquisition.

(c) Contracts for the acquisition of commercial items are subject to the policies of other parts of this chapter. When a policy in another part of this chapter differs from a policy in this part, this Part 812 applies to the acquisition of commercial items.

Subpart 812.3—Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items

812.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(a) Regardless of provisions in other parts of the VAAR, contracting officers may use, as appropriate, only those provisions and clauses referred to in this part when acquiring commercial items.

(b) Contracting officers may use the provisions and clauses in the following VAAR sections, as appropriate and in accordance with the prescriptions for the provisions and clauses, in requests for quotations, solicitations, and contracts:

(1) 852.203–70, Commercial advertising.

(2) 852.203–71, Display of Department of Veterans Affairs Hotline poster.

(3) 852.207–70, Report of employment under commercial activities.

(4) 852.209–70, Organizational conflicts of interest.

(5) 852.211–71, Special notice.

(6) 852.211–72, Technical industry standards.

(7) 852.211–73, Brand name or equal.

(8) 852.211–75, Product specifications.

(9) 852.214–70, Caution to bidders—bid envelopes.

(10) 852.214–71, Restrictions on alternate item(s).

(11) 852.214–72, Alternate item(s).

(12) 852.214–73, Alternate packaging and packing.

(13) 852.214–74, Bid samples.

(14) 852.216–70, Estimated quantities.

(15) 852.228–71, Indemnification and insurance.

(16) 852.229–70, Sales and use taxes.

(17) 852.233–70, Protest content/alternative dispute resolution.

(18) 852.233–71, Alternate protest procedure.

(19) 852.237–7, Indemnification and medical liability insurance.

(20) 852.237–70, Contractor responsibilities.

(21) 852.246–70, Guarantee.

(22) 852.246–71, Inspection.

(23) 852.246–72, Frozen processed foods.

(24) 852.252–70, Solicitation provisions or clauses incorporated by reference.

(25) 852.270–1, Representatives of contracting officers.

(26) 852.270–2, Bread and bakery products—quantities.

(27) 852.270–3, Purchase of shellfish.

(28) 852.271–72, Time spent by counselee in counseling process.

(29) 852.271–73, Use and publication of counseling results.

(30) 852.271–74, Inspection.

(31) 852.271–75, Extension of contract period.

(c) When appropriate in accordance with the prescriptions for the clauses, the contracting officer may use the clauses in the following VAAR sections in requests for quotations, solicitations, and contracts for the acquisition of commercial items if the contracting officer determines that the use is consistent with customary commercial practices:

(1) 852.211–70, Service data manuals.

(2) 852.211–74, Liquidated damages.

(d) All requests for quotations, solicitations, and contracts for commercial item services to be provided to beneficiaries must include the clause

at 852.271–70, Nondiscrimination in services provided to beneficiaries.

(e) Micro-purchases that use the procedures of this part in conjunction with part 813 do not require clauses unless the contracting officer determines that the use of clauses serves the Government's best interest.

(f) When soliciting for health care resources that are commercial services or the use of medical equipment or space under the authority of part 873 and 38 U.S.C. 8151–8153, the provisions and clauses in the following VAAR sections may be used in accordance with the prescriptions contained therein or elsewhere in the VAAR:

(1) 852.273–70, Late offers.

(2) 852.273–71, Alternative negotiation techniques.

(3) 852.273–72, Alternative evaluation.

(4) 852.273–73, Evaluation—health-care resources.

(5) 852.273–74, Award without exchanges.

(38 U.S.C. 8151–8153)

812.302 Tailoring of provisions and clauses for the acquisition of commercial items.

(a) Contracting officers may tailor solicitations to be inconsistent with customary commercial practice if they prepare and obtain approval of a waiver under paragraph (c) of this section.

(b) The contracting officer must prepare the waiver in accordance with FAR 12.302(c). The waiver is subject to the tailoring prohibitions in FAR 12.302(b)(1) through 12.302(b)(6).

(c) The contracting officer must obtain approval for waivers from the following:

(1) The Chief, Acquisition Assistance Division, for individual contracts.

(2) The Chief, Acquisition Program Management Division, for a class of contracts.

(d) Contracting officers must submit waiver requests no later than the solicitation issue date.

(e) Contracting officers must retain approved requests in the contract file.

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

PART 813—SIMPLIFIED ACQUISITION PROCEDURES

Subpart 813.1—Procedures

Sec.
813.106 Soliciting competition, evaluation of quotations or offers, award and documentation.
813.106–3 Award and documentation.
813.106–70 Oral purchase orders.

Subpart 813.3—Simplified Acquisition Methods

813.302 Purchase orders.
813.302–5 Clauses.
813.307 Forms.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 813.1—Procedures

813.106 Soliciting competition, evaluation of quotations or offers, award and documentation.

813.106–3 Award and documentation.

The contracting officer may record a quotation on an Abstract of Offers (SF 1409 or 1419), the purchase request if space permits, or other supplemental sheet or form, such as VA Form 10–2237b, Request for Dietetic Supplies.

813.106–70 Oral purchase orders.

When advantageous to VA, the contracting officer may use an oral purchase order for transactions not in excess of $3,000. This limitation does not apply to delivery orders against existing contracts, e.g., delivery orders against Federal Supply Schedule contracts. The contracting officer must assign a purchase order number to the transaction. A copy of any electronically generated purchase order may be used as a property voucher and receiving report to document receipt.

Subpart 813.3—Simplified Acquisition Methods

813.302 Purchase orders.

813.302–5 Clauses.

When using the VA Form 90–2138 or 90–2138–ADP for maintenance contracts involving services performed on Government property that have the potential for property damage and liability claims, the contracting officer shall insert in the purchase order the Contractor's Responsibilities clause found at 852.237–70. Applicable maintenance contracts include, but are not limited to, window washing, pest control, and elevator maintenance.

813.307 Forms.

(a) The following forms provide a purchase or delivery order, vendor's invoice, and receiving report:

(1) VA Form 90–2138, Order for Supplies or Services.

(2) VA Form 90–2139, Order for Supplies or Services (Continuation).

(3) VA Form 90–2138–ADP, Purchase Order for Supplies or Services.

(4) VA Form 2139–ADP, Order for Supplies and Services (Continuation).

(b) The contracting officer may use the forms specified in paragraphs (a)(1) through (a)(4) of this section instead of OF 347, Order for Supplies or Services, OF 348, Order for Supplies or Services Schedule—Continuation, and SF 1449, Solicitation/Contract/Order for Commercial Items.

(c) The contracting officer or other properly delegated official (see 801.670–3) may use the following order forms when ordering the indicated medical, dental, and ancillary services totaling up to $10,000 per authorization when such services are not available under existing contracts:

(1) VA Form 10–7078, Authorization and Invoice for Medical and Hospital Services.

(2) VA Form 10–7079, Request for Outpatient Medical Services.

(3) VA Form 10–2570d, Dental Record Authorization and Invoice for Outpatient Service.

(d) In authorizing patient travel as set forth in VA manual MP–1, Part II, Chapter 3, the contracting officer or other properly delegated official (see 801.670–3) may use VA Form 10–2511, Authority and Invoice for Travel by Ambulance or Other Hired Vehicle, as provided by that manual.

(e) The contracting officer must use SF 182, Request, Authorization, Agreement, and Certification of Training, for procurement of training.

(f) The contracting officer must use VA Form 10–2421, Prosthetics Authorization for Items or Services, for indicated services not in excess of $300.

PART 814—SEALED BIDDING

Subpart 814.1—Use of Sealed Bidding

Sec.
814.104 Types of contracts.
814.104–70 Fixed-price contracts with escalation.

Subpart 814.2—Solicitation of Bids

814.201 Preparation of invitations for bids.
814.201–6 Solicitation provisions.
814.203 Methods of soliciting bids.
814.203–1 Transmittal to prospective bidders.
814.204 Records of invitations for bids and records of bids.
814.208 Amendment of invitation for bids.

Subpart 814.3—Submission of Bids

814.301 Responsiveness of bids.
814.302 Bid submission.
814.304 Submission, modification, and withdrawal of bids.

Subpart 814.4—Opening of Bids and Award of Contract

814.401 Receipt and safeguarding of bids.
814.402 Opening of bids.
814.403 Recording of bids.
814.404 Rejection of bids.
814.404–1 Cancellation of invitations after opening.
814.404–2 Rejection of individual bids.
814.404–70 Questions involving the responsiveness of a bid.
814.407 Mistakes in bids.
814.407–3 Other mistakes disclosed before award.

814.407–4 Mistakes after award.
814.408 Award.
814.408–70 Award when only one bid is received.
814.408–71 Recommendation for award (construction).
814.409 Information to bidders.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 814.1—Use of Sealed Bidding

814.104 Types of contracts.

814.104–70 Fixed-price contracts with escalation.

When fixed price contracts with escalation are authorized under 816.102(a), a contracting officer must comply with FAR 16.203–1 through 16.203–4.

Subpart 814.2—Solicitation of Bids

814.201 Preparation of invitations for bids.

(a) An invitation for bids for supplies, equipment, and services must be serially numbered at the time of issue. Numbers assigned locally must consist of the facility or VA National Acquisition Center division number, the serial number of the invitation, and the fiscal year in which the VA facility issues the invitation, e.g., 533–24–07 for the 24th invitation issued by VA facility 533 in Fiscal Year 2007. A series beginning with the number 1 must be started each fiscal year. Numbers assigned from a national register may be sequential, without regard to year, and use whatever numbering system assigned by the national system or VA's Electronic Contract Management System (eCMS). VHA shall use eCMS for all solicitation numbering.

(1) An invitation for bid for supplies, equipment, and services that is numbered locally must be numbered in the series of the year in which it is issued, will be accepted, and will become a contract in the same fiscal year but, because of procurement lead time, will not be performed until the next fiscal year.

(2) An invitation for bid that is numbered locally must be numbered in the next fiscal year series if it is issued in one fiscal year but the contract will become effective and will be performed only in the next fiscal year.

(b) An invitation for a construction contract must bear the applicable invitation for bid number and the project number, if assigned.

(c) An invitation for bid containing a summary bid request must include the following statement:

''The award will be made on either an individual item basis or summary bid basis, whichever results in the lowest cost to the Government. Therefore, to assure proper evaluation of all bids, a bidder quoting a summary bid price must also quote a price on each individual item included in the summary bid price.''

(d) When a contracting officer determines that it will be to the Government's advantage to make an award by group or groups of items, the contracting officer must include a provision for the award by group or groups of items in the invitation for bids. This may apply when the items in the group or groups are readily available from sources to be solicited; and one of the following apply:

(1) It is desirable to award a minimum number of contracts.

(2) Furniture or fixtures are required for a single project and uniformity of design is desirable.

(3) The articles required will be assembled and used as a unit.

(e) A solicitation for a construction contract must contain a statement on the order of priority in which VA will award any alternative bid items, based on the relative importance of the items, VA's cost estimate, and the amount of funds available, when the following apply:

(1) VA intends to make a single aggregate award for all items in the solicitation within certain fiscal limitations.

(2) The solicitation asks for prices on an item and alternate item basis.

(f) A bid item schedule in a solicitation issued in compliance with paragraph (e) of this section should be structured substantially as follows:

A single award will be made on Item No. 1, but in the event the offer exceeds the funds available, a single award will be made on Item No. 2 or Item No. 3, in that order, based on available funding. Offerors should quote a price on each item listed.

Item No. 1—Furnish all labor, material, equipment, etc., to paint Buildings No. 1, 2, and 3: $____.

Alternate items in order of priority:

Item No. 2—Furnish all labor, material, equipment, etc., to paint Building Nos. 1 and 2: $____.

Item No. 3—Furnish all labor, material, equipment, etc., to paint Building No. 1: ____.

814.201–6 Solicitation provisions.

(a) The contracting officer must place the provision entitled ''Caution to Bidders-Bid Envelopes,'' as set forth in 852.214–70, in all invitations for bids where bid submissions are by other than electronic means.

(b) In an invitation for bid for supplies, equipment, or services (other than construction), the contracting officer must define the extent to which VA will authorize and consider alternate bids. VA will consider for acceptance an alternate specified on construction projects only as a part of the basic item.

(1) When VA will consider an alternate item only if no bids or insufficient bids are received on an item desired, the contracting officer must include the provision set forth in 852.214–71, Restrictions on alternate item(s), in the invitation.

(2) When VA will consider an alternate item on an equal basis with the item specified, the contracting officer must include the provision set forth in 852.214–72, Alternate items, in the invitation.

(3) In addition to the provision referenced in paragraph (b)(1) or (2) of this section, the contracting officer must include the provision set forth in 852.214–73, Alternate packaging and packing, in the invitation when bids will be allowed on different packaging, unit designation, etc.

(c) When the contracting officer determines that samples are necessary to the proper awarding of a contract, the contracting officer must include the provision set forth in 852.214–74, Bid samples, in the solicitation, along with the provision in FAR 52.214–20, Bid samples.

814.203 Methods of soliciting bids.

814.203–1 Transmittal to prospective bidders.

The contracting officer should include either a bid envelope or OF 17, Sealed Bid Label, with each invitation for bids furnished by mail or hand delivered to prospective bidders.

814.204 Records of invitations for bids and records of bids.

(a) The issuing office must establish and maintain a single register on a fiscal year basis for all solicitations. For each invitation to bid or request for proposal, the register must include the following:

(1) Bid or proposal number.

(2) Date of issue.

(3) Date of opening.

(4) Commodity or service involved.

(5) Disposition (i.e., contract number or purchase order number or, when applicable, no award).

(b) Maintenance of the contract file prescribed by Part 804 and retention of canceled Invitation for Bid files will fulfill the requirements set forth in FAR 14.204(b).

814.208 Amendment of invitation for bids.

The contracting officer must send amendments to holders of drawings and specifications by certified mail, return receipt requested, or any other method that provides evidence of receipt. The

contracting officer may send amendments by telegram, facsimile, or other method of rapid delivery that provides evidence of receipt, if time does not permit mailing.

Subpart 814.3—Submission of Bids

814.301 Responsiveness of bids.

Where a contracting officer cannot administratively determine, in accordance with FAR 14.301, the timeliness of the submission of a bid, modification, or withdrawal, the contracting officer must submit the matter through the DSPE to the Comptroller General for a decision. The submission must include copies of all pertinent papers.

814.302 Bid submission.

A bid hand-carried by the bidder or his agent will be considered late unless delivered to the addressee designated in the bid invitation before the time set for opening.

814.304 Submission, modification, and withdrawal of bids.

(a) A notification to late bidders must specify the final date by which VA must receive evidence. This date must be within the time allowed by the apparent low bidder for acceptance of the low bidder's bid.

(b) All bids received by mail or delivered in person by the bidder (or telegram where authorized) must be time and date stamped immediately upon receipt at the VA facility mail room and in the office of the addressee designated in the invitation.

Subpart 814.4—Opening of Bids and Award of Contract

814.401 Receipt and safeguarding of bids.

The contracting officer is designated as the official to open bids for identification, as provided in FAR 14.401.

814.402 Opening of bids.

(a) The contracting officer must serve as, or designate, a bid opening officer, and must also designate a recorder.

(b) If a bid bond is required, the bid opening officer must read aloud the form and amount of bid security and the name of the surety. The recorder must record this information.

814.403 Recording of bids.

(a) The recorder must transcribe the information required for bid evaluation on the appropriate Abstract of Offers form (SF 1409 or OF 1419). The evaluation data may be recorded on supplemental sheets or forms such as VA Form 10–2237b, Request for Dietetic Supplies, provided that any supplemental sheets or forms are covered by one of the forms authorized for recording bid or price data.

(b) The bid opening officer must comply with the instructions in FAR 14.403 and certify on the abstract the date and hour at which the bids were opened. Where erasures, strikeovers, or changes in price are noted at the time of bid opening, a statement to that effect must also be included on, or attached to, the abstract or record of bids.

814.404 Rejection of bids.

814.404–1 Cancellation of invitations after opening.

(a) For each invitation to bid that VA cancels or for which it receives no bid, the contracting officer must do the following:

(1) File a copy of the invitation for bids, as provided for in FAR 14.404–1, together with the abstract showing to whom such bids were sent, in a separate folder identified by the invitation number.

(2) Annotate the abstract to show why an award was not made.

(3) Retain the folders for the current and two succeeding fiscal years.

(b) The HCA may approve cancellation of invitations for bid after opening and may approve completion of the acquisition after cancellation, as provided in FAR 14.404–1(e). The contracting officer must submit a Determination and Finding to the HCA for approval and signature.

814.404–2 Rejection of individual bids.

(a) When a contracting officer finds a bid that is being considered for an award is incomplete, e.g., all pages of the invitation have not been returned by the bidder, the contracting officer will take whichever of the following actions that is appropriate:

(1) Make a determination that the bid as submitted is in such a form that acceptance would create a valid and binding contract, requiring the contractor to perform in accordance with all of the material terms and conditions of the invitation. The determination may be based on the fact that the bid as submitted includes evidence that the offeror intends to be bound by all the material terms and conditions of the invitation.

(2) Make a determination that the bid as submitted is in such form that acceptance would not create a valid and binding contract.

(b) When VA receives a single bid in response to a solicitation, the contracting officer must not reject the offer simply because it specifies a bid acceptance time that is shorter than that contained in the solicitation, unless a compelling reason exists for rejecting such a bid. Insufficient time to properly evaluate an offer is a compelling reason for rejection; however, the contracting officer must first request the offeror to extend the acceptance date of the bid to allow for proper evaluation.

(c) In those cases where VA receives more than one bid, the contracting officer must reject as nonresponsive an individual bid that is not in compliance with the Government's bid acceptance time, since consideration of such an offer would unfairly disadvantage other bidders.

814.404–70 Questions involving the responsiveness of a bid.

If a contracting officer cannot resolve a question involving the responsiveness of a bid, the contracting officer may submit the question to the Comptroller General through the DSPE.

814.407 Mistakes in bids.

814.407–3 Other mistakes disclosed before award.

(a) In accordance with FAR 14.407–3(e), the authority of the Secretary to make the administrative determinations set forth in FAR 14.407–3(a), (b), (c), and (d) is delegated to the SPE and is further delegated, without power of redelegation, to the DSPE. This delegation in no way impairs the delegations contained in Unpublished Decision of the Comptroller General B–122003 dated November 22, 1954.

(b) When a bidder alleges a mistake in his or her bid before award, after complying with the provisions of FAR 14.407–3, the contracting officer must submit the complete file to the DSPE for an administrative determination. Based upon the evidence submitted, the DSPE shall determine the action the contracting officer is to take. The contracting officer may make no award until the DSPE makes a determination.

814.407–4 Mistakes after award.

(a) When a contracting officer corrects a mistake in bid under FAR 14.407–4(a), the contracting officer must forward a copy of the contract amendment or supplemental agreement and a copy of the contracting officer's determination, to the DSPE.

(b) For mistakes in a bid alleged after award, the contracting officer's proposed determination, prepared in accordance with FAR 14.407–4, must be forwarded to OGC through the DSPE, Acquisition Resources Service, for legal coordination. The DSPE shall transmit the results of this coordination to the contracting officer, who will make the

final determination on the alleged mistake in bid after award.

(c) The DSPE, Acquisition Resources Service, must maintain the agency records of mistakes in bids after award required by FAR 14.407–4.

814.408 Award.

814.408–70 Award when only one bid is received.

(a) When VA receives only one bid in response to an invitation for bids, the contracting officer may consider and accept the bid if all of the following apply:

(1) The specifications used in the invitation were not restrictive.

(2) VA solicited adequate competition.

(3) The price is reasonable.

(4) The bid is otherwise in accordance with the invitation for bids.

(b) The contracting officer must make the determination in writing, and include it the contract file.

814.408–71 Recommendation for award (construction).

(a) For Central Office contracts, the Director, Office of Construction and Facilities Management, must analyze all bids received and submit a memorandum to the Secretary recommending award or other disposition of the project. A copy of each of the following must accompany the memorandum:

(1) The invitation.

(2) Each bid received.

(3) The abstract.

(4) Any other pertinent data.

(b) For facility-level contracts, the Chief, Engineering Service, must analyze all bids received and submit a memorandum recommending award or other disposition of the project to the contracting officer. The contracting officer alone must make the final decision to accept or reject the lowest responsive bid and the determination as to the responsibility of a prospective contractor.

814.409 Information to bidders.

(a) An employee of VA may not disclose information as to probable acceptance or rejection of any offer to any bidder or other person outside of VA, except as authorized by the FAR.

(b) Except as provided in paragraphs (c) and (d) of this section, information about performance under a contract or an accepted bid is not public information and will be released to persons outside of VA only upon the authority of the immediate supervisor of the contracting officer.

(c) Except as provided in paragraph (d) of this section, the contracting officer may furnish information on performance under a contract to those having a legitimate interest, such as sureties, banks, other financial companies and Government departments and agencies.

(d) When litigation is involved, all information must be furnished through OGC.

PART 815—CONTRACTING BY NEGOTIATION

Subpart 815.3—Source Selection

Sec.
815.303 Responsibilities.

Subpart 815.4—Contract Pricing

815.404 Proposal analysis.
815.404–1 Proposal analysis techniques.
815.404–2 Information to support proposal analysis.

Subpart 815.6—Unsolicited Proposals

815.604 Department points of contact.
815.606 Department procedures.
815.606–1 Receipt and initial review.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 815.3—Source Selection

815.303 Responsibilities.

The authority of the Secretary to appoint an individual other than the contracting officer to serve as the source selection authority for a particular acquisition or group of acquisitions is delegated to the SPE and is further delegated to the DSPE. If an HCA wishes to designate an individual other than the delegated contracting officer as the source selection authority for a particular acquisition or group of acquisitions, the HCA shall prepare a request and justification and shall submit the request through channels to the DSPE for approval.

Subpart 815.4—Contract Pricing

815.404 Proposal analysis.

815.404–1 Proposal analysis techniques.

(a) Contracting officers are responsible for the technical and administrative sufficiency of the contracts they enter into. Contracting officers must ensure that contracts undergo all applicable legal and technical reviews. (See 801.602–70.)

(b) Contracting officers determine the level of technical analyses necessary for initial and revised pricing of all negotiated prime contracts, including subcontract pricing under them, and contract modifications. Contracting officers must request technical analyses of the proposals from the appropriate technical personnel. The technical analyses must address, as a minimum, the items set forth in FAR 15.404–1(e)(2).

(c) The contracting officer must document the results of such analyses in the contract file and make the results available to the auditor performing the pre-award audit.

815.404–2 Information to support proposal analysis.

In evaluating start-up and other non-recurring costs, the contracting officer must determine the extent to which these costs are included in the proposed price and the intent to absorb or recover the costs in any future noncompetitive procurement or other pricing action. The contracting officer must ensure, with the assistance of the Assistant Inspector General for Policy, Planning, and Resources, as required or considered necessary, that VA will not pay the costs twice. For example, the cost of equipment that the Government pays for through a setup or connection agreement must not be included in depreciation cost of a subsequently negotiated agreement.

Subpart 815.6—Unsolicited Proposals

815.604 Department points of contact.

A VA employee who receives an unsolicited proposal or inquiries from a potential offeror of an unsolicited proposal must refer the proposal or inquiries to the following:

(a) Facility level unsolicited proposals must be referred to the HCA for the field facility.

(b) Proposals to the VA National Acquisition Center must be referred to the Executive Director and Chief Operating Officer, VA National Acquisition Center.

(c) Proposals to VA Central Office must be referred to the Director, Acquisition Operations Service (049A3).

815.606 Department procedures.

(a) The VA contact point will do the following:

(1) Determine the nature of the potential proposal and which technical/professional disciplines within VA to consult to determine the need for the proposal and the likelihood that a formal proposal would earn favorable review.

(2) In consultation with such technical/professional offices, the VA contact point will furnish the potential offeror the information specified in FAR 15.604 and any other information that might be of assistance to the potential offeror.

(b) The contact point will maintain a record of advance guidance provided and the disposition/recommendation regarding the potential offer.

(c) The contact point will review the unsolicited proposal and ensure that it is complete as prescribed in FAR 15.605. If required information is not submitted, the contact point will:

(1) Determine if FAR 15.604 requires advance guidance;

(2) Determine whether a comprehensive evaluation prescribed by FAR 15.606–2 is appropriate and, if so, request that the offeror provide the necessary information; and,

(3) Establish an estimated due date for completion of the review process.

815.606–1 Receipt and initial review.

(a) When the VA contact point determines a proposal warrants a comprehensive evaluation (i.e., the proposal complies with the requirements in FAR 15.606–1(a) and is related to VA's mission), the contact point must contact the offeror to ensure that all data that should be restricted in accordance with FAR 15.609 has been identified.

(b) The contact point must maintain a log of all unsolicited proposals to be evaluated. The log must indicate the following:

(1) The date the proposal was received.

(2) The date that the unsolicited proposal was determined to warrant a comprehensive evaluation.

(3) A description of the proposal.

(4) The offices requested to evaluate the proposal and the date the offices are requested to return their evaluations.

(5) The date the reviewing offices finalize their respective evaluations.

(6) The final disposition of the proposal.

(c) The contact point must advise each office assigned responsibility for reviewing an unsolicited proposal of the need to evaluate the proposal against the criteria set forth in FAR 15.607(a)(1) through (4). If the reviewers determine that the proposal fails to meet any of the criteria, the contact point must be advised. The contact point must return the proposal to the offeror, citing the reasons therefore.

(d) The contact point must obtain approval of the DSPE (049A5) before the contact point, if warranted as a contracting officer, or an appropriate contracting officer begins negotiation on proposals. The contact point must provide the DSPE (049A5) all necessary documentation supporting the noncompetitive negotiation, including any justification and approval required by FAR Subpart 6.3 and the results of any synopsis required by FAR Subpart 5.2. The DSPE (049A5) will consult the appropriate VA Central Office program official(s) and return the final decision to the contact point.

PART 816—TYPES OF CONTRACTS

Subpart 816.1—Selecting Contract Types

Sec.
816.102 Policies.

Subpart 816.5—Indefinite-Delivery Contracts

816.504 Indefinite-quantity contracts.
816.505 Ordering.

Subpart 816.70—Unauthorized Agreements

816.7001 Letters of availability.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 816.1—Selecting Contract Types

816.102 Policies.

(a) Contracting officers must obtain technical review of solicitations that include a clause that provides for economic price adjustment specified in FAR 16.203–4 or any locally developed clause (see FAR 16.203–4(d)(2) and 801.602–72(d)). The request for approval must include a clearly stated need for the clause.

(b) The contracting officer must obtain the approval of the Director, Acquisition Resources Service (049A5), VA Central Office, before issuing a solicitation or awarding a contract that includes time-and-material or labor-hour pricing provisions if the ceiling price or estimated value of the acquisition exceeds $100,000. See 801.602–71 for technical review requirements. Excluded from this requirement are time-and-material or labor-hour solicitations or proposed contracts covering emergencies, such as repair of a broken water, sewer, or communication line, repair of storm damage, etc. (i.e., where FAR 6.302–2 applies).

(c) Except as provided in FAR 32.703–3, a contract that involves a direct obligation of appropriations and lasts for more than one year from the beginning of the contract period must provide that:

(1) The contract applies to the period stated in the contract, subject to availability of funds; and

(2) The contractor will not perform any service under the contract after September 30 of each fiscal year (or beyond the period of the basic contract or any authorized option if the contract crosses fiscal years as provided in FAR 32.703–3(b)) unless the contractor obtains specific authorization from the contracting officer.

(d) A/E contracts, construction contracts, or professional engineer contracts, financed by ''no year'' appropriations, are not subject to the requirements of paragraph (c) of this section.

Subpart 816.5—Indefinite-Delivery Contracts

816.504 Indefinite-quantity contracts.

(a) Except as provided in paragraphs (b), (c), and (d) of this section, when the contracting officer cannot determine definite quantities to be acquired under a solicitation and intends to issue a solicitation for estimated quantities, the contracting officer shall insert the clause at 852.216–70, Estimated quantities.

(b) The contracting officer shall insert the Alternate I clause at 852.216–70 in solicitations for bulk coal.

(c) The contracting officer shall insert the Alternate II clause at 852.216–70 in solicitations for estimated quantities of orthopedic, prosthetic, and optical supplies.

(d) The contracting officer shall insert the Alternate III clause at 852.216–70 in solicitations for monuments and headstones.

816.505 Ordering

The task order contract and delivery order ombudsman for VA is the Associate Deputy Assistant Secretary for Acquisitions (see FAR 16.505(b)(5)). Contracting officers may obtain the name, telephone number, facsimile number, and e-mail address of the current Associate Deputy Assistant Secretary for Acquisitions by contacting: The Office of Acquisitions (049A), VA Central Office, 810 Vermont Ave., NW., Washington, DC 20420.

Subpart 816.70—Unauthorized Agreements

816.7001 Letters of availability.

(a) *Description.* A letter of availability (sometimes inappropriately called a letter of intent) is a letter to a supplier that primarily seeks to reserve a place on the supplier's production or delivery schedule for long lead-time items. A letter of availability usually indicates products or services being considered for procurement. A supplier should not construe a letter of availability as a commitment. Prospective contractors sometimes solicit letters of availability or the letters may originate from Government personnel. A letter of availability differs from a letter contract, which is specifically authorized in FAR 16.603.

(b) *Policy.* (1) For the following reasons, contracting officers may not use letters of availability unless the DSPE specifically authorizes them to do so:

(i) Letters of availability often cause potential contractors to initiate costly

preparations in anticipation of contract award.

(ii) Procurements announced in such letters do not always materialize. The result may be costly to the Government, the prospective contractor, or both. If the author of the letter of availability is an authorized contracting officer of VA, the Government may be bound by the action, even though the action is contrary to sound procurement practices and/or fiscal regulations. If the author of the letter of availability lacks procurement authority, the prospective contractor may incur substantial expenditures that may not be recovered from the Government. In this instance, the prospective contractor may seek to hold the unauthorized author personally liable.

(iii) The issuance of a letter of availability may violate the ''Anti-Deficiency Act'' (31 U.S.C. 1341).

(2) Contractors need access to procurement information as soon as possible to make timely preparations. Therefore, procurement personnel should act as efficiently and expeditiously as possible on all procurement actions.

PART 817—SPECIAL CONTRACTING METHODS

Subpart 817.1—Multi-year Contracting

Sec.
817.105 Policy.
817.105–1 Uses.

Subpart 817.2—Options

817.202 Use of options.
817.204 Contracts.

Subpart 817.4—Leader Company Contracting

817.402 Limitations.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 817.1—Multi-year Contracting

817.105 Policy.

817.105–1 Uses.

(a) Under 38 U.S.C. 114, VA contracting officers may enter into multi-year contracts for supplies and services not to exceed 5 years (unless otherwise authorized by statue), provided the Secretary or designee makes the following determinations:

(1) Appropriations are available for obligation to pay for the total payments for the fiscal year in which the contract is awarded plus the estimated amount of any cancellation charges.

(2) The contract serves the best interest of the Government by:

(i) Reducing cost;

(ii) Achieving contract administration and other efficiencies;

(iii) Increasing quality contract performance; and

(iv) Encouraging effective competition.

(3) That, during the contract period:

(i) Demand for the supplies or services will continue;

(ii) Substantial changes in demand for supplies and services in terms of quantity or rate of delivery are unlikely; and

(iii) Specifications for the supplies or services will remain reasonably stable.

(4) The risk of the contractor's inability to perform under the terms and conditions of the contract is low.

(5) A multi-year contract will not inhibit competition from small businesses.

(6) For a pharmaceutical item for which a patent has expired less than 4 years before the solicitation issue date, that there is no substantial likelihood that increased competition among potential contractors would occur during the term of the contract as the result of the availability of generic equivalents increasing during the term of the contract.

(b) The Secretary has delegated authority to make the determinations specified in 817.105–1(a) as follows:

(1) HCAs may make the above determinations and approve contracts that do not require legal/technical reviews under 801.602–70 and that do not contain a first year cancellation ceiling exceeding 20 percent of the contract value over the full multi-year term.

(2) Authority to make the above determinations and to approve all other proposed multi-year contracts is delegated to the SPE and is further delegated to the DSPE. For approval purposes, the HCA will justify and document the use of a multi-year contract against each of the criteria specified in paragraphs (a)(1) through (a)(6) of this section and forward to the DSPE for approval. The justification must explain the cancellation ceiling and the method used to calculate that ceiling. The justification also must explain the advantages of multi-year contracts over other alternative methods, e.g., option year contracts.

(c) The contracting officer must develop the cancellation ceilings in accordance with FAR 17.106–1. (38 U.S.C. 114)

Subpart 817.2—Options

817.202 Use of options.

All solicitations developed under Office of Management and Budget Circular A–76 (Revised) cost comparisons will provide for four one-year renewal options as prescribed in FAR Subpart 17.2. The contracting officer must forward requests to use less or more than the prescribed contract period for Circular A–76 (Revised) cost comparisons to the DSPE for approval.

817.204 Contracts.

(a) The contracting officer must obtain the approval of the DSPE before awarding a contract that includes options exceeding the 5-year limitation specified in FAR 17.204(e). This requirement does not apply to contracts to be awarded by or on behalf of the VA Office of the Inspector General. The request for approval must include the following:

(1) Supporting documentation, rationale, and justifications for the use of options (see FAR 17.205) and for exceeding the 5-year limitation.

(2) Documentation that the contracting officer has considered and addressed the limitations specified in FAR 17.202(b) and (c).

(b) Solicitations that require technical review in accordance with 801.602–71 through 801.602–73 shall be submitted for review concurrently as provided therein.

Subpart 817.4—Leader Company Contracting

817.402 Limitations.

(a) Except as provided in paragraph (b) of this section, the Government shall not initiate or execute leader company contracts.

(b) The DSPE may designate a contracting officer to enter into a leader company contract for the benefit of VA and the Government. The DSPE must designate a contracting officer by name for a specific contract. The named contracting officer will submit the proposed contract, with a determination and finding, for legal review in accordance with 801.602–75.

SUBCHAPTER D—SOCIOECONOMIC PROGRAMS

PART 819—SMALL BUSINESS PROGRAMS

Subpart 819.2—Policies

Sec.
819.201 General policy.
819.202 Specific policies.
819.202–1 Encouraging small business participation in acquisitions.
819.202–5 Data collection and reporting requirements.
819.202–70 HCA responsibilities.
819.202–71 Additional contracting officer responsibilities.
819.202–72 Order of precedence.

Subpart 819.5—Set-Asides For Small Business

819.502 Setting aside acquisitions.
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Subpart 819.6—Certificates of Competency and Determinations of Responsibility

819.602 Procedures.
819.602–3 Resolving differences between VA and the Small Business Administration.

Subpart 819.8—Contracting with the Small Business Administration (The 8(a) Program)

819.800 General.

Subpart 819.70—Veteran-Owned and Operated Small Businesses

819.7001 Policy.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 819.2—Policies

819.201 General policy.

The Director, Office of Small and Disadvantaged Business Utilization (OSBDU), is designated as the official responsible for making the determination required by FAR 19.201(f).

819.202 Specific policies.

819.202–1 Encouraging small business participation in acquisitions.

Contracting officers may negotiate payment terms of less than 30 calendar days to encourage small business participation. A period of less than 7 days may not be prescribed (see FAR 32.908(c)(2)). The contracting officer and the local fiscal officer must be in agreement on the negotiated payment terms before awarding the contract.

819.202–5 Data collection and reporting requirements.

(a) Administration heads, staff office directors, and HCAs must, in addition to the responsibilities designated in FAR 19.202–5, cooperate with OSDBU in formulating specific small business program goals and providing other data necessary for goal assessment.

(b) Each VA acquisition activity shall establish goals for the expenditure of funds with preferred businesses within their projected annual budget. OSDBU is responsible for Department-wide goals and accomplishments and will approve or adjust each acquisition activity's goals.

(c) A Procurement Preference Program Goals Report (Report Control Symbol 00–0427) shall be submitted annually by each acquisition activity to reach OSDBU by November 1. Each report shall contain total expenditure estimates and goals for the current fiscal year and explanations of the methods utilized to arrive at each proposed goal. Anticipated problems in the attainment of the proposed goal in any category shall also be identified. This information will be used in negotiating the Department goals with the Small Business Administration (SBA).

(d) As an addendum to the report, each acquisition activity shall provide a narrative explaining the reason(s) for any shortfall(s) in the achievement of any previous fiscal year goal category.

(e) Upon review by OSDBU of the proposed goals, each acquisition activity will be notified of the acceptance of goals as submitted, or of any deficiencies. If the goals are not acceptable, the acquisition activity will be requested to submit further written justification for the goals submitted. Based on documents submitted, OSDBU will make a final determination on the goal assignment.

(f) Accomplishment of goals will be determined by OSDBU from data reported by acquisition activities into the Federal Procurement Data System-Next Generation (FPDS–NG).

819.202–70 HCA responsibilities.

An HCA must perform the following functions in support of the small business program. These functions cannot be delegated without written approval of the Director, OSBDU:

(a) Develop, on an annual basis, a plan of operation to increase the share of contracts and purchase orders awarded to the small business programs prescribed in FAR Part 19. This plan must also include veteran-owned and service-disabled veteran-owned small business concerns.

(b) Promote goals for the small business programs set forth in FAR Part 19. This must also include veteran-owned and service-disabled veteran-owned small business concerns.

(c) Review the types and classes of items and services to be purchased to determine the applicability of individual small business set-asides.

(d) Review class set-asides, established in accordance with criteria in FAR 19.503, at least annually to determine whether items or services procured under a unilateral or joint set-aside should be modified or withdrawn.

(e) Maintain updated lists of acquisitions reserved for small business on a class basis.

(f) If the acquisition activity is assigned to an SBA Procurement Center Representative, assure that the representative is provided logistical support, cooperation, and access to all reasonably obtainable contract information directly pertinent to the SBA Procurement Center Representative's official duties.

(g) Encourage technical personnel and end-users to participate in discussions with veteran-owned and service-disabled veteran-owned small business concerns.

(h) Attend conferences and meetings publicizing small business programs. This responsibility may be delegated without the written approval of the Director, OSBDU.

819.202–71 Additional contracting officer responsibilities.

In addition to the duties designated in FAR 19.202 through 19.202–6, contracting officers must perform the following functions in support of the small business program:

(a) Make maximum use of small business source lists.

(b) Assure that small business firms are identified on solicitation mailing lists and bid abstracts.

(c) Assure that specifications are not unduly restrictive, thereby enabling small business participation to the maximum extent possible.

(d) Assist and counsel small business firms with individual problems.

(e) Provide for counseling non-responsive or non-responsible small business bidders to help qualify them for future awards.

(f) Submit informational copies of all small business protests and appeals to the Director, OSBDU, at the same time they are submitted to the SBA.

Subpart 819.5—Set-Asides for Small Business

819.502 Setting aside acquisitions.

819.502–2 Total small business set-asides.

(a) When a total small business set-aside is made, one of the following statements, as applicable, will be included in the solicitation for bids:

(1) Notice of total small business set-aside, page __, applies to all items in this solicitation.

(2) Notice of total small business set-aside, page __, applies to items __ through __ in this solicitation.

(b) Contracting officers must ensure that the appropriate product or service classification and the related size standard are included in each solicitation.

819.502–3 Partial set-asides.

When, in accordance with the provisions of FAR 19.502–3, the contracting officer determines that a particular procurement will be partially set aside for small business participation, the solicitation for bids shall include the appropriate product or

service classification and appropriate size standard, and the following statement shall be placed on the face page:

Notice of partial set-aside, page __, applies to item __ through item __ in this solicitation.

Subpart 819.6—Certificates of Competency and Determinations of Responsibility

819.602 Procedures.

819.602–3 Resolving differences between VA and the Small Business Administration.

The Director, OSDBU, is the VA liaison with the SBA. Information copies of correspondence sent to the SBA seeking a certificate of competency determination must be concurrently provided to the Director, OSDBU. Before appealing a certificate of competency, the HCA must seek concurrence from the Director, OSDBU.

Subpart 819.8—Contracting With the Small Business Administration (The 8(a) Program)

819.800 General.

(a) No contract will be entered into with SBA under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) unless a certification is made by the Administrator of that agency, or designee, that SBA is competent to perform the contract.

(b) When it is determined that the requirements of VA are appropriate for inclusion in this program, the contracting officer will make this fact known to proper officials of the SBA regional office servicing his/her area. However, when projects funded from minor construction appropriation (between $400,000 and $2 million) are proposed for 8(a) acquisition, the Director, OSDBU (00SB), shall be contacted by telephone or notified in writing in order to afford the OSDBU an opportunity to identify possible 8(a) sources prior to apprising SBA officials. If the certification required by paragraph (a) of this section is received, the VA contracting officer will secure from SBA the name(s) and location(s) of their subcontractor(s) and the unit price(s) to be paid. Should these prices be within a range acceptable to VA, the contracting officer will notify SBA of acceptance.

(c) The contract will be made between VA and SBA and will be administered by VA.

Subpart 819.70—Veteran-Owned and Operated Small Businesses

819.7001 Policy.

(a) The Small Business Act directs the SBA to give ''special consideration'' to veterans of the Armed Forces in all SBA programs. It is the policy of VA to encourage participation by all veteran-owned and operated small businesses in VA acquisitions.

(b) All VA facilities having procurement requirements for which veteran-owned small businesses are known sources must take affirmative action to solicit these firms and assist them in participating in VA acquisition opportunities.

PART 822—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

Subpart 822.3—Contract Work Hours and Safety Standards Act

Sec.
822.304 Variations, tolerances, and exemptions.
822.305 Contract clause.

Subpart 822.4—Labor Standards for Contracts Involving Construction

822.406 Administration and enforcement.
822.406–11 Contract terminations.

Authority: 29 CFR 5.15(d); 40 U.S.C. 121(c); 48 CFR 1.301–1.304.

Subpart 822.3—Contract Work Hours and Safety Standards Act

822.304 Variations, tolerances, and exemptions.

When issuing a contract for nursing home care, a contracting officer may exempt a contractor from certain requirements of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701–3708) regarding the payment of overtime (see 29 CFR 5.15(d)(2) and 852.222–70).

822.305 Contract clause.

The contracting officer shall insert the clause at 852.222–70, Contract Work Hours and Safety Standards Act—nursing home care contract supplement, in solicitations and contracts for nursing home care when the FAR clause at 52.222–4, Contract Work Hours and Safety Standards Act—Overtime Compensation, is included.

Subpart 822.4—Labor Standards for Contracts Involving Construction

822.406 Administration and enforcement.

822.406–11 Contract terminations.

(a) Contracting officers must submit any proposed termination of a contract based on violations of the labor standard provisions of the contract to OGC for review and comment prior to taking final action. The submittal must include a detailed explanation of the facts and circumstances involved. Contracting officers, except those in the Office of Construction and Facilities Management, shall forward the submittal to OGC through the DSPE. Contracting officers in the Office of Construction and Facilities Management shall forward the submittal to OGC through the Director, Office of Construction and Facilities Management.

(b) If the contract is to be terminated, the DSPE or the Director, Office of Construction and Facilities Management, must submit the reports required by 29 CFR 5.7(d) over the signature of the SPE.

PART 824—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

Subpart 824.1—Protection of Individual Privacy

Sec.
824.102 General.

Subpart 824.2—Freedom of Information Act

824.203 Policy.

Authority: 38 CFR 1.550–1.559 and 1.575–1.584; 40 U.S.C. 121(c), and 48 CFR 1.301–1.304.

Subpart 824.1—Protection of Individual Privacy

824.102 General.

VA rules implementing the Privacy Act of 1974 are in 38 CFR 1.575 through 1.584.

Subpart 824.2—Freedom of Information Act

824.203 Policy.

VA rules implementing the Freedom of Information Act are in 38 CFR 1.550 through 1.559.

PART 825—FOREIGN ACQUISITION

Subpart 825.1—Buy American Act—Supplies

Sec.
825.103 Exceptions.
825.104 Nonavailable articles.

Subpart 825.2—Buy American Act—Construction Materials

825.202 Exceptions.
825.205 Post-award determinations.

Subpart 825.6—Trade Sanctions

825.602 Exceptions.

Subpart 825.8—Other International Agreements and Coordination

825.870 Technical assistance.

Subpart 825.9—Customs and Duties

825.902 Procedures.
825.902–70 Technical assistance.

Subpart 825.10—Additional Foreign Acquisition Regulations

825.1001 Waiver of right to examination of records.

Subpart 825.11—Solicitation Provisions and Contract Clauses

825.1102 Acquisition of construction.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 825.1—Buy American Act—Supplies

825.103 Exceptions.

(a) *Public Interest.* When a contracting officer believes that a determination that domestic preference would be inconsistent with the public interest is necessary under FAR 25.103(a), the contracting officer must submit the request for determination to the DSPE for submission to the SPE, who will forward the request to the Secretary for approval. The request for determination must contain all the facts and other pertinent information upon which a determination may be made.

(b) *Non-availability.* (1) For each determination of non-availability made in accordance with FAR 25.103(b)(2)(i), the HCA must do the following:

(i) Factually support the determination and include the supporting facts in the contract file.

(ii) Forward a copy of the determination, along with supporting documentation, to the DSPE.

(2) If the HCA believes that the non-availability of an article is likely to affect future acquisitions, include a recommendation that a copy of the determination and supporting documentation be forwarded to the Civilian Agency Acquisition Council (CAAC) for possible addition to the list of non-available articles in FAR 25.104. The DSPE will decide whether to submit the material to the CAAC.

825.104 Nonavailable articles.

The following items are added to the list of nonavailable articles contained in FAR 25.104:

Glass, lead
Insulin, human

Subpart 825.2—Buy American Act—Construction Materials

825.202 Exceptions.

(a) When a determination is required under FAR 25.202(a)(1), the contracting officer must submit the request for determination to the DSPE for submission to the SPE, who will forward the request to the Secretary. The submission must contain all the facts and other pertinent information necessary for the Secretary to make a determination.

(b) For each determination of non-availability that the HCA makes in accordance with FAR 25.202(a)(2), the HCA must do the following:

(1) Factually support the determination in writing and include the determination in the contract file.

(2) Forward a copy of the determination, along with supporting documentation, to the Director, Office of Construction and Facilities Management, through the DSPE.

(3) If the HCA believes that the non-availability of an article is likely to affect future acquisitions, include a recommendation that a copy of the determination and supporting documentation be forwarded to the Civilian Agency Acquisition Council (CAAC) for possible addition to the list of non-available articles in FAR 25.104. The DSPE will decide whether to submit the material to the CAAC.

825.205 Post-award determinations.

A post-award determination that an exception to the Buy American Act applies, as provided in FAR 25.205(c), will be made in accordance with FAR 25.202 and 825.202.

Subpart 825.6—Trade Sanctions

825.602 Exceptions.

When the contracting officer determines it to be in the best interest of the Government, the contracting officer may request an exception to the requirements of FAR 25.601 from the Secretary through the DSPE and the SPE. Each such request must be fully justified and include all pertinent facts, as provided in FAR 25.602(b). The SPE is responsible for notifying the U.S. Trade Representative of approved requests, as required by FAR 25.602(b)(2).

Subpart 825.8—Other International Agreements and Coordination

825.870 Technical assistance.

Contracting officers may obtain technical information or guidance on international agreements and treaties for procurements outside of the United States by contacting the Executive Director and Chief Operating Officer, VA National Acquisition Center.

Subpart 825.9—Customs and Duties

825.902 Procedures.

825.902–70 Technical assistance.

Should the regulations contained in FAR Subpart 25.9 be inadequate to meet the particular needs of the contracting officer in clearing items through customs and/or obtaining duty-free entry of goods, the contracting officer should contact the nearest U.S. Customs and Boarder Protection office for technical assistance. The location of the nearest office can be found at *http://www.customs.gov/xp/cgov/toolbox/contacts/cmcs/*.

Subpart 825.10—Additional Foreign Acquisition Regulations

825.1001 Waiver of right to examination of records.

(a) The contracting officer must prepare proposed determinations and findings to use either of the following:

(1) Alternate I of the FAR clause at 52.212–5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items.

(2) Alternate III of the FAR clause at 52.215–2, Audit and Records—Negotiation.

(b) The contracting officer must submit the determinations and findings to the DSPE for submission to the SPE, who will forward the request to the Secretary for the signature, as provided in FAR 25.1001(a)(2)(iii). The submission must include all appropriate documentation.

(c) The Secretary, upon concurring with the contracting officer's proposed determination and findings, will, if required by FAR 25.1001(a)(2)(iii), forward the document to the Comptroller General for concurrence.

(d) The completed determination and findings will be made part of the contract file.

Subpart 825.11—Solicitation Provisions and Contract Clauses

825.1102 Acquisition of construction.

The Buy American Act (41 U.S.C. 10a–d), except as modified by various trade agreements (see FAR Part 25), requires that only domestic construction material be used in the performance of contracts for construction. For solicitations and contracts for construction that contain a FAR clause related to the Buy American Act, the contracting officer shall insert the applicable VAAR clause, with or without an alternate, as shown in Table 825.1102:

TABLE 825.1102

FAR clause	VAAR clause to be used
FAR 52.225–9, Buy American Act—Construction Materials	852.236–89, Buy American Act.
FAR clause 52.225–11, Buy American Act—Construction Materials under Trade Agreements, without its Alternate I (see FAR 25.1102(c)).	852.236–89, Buy American Act, with its Alternate I.
FAR clause 52.225–11, Buy American Act—Construction Materials under Trade Agreements, with its Alternate I (see FAR 25.1102(c)(3)).	852.236–89, Buy American Act, with its Alternate II.

Subchapter E—General Contracting Requirements

PART 828—BONDS AND INSURANCE

Subpart 828.1—Bonds and Other Financial Protections

Sec.
828.101 Bid guarantees.
828.101–2 Solicitation provision or contract clause.
828.101–70 Safekeeping and return of bid guarantee.
828.106 Administration.
828.106–6 Furnishing information.
828.106–70 Bond premium adjustment.

Subpart 828.2—Sureties and Other Security for Bonds

828.203 Acceptability of individual sureties.
828.203–7 Exclusion of individual sureties.

Subpart 828.3—Insurance

828.306 Insurance under fixed-price contracts.

Subpart 828.71—Indemnification of Contractors, Medical Research or Development Contracts

828.7100 Scope of subpart.
828.7101 Approval for indemnification.
828.7102 Extent of indemnification.
828.7103 Financial protection.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 828.1—Bonds and Other Financial Protections

828.101 Bid guarantees.

828.101–2 Solicitation provision or contract clause.

When a bid bond is required for supplies or services, the phrase ''any cost of acquiring the work'' in paragraph (e) of the Bid Guarantee clause in FAR 52.228–1 may be modified to refer to the cost of ''supplies,'' ''services,'' etc.

828.101–70 Safekeeping and return of bid guarantee.

(a) The contracting officer must retain, in a safe, certified checks or other negotiable security provided as bid security for the three lowest acceptable bids. After the contract and contract bonds have been signed and approved, the contracting officer must return the certified checks or other negotiable securities either:

(1) In person to the bidder who provides a proper receipt; or

(2) By any method that will provide evidence that the bidder received the security.

(b) The contracting officer should promptly return certified checks or other negotiable security furnished in support of bids, other than those determined to be the three lowest acceptable bids, to the respective bidders either:

(1) In person to the bidder who provides a proper receipt; or

(2) By any method that will provide evidence that the bidder received the security.

(c) The contracting officer will not return commercial bid bonds unless specifically requested to do so by the bidders. If any of the three low bidders request the return of a commercial bid bond, the contracting officer will not return those bid bonds until the contract and contract bonds have been executed by the successful bidder and approved by the contracting officer or all bids have been rejected.

828.106 Administration.

828.106–6 Furnishing information.

The contracting officer for the applicable contract will furnish copies of payment bonds to a requestor under the provisions of FAR 28.106–6(c).

828.106–70 Bond premium adjustment.

When performance and payment bonds or payment protection are required, the contract must contain the clause in 852.228–70, Bond premium adjustment.

Subpart 828.2—Sureties and Other Security for Bonds

828.203 Acceptability of individual sureties.

828.203–7 Exclusion of individual sureties.

The DSPE may make the determinations referenced in FAR 28.203–7:

(a) To exclude individuals from acting as surety on bonds; and

(b) To accept bonds from individuals named on the Excluded Parties List System.

Subpart 828.3—Insurance

828.306 Insurance under fixed-price contracts.

(a) Term contracts, or contracts of a continuing nature, for ambulance, automobile and aircraft service, must contain the provision in 852.228–71, Indemnification and insurance.

(b) Paragraph (a) of this section does not apply to emergency or sporadic ambulance service authorized by VA Manual MP–1, Part II, Chapter 3, or other emergency or sporadic vehicle or aircraft services if both of the following conditions exist:

(1) The service is not used solely for the purpose of avoiding entering into a continuing contract.

(2) The services will be obtained from firms known to carry insurance coverage in accordance with State or local requirements.

Subpart 828.71—Indemnification of Contractors, Medical Research or Development Contracts

828.7100 Scope of subpart.

(a) This subpart sets forth the policies and procedures concerning indemnification of contractors performing contracts covering medical research or development that involve risks of an unusually hazardous nature, as authorized by 38 U.S.C. 7317.

(b) The authority to indemnify the contractor under this subpart does not create any rights to third parties that would not otherwise exist by law.

(c) As used in this subpart, the term ''contractor'' includes subcontractors of any tier under a contract containing an indemnification provision under 38 U.S.C. 7317. (38 U.S.C. 7317)

828.7101 Approval for indemnification.

(a) The Secretary of Veterans Affairs will make the approval determinations for the indemnification of contractors.

(b) Contracting officers must submit requests for approval, together with all available information, to the DSPE for submission to the SPE, who will forward the request to the Secretary for approval. (38 U.S.C. 7317)

828.7102 Extent of indemnification.

(a) A contract for medical research or development authorized by 38 U.S.C. 7303, may provide that the Government will indemnify the contractor against losses or liability specified in paragraphs (b) and (c) of this section if all of the following apply:

(1) The contract work involves a risk of an unusually hazardous nature.

(2) The losses or liability arise out of the direct performance of the contract.

(3) The losses or liability are not covered by the financial protection required under 828.7103.

(b) The Government may indemnify a contractor for liability (including reasonable expenses of litigation or settlement) to third persons for death, bodily injury, or loss of or damage to property from a risk that the contract defines as unusually hazardous. The indemnification will not cover liability under State or Federal worker's injury compensation laws to employees of the contractor who are both:

(1) Employed at the site of the contract work; and

(2) Working on the contract for which indemnification is granted.

(c) The Government may indemnify the contractor for loss of or damage to property of the contractor from a risk that the contract defines as unusually hazardous.

(d) A contract that provides for indemnification in accordance with this subpart must also require that:

(1) The contractor must notify the contracting officer of any claim or suit against the contractor for death, bodily injury, or loss of or damage to property; and

(2) The Government may choose to control or assist in the defense of any suit or claim for which indemnification is provided in the contract. (38 U.S.C. 7317)

828.7103 Financial protection.

(a) A contractor must have and maintain an amount of financial protection to cover liability to third persons and loss of or damage to the contractor's property that meets one of the following:

(1) The maximum amount of insurance available from private sources.

(2) A lesser amount that the Secretary establishes after taking into consideration the cost and terms of private insurance.

(b) Financial protection may include private insurance, private contractual indemnities, self-insurance, other proof of financial responsibility, or a combination that provides the maximum amount required. If a contractor elects to self-insure, the contractor must provide the contracting officer, before award, proof of financial responsibility up to the maximum amount required. (38 U.S.C. 7317)

PART 829—TAXES

Sec.
829.000 Scope of part.

Subpart 829.2—Federal Excise Taxes

829.202 General exemptions.
829.202–70 Tax exemptions for alcohol products.

Subpart 829.3—State and Local Taxes

829.302 Application of State and local taxes to the Government.
829.302–70 Purchases made from patients' funds.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

829.000 Scope of part.

This part states the policies and procedures for the following:

(a) Exemptions of alcohol products purchased for use by the VA medical care program from Federal excise taxes.

(b) Specified refund procedures for State and local taxes.

Subpart 829.2—Federal Excise Taxes

829.202 General exemptions.

829.202–70 Tax exemptions for alcohol products.

(a) *General.*

(1) VA is permitted to procure spirits to be used for non-beverage purposes free of tax under the Alcohol and Tobacco Tax and Trade Bureau (TTB) regulations (see 27 CFR 19.538 and 19.539, 20.241 through 20.246, 22.161 and 22.162, 22.171 through 22.176, 24.293, and 25.181 through 25.185). The use of tax-free alcohol, whiskey, beer, wine, and denatured spirits for non-beverage purposes shall include, but is not limited to, medicinal and scientific purposes.

(2) The Executive Director and Chief Operating Officer, National Acquisition Center, and the Head of the Contracting Activity may sign application permits on Department of Treasury-TTB Form 5150.33, Spirits for Use of The United States. This authority may not be delegated.

(b) *Whiskey, alcohol, and denatured alcohol.*

(1) The contracting officer may obtain application forms for tax-free purchases from the TTB Distribution Center, P.O. Box 5950, Springfield, VA 22150–5950. The completed forms must be submitted to the Associate Director (Compliance Operations), Alcohol and Tobacco Tax and Trade Bureau, Washington, DC 20226.

(2) Permits previously issued on Alcohol, Tobacco, and Firearms (ATF) Form 1444, Tax-Free Spirits for Use of United States, remain valid until surrendered or cancelled. A copy of the current ATF Form 1444 or TTB Form 5150.33 must be made available to the supplier with the initial order. The permit number only needs to be referenced on any future orders with the same supplier.

(3) Contracting officers may make purchases of excise tax-free whiskey and alcohol only from qualified distillery plants or bonded dealers. The accountable officer must ensure that accurate records of all receipts, usage, and destruction of tax-free distilled spirits are maintained at each medical center and must conduct a semi-annual physical inventory of the tax-free alcohol in the possession of the medical center (see 27 CFR 22.161 and 22.162).

(c) *Wine.* No tax exemption form or ATF/TTB permit is required for the tax-free procurement of wine from bonded wine premises. The purchase order must show the kind, quantity, and alcohol content of the wine and must state the purpose for which wine is to be used (see 27 CFR 24.293). An extra copy of a properly executed purchase order may be furnished to the bonded wine premises from which wine is purchased to facilitate record keeping.

(d) *Beer.* The contracting officer may procure tax-free beer only from licensed breweries and only when such product is prescribed for patients' therapeutic use.

(1) The contracting officer must submit an application for a TTB permit to purchase tax-free beer in letter form to the Director of the nearest TTB Regional Office or to the Director, Alcohol and Tobacco Tax and Trade Bureau, Washington, DC 20226. The following information must be included:

(i) Name and address of facility.

(ii) Specific purpose for which the beer will be used.

(iii) Quantity proposed to buy each month, year, etc.

(iv) Name and address of brewery.

(v) Copy of document authorizing the head of the contracting activity to sign the request (i.e., paragraph (a)(2) of this section).

(2) The contracting officer must obtain a separate permit for each brewery from which beer is to be purchased.

Subpart 829.3—State and Local Taxes

829.302 Application of State and local taxes to the Government.

(a) If a vendor refuses to sell at a price exclusive of the State and local tax, the contracting officer must use Standard

Form (SF) 1094, U.S. Tax Exemption Certificate, as a basis for billing taxing authorities for a refund of taxes paid.

(b) A contracting officer may not furnish an SF 1094 to a vendor or use SF 1094 to claim reimbursement from the taxing authority when the total amount of State and local tax on any one purchase is $10 or less.

829.302–70 Purchases made from patients' funds.

The contracting officer shall insert the clause at 852.229–70, Sales or use taxes, in solicitations and contracts when items are to be purchased solely from the personal funds of patients.

PART 831—CONTRACT COST PRINCIPLES AND PROCEDURES

Subpart 831.70—Contract Cost Principles and Procedures

Sec.
831.7000 Scope of subpart.
831.7001 Allowable costs under cost reimbursement vocational rehabilitation and education contracts or agreements.
831.7001–1 Tuition.
831.7001–2 Special services or courses.
831.7001–3 Books, supplies, and equipment required to be personally owned.
831.7001–4 Medical services and hospital care.
831.7001–6 Consumable instructional supplies.
831.7001–7 Reimbursement for other supplies and services.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 831.70—Contract Cost Principles and Procedures

831.7000 Scope of subpart.

This subpart contains general cost principles and procedures for the determination and allowance of costs in connection with the negotiation and administration of cost reimbursement type contracts for providing vocational rehabilitation, education, and training to eligible veterans under 38 U.S.C. Chapter 31, (referred to as a ''Chapter 31 program'').

831.7001 Allowable costs under cost reimbursement vocational rehabilitation and education contracts or agreements.

831.7001–1 Tuition.

(a) Except as provided in this section, when the contractor has a customary cost of tuition, the charge to VA may not exceed that charged to similarly circumstanced nonveteran students. If the contractor has more than one standard charge for the same service, the charge to VA must be the lowest price that is offered or published for the entire course, semester, quarter, or term.

(b) VA will not normally pay tuition or incidental fees to institutions or establishments furnishing apprentice or other on-the-job training. VA may elect to pay charges or expenses that fall into either of the following categories:

(1) Charges customarily made by a nonprofit workshop or similar establishment for providing work adjustment training to similarly circumstanced nonveterans even if the trainee receives an incentive wage as part of the training.

(2) Training expenses incurred by an employer who provides on-the-job training following rehabilitation to the point of employability when VA determines that the additional training is necessary.

(c) When Federal funds pay the total cost of instruction, or grants from the Federal Government pay a portion of the cost (e.g., Smith-Hughes or other laws, excluding Federal Land Grant Funds), that subsidy will be taken into consideration in determining the charge to VA. The term ''Federal Land Grant Funds'' refers to those funds received under the Morrill-Nelson Act (Morrill Acts of 1862 and 1890 and the Nelson amendment of 1907) and section 22 of the Bankhead-Jones Act of 1935.

(d) A veteran who is participating in a Chapter 31 program and receives an award of a fellowship, scholarship, grant-in-aid, assistantship, or similar award will have that award treated according to the following requirements:

(1) If the award limits its use to payment of tuition, fees, or any charge that VA normally pays as part of a Chapter 31 program, VA will pay the portion of the charges remaining after applying the award.

(2) In all other cases, VA will pay the full amount of the tuition, fees, or other charges.

(e) If a State or other Government authority waives a veteran's tuition and fees, VA will reduce its payment of those charges by the amount of the waiver.

(f) VA will pay enrollment fees for registration if both of the following conditions exist:

(1) The institution or training establishment usually makes this charge.

(2) The charge is not more than other students or trainees pay.

831.7001–2 Special services or courses.

Special services or courses are those services or courses that VA requests that are over and above those the institution customarily provides for similarly circumstanced nonveterans and that the contracting officer considers to be necessary for the rehabilitation of the trainee. VA will negotiate the costs of special services or courses before paying them.

831.7001–3 Books, supplies, and equipment required to be personally owned.

(a) Reimbursement for supplies (including books, equipment, or other supplies) will be made as provided in this section.

(b) VA will provide reimbursement for those supplies that all students taking the same course or courses are customarily required to own personally. In addition, VA may provide reimbursement for items that the school does not specifically require for pursuit of the course, but that VA determines are needed because of the demands of the course, general possession by other students, and the disadvantage imposed on a veteran by not having the item. In no instance will VA provide reimbursement for supplies in a greater variety, quality, or amount than required of nonveteran students. In this instance, an item is not considered to be required if it is ''requested'' or ''desirable to have'' or ''necessary for a future profession or job but not required by the institution of all students in the course''.

(c) When supplies are available in several prices, grades, or qualities, VA will provide reimbursement only for that quality or grade that will meet the requirements.

(d) Partial payment agreements, in which VA shares payment with the veterans, are not allowed.

(e) The institution's costs in connection with a veteran's thesis are considered supplies and are therefore authorized for reimbursement if the veteran's committee chairman, major professor, department head, or appropriate dean certifies that the thesis is a course requirement and the expenses are required to complete the thesis. These expenses may include research expenses, typing, printing, microfilming, or otherwise reproducing the required number of copies.

(f) When the institution operates a bookstore or supply store for all students, reimbursement to the bookstore or supply store for supplies issued to trainees will be no greater than charges made to nonveteran students.

(g) When the institution, training establishment, or employer arranges for stores or other non-institutionally owned establishments to issue supplies to all students and a veteran is to pay the store or establishment for supplies issued to trainees, VA will provide reimbursement for those charges if they are no greater than those nonveterans

pay or paid to the institutions, whichever is the lesser.

(h) Supplies that the institution purchases specifically for trainees will be reimbursed at the net cost to the institution.

(i) When the institution does not provide or arrange for issuance of generally required books, tools and supplies for students attending the facility, the institution, in cooperation with VA, may designate certain stores and establishments to provide generally required books, tools and supplies for veterans pursuing a vocational rehabilitation program. The vendor will be reimbursed in the same manner as for supplies provided or arranged for by the institutions.

(j) When it is customary in a survey class to permit each student to rent books for the subject (commonly referred to as a rental set), and the student is not required to own the books/materials, reimbursement is authorized for the rental charge as long as it does not exceed the charge made to nonveteran students.

(k) Educational and training institutions that furnish supplies to trainees that all students pursuing the same or similar course are required to own personally or obtain may be compensated for furnishing the supplies in an amount not exceeding 10 percent of the allowable charge for the supplies furnished or rented subject to the following conditions:

(1) When the tuition covers the charges for supplies or rentals or a stipulated fee is assessed to all students, handling charges are not allowable.

(2) The handling charge is not allowable for Government-owned books that the institution procures from the Library of Congress.

831.7001–4 Medical services and hospital care.

(a) VA may pay the customary student health fee when payment of the fee is required for similarly circumstanced nonveterans. If payment of the fee is not required for similarly circumstanced nonveterans, payment may be made if it is determined by the Veterans Health Administration that payment is in the best interest of the veteran and the Government.

(b) When the customary student's health fee does not cover medical services or hospital care, but these medical services are available in a school-operated facility or with doctors and hospitals in the immediate area through a prior arrangement, the Veterans Benefits Administration may provide reimbursement for these services in a contract for the services if:

(1) An arrangement is necessary to provide timely medical services for veterans attending the facility under provisions of Chapter 31; and

(2) The general rates established for medical services do not exceed the rates established by the Under Secretary for Health.

(c) VA may reimburse a rehabilitation facility for incidental medical services provided during a veteran's program at the facility.

831.7001–6 Consumable instructional supplies.

(a) VA will provide reimbursement for consumable instructional supplies that the institution requires for the instruction of all students, veteran or nonveteran, pursuing the same or comparable course or courses when:

(1) The supplies are entirely consumed in the fabrication of a required project; or

(2) The supplies are not consumed but are of such a nature that they cannot be salvaged from the end product for reuse by disassembling or dismantling the end product.

(b) VA will not provide reimbursement for consumable instructional supplies if any of the following apply:

(1) The supplies can be salvaged for reuse.

(2) The supplies are used in a project that the student has elected as an alternate class project to produce an end product of greater value than that normally required to learn the skills of the occupation, and the end product will become the veteran's property upon completion.

(3) The supplies are used in a project that the institution has selected to provide the student with a more elaborate end product than is required to provide adequate instruction as an inducement to the veteran to elect a particular course of study.

(4) The sale value of the end product is equal to or greater than the cost of supplies plus assembly, and the supplies have not been reasonably used so that the supplies are not readily salvaged from the end product to be reused for instructional purposes.

(5) The end product is of permanent value and retained by the institution.

(6) A third party loans the articles or equipment for repair or improvement and the third party would otherwise pay a commercial price for the repair or improvement.

(7) The number of projects resulting in end products exceeds the number normally required to teach the recognized job operations and processes of the occupation stipulated in the approved course of study.

(8) The cost of supplies is included in the charge for tuition or as a fee designated for such purpose.

831.7001–7 Reimbursement for other supplies and services.

VA will provide reimbursement for other services and assistance that may be authorized under provisions of applicable Chapter 31 regulations, including, but not limited to, employment and self-employment services, initial and extended evaluation services, and independent living services.

PART 832—CONTRACT FINANCING

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832.006–1 General.
832.006–2 Definitions.
832.006–3 Responsibilities.
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Subpart 832.11—Electronic Funds Transfer

832.1106 EFT mechanisms.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

832.006 Reduction or suspension of contract payments upon finding of fraud.

832.006–1 General.

The SPE is authorized to make determinations that there is substantial evidence that contractors' requests for advance, partial, or progress payments are based on fraud and may direct that further payments to the contractors be reduced or suspended, as provided in FAR 32.006. This authority may not be redelegated.

832.006–2 Definitions.

The *remedy coordination official* for VA is the DSPE.

832.006–3 Responsibilities.

VA personnel must report suspected fraud related to advance, partial, or progress payments to the DSPE and VA Office of the Inspector General. The report must include all available information supporting the suspicion.

832.006–4 Procedures.

(a) Any recommendation from a VA employee through the DSPE to the SPE to reduce or suspend payment to a contractor under FAR 32.006 must address the considerations in FAR 32.006–4(d).

(b) The DSPE shall carry out the responsibilities of the Secretary or designee in FAR 32.006–4(e) to notify the contractor of proposed action under FAR 32.006. The notice of proposed action will be sent to the last known address of the contractor, the contractor's counsel, or agent for service of process, by certified mail, return receipt requested, or any other method that provides signed evidence of receipt. In the case of a business, the notice of proposed action may be sent to any partner, principal, officer, director, owner or co-owner, or joint venture. The contractor will be afforded an opportunity to appear before the DSPE to present information or argument in person or through a representative. The contractor may supplement the oral presentation with written information and argument. The proceedings will be conducted in an informal manner and without the requirement for a transcript. If the DSPE does not receive a reply from the contractor within 30 calendar days, the DSPE will base his or her recommendations on the information available. Any recommendation of the DSPE under paragraph (a) of this section must address the results of this notification and the information, if any, provided by the contractor.

(c) The SPE must provide a copy of each final determination and the supporting documentation to the contractor, the DSPE and the contracting officer. The contracting officer will place a copy of the determination and the supporting documentation in the contract file.

Subpart 832.1—Non-Commercial Item Purchase Financing

832.111 Contract clauses for non-commercial purchases.

In solicitations and contracts for construction that include the FAR clause at 52.232–5, Payments under Fixed-Price Construction Contracts, the contracting officer shall insert the following clauses:

(a) If the solicitation or contract does not contain a section entitled ''Network Analysis System (NAS),'' the contracting officer must insert the clause at 852.236–82, Payments under fixed-price construction contracts (without NAS). When the solicitation or contract includes guarantee period services, the contracting officer must use the clause with its Alternate I.

(b) If the solicitation or contract contains a section entitled ''Network Analysis System (NAS),'' the contracting officer must insert the clause at 852.236–83, Payments under fixed-price construction contracts (including NAS). When the solicitation or contract includes guarantee period services, the contracting officer must use the clause with its Alternate I.

Subpart 832.2—Commercial Item Purchase Financing

832.201 Statutory authority.

The contracting officer may make the determination that terms and conditions for payment for commercial items are appropriate and customary in the commercial marketplace and are in the best interest of the Government, provided the terms and conditions for payment do not conflict with FAR Subpart 32.2.

832.202 General.

832.202–1 Policy.

As provided in FAR 32.202–1(d), contracting officers must obtain the approval of the DSPE before awarding a contract that includes unusual contract financing. The contracting officer must fully support the request with the reasons why the proposed unusual contract financing is in the best interest of the Government. In addition, contracting officers must not use commercial interim payment or commercial advance payment terms in solicitations or contracts without the approval of the DSPE.

832.202–4 Security for Government financing.

An offeror's financial condition may be considered adequate security to protect the Government's interest when the Government provides contract financing. In assessing the offeror's financial condition, the contracting officer may obtain, to the extent required, the following information to establish the offeror's financial capability and to determine the offeror's financial condition:

(a) A current year interim balance sheet and income statement and balance sheets and income statements for the two preceding fiscal years. The statements should be prepared in accordance with generally accepted accounting principles and must be audited and certified by an independent public accountant or an appropriate officer of the firm.

(b) A cash flow forecast for the remainder of the contract term showing the planned origin and use of cash within the firm or branch performing the contract.

(c) Information on financing arrangements disclosing the availability of cash to finance contract performance, the contractor's exposure to financial crisis, and credit arrangements.

(d) A statement of the status of all State, local, and Federal tax accounts, including any special mandatory contributions.

(e) A description and explanation of the financial effects of any leases, deferred purchase arrangements, patent or royalty arrangements, insurance, planned capital expenditures, pending claims, contingent liabilities, and other financial aspects of the business.

(f) Any other financial information deemed necessary.

(g) A Dun and Bradstreet Report on the company.

Subpart 832.4—Advance Payments for Non-Commercial Items

832.402 General.

Authority to make the determination required by FAR 32.402(c)(1)(iii) and to approve contract terms, as provided by FAR 32.402(e)(1), is delegated to the SPE and is further delegated to the DSPE. Before award, contracting officers must submit a request for approval to use advance payment to the DSPE. The request must include the information required by FAR 32.409–1 and must address the standards for advance payment in FAR 32.402(c)(2).

832.404 Exclusions.

(a) Under 31 U.S.C. 3324(d)(2), VA allows advance payment for subscriptions or other charges for newspapers, magazines, periodicals, and other publications for official use, notwithstanding the provisions of 31 U.S.C. 3324(a). The term ''other publications'' includes any publication printed, microfilmed, photocopied or magnetically or otherwise recorded for auditory or visual use.

(b) Under 31 U.S.C. 1535, VA allows advance payment for services and supplies obtained from another Government agency.

(c) Under 5 U.S.C. 4109, VA allows advance payment for all or any part of the necessary expenses for training Government employees in Government or non-Government facilities, including the purchase or rental of books, materials, and supplies or services directly related to the training of a Government employee.

Subpart 832.5—Progress Payments Based on Costs

832.502 Pre-award matters.

832.502–2 Contract finance office clearance.

Contracting officers must obtain approval from the DSPE before taking the actions listed in FAR 32.502–2. Full justification and the recommendations of the contracting officer must accompany requests for approval.

Subpart 832.8—Assignment of Claims

832.805 Procedure.

832.805–70 Distribution/notification of assignment of claims.

(a) Prior to acknowledgement of receipt, in addition to the requirements of FAR 32.805(d), the contracting officer shall obtain legal review of the assignment (see 801.602–75(a)(7)). Upon acknowledgement of receipt, the contracting officer shall:

(1) File the retained copy of the notice of assignment and the certified copy of the original instrument of assignment with the Government Accountability Office copy of the contract; and

(2) Forward a copy of the notice of assignment and instrument of assignment to the local finance office and to the payment office cited in the contract.

(b) Contracting officers must notify field facilities of any recognized assignment of payments for contracts under which payment for articles and services is certified and approved for payment in the field.

Subpart 832.9—Prompt Payment

832.904 Determining payment due dates.

(a) When preparing specification packages, contracting officers must give full consideration to the time reasonably required for constructive acceptance or approval of the goods or services and for making invoice payments. Based on this analysis, contracting officers may, when authorized by FAR 32.904, modify the number of days allowed for notifying contractors of defects in invoices or, for construction solicitations, the number of days allowed for payment of invoices specified in the applicable prompt payment clause. Changes, if any, should be made before issuing the solicitation.

(b)(1) For construction solicitations, the analysis specified in paragraph (a) of this section may routinely take more than the 7 days provided in paragraph (a)(2) of the FAR clause at 52.232–27, Prompt Payment for Construction Contracts, to evaluate and return defective progress payment invoices.

(2) It also may take more than the 14 days provided in paragraph (a)(1)(i)(A) of the prompt payment clause to adequately inspect the work, determine the adequacy of the contractor's performance, approve, and pay progress payment invoices.

(3) Contracting officers should consider the following and, if necessary, revise the number of days stated in paragraphs (a)(2) and (a)(1)(i)(A) of the prompt payment clause before issuing construction solicitations (see FAR 32.904(d)(1)(i)):

(i) Recent interest payment history.

(ii) The complexity of the project.

(iii) Workload.

(iv) Work site location.

(4) In no event may the number of days be set in excess of 14 days for return of a defective progress payment invoice or 30 days for payment of the invoice.

Subpart 832.11—Electronic Funds Transfer

832.1106 EFT mechanisms.

(a) The Assistant Secretary for Management may, with the concurrence of the Department of the Treasury office responsible for making payment, authorize the use of EFT mechanisms other than those authorized under FAR 32.1106(a).

(b) The Assistant Secretary for Management may, with the concurrence of the Department of the Treasury office responsible for making payment, authorize the use of EFT for payments to be received by or on behalf of a contractor outside the United States or Puerto Rico or for contracts paid in other than United States currency, as provided in FAR 32.1106(b).

PART 833—PROTESTS, DISPUTES, AND APPEALS

Subpart 833.1—Protests

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833.102 General.
833.103 Protests to VA.
833.104 Protests to GAO.
833.106 Solicitation provision and contract clause.

Subpart 833.2—Disputes and Appeals

833.209 Suspected fraudulent claims.
833.211 Contracting officer's decision.
833.212 Contracting officer's duties upon appeal.
833.213 Obligation to continue performance.
833.214 Alternative dispute resolution (ADR).
833.215 Contract clause.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 833.1—Protests

833.102 General.

Solicitations must instruct interested parties (see FAR provision 52.233–2) to send a copy of any protest filed with the Government Accountability Office (GAO) to the contracting officer and the appropriate VA Central Office activity as follows:

(a) For contracts to be awarded by the Office of Construction and Facilities Management: Director, Office of Construction and Facilities Management, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420.

(b) For all other contracts: Deputy Assistant Secretary for Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420.

833.103 Protests to VA.

(a) *Filing of protests.* (1) An interested party may protest to the contracting officer or, as an alternative, may request an independent review by filing a protest with the Deputy Assistant Secretary for Acquisition and Materiel Management (DAS for A&MM), or for solicitations issued by the Director, Office of Construction and Facilities Management. A protest filed with the DAS for A&MM or the Director, Office of Construction and Facilities Management, will not be considered if the interested party has a protest on the same or similar issues pending with the contracting officer.

(2) Protests to the contracting officer must be in writing and addressed where the offer/bid is to be submitted.

(3) Protests requesting an independent review must be in writing and addressed to the Deputy Assistant Secretary for Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420; or, for solicitations issued by the Office of Construction and Facilities Management, to the Director, Office of Construction and Facilities Management, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420.

(4) The following types of protests may be dismissed by VA without

consideration of the merits or forwarded to another agency for appropriate action:

(i) *Contract administration.* Disputes between a contractor and VA are resolved under the disputes clause of the contract and the Contract Disputes Act of 1978. (41 U.S.C. 601–613).

(ii) *Small business size standards and standard industrial classification.* Challenges of established size standards or the size status of particular firms, and challenges of the selected standard industrial classification are for review solely by the Small Business Administration (SBA). (15 U.S.C. 637(b)(6); 13 CFR 121.1002).

(iii) *Small business certificate of competency program.* A protest made under section 8(b)(7) of the Small Business Act, or in regard to any issuance of a certificate of competency or refusal to issue a certificate under that section, is not reviewed in accordance with bid protest procedures unless there is a showing of possible fraud or bad faith on the part of Government officials.

(iv) *Protests under section 8(a) of the Small Business Act.* The decision to place or not to place a procurement under the 8(a) program is not subject to review unless there is a showing of possible fraud or bad faith on the part of Government officials or that regulations may have been violated. (15 U.S.C. 637(a)).

(v) *Affirmative determination of responsibility by the Contracting Officer.* An affirmative determination of responsibility will not be reviewed unless there is a showing that such determination was made fraudulently or in bad faith or that definitive responsibility criteria in the solicitation were not met.

(vi) *Walsh-Healey Public Contract Act.* Challenges of the legal status of a firm as a regular dealer or manufacturer within the meaning of the Walsh-Healey Act is determined solely by the procuring agency, the SBA (if a small business is involved), and the Secretary of Labor. (41 U.S.C. 35–45).

(vii) *Subcontractor protests.* The contracting agency will not consider subcontractor protests except where the subcontract is by or for the Government.

(viii) *Judicial proceedings.* The contracting agency will not consider protests where the matter involved is the subject of litigation before a court of competent jurisdiction.

(b) *Alternative dispute resolution.* Bidders/offerors and VA contracting officers are encouraged to use alternative dispute resolution (ADR) procedures to resolve protests at any stage in the protest process. If ADR is used, VA will not furnish any documentation in an ADR proceeding beyond what is allowed by the FAR.

(c) *Action upon receipt of protest.* For protests filed with the contracting officer, the HCA will be the approving official for the determinations identified in FAR 33.103(f)(1) and (f)(3). If the HCA is also the contracting officer, the approving official will be the DAS for A&MM. For protests filed with the DAS for A&MM or the Director, Office of Construction and Facilities Management, those individuals will be the approving officials for the determinations identified in FAR 33.103(f)(1) and (f)(3).

(d) *Requests for GAO advance decisions.* When a written protest has been filed with the contracting officer and the contracting officer considers it desirable to do so, the contracting officer may request an advance decision from the Comptroller General. The contracting officer must send the submission to the Comptroller General through the DAS for A&MM or the Director, Office of Construction and Facilities Management, as appropriate, and must include the material listed in FAR 33.104(a). The contracting officer must promptly notify the protesting individual or firm in writing of the decision of the Comptroller General.

(e) *Protest after award.* When a written protest is filed with the contracting officer after contract award, the following requirements apply:

(1) If FAR 33.103(f)(3) requires suspension of contract performance, the contracting officer must seek to obtain a mutual agreement with the contractor to suspend performance on a no-cost basis. If unsuccessful, the contracting officer must issue a stop-work order in accordance with contract clause FAR 52.233–3, Protest after Award.

(2) If suspension of contract performance is not required by FAR 33.103(f)(3) and if the contracting officer determines that the award was proper, the contracting officer must furnish the protester a written explanation of the basis for the award that is responsive to the allegations of the protest. The contracting officer will advise the protester that the protester may appeal the determination to one of the following:

(i) The DAS for A&MM.

(ii) The Director, Office of Construction and Facilities Management, in the case of a contract awarded by the Office of Construction and Facilities Management.

(iii) The Comptroller General.

(3) If suspension of contract performance is not required by FAR 33.103(f)(3) but the contracting officer determines that the award is questionable, the contracting officer, after consulting with OGC, will advise the contractor of the protest and invite the contractor to submit comments and relevant information. The contracting officer must submit the case promptly to the DAS for A&MM for advice. The DAS for A&MM may consult with OGC and will either advise the contracting officer of the appropriate action to take, or submit the case to the Comptroller General, through the Assistant Secretary for Management, for a decision. The contracting officer will provide interested parties with a copy of the final decision.

(f) *Agency appellate review of the contracting officer's protest decision.* An interested party may request an independent review of a contracting officer's protest decision by filing an appeal with the DAS for A&MM or, for solicitations issued by the Office of Construction and Facilities Management, with the Director, Office of Construction and Facilities Management. To be considered timely, the appeal must be received by the appropriate official named in this paragraph within 10 calendar days of the date the interested party knew, or should have known, whichever is earlier, of the basis for the appeal. Appeals must be addressed as provided in paragraph (a)(3) of this section. Appeals do not extend GAO's timeliness requirements for appeals to GAO. By filing an appeal as provided in this paragraph, an interested party may waive its rights to further appeal to the Comptroller General at a later date. Agency responses to appeals submitted to the agency shall be reviewed and concurred in by OGC (025).

833.104 Protests to GAO.

(a) *General procedures.* (1) Procedures for protests to GAO are at 4 CFR Part 21 (GAO Bid Protest Regulations). If guidance concerning GAO procedure in this section differs from 4 CFR Part 21, 4 CFR Part 21 applies.

(2) When a protest before or after award has been filed with GAO, the contracting officer must submit a report to the DAS for A&MM, or the Director, Office Construction and Facilities Management, as appropriate, within 5 workdays after receipt of verbal or written notice of the protest, whichever occurs first. The report must include a copy of the documentation indicated in FAR 33.104(a)(3).

(3) Contracting officers are responsible for the notification procedures outlined in FAR 33.104(a)(4).

(b) *Protests before award.* When VA receives notice from GAO of a pre-

award protest filed directly with GAO, award will normally not be made until the matter is resolved. However, award may be made despite the protest if the DAS for A&MM, or the Director, Office of Construction and Facilities Management, as appropriate, approves the findings of the HCA required by FAR 33.104(b)(1) and GAO has been notified as provided by FAR 33.104(b)(2). The Director, Acquisition Resources Service, or the Director, Office of Construction and Facilities Management, as appropriate, is responsible for notifying GAO.

(c) *Protests after award.* When, after award of a contract, VA receives notice from GAO of a protest filed directly with GAO, the contracting officer must, if required to do so by FAR 33.104(c)(1), immediately suspend performance. However, contract performance need not be suspended, despite the protest, if the SPE approves the HCA's findings required by FAR 33.104(c)(2) and GAO has been notified under FAR 33.104(c)(3). Authority to approve the HCA's findings is further delegated to the DSPE and, for solicitations issued by the Officer of Construction and Facilities Management, the Director, Office of Construction and Facilities Management. The Director, Acquisition Resources Service, or the Director, Office of Construction and Facilities Management, as appropriate, is responsible for notifying GAO.

833.106 Solicitation provisions.

(a) The contracting officer shall insert the provision at 852.233–70, Protest content/alternative dispute resolution, in each solicitation expected to exceed the simplified acquisition threshold.

(b) The contracting officer shall insert the provision at 852.233–71, Alternative protest procedure, in solicitations expected to exceed the simplified acquisition threshold.

Subpart 833.2—Disputes and Appeals

833.209 Suspected fraudulent claims.

The contracting officer must refer matters relating to suspected fraudulent claims to the Office of Inspector General for investigation and referral to the Department of Justice. The contracting officer may not initiate any collection, recovery, or other settlement action while the matter is in the hands of the Department of Justice without first obtaining the concurrence of the U.S. Attorney concerned, through the Office of the Inspector General.

833.211 Contracting officer's decision.

(a) When a dispute cannot be settled by agreement and a final decision under the Disputes clause of the contract is necessary, the contracting officer must furnish the contractor the contracting officer's final decision in the matter.

(b) The contracting officer must identify the decision, in writing, as a final decision and include a statement of facts in sufficient detail to enable the contractor to fully understand the decision and the basis on which it was made. The decision must set forth those facts relevant to the dispute with which the contractor and the contracting officer are in agreement, and as clearly as possible, the area of disagreement.

(c) For VA contracts, the Board of Contract Appeals noted in FAR 33.211 is the Civilian Board of Contract Appeals (CBCA), 1800 F Street, NW., Washington, DC 20405.

833.212 Contracting officer's duties upon appeal.

(a) When a contracting officer receives notice of appeal in any form, the contracting officer must do the following:

(1) Annotate the appeal with the date of mailing (or date of receipt, if otherwise conveyed).

(2) Within 10 days, forward the original notice of appeal and a copy of the contracting officer's final decision letter to the OGC.

(3) Concurrently transmit copies of the notice of appeal and the final decision letter to the DAS for A&MM. (In cases of construction contracts administered by the Office of Construction and Facilities Management, copies of the appeal and the final decision letter need not be transmitted to the DAS for A&MM but instead should be sent to the Director, Office of Construction and Facilities Management.)

(b) Within 20 days of receipt of an appeal, or advice that an appeal has been filed, the contracting officer must assemble and transmit to the OGC, an appeal file consisting of all documents pertinent to the appeal, including all of the following:

(1) The decision and findings of fact that are being appealed.

(2) The contract, including specifications and pertinent amendments, plans and drawings.

(3) All correspondence between the parties pertinent to the appeal, including the letter or letters of claim in response to which the decision was issued.

(4) Transcripts of any testimony taken during the course of proceedings and affidavits or statements of any witnesses on the matter in dispute made prior to the filing of the notice of appeal.

(5) Any additional information considered pertinent.

833.213 Obligation to continue performance.

(a) As provided in FAR 33.213, contracting officers shall use FAR clause 52.233–1, Disputes, with its Alternate I. Clause 52.233–1 requires the contractor to continue performance in accordance with the contracting officer's decision in the event of a claim arising *under* a contract. Alternate I expands this authority, adding a requirement for the contractor to continue performance in the event of a claim *relating* to the contract.

(b) In the event of a dispute not arising under, but relating to, the contract, if the contracting officer directs continued performance, the contracting officer may consider providing financing for the continued performance, provided that the Government's interests are properly secured. The contracting officer will contact the DAS for A&MM and OGC for advice prior to authorizing such financing.

833.214 Alternative dispute resolution (ADR).

Contracting officers and contractors are encouraged to use alternative dispute resolution (ADR) procedures. CBCA guidance on ADR may be obtained at *http://www.cbca.gsa.gov.*

833.215 Contract clause.

The contracting officer must use the clause at 52.233–1, Disputes, with its Alternate I (see 833.213).

Subchapter F—Special Categories of Contracting

PART 836—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

Subpart 836.2—Special Aspects of Contracting for Construction

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836.206 Liquidated damages.
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Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 836.2—Special Aspects of Contracting for Construction

836.202 Specifications.

(a) The procedures described in Part 811 are applicable to construction specifications.

(b) During the design stage, contract architect-engineers must not use ''brand name or equal'' or other restrictive specifications without the prior written approval of the contracting officer. The contracting officer must inform prospective architect-engineers of this requirement during the negotiation phase, prior to award of a contract for design.

(c) If VA has determined that only one product will meet the Government's minimum needs and VA will not allow the submission of ''equal'' products, the contracting officer must include the clause found at 852.236–90, Restriction on Submission and Use of Equal Products, in the solicitation and complete the clause by listing the items to which the clause applies. This clause places bidders on notice that the ''brand name or equal'' provisions of the clause found at FAR 52.236–5, Materials and Workmanship, and any other provision that may authorize the submission of an ''equal'' product, will not apply to the specific items listed.

836.203 Government estimate of construction costs.

The overall amount of the Government estimate must not be disclosed until after award of the contract. After award, the contracting officer may disclose the overall amount upon request.

836.204 Disclosure of the magnitude of construction projects.

In lieu of the estimated price ranges described in FAR 36.204, the contracting officer must identify the magnitude of a VA project in advance notices and solicitations in terms of one of the following price ranges:

(a) Less than $25,000.

(b) Between $25,000 and $100,000.

(c) Between $100,000 and $250,000.

(d) Between $250,000 and $500,000.

(e) Between $500,000 and $1,000,000.

(f) Between $1,000,000 and $2,000,000.

(g) Between $2,000,000 and $5,000,000.

(h) Between $5,000,000 and $10,000,000.

(i) Between $10,000,000 and $20,000,000.

(j) Between $20,000,000 and $50,000,000.

(k) Between $50,000,000 and $100,000,000.

(l) More than $100,000,000.

836.206 Liquidated damages.

The contracting officer may include a liquidated damages provision in a construction contract when the criteria of FAR 11.501 and 811.501 are met. If partial performance may be accepted and used to the advantage of the Government, the contracting officer must include the clause substantially as set forth in 852.211–74, Liquidated Damages, in addition to the clause set forth in FAR 52.211–12.

836.209 Construction contracts with architect-engineer firms.

(a) When the contracting officer considers it necessary or advantageous to award a contract for construction of a design-bid-build project, as defined at FAR 36.102, to a firm or person that designed the project, the contracting officer must request prior approval from one of the following:

(1) The facility or VISN director, as appropriate, or, for National Cemetery Administration contracts, the Director, Technical Support Service, for contracts involving nonrecurring maintenance (NRM) funds.

(2) The Director, Office of Construction and Facilities Management, for contracts involving construction funds.

(b) The contracting officer must furnish complete justification in the request.

(c) This section does not apply to design-build contracts, as defined at FAR 36.102.

836.213 Special procedures for sealed bidding in construction contracting.

836.213–4 Notice of award.

The contracting officer must provide to the contractor a notice of award (letter of acceptance) for any contract award in excess of $25,000.

836.213–70 Notice to proceed.

(a) The contracting officer must provide construction contractors with a written notice to proceed for the work. A notice to proceed will normally be sent only after the contractor has provided performance and payment bonds or payment protection and the completed contract forms, where applicable, and the contracting officer has accepted them. If the urgency of the work or other proper reason requires the contractor to begin work immediately, the contracting officer may include in the award letter a notice to proceed, with the reservation that payments are contingent upon receipt and approval of the required bonds or payment protection.

(b) If the contract provides for liquidated damages, the contracting officer must send the notice to proceed by certified mail, return receipt requested, or any other method that provides signed evidence of receipt. The notice to proceed will advise the contractor that the work must be completed within __ (insert contract time for completion) calendar days from the date of receipt shown on the certified mail receipt card returned by the post office or on the proof of delivery provided by the delivery service.

(c) If the contract does not provide for liquidated damages, certified mail is not required. In notices to proceed for these contracts, the contracting officer must establish a date for completion that takes into consideration the time required for the notice to arrive by regular mail.

(d) At the time the notice to proceed is sent to the contractor, the contracting officer must furnish a copy to the resident engineer or the Chief, Engineering Service.

(e) The contracting officer must file a copy of the notice to proceed with copy A of the contract. When certified mail or other method of certified delivery is used, the contracting officer must attach the certified mail receipt card returned by the post office or the proof of delivery provided by the delivery service to the copy of the notice to proceed. The contracting officer must file copies of the notice to proceed with copies C and D of the contract after the

date of receipt has been established and indicated on the notice to proceed.

Subpart 836.5—Contract Clauses

836.500 Scope of subpart.

(a) The clauses and provisions prescribed in this subpart are set forth for use in fixed-price construction contracts in addition to those in FAR Subpart 52.2.

(b) Additional clauses and provisions not inconsistent with those in FAR Subparts 36.5 and 52.2 and those prescribed in this subpart are authorized when determined necessary or desirable by the contracting officer, and when approved as provided in Subpart 801.4.

(c) Clauses and provisions that differ from those contained in FAR Subparts 36.5 and 52.2 and this subpart, but considered essential to the procurement of VA requirements, shall not be used unless the deviation procedure set forth in Subpart 801.4 has been complied with.

836.501 Performance of work by the contractor.

The contracting officer shall insert the clause at 852.236–72, Performance of work by the contractor, in solicitations and contracts for construction that contain the FAR clause at 52.236–1, Performance of Work by the Contractor. When the solicitations or contracts include a section entitled ''Network Analysis System (NAS),'' the contracting officer must use the clause with its Alternate I.

836.513 Accident prevention.

The contracting officer must insert the clause at 852.236–87, Accident Prevention, in solicitations and contracts for construction that contain the clause at FAR 52.236–13, Accident Prevention.

836.521 Specifications and drawings for construction.

The contracting officer shall insert the clause at 852.236–71, Specifications and drawings for construction, in solicitations and contracts for construction that include the FAR clause at 52.236–21, Specifications and Drawings for Construction.

836.570 Correspondence.

The contracting officer shall insert the clause at 852.236–76, Correspondence, in solicitations and contracts for construction expected to exceed the micro-purchase threshold for construction (currently $2,000).

836.571 Reference to ''standards.''

The contracting officer shall insert the clause at 852.236–77, Reference to ''standards,'' in solicitations and contracts for construction expected to exceed the micro-purchase threshold for construction.

836.572 Government supervision.

The contracting officer shall insert the clause at 852.236–78, Government supervision, in solicitations and contracts for construction expected to exceed the micro-purchase threshold for construction.

836.573 Daily report of workers and materials.

The contracting officer shall insert the clause at 852.236–79, Daily report of workers and materials, in solicitations and contracts for construction expected to exceed the simplified acquisition threshold. The contracting officer may, when in the best interest of the Government, insert the clause in solicitations and contracts for construction when the contract amount is expected to be at or below the simplified acquisition threshold.

836.574 Subcontracts and work coordination.

The contracting officer shall insert the clause at 852.236–80, Subcontracts and work coordination, in solicitations and contracts for construction expected to exceed the micro-purchase threshold for construction. When the solicitations or contracts are for new construction work with complex mechanical-electrical work, the contracting officer may use the clause with its Alternate I.

836.575 Schedule of work progress.

The contracting officer shall insert the clause at 852.236–84, Schedule of work progress, in solicitations and contracts for construction that are expected to exceed the micro-purchase threshold for construction and that do not contain a section entitled ''Network Analysis System (NAS).''

836.576 Supplementary labor standards provisions.

The contracting officer shall insert the clause at 852.236–85, Supplementary labor standards provisions, in solicitations and contracts for construction that are expected to exceed the micro-purchase threshold for construction.

836.577 Workers' compensation.

The contracting officer shall insert the clause at 852.236–86, Workers' compensation, in solicitations and contracts for construction that are expected to exceed the micro-purchase threshold for construction.

836.578 Changes—supplement.

(a) The contracting officer shall insert the clause at 852.236–88, Contract changes—supplement, in solicitations and contracts for construction that are expected to exceed the micro-purchase threshold for construction. (This section has been promulgated as a deviation from the FAR as provided in 801.4.)

(b) When negotiated changes exceed $500,000, paragraph (a) of the clause at 852.236–88 will apply. Because paragraph (a) does not provide ceiling rates for indirect expenses, the contractor must furnish cost breakdowns and other supporting data on its rates for indirect expenses as part of its price proposal. The contracting officer must negotiate the rates for indirect expenses with the contractor and may request an audit in accordance with FAR 15.404–2.

(c) When the negotiated change will be $500,000 or less, paragraph (b) of the clause at 852.236–88 will apply. Because the indirect cost rates in paragraph (b) of the clause at 852.236–88 are ceiling rates, the contracting officer must negotiate indirect expense rates within the ceiling limitations.

836.579 Special notes.

The contracting officer shall insert the clause at 852.236–91, Special notes, in solicitations and contracts for construction that are expected to exceed the micro-purchase threshold for construction.

Subpart 836.6—Architect-Engineer Services

836.602 Selection of firms for architect-engineer contracts.

836.602–1 Selection criteria.

(a) In addition to the evaluation criteria set forth in FAR 36.602–1, the evaluation board must consider the factors set forth in paragraph (b) of this section as they apply to the project or purpose of the selection. Values must be assigned to each factor in determining the relative qualifications of the firms identified as qualified through the pre-selection process. The board may adjust the assigned values after its discussions.

(b) The following factors must be considered:

(1) Reputation and standing of the firm and its principal officials with respect to professional performance, general management, and cooperativeness.

(2) Record of significant claims against the firm because of improper or incomplete architectural and engineering services.

(3) Specific experience and qualifications of personnel proposed for

assignment to the project and their record of working together as a team.

836.602–2 Evaluation boards.

(a) The Director, Office of Construction and Facilities Management, shall appoint an evaluation board to select architect-engineer contractors for Office of Construction and Facilities Management projects. The Director, Office of Construction and Facilities Management, shall appoint an evaluation board to select architect-engineer contractors for National Cemetery Administration projects. The facility or VISN director, as appropriate, shall appoint an evaluation board to select architect-engineer contractors for field facility projects.

(b) The Director, A/E Evaluation and Program Support Service, will chair the evaluation board for Office of Construction and Facilities Management architect-engineer contracts. The Chair may designate the Project Director or Project Manager to act as Chair when necessary. When appointing the board's members, the Director, Office of Construction and Facilities Management, must include the appropriate Project Manager and as many qualified professional architects or engineers from the Office of Construction and Facilities Management technical services as may be considered appropriate for the particular project. The Director, Office of Construction and Facilities Management may designate additional members from the Office of Construction and Facilities Management or from other Department administrations and staff offices when appropriate.

(c) The Director, Office of Construction and Facilities Management, shall ensure that the board consists of no fewer than three members, one of whom must be a National Cemetery Administration senior level contracting officer. The Director shall designate one of the board members as the Chair.

(d) The evaluation board for a VA field facility must consist of no fewer than two members, one of whom will be the HCA (or the senior contracting officer at the facility if there is no HCA on site) and the other will be the Chief, Engineering Service, or their alternates. Where a facility has two or more engineers on its staff, the facility or VISN director must appoint an additional engineer to the board. The Chair of the board will be the senior engineer.

836.602–4 Selection authority.

The Director, Office of Construction and Facilities Management (for Central Office contracts), the Director, Office of Construction Management (for National Cemetery Administration contracts), and the facility or VISN director (for field facility contracts), as appropriate, or persons acting in those capacities, are designated as the approving officials for the recommendations of the respective evaluation boards.

836.602–5 Short selection process for contracts not to exceed the simplified acquisition threshold.

Either of the procedures provided in FAR 36.602–5 may be used to select firms for architect-engineer contracts that are not expected to exceed the simplified acquisition threshold.

836.603 Collecting data on and appraising firms qualifications.

The Director, Office of Construction and Facilities Management, for Central Office; the Director, Office of Construction Management, for National Cemetery Administration; and the Chief, Engineering Service, for field facilities, are responsible for collecting Standard Forms 330 and maintaining a data file on architect-engineer qualifications.

836.606 Negotiations.

836.606–70 General.

To assure that the fee limitation is not violated, the contracting officer must maintain suitable records to be able to isolate the amount in the total fee to which the 6-percent limitation applies.

836.606–71 Architect-engineer's proposal.

(a) When the contract price is estimated to be $50,000 or more, the contracting officer must use VA Form 10–6298, Architect-Engineer Fee Proposal, to obtain the proposal and supporting cost data from the proposed contractor and subcontractor in the negotiation of an architect-engineer contract for design services.

(b) In obtaining architect-engineer services for research study, seismic study, master planning study, construction management and other related services contracts, the contracting officer must use VA Form 10–6298 supplemented or modified as needed for the particular project type.

836.606–72 Contract price.

(a) Where negotiations with the top-rated firm are unsuccessful, the contracting officer shall, after authorization by the Director, Office of Construction and Facilities Management, the Director, Office of Construction Management, or the facility or VISN director, as appropriate, terminate the negotiations and undertake negotiations with the firm next in order of preference.

(b) The contracting officer shall submit a recommendation for award of the contract at the negotiated fee to the Director, Office of Construction and Facilities Management, the Director, Office of Construction Management, or the facility or VISN director, as appropriate. A copy of the negotiation memorandum prepared in accordance with FAR 15.406–3 and, whenever a field pricing report has been received, a copy of the report must accompany the recommendation.

836.606–73 Application of 6 percent architect-engineer fee limitation.

(a) The total cost of the architect or engineer services contracted for must not exceed 6 percent of the estimated cost of the construction project plus any fees for related services and activities such as those shown in paragraph (c) of this section.

(b) To support project submissions, the engineering officer or project engineer must use VA Form 10–1193, Application for Health Care Facility Project, and Form 10–6238, EMIS Construction Program Estimate Worksheet, and must show the proposed technical services where necessary and applicable.

(c) The 6 percent fee limitation does not apply to the following architect or engineer services:

(1) Investigative services including but not limited to:

(i) Determination of program requirements, including schematic or preliminary plans and estimates;

(ii) Determination of feasibility of proposed project;

(iii) Preparation of measured drawings of existing facility;

(iv) Subsurface investigation;

(v) Structural, electrical, and mechanical investigation of existing facility; and

(vi) Surveys: topographic, boundary, utilities, etc.

(2) Special consultant services that are not normally available in organizations of architects or engineers and that are not specifically applied to the actual preparation of working drawings or specifications of the project for which the service are required.

(3) Other:

(i) Reproduction of approved designs through models, color renderings, photographs, or other presentation media;

(ii) Travel and per diem allowances other than those required for the development and review of working drawings and specifications;

(iii) Supervision or inspection of construction, review of shop drawings or samples, and other services performed during the construction phase; and

(iv) All other services that are not an integral part of the production and delivery of plans, designs, and specifications.

(4) The cost of reproducing drawings and specifications for bidding and their distribution to prospective bidders and plan file rooms.

PART 837—SERVICE CONTRACTING

Subpart 837.1—Service Contracts—General

Sec.
837.103 Contracting officer responsibility.
837.110 Solicitation provisions and contract clauses.
837.110–70 Services provided to eligible beneficiaries.

Subpart 837.2—Advisory and Assistance Services

837.203 Policy.

Subpart 837.4—Nonpersonal Health Care Services

837.403 Contract clause.

Subpart 837.70—Mortuary Services

837.7001 General.
837.7002 List of qualified funeral directors.
837.7003 Funeral authorization.
837.7004 Administrative necessity.
837.7005 Unclaimed remains—all other cases.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 837.1—Service Contracts—General

837.103 Contracting officer responsibility.

When the contracting officer determines that legal assistance is necessary in determining whether a proposed service contract is for personal or non-personal services, the contracting officer will request a legal opinion from the appropriate Regional Counsel.

837.110 Solicitation provisions and contract clauses.

The contracting officer shall insert the clause at 852.237–70 Contractor responsibilities, in solicitations and contracts for services.

837.110–70 Services provided to eligible beneficiaries.

Contracting officers shall include the clause at 852.271–70, Nondiscrimination in services provided to beneficiaries, in all solicitations and contracts covering services provided to eligible beneficiaries.

Subpart 837.2—Advisory and Assistance Services

837.203 Policy.

The definition of advisory and assistance services includes, in addition to examples listed in FAR 37.203, services to obtain peer review of research proposals.

Subpart 837.4—Nonpersonal Health Care Services

837.403 Contract clause.

The contracting officer shall insert the clause at 852.237–7, Indemnification and medical liability insurance, in lieu of FAR Clause 52.237–7, in solicitations and contracts for nonpersonal health-care services, including contracts awarded under the authority of 38 U.S.C. 7409, 38 U.S.C. 8151–8153, and part 873. The contracting officer may include the clause in bilateral purchase orders for nonpersonal health-care services awarded under the procedures in FAR Part 13 and Part 813.

Subpart 837.70—Mortuary Services

837.7001 General.

This subpart establishes the policies and procedures governing the procurement of funeral and burial services for deceased beneficiaries of VA, as provided in 38 U.S.C. 2302, 2303, and 2308.

837.7002 List of qualified funeral directors.

Contracting officers will establish, in coordination with cognizant Chief, Medical Administration Service (MAS) personnel or other personnel designated by the facility director to perform these functions, a list of funeral directors capable of performing the burial services specified in 837.7003. The contracting officer will attempt to establish a commitment to perform these services within the statutory limitation of $300 (see 38 U.S.C. 2302). Each funeral director must be fully licensed in the jurisdiction in which the business operates. If there has been no prior experience with the funeral director that would ensure the adequacy of the funeral director's services and casket, arrangements will be made before contract negotiation to inspect the premises and the casket to be provided, as well as to check with the local business bureau and/or Chamber of Commerce. (38 U.S.C. 2302)

837.7003 Funeral authorization.

(a) When a veteran dies while receiving care in a VA health care facility or in a non-VA institution at VA's expense, and the decedent's remains are unclaimed, the Chief, MAS, or the person designated by the facility director to perform these functions, will forward to the HCA a properly executed VA form 10–2065, Funeral Arrangements, requesting that funeral and burial services for the deceased be procured.

(b) The contracting officer will enter into negotiations with local funeral directors to procure a complete funeral and burial service within the statutory allowance of $300. The purchase order must list the specific services to be provided. The services must consist of the following:

(1) Preparation of the body, embalming.

(2) Clothing.

(3) Casket. (The casket, at a minimum, must be constructed from thick, strong particle board and must be of sufficient strength to support the weight of an adult human body. Cardboard or press paper or similar materials are not acceptable.)

(4) The securing of all necessary permits.

(5) Ensuring that a United States flag (provided the funeral director in accordance with M–1, Part I, paragraph 14.40) accompanies the casket to the place of burial.

(c) An additional allowance for transportation of the body to the place of burial is provided in 38 U.S.C. 2308. This allowance will cover the transportation cost of shipment of the body by common carrier or by hearse from the VA facility to the funeral home and to the place of burial, any charges for an outside shipping box, and the charges for securing all necessary permits for removal or shipment of the body. These costs are not chargeable against the $300 allowance.

(d) In accordance with M–1, Part I, paragraph 14.37, the contracting officer will designate the Chief, MAS, or the person designated by the facility director to perform these functions, to be responsible for the medical inspection of the mortuary services performed and inspection of the merchandise furnished. This designee will also be responsible for certifying receipt on the receiving report.

(e) The HCA will assist the Chief, MAS, or the person designated by the facility director to perform these functions, in developing the local procedures specified in M–1, Part I, paragraph 14.37c. (38 U.S.C. 2302, 2303, and 2308)

837.7004 Administrative necessity.

(a) VA may make arrangements and assume expenses for local burial under separate contractual agreement when:

(1) A person dies under VA care who is not legally entitled to such care at VA's expense;

(2) No relatives or friends claim the remains; and

(3) The municipal, county, or State officials refuse to provide for final disposition.

(b) When the contracting officer cannot obtain a full and complete funeral and burial service as prescribed in 837.7003 within the statutory allowance, before taking any further action, the contracting officer will secure from the facility or VISN director, as appropriate, a written determination that VA must accomplish the disposition of the remains as an administrative necessity. The facility director will also authorize in writing the expenditure of such additional funds as may be necessary for this purpose.

(c) The contracting officer will make the facility director's determination and authorization a part of the contract file. (38 U.S.C. 2302)

837.7005 Unclaimed remains—all other cases.

Requests for information on the disposition of the unclaimed remains of a veteran whose death occurs while not under the direct care or treatment of VA will be referred to the Veterans Services Officer for processing in accordance with M27–1, Part II.

PART 841—ACQUISITION OF UTILITY SERVICES

Subpart 841.1—General

Sec.
841.100 Scope of part.
841.103 Statutory and delegated authority.

Subpart 841.2—Acquiring Utility Services

841.201 Policy.

Authority: 40 U.S.C. 121(c) and (d); and 48 CFR 1.301–1.304.

Subpart 841.1—General

841.100 Scope of part.

This part prescribes procedures for obtaining delegations of authority to award contracts for utility connection charges and provides guidance on review requirements for such proposed contracts.

841.103 Statutory and delegated authority.

(a) The Assistant Commissioner for Procurement, General Services Administration (GSA), has delegated the Secretary of Veterans Affairs authority to enter into public utility contracts for connection charges for utility services.

(b) Except as provided in paragraph (a) of this section, the authority to award all other contracts for utility services, as defined in FAR 41.101, is vested in GSA (see FAR 41.103). VA contracting officers who wish to award local contracts for utility services, other than for connection charges, must first obtain a delegation of authority to award such contracts from GSA. Contracting officers shall submit requests for delegation of authority directly to GSA.

(c) Any authority described in paragraphs (a) or (b) of this section delegated to the Secretary is further delegated to the SPE and is further delegated to the DSPE and to VA contracting officers within the limits of their warrants.

Subpart 841.2—Acquiring Utility Services

841.201 Policy.

As required by 801.602–71, contracting officers must submit solicitations and proposed agreements for utility services exceeding $50,000 in total costs to the appropriate Acquisition Resources Service office for technical and legal review.

SUBCHAPTER G—CONTRACT MANAGEMENT

PART 842—CONTRACT ADMINISTRATION AND AUDIT SERVICES

Sec.
842.000 Scope of part.
842.070 Definitions.

Subpart 842.1—Contract Audit Services

842.101 Contract audit responsibilities.
842.102 Assignment of contract audit services.

Subpart 842.7—Indirect Cost Rates

842.705 Final indirect cost rates.

Subpart 842.8—Disallowance of Costs

842.801 Notice of intent to disallow costs.
842.801–70 Audit assistance prior to disallowing costs.
842.803 Disallowing costs after incurrence.

Subpart 842.12—Novation and Change-of-Name Agreements

842.1203 Processing agreements.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

842.000 Scope of part.

This part applies to all contracts, whether awarded through sealed bidding or negotiation.

842.070 Definitions.

Contract administration is the coordination of actions required for the performance of a contract. This includes the contracting officer's guidance and supervision necessary to assure that the contractor fulfills all contractual obligations.

Subpart 842.1—Contract Audit Services

842.101 Contract audit responsibilities.

(a) Contracting officers may use the support services of other agencies to the extent feasible. Examples of such services include: pre-award surveys; quality assurance and technical inspection of contract items; and review of contractors' procurement systems. Contracting officers obtaining support services from any other Government department or agency must do so on the basis of an approved negotiated interagency support agreement.

(b) An interagency support agreement is a written instrument of understanding between the parties to the agreement. The agreement should clearly state the following:

(1) The accord reached between the two parties involved, especially the obligations assumed and the rights granted each party.

(2) The resources that both the supplying and receiving parties will provide.

(3) The funding and reimbursement arrangements.

(4) Clauses permitting revisions, modifications, or cancellation of the agreement.

842.102 Assignment of contract audit services.

(a) When required, contracting officers shall request the assistance of the VA Office of the Inspector General (OIG), Office of Contract Review, to provide pre- and post-award audit, review, and advisory services associated with the award or modification of:

(1) Federal Supply Schedule and other contracts awarded by the VA National Acquisition Center;

(2) Scarce medical specialist or sharing contracts awarded under the authority of 38 U.S.C. 7409 or 8153, and;

(3) Claims involving such contracts.

(b) Contracting officers may request the assistance of either the VA OIG Office of Contract Review or the Defense Contract Audit Agency (DCAA) to provide pre- and post-award audit, review, and advisory services associated with other types of contracts or claims.

Subpart 842.7—Indirect Cost Rates

842.705 Final indirect cost rates.

(a) Except when the quick-closeout procedures described in FAR 42.708 are used, contracting officers must request audits on proposed final indirect cost rates and billing rates for use in cost

reimbursement, fixed-price incentive, and fixed-price redeterminable contracts as prescribed in FAR Subpart 42.7.

(b) When the quick closeout procedures are used, the contracting officers must perform a review and validation of the contractor's data for accuracy and reasonableness of the proposed rates for negotiating the settlement of indirect costs for a specific contract.

Subpart 842.8—Disallowance of Costs

842.801 Notice of intent to disallow costs.

842.801–70 Audit assistance prior to disallowing costs.

If a contracting officer determines that costs should be disallowed during the performance of a cost reimbursement, fixed-price incentive, or fixed-price redetermination contract exceeding the thresholds specified in FAR 15.403–4, the contracting officer must request audit assistance. The VA OIG shall conduct audits of contracts for health care resources and contracting officers shall request such audits directly from that office. For all other types of contracts, the contracting officer must obtain an audit control number from Acquisition Resources Service and send a formal request to conduct the audit directly to the nearest Defense Contract Audit Agency (DCAA) office, referencing the audit control number and the project number (if any).

842.803 Disallowing costs after incurrence.

Contracting officers may approve or disapprove contractors' vouchers for payment and process them to the servicing fiscal office. Such approval or disapproval must be within the limitations of the contracting officer's warrant and the contract for which the voucher is submitted must be within the contracting officer's delegation of contracting authority.

Subpart 842.12—Novation and Change-of-Name Agreements

842.1203 Processing agreements.

Before execution of novation and change-of-name agreements, contracting officers must submit all supporting agreements and documentation to the OGC for review as to legal sufficiency.

PART 846—QUALITY ASSURANCE

Subpart 846.3—Contract Clauses

Sec.

846.302 Fixed-price supply contracts.
846.302–70 Guarantee clause.
846.302–71 Inspection.
846.302–72 Frozen processed foods.
846.302–73 Noncompliance with packaging, packing and/or marking requirements.
846.312 Construction contracts.

Subpart 846.4—Government Contract Quality Assurance

846.408 Single-agency assignments of Government contract quality assurance.
846.408–70 Inspection of subsistence.
846.408–71 Waiver of USDA inspection and specifications.
846.470 Use of commercial organizations for inspections and grading services.
846.471 Determination authority.
846.472 Inspection of repairs for properties under the Loan Guaranty and Direct Loan Programs.
846.472–1 Repairs of $1,000 or less.
846.472–2 Repairs in excess of $1,000.

Subpart 846.7—Warranties

846.710 Contract clauses.
846.710–70 Special warranties.
846.710–71 Warranty for construction—guarantee period services.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 846.3—Contract Clauses

846.302 Fixed-price supply contracts.

846.302–70 Guarantee clause.

(a) The contracting officer shall insert the clause at 852.246–70, Guarantee, in solicitations for the acquisition of equipment.

(b) If it is industry policy to furnish, but not install, replacement material and parts at the contractor's expense, the last sentence of the clause at 852.248–70 will be changed to indicate that cost of installation shall be borne by the Government. Where it is industry policy to guarantee components for the life of the equipment (e.g., crystals in transmitters and receivers in radio communications systems) or to require that highly technical equipment be returned to the factory (at the contractor's or the Government's expense) for replacement of defective materials or parts, then the clause will be revised to be compatible with such policy.

846.302–71 Inspection.

The contracting officer shall include a ''Rejected Goods'' contract clause in solicitations and contracts as follows:

(a) Except as provided in paragraph (b) of this section, insert the clause at 852.246–71, Inspection, in solicitations and contracts for the acquisition of supplies or equipment.

(b) In solicitations and contracts for packing house and dairy products, bread and bakery products, and for fresh and frozen fruits and vegetables, insert the Alternate I clause at 852.246–71, Inspection.

846.302–72 Frozen processed foods.

The contracting officer shall insert the clause at 852.246–72, Frozen processed foods, in solicitations and contracts for frozen processed foods.

846.302–73 Noncompliance with packaging, packing and/or marking requirements.

The contracting officer shall insert the clause at 852.246–73, Noncompliance with packaging, packing, and/or marking requirements, in non-commercial item solicitations and contracts for supplies or equipment where there are special packaging, packing and/or marking requirements. The clause may be used in commercial item acquisitions if a waiver is approved in accordance with FAR 12.302(c) and 812.302.

846.312 Construction contracts.

The contracting officer shall insert the clause at 852.236–74, 852.236–74, Inspection of construction, in solicitations and contracts for construction that include the FAR clause at 52.246–12, Inspection of Construction.

Subpart 846.4—Government Contract Quality Assurance

846.408 Single-agency assignments of Government contract quality assurance.

846.408–70 Inspection of subsistence.

(a) Before issuing a solicitation for subsistence, the contracting officer must determine whether:

(1) Representatives of the U.S. Department of Agriculture (USDA) or the Department of Commerce will inspect for specification compliance before shipment; or

(2) Personnel of the purchasing activity will inspect for specification compliance at the time of delivery.

(b) The contracting officer must indicate the time and place of inspection in the solicitation.

(c) Because the requirement for USDA or Department of Commerce inspections and certifications result in additional contractor costs that may be ultimately reflected in bid prices, the contracting officer, in consultation with the Chief, Nutrition and Food Service, must evaluate the need for such inspections. The evaluation must include the following:

(1) The quality assurance already provided by other mandatory inspection systems.

(2) The proposed suppliers' own quality control system.

(3) Experience with the proposed suppliers.

(4) The pre-qualifying of the suppliers' quality assurance systems

and subsequently waiving inspections and certifications for future solicitations.

(5) The cost of the inspections.

(d) When the contracting officer indicates that either the USDA or the Department of Commerce will conduct the inspection, the contracting officer must also provide in the solicitation that the contractor is responsible for all of the following:

(1) Arranging and paying for inspection services.

(2) Obtaining from the inspectors a certificate indicating that the product complies with specifications.

(3) Assuring that the certificate, or copy, accompanies the shipment or is furnished to the receiving installation before shipment, or notifying the installation when the certificate is not immediately available.

(4) Seeing that acceptable products are covered by an inspection agency checkloading certificate or stamped by the inspector as prescribed by the contracting officer.

(5) Furnishing samples for inspection at the contractor's expense.

(6) Indicating the address where inspection will occur.

(e) The contracting officer must furnish a copy of the purchase document to the inspecting activity.

846.408–71 Waiver of USDA inspection and specifications.

(a) When the amount of an item to be purchased will not exceed 500 pounds per delivery, the contracting officer may purchase the following without reference to the specifications in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, Publication No. C8900–SL, and the USDA inspection requirements:

(1) Butter.

(2) Cheese (except cottage cheese).

(3) Sausage.

(4) Meat food products*.

(5) Bacon, smoked.

(6) Bacon, Canadian style.

(b) When the items listed in paragraph (a) of this section are procured together with items that are not exempt, the contracting officer must include the following in the solicitation:

Items * * * are not required to be in accordance with the specifications contained in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, Publication No. C8900-SL, and the special USDA inspection is not required. VA will inspect for quality and condition upon delivery at destination. These items are, however, subject to the quality controls stated herein.

(c) As appropriate, the contracting officer must include the following statements in each invitation for bid, request for proposal, quotation, or purchase order:

(1) Butter. This product must be graded by the USDA and labeled ''Grade A'' or the grade specified herein.

(2) Sausage and meat food products.*

(i) This product must be a high commercial product and must have been prepared in a federally inspected plant and bear the USDA establishment number stamp evidencing that it is sound, healthful, wholesome, and fit for human consumption; and

(ii) This product must bear a label complying with the Federal Food, Drug and Cosmetic Act that requires the listing of all ingredients in the order of their predominance.

(3) Bacon, smoked; and bacon, Canadian style. This product must be a high commercial product and must have been prepared in a federally inspected plant and bear the USDA establishment number stamp evidencing that it is sound, healthful, wholesome, and fit for human consumption.

(d) When using a ''brand name or equal'' purchase description, the contracting officer must list every brand name item that is known to be acceptable and available in the area.

* ''Meat food products'' means processed foods containing meat in substantial proportion and other listed ingredients including seasoning, e.g., frankfurters, coldcuts. Whole or prefabricated meats, e.g., pork chops, hamburger, are considered meats, not meat food products.

846.470 Use of commercial organizations for inspections and grading services.

The contracting officer may use a commercial organization for inspection and grading services when the contracting officer determines that all of the following conditions exist:

(a) The results of a technical inspection or grading are dependent upon the application of scientific principles or specialized techniques.

(b) VA is unable to employ the personnel qualified to properly perform the services and is unable to locate another Federal agency capable of providing the service.

(c) The inspection or grading results issued by a private organization are essential to verify the acceptance or rejection of a special commodity.

(d) The services may be performed without direct Government supervision.

846.471 Determination authority.

The following officials must make the determinations required in 846.470:

(a) The Director, Office of Construction and Facilities Management, for those items and services for which purchase authority has been assigned to the Office of Construction and Facilities Management.

(b) The Director, Veterans Canteen Service, for those items and services purchased, or contracted for, by the Veterans Canteen Service (except those items purchased from VA supply sources).

(c) The DSPE for all other supplies, equipment, and services.

846.472 Inspection of repairs for properties under the Loan Guaranty and Direct Loan Programs.

As provided in 846.472–1 and 846.472–2, management brokers or qualified fee or staff inspectors must conduct a final inspection of all repair programs upon completion. In addition, the broker or inspector must conduct intermediate or progress inspections on extensive or technical jobs as specified in the contract.

846.472–1 Repairs of $1,000 or less.

(a) Generally, the management broker must make any required inspections for repairs of $1,000 or less. A qualified fee or staff inspector must make any required inspection for repairs of $1,000 or less if the contracting officer:

(1) Has not assigned the property to a management broker; or,

(2) Has determined that the nature of the repairs requires supervision by a technician.

(b) There is no form prescribed for inspection of repairs of $1,000 or less, but the inspector may use VA Form 26–1839, Compliance Inspection Report. Regardless of the form in which the report is submitted, the inspector must identify the contractor, property, and the repair program and provide sufficient detail to enable the contracting officer to make a determination that the work is being performed satisfactorily or completed in accordance with the terms of the contract.

846.472–2 Repairs in excess of $1,000.

(a) A qualified fee or staff inspector must make the final inspection and any intermediate or progress inspections on repairs exceeding $1,000.

(b) The inspector must make the report of inspection on VA Form 26–1839, Compliance Inspection Report. The inspector must identify the property, contractor, and repair program and provide sufficient detailed information to enable the contracting officer to make a determination that the work is being performed satisfactorily or that it has been completed in accordance with the terms of the

contract. The inspector must itemize any deficiencies and explain the deficiencies in detail.

Subpart 846.7—Warranties

846.710 Contract clauses.

The contracting officer shall insert the clause at FAR 52.246–21, Warranty of Construction, in solicitations and contracts for construction that are expected to exceed the micro-purchase threshold.

846.710–70 Special warranties.

The contracting officer shall insert the clause at 852.246–74, Special warranties, in solicitations and contracts for construction that include the FAR clause at 52.246–21, Warranty of Construction.

846.710–71 Warranty for construction—guarantee period services.

The contracting officer shall insert the clause at 852.246–75, Warranty of construction—guarantee period services, in solicitations and contracts for construction that include the FAR clause at 52.246–21, Warranty of Construction, and that also include guarantee period services.

PART 847—TRANSPORTATION

Subpart 847.3—Transportation in Supply Contracts

Sec.
847.303 Standard delivery terms and contract clauses.
847.303–1 F.o.b. origin.
847.303–70 F.o.b. origin, freight prepaid, transportation charges to be included on the invoice.
847.305 Solicitation provisions, contract clauses, and transportation factors.
847.305–70 Potential destinations known but quantities unknown.
847.306 Transportation factors in the evaluation of offers.
847.306–70 Transportation payment and audit.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 847.3—Transportation in Supply Contracts

847.303 Standard delivery terms and contract clauses.

847.303–1 F.o.b. origin.

Shipments falling within this category must be shipped on a bill of lading, except as provided in 41 CFR 102–118.40. Contracting officers must comply with 41 CFR Parts 102–117 and 102–118. Contact the Traffic Manager for assistance in determining when to issue the applicable bill of lading (VA Commercial Bill of Lading for domestic use or Government Bill of Lading for international shipments and domestic off-shore shipments) and for all freight estimates.

847.303–70 F.o.b. origin, freight prepaid, transportation charges to be included on the invoice.

(a) The delivery terms will be stated as ''f.o.b. origin, transportation prepaid, with transportation charges to be included on the invoice,'' under any of the following circumstances:

(1) When it is determined that an f.o.b. origin purchase or delivery order will have transportation charges that do not exceed $250 and the occasional exception does not exceed that amount by more than $50.

(2) Single parcel shipments via express, courier, small package, or similar carriers, regardless of shipping cost, if the shipped parcel weighs 70 pounds or less and does not exceed 108 inches in length and girth combined.

(3) Multi-parcel shipments via express, courier small package, or similar carriers for which transportation charges do not exceed $250 per shipment.

(b) Orders issued on VA Form & 90–2138, Orders for Supplies or Services, must identify shipping instructions on the reverse side of the form. When VA Form 90–2138 is not used, the vendor must do the following:

(1) Consistent with the terms of the contract, pack, mark, and prepare shipment in conformance with carrier requirements to protect the personal property and assure the lowest applicable transportation charge. Follow package specifications found in the National Motor Freight Classification 100 Series.

(2) Add transportation charges as a separate item on the invoice. The invoice must include the following certification: ''The invoiced transportation charges have been paid and evidence of such payment will be furnished upon the Government's request.''

(3) Not include charges for insurance or valuation on the invoice unless the order specifically requires that the shipment be insured or the value be declared.

(4) Not prepay transportation charges on the order if such charges are expected to exceed $250. Ship collect and annotate the commercial bill of lading, ''To be converted to VA Commercial Bill of Lading.'' Contact the VA Traffic Manager for routing instructions and freight estimate.

(c) Each contracting officer is responsible for:

(1) Obtaining the most accurate estimate possible of transportation charges.

(2) Using the authority in paragraph (a) of this section only when consistent with the circumstances in that paragraph.

(d) When, in accordance with FAR Subpart 28.3 and FAR 47.102, a shipment must be insured or the value declared, the contracting officer will specifically instruct the vendor to do so on the order when a written order is used. If the order is oral, the vendor must annotate all copies of the purchase request to show that the insurance/declared value was specifically requested.

847.305 Solicitation provisions, contract clauses, and transportation factors.

847.305–70 Potential destinations known but quantities unknown.

When the VA National Acquisition Center contracts with multiple bidders to provide items directly to VA field installations on an f.o.b. origin basis, the evaluation of bids must follow specific procedures. To place each bid on an equal basis, even though specific quantities required by each facility cannot be predetermined, the contracting officer must use an anticipated demand factor in proportion to the number of hospital beds or patient workload. The clause prescribed in 852.247–70 must be used in these instances.

847.306 Transportation factors in the evaluation of offers.

847.306–70 Transportation payment and audit.

Transportation payments are audited by the Traffic Manager to ensure that payment and payment mechanisms for agency transportation are uniform and appropriate in accordance with 41 CFR part 102–118.

PART 849—TERMINATION OF CONTRACTS

Subpart 849.1—General Principles

Sec.
849.101 Authorities and responsibilities.
849.106 Fraud or other criminal conduct.
849.111 Review of proposed settlements.
849.111–70 Required review.
849.111–71 Submission of information.

Authority: 40 U.S.C. 121(c) and 48 CFR 1.301–1.304.

Subpart 849.1—General Principles

849.101 Authorities and responsibilities.

(a) While legal review and concurrence of the General Counsel is required prior to a default termination, in some cases where a quick response is necessary, this review can be expedited by express mailing or faxing the default

letter and related documents which are required to make an evaluation directly to General Counsel (025). The default termination letter should contain, at a minimum, the following:

(1) The proposed termination (FAR 49.102);

(2) An explanation of what necessitated the default, including the reasons why the contracting officer considers the contractor to be in default;

(3) A statement that the factors set forth in FAR 49.402–3(f) have been fully considered; and

(4) Final decision language and appeal rights.

(b) Contracts containing a mutual termination clause may be terminated without reference to the General Counsel.

849.106 Fraud or other criminal conduct.

(a) If the contracting officer suspects fraud or other criminal conduct related to the settlement of a terminated contract, the contracting officer must do the following:

(1) Immediately discontinue all negotiations.

(2) Submit all of the pertinent facts necessary to support the suspicions to either of the following:

(i) The DSPE.

(ii) The Director, Office of Construction and Facilities Management, in the case of contracting officers from the Office of Construction and Facilities Management.

(3) Follow procedures as provided in 809.406–3 and 809.407–3.

(b) The DSPE or the Director, Office of Construction and Facilities Management, must review the submission and fully develop the facts.

(c) If the evidence indicates fraud or other criminal conduct, the DSPE or the Director, Office of Construction and Facilities Management, must forward the submission with recommendations through channels (to include OGC, if appropriate), to the Office of the Inspector General (OIG) for referral to the Department of Justice.

(d) The DSPE or the Director, Office of Construction and Facilities Management, will advise the contracting officer as to any further action to be taken. Pending receipt of this advice, no VA employee may discuss the matter with the contractor.

(e) VA will not initiate a collection, recovery or other settlement action while the matter is in the hands of the Department of Justice without first obtaining the concurrence of the U.S. Attorney concerned, through OIG.

(f) If the contractor makes an inquiry, the contracting officer will advise only that the proposal has been forwarded to higher authority.

849.111 Review of proposed settlements.

849.111–70 Required review.

(a) FAR 49.111 requires each agency to establish procedures, when necessary, for the administrative review of proposed termination settlements. Contracting officers shall submit proposed termination settlements or determinations of amounts due the contractor under a terminated contract that involve the expenditure of $100,000 or more of Government funds to the Director, Acquisition Program Management Division, or the Director, Acquisition Assistance Team, as appropriate, for technical and legal review (see 801.602–72(i)). Contracting officers shall not execute the settlement agreement or determination prior to receipt of the technical and legal review. The legal review of contracts awarded by or on behalf of the VA OIG will be conducted by the Counselor to the Inspector General.

(b) If the contracting officer declines to implement one or more of the recommendations or comments contained in the review memorandum, the contracting officer shall submit a written response to the Director, Acquisition Program Management Division, or the Director, Acquisition Assistance Team, as appropriate, explaining why the recommendations or comments were not followed. For contracts awarded by or on behalf of the VA OIG, the response shall be submitted to the Counselor to the Inspector General.

849.111–71 Submission of information.

(a) The contracting officer shall submit to the appropriate Acquisition Program Management Division or Acquisition Assistance Team office a copy of the proposed settlement agreement or determination, supported by such detailed information as is required for an adequate review. This information should normally include copies of:

(1) The contractor's or subcontractor's settlement proposal.

(2) The audit report.

(3) The property disposed report and any required approvals in connection therewith,

(4) The contracting officer's memorandum explaining the settlement, and

(5) Any other relevant material that will assist the procurement analyst in the review. The procurement analyst may, at his or her discretion, require the submission of additional information.

(b) The Director, Acquisition Program Management Division, or the Director, Acquisition Assistance Team, will obtain the concurrence or comments of OGC prior to forwarding the review to the contracting officer, except that the concurrence or comments will be obtained from the Counselor to the Inspector General for contracts awarded by or on behalf of the VA Office of Inspector General.

SUBCHAPTER H—CLAUSES AND FORMS

PART 852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Subpart 852.1—Instructions for Using Provisions and Clauses

Sec.
852.101 Using part 852.
852.102 Incorporating provisions and clauses.

Subpart 852.2—Text of Provisions and Clauses

852.203–70 Commercial advertising.
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852.214–73 Alternate packaging and packing.
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852.228–70 Bond premium adjustment.
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852.229–70 Sales or use taxes.
852.229–71 [Reserved].
852.233–70 Protest content/alternative dispute resolution.
852.233–71 Alternate protest procedure.
852.236–70 [Reserved].
852.236–71 Specifications and drawings for construction.
852.236–72 Performance of work by the contractor.
852.236–73 [Reserved].
852.236–74 Inspection of construction.
852.236–75 [Reserved].
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852.236–77 Reference to ''standards.''
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852.236–79 Daily report of workers and material.
852.236–80 Subcontracts and work coordination.
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852.236–82 Payments under fixed-price construction contracts (without NAS).
852.236–83 Payments under fixed-price construction contracts (including NAS).

852.236–84 Schedule of work progress.
852.236–85 Supplementary labor standards provisions.
852.236–86 Worker's compensation.
852.236–87 Accident prevention.
852.236–88 Contract changes—supplement.
852.236–89 Buy American Act.
852.236–90 Restriction on submission and use of equal products.
852.236–91 Special notes.
852.237–7 Indemnification and medical liability insurance.
852.237–70 Contractor responsibilities.
852.246–70 Guarantee.
852.246–71 Inspection.
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852.246–73 Noncompliance with packaging, packing and/or marking requirements.
852.246–74 Special warranties.
852.246–75 Warranties for construction—guarantee period services.
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852.271–75 Extension of contract period.
852.273–70 Late offers.
852.273–71 Alternative negotiation techniques.
852.273–72 Alternative evaluation.
852.273–73 Evaluation—health-care resources.
852.273–74 Award without exchanges.

Authority: 38 U.S.C. 501 and 8151–8153; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 852.1—Instructions for Using Provisions and Clauses

852.101 Using Part 852.

Part 852 prescribes supplemental provisions and clauses to the FAR. Provision and clause numbering are as prescribed in FAR 52.101 (*e.g.*, supplementary construction clauses under Part 836 are numbered 852.236–71, 852.236–72, etc.).

852.102 Incorporating provisions and clauses.

(a) As authorized by FAR 52.102(c), any 48 CFR Chapter 8 (VAAR) provision or clause may be incorporated in a quotation, solicitation, or contract by reference, provided the contracting officer complies with the requirements stated in FAR 52.102(c)(1), (c)(2), and (c)(3). To ensure compliance with FAR 52.102(c)(1) and (c)(2), contracting officers shall insert the provision found at 852.252–70, Solicitation provisions or clauses incorporated by reference, in full text in a quotation, solicitation, or contract if the quotation, solicitation, or contract incorporates by reference a FAR or 48 CFR Chapter 8 (VAAR) provision or clause that requires completion by the offeror or prospective contractor and submittal with the quotation or offer.

(b) For any FAR or 48 CFR Chapter 8 (VAAR) provision or clause that requires completion by the contracting officer, the contracting officer shall, as a minimum, insert the title of the provision or clause and the paragraph that requires completion in full text in the quotation, solicitation, or contract. The balance of the provision or clause may be incorporated by reference.

(c) When one or more FAR or 48 CFR Chapter 8 (VAAR) provisions, or portions thereof, are incorporated in a quotation or solicitation by reference, the contracting officer shall insert in the quotation or solicitation the provision found at FAR 52.252–1, Solicitation Provisions Incorporated by Reference.

(d) When one or more FAR or 48 CFR Chapter 8 (VAAR) clauses, or portions thereof, are incorporated in a quotation, solicitation, or contract by reference, the contracting officer shall insert in the quotation, solicitation, or contract the clause found at FAR 52.252–2, Clauses Incorporated by Reference.

(e) If one or more FAR provisions or clauses, or portions thereof, are incorporated in a quotation, solicitation, or contract by reference, the contracting officer shall insert in the FAR provision or clause required by paragraph (c) or (d) of this section the following Internet address: *http://www.acquisition.gov/comp/far/index.html*.

(f) If one or more 48 CFR Chapter 8 (VAAR) provisions or clauses, or portions thereof, are incorporated in a quotation, solicitation, or contract by reference, the contracting officer shall insert in the FAR provision or clause required by paragraph (c) or (d) of this section the following Internet address: *http://www1.va.gov/oamm/acquisitions/ars/policyreg/vaar/index.htm.*

Subpart 852.2—Texts of Provisions and Clauses

852.203–70 Commercial advertising.

As prescribed in 803.570–2, insert the following clause:

Commercial Advertising (JAN 2008)

The bidder or offeror agrees that if a contract is awarded to him/her, as a result of this solicitation, he/she will not advertise the award of the contract in his/her commercial advertising in such a manner as to state or imply that the Department of Veterans Affairs endorses a product, project or commercial line of endeavor.

(End of Clause)

852.203–71 Display of Department of Veterans Affairs hotline poster.

As prescribed in 803.7001, insert the following clause:

Display of Department of Veterans Affairs Hotline Poster (DEC 1992)

(a) Except as provided in paragraph (c) below, the Contractor shall display prominently, in common work areas within business segments performing work under VA contracts, Department of Veterans Affairs Hotline posters prepared by the VA Office of Inspector General.

(b) Department of Veterans Affairs Hotline posters may be obtained from the VA Office of Inspector General (53E), P.O. Box 34647, Washington, DC 20043–4647.

(c) The Contractor need not comply with paragraph (a) above if the Contractor has established a mechanism, such as a hotline, by which employees may report suspected instances of improper conduct, and instructions that encourage employees to make such reports.

(End of Clause)

852.207–70 Report of employment under commercial activities.

As prescribed in 807.304–77 and 873.110, the following clause will be included in A–76 cost comparison solicitations and solicitations issued under the authority of 38 U.S.C. 8151–8153 that may result in conversion from in-house to contract performance of work:

Report of Employment Under Commercial Activities (JAN 2008)

(a) Consistent with the Government post-employment conflict of interest regulations, the contractor shall give adversely affected Federal personnel the right of first refusal for all employment openings under this contract for which they are qualified.

(b) *Definitions.*

(1) *Adversely affected Federal personnel* means:

(i) Permanent Federal personnel who are assigned to the government commercial activity, or

(ii) Federal personnel who are identified for release from their competitive levels or separated as a result of the contract.

(2) *Employment openings* means position vacancies created by this contract that the contractor is unable to fill with personnel in the contractor's employ at the time of the contract award. The term includes positions within a 50-mile radius of the commercial activity that indirectly arise in the contractor's organization as a result of the contractor's reassignment of employees due to the award of this contract.

(3) *Contract start date* means the first day of contractor performance.

(c) *Filling employment openings.* (1) For a period beginning with contract award and

ending 90 calendar days after the contract start date, no person other than adversely affected Federal personnel on the current listing provided by the contracting officer shall be offered an employment opening until all adversely affected and qualified Federal personnel identified by the contracting officer have been offered the job and refused it.

(2) The contractor may select any person for an employment opening when there are no qualified adversely affected Federal personnel on the latest current listing provided by the contracting officer.

(d) *Contracting reporting requirements.* (1) No later than 5 working days after contract award, the contractor shall furnish the contracting officer with the following:

(i) A list of employment openings including salaries and benefits, and

(ii) Sufficient job application forms for adversely affected Federal personnel.

(2) By the contract start date, the contractor shall provide the contracting officer with the following:

(i) The names of adversely affected Federal personnel offered an employment opening;

(ii) The date the offer was made;

(iii) A brief description of the position;

(iv) The date of acceptance of the offer and the effective date of employment;

(v) The date of rejection of the offer, if applicable, and the salary and benefits contained in the rejected offer; and

(vi) The names of any adversely affected Federal personnel who applied but were not offered employment and the reason(s) for withholding an offer.

(3) For the first 90 calendar days after the contract start date, the contractor shall provide the contracting officer with the names of all persons hired or terminated under the contract within 5 working days of such hiring or termination.

(e) *Information provided to the contractor.* (1) No later than 10 calendar days after the contract award, the contracting officer shall furnish the contractor a current list of adversely affected Federal personnel exercising the right of first refusal, along with their completed job application forms.

(2) Between the contract award and start dates, the contracting officer shall inform the contractor of any reassignment or transfer of adversely affected Federal personnel to other Federal positions.

(3) For a period of up to 90 calendar days after the contract start date, the contracting officer will periodically provide the contractor with an updated listing of adversely affected Federal personnel reflecting personnel who were recently released from their competitive levels or separated as a result of the contract award.

(f) *Qualifications determination.* The contractor has a right under this clause to determine adequacy of the qualifications of adversely affected Federal personnel for any employment openings. However, adversely affected Federal personnel who held jobs in the Government commercial activity that directly correspond to an employment opening shall be considered qualified for the job. Questions concerning the qualifications of adversely affected Federal personnel for specific employment openings shall be referred to the contracting officer for determination. The contracting officer's determination shall be final and binding on all parties.

(g) *Relating to other statutes, regulations and employment policies.* The requirements of this clause shall not modify or alter the contractor's responsibilities under statutes, regulations or other contract clauses pertaining to the hiring of veterans, minorities, or persons with disabilities.

(h) *Penalty for noncompliance.* Failure of the contractor to comply with any provision of the clause may be grounds for termination for default.

(End of Clause)

852.209–70 Organizational conflicts of interest.

As prescribed in 809.507–1(b), insert the following provision:

Organizational Conflicts of Interest (JAN 2008)

(a) It is in the best interest of the Government to avoid situations which might create an organizational conflict of interest or where the offeror's performance of work under the contract may provide the contractor with an unfair competitive advantage. The term ''organizational conflict of interest'' means that because of other activities or relationships with other persons, a person is unable to render impartial assistance or advice to the Government, or the person's objectivity in performing the contract work is or might be otherwise impaired, or the person has an unfair competitive advantage.

(b) The offeror shall provide a statement with its offer which describes, in a concise manner, all relevant facts concerning any past, present, or currently planned interest (financial, contractual, organizational, or otherwise) or actual or potential organizational conflicts of interest relating to the services to be provided under this solicitation. The offeror shall also provide statements with its offer containing the same information for any consultants and subcontractors identified in its proposal and which will provide services under the solicitation. The offeror may also provide relevant facts that show how its organizational and/or management system or other actions would avoid or mitigate any actual or potential organizational conflicts of interest.

(c) Based on this information and any other information solicited or obtained by the contracting officer, the contracting officer may determine that an organizational conflict of interest exists which would warrant disqualifying the contractor for award of the contract unless the organizational conflict of interest can be mitigated to the contracting officer's satisfaction by negotiating terms and conditions of the contract to that effect. If the conflict of interest cannot be mitigated and if the contracting officer finds that it is in the best interest of the United States to award the contract, the contracting officer shall request a waiver in accordance with FAR 9.503 and 48 CFR 809.503.

(d) Nondisclosure or misrepresentation of actual or potential organizational conflicts of interest at the time of the offer, or arising as a result of a modification to the contract, may result in the termination of the contract at no expense to the Government.

(End of Provision)

852.211–70 Service data manuals.

(a) As prescribed in 811.107(a), insert the following clause:

Service Data Manuals (NOV 1984)

(a) The successful bidder will supply operation/maintenance (service data) manuals with each piece of equipment in the quantity specified in the solicitation and resulting purchase order. As a minimum, the manual(s) shall be bound and equivalent to the manual(s) provided the manufacturer's designated field service representative as well as comply with all the requirements in paragraphs (b) through (i) of this clause. Sections, headings and section sequence identified in (b) through (i) of this clause are typical and may vary between manufacturers. Variances in the sections, headings and section sequence, however, do not relieve the manufacturer of his/her responsibility in supplying the technical data called for therein.

(b) *Title Page and Front Matter.* The title page shall include the equipment nomenclature, model number, effective date of the manual and the manufacturer's name and address. If the manual applies to a particular version of the equipment only, the title page shall also list that equipment's serial number. Front matter shall consist of the Table of Contents, List of Tables, List of Illustrations and a frontispiece (photograph or line drawing) depicting the equipment.

(c) *Section I, General Description.* This section shall provide a generalized description of the equipment or devices and shall describe its purpose or intended use. Included in this section will be a table listing all pertinent equipment specifications, power requirements, environmental limitations and physical dimensions.

(d) *Section II, Installation.* Section II shall provide pertinent installation information. It shall list all input and output connectors using applicable reference designators and functional names as they appear on the equipment. Included in this listing will be a brief description of the function of each connector along with the connector type. Instructions shall be provided as to the recommended method of repacking the equipment for shipment (packing material, labeling, etc.).

(e) *Section III, Operation.* Section III will fully describe the operation of the equipment and shall include a listing of each control with a brief description of its function and step-by-step procedures for each operating mode. Procedures will use the control(s) nomenclature as it appears on the equipment and will be keyed to one or more illustrations of the equipment. Operating procedures will include any preoperational checks, calibration adjustments and operation tests. Notes, cautions and warnings shall be set off from the text body so they may easily be recognizable and will draw the attention of the reader. Illustrations should be used

wherever possible depicting equipment connections for test, calibration, patient monitoring and measurements. For large, complex and/or highly versatile equipment capable of many operating modes and in other instances where the Operation Section is quite large, operational information may be bound separately in the form of an Operators Manual. The providing of a separate Operators manual does not relieve the supplier of his responsibility for providing the minimum acceptable maintenance data specified herein. When applicable, flow charts and narrative descriptions of software shall be provided. If programming is either built-in and/or user modifiable, a complete software listing shall be supplied. Equipment items with software packages shall also include diagnostic routines and sample outputs. Submission information shall be given in the Maintenance Section to identify equipment malfunctions that are software related.

(f) *Section IV, Principles of Operation.* This section shall describe in narrative form the principles of operation of the equipment. Circuitry shall be discussed in sufficient detail to be understood by technicians and engineers who possess a working knowledge of electronics and a general familiarity with the overall application of the devices. The circuit descriptions should start at the overall equipment level and proceed to more detailed circuit descriptions. The overall description shall be keyed to a functional block diagram of the equipment. Circuit descriptions shall be keyed to schematic diagrams discussed in paragraph (i) below. It is recommended that for complex or special circuits, simplified schematics should be included in this section.

(g) *Section V, Maintenance.* The maintenance section shall contain a list of recommended test equipment, special tools, preventive maintenance instructions and corrective information. The list of test equipment shall be that recommended by the manufacturer and shall be designated by manufacturer and model number. Special tools are those items not commercially available or those that are designed specifically for the equipment being supplied. Sufficient data will be provided to enable their purchase by the Department of Veterans Affairs. Preventive maintenance instructions shall consist of those recommended by the manufacturer to preclude unnecessary failures. Procedures and the recommended frequency of performance shall be included for visual inspection, cleaning, lubricating, mechanical adjustments and circuit calibration. Corrective maintenance shall consist of the data necessary to troubleshoot and rectify a problem and shall include procedures for realigning and testing the equipment. Troubleshooting shall include either a list of test points with the applicable voltage levels or waveforms that would be present under a certain prescribed set of conditions, a troubleshooting chart listing the symptom, probable cause and remedy, or a narrative containing sufficient data to enable a test technician or electronics engineer to determine and locate the probable cause of malfunction. Data shall also be provided describing the preferred method of repairing or replacing discrete components mounted on printed circuit boards or located in areas where special steps must be followed to disassemble the equipment. Procedures shall be included to realign and test the equipment at the completion of repairs and to restore it to its original operating condition. These procedures shall be supported by the necessary waveforms and voltage levels, and data for selecting matched components. Diagrams, either photographic or line, shall show the location of printed circuit board mounted components.

(h) *Section VI, Replacement Parts List.* The replacement parts list shall list, in alphanumeric order, all electrical/electronic, mechanical and pneumatic components, their description, value and tolerance, true manufacturer and manufacturers' part number.

(i) *Section VII, Drawings.* Wiring and schematic diagrams shall be included. The drawings will depict the circuitry using standard symbols and shall include the reference designations and component values or type designators. Drawings shall be clear and legible and shall not be engineering or productions sketches.

(End of Clause)

Alternate I (JAN 2008). If the bid or proposal will result in the initial purchase (including each make and model) of a centrally procured item, insert the following paragraph:

(j) *Initial purchase.* The contractor agrees, when requested by the contracting officer, to furnish not more than three copies of the technical documentation required by paragraph 852.211–70(a) to the Service and Reclamation Division, Hines, IL. In addition, the contractor agrees to furnish two additional copies of the technical documentation required by 852.211–70(a) with each piece of equipment sold as a result of the invitation for bid or request for proposal.

(b) As prescribed in 811.107(b), insert the following clause:

Service Data Manuals, Mechanical Equipment (JAN 2008)

The contractor agrees to furnish two hard copies of a manual, handbook or brochure containing operating, installation, and maintenance instructions (including pictures or illustrations, schematics, and complete repair/test guides as necessary). Where applicable, it will include electrical data and connection diagrams for all utilities. The instructions shall also contain a complete list of all replaceable parts showing part number, name, and quantity required.

(End of Clause)

852.211–71 Special notice.

As prescribed in 870.112, insert the following provision:

Special Notice (JAN 2008)

Descriptive literature. The submission of descriptive literature with offers is not required and voluntarily submitted descriptive literature that qualifies the offer will require rejection of the offer. However, within 5 days after award of the contract, the contractor will submit to the contracting officer literature describing the equipment he/she intends to furnish and indicating strict compliance with the specification requirements. The contracting officer will, by written notice to the contractor within 20 calendar days after receipt of the literature, approve, conditionally approve, or disapprove the equipment being proposed. The notice of approval or conditional approval will not relieve the contractor from complying with all requirements of the specifications and all other terms and conditions of this contract. A notice of conditional approval will state any further action required of the contractor. A notice of disapproval will cite reasons therefore. If the equipment is disapproved by the Government, the contractor will be subject to action under the Default or Termination for Cause provision of this contract. However, prior to default or termination for cause action the contractor will be permitted a period (at least 10 days) under that clause to submit additional descriptive literature on equipment originally offered or descriptive literature on other equipment. The Government reserves the right to require an equitable adjustment of the contract price for any extension of the delivery schedule necessitated by additional descriptive literature evaluations.

(End of Provision)

852.211–72 Technical industry standards.

As prescribed in 811.103–70, insert the following provision:

Technical Industry Standards (JAN 2008)

The supplies or equipment required by this invitation for bid or request for proposal must conform to the standards of the [ ]* and [ ]* as to [ ]**. The successful bidder or offeror will be required to submit proof that the item(s) he/she furnishes conforms to this requirement. This proof may be in the form of a label or seal affixed to the equipment or supplies, warranting that they have been tested in accordance with and conform to the specified standards. Proof may also be furnished in the form of a certificate from one of the above listed organizations certifying that the item(s) furnished have been tested in accordance with and conform to the specified standards.

(End of Provision)

**Insert name(s) of organization(s), the standards of which are pertinent to the Government's needs.*

***Insert pertinent standards, e.g., fire and casualty, safety and fire protection.*

852.211–73 Brand name or equal.

As prescribed in 811.104–71, insert the following clause:

Brand Name or Equal (JAN 2008)

(Note: As used in this clause, the term ''brand name'' includes identification of products by make and model.)

(a) If items called for by this invitation for bids have been identified in the schedule by a ''brand name or equal'' description, such identification is intended to be descriptive, but not restrictive, and is to indicate the quality and characteristics of products that will be satisfactory. Bids offering ''equal'' products (including products of the brand name manufacturer other than the one described by brand name) will be considered for award if such products are clearly identified in the bids and are determined by the Government to meet fully the salient characteristics requirements listed in the invitation.

(b) Unless the bidder clearly indicates in the bid that the bidder is offering an ''equal'' product, the bid shall be considered as offering a brand name product referenced in the invitation for bids.

(c)(1) If the bidder proposes to furnish an ''equal'' product, the brand name, if any, of the product to be furnished shall be inserted in the space provided in the invitation for bids, or such product shall be otherwise clearly identified in the bid. The evaluation of bids and the determination as to equality of the product offered shall be the responsibility of the Government and will be based on information furnished by the bidder or identified in his/her bid as well as other information reasonably available to the purchasing activity. CAUTION TO BIDDERS. The purchasing activity is not responsible for locating or securing any information that is not identified in the bid and reasonably available to the purchasing activity. Accordingly, to insure that sufficient information is available, the bidder must furnish as a part of his/her bid all descriptive material (such as cuts, illustrations, drawings or other information) necessary for the purchasing activity to:

(i) Determine whether the product offered meets the salient characteristics requirement of the Invitation for Bids, and

(ii) Establish exactly what the bidder proposes to furnish and what the Government would be binding itself to purchase by making an award. The information furnished may include specific references to information previously furnished or to information otherwise available to the purchasing activity.

(2) If the bidder proposes to modify a product so as to make it conform to the requirements of the Invitation for Bids, he/she shall:

(i) Include in his/her bid a clear description of such proposed modifications, and

(ii) Clearly mark any descriptive material to show the proposed modifications.

(3) Modifications proposed after bid opening to make a product conform to a brand name product referenced in the Invitation for Bids will not be considered.

(End of Clause)

852.211–74 Liquidated damages.

As prescribed in 811.503 and 836.206, the contracting officer may insert the following clause when appropriate:

Liquidated Damages (JAN 2008)

If any unit of the work contracted for is accepted in advance of the whole, the rate of liquidated damages assessed will be in the ratio that the value of the unaccepted work bears to the total amount of the contract. If a separate price for unaccepted work has not been stated in the contractor's bid, determination of the value thereof will be made from schedules of costs furnished by the contractor and approved by the contracting officer, as specified elsewhere in the contract.

(End of Clause)

852.211–75 Product specifications.

As prescribed in 811.204, insert the following clause:

Product Specifications (JAN 2008)

The products offered under this solicitation shall be type _____, grade _____, in accordance with [type of specification] No. _____, dated _____ and amendment _____ dated _____, except for paragraphs _____ and _____ which are amended as follows: [List any amendments to the specifications]

(End of Clause)

852.214–70 Caution to bidders—bid envelopes.

As provided in 814.201–6(a), the following provision will be included in all invitations for bid:

Caution to Bidders—Bid Envelopes (JAN 2008)

It is the responsibility of each bidder to take all necessary precautions, including the use of proper mailing cover, to insure that the bid price cannot be ascertained by anyone prior to bid opening. If a bid envelope is furnished with this invitation, the bidder is requested to use this envelope in submitting the bid. The bidder may, however, use any suitable envelope, identified by the invitation number and bid opening time and date. If an Optional Form (OF) 17, Sealed Bid Label, is furnished with this invitation in lieu of a bid envelope, the bidder is advised to complete and affix the OF 17 to the lower left corner of the envelope used in submitting the bid.

(End of Provision)

852.214–71 Restrictions on alternate item(s).

As prescribed in 814.201–6(b)(1), insert the following provision:

Restrictions on Alternate Item(s) (JAN 2008)

Bids on [ ]* will be considered only if acceptable bids on [ ]** are not received or do not satisfy the total requirement.

(End of Provision)

**Contracting officer will insert an alternate item that is considered acceptable.*

***Contracting officer will insert the required item and item number.*

852.214–72 Alternate item(s).

As prescribed in 814.201–6(b)(2), insert the following provision:

Alternate Item(s) (JAN 2008)

Bids on [ ]* will be given equal consideration along with bids on [ ]** and any such bids received may be accepted if to the advantage of the Government. Tie bids will be decided in favor of [ ].**

(End of Provision)

**Contracting officer will insert an alternate item that is considered acceptable.*

***Contracting officer will insert the required item and item number.*

852.214–73 Alternate packaging and packing.

As prescribed in 814.201–6(b)(3), insert the following provision:

Alternate Packaging and Packing (JAN 2008)

The bidder's offer must clearly indicate the quantity, package size, unit, or other different feature upon which the quote is made. Evaluation of the alternate or multiple alternates will be made on a common denominator such as per ounce, per pound, etc., basis.

(End of Provision)

852.214–74 Bid samples.

As prescribed in 814.201–6(c), insert the following provision:

Bid Samples (JAN 2008)

Any bid sample(s) furnished must be in the quantities specified in the solicitation and plainly marked with the complete lettering/numbering and description of the related bid item(s); the number of the Invitation for Bids; and the name of the bidder submitting the bid sample(s). Cases or packages containing any bid sample(s) must be plainly marked ''Bid Sample(s)'' and all changes pertaining to the preparation and transportation of bid sample(s) must be prepaid by the bidder. Bid sample(s) must be received at the location specified in the solicitation by the time and date for receipt of bids.

(End of Provision)

852.216–70 Estimated quantities.

As prescribed in 816.504(a), insert the following clause:

Estimated Quantities (APR 1984)

As it is impossible to determine the exact quantities that will be required during the contract term, each bidder whose bid is accepted wholly or in part will be required to deliver all articles or services that may be ordered during the contract term, except as he/she otherwise indicates in his/her bid and except as otherwise provided herein. Bids will be considered if made with the proviso

that the total quantities delivered shall not exceed a certain specified quantity. Bids offering less than 75 percent of the estimated requirement or which provide that the Government shall guarantee any definite quantity, will not be considered. The fact that quantities are estimated shall not relieve the contractor from filling all orders placed under this contract to the extent of his/her obligation. Also, the Department of Veterans Affairs shall not be relieved of its obligation to order from the contractor all articles or services that may, in the judgment of the ordering officer, be needed except that in the public exigency procurement may be made without regard to this contract.

(End of Clause)

Alternate I (APR 1984). As prescribed in 816.504(b), insert the following clause:

Estimated Quantities (APR 1984)

The estimated requirements shown in this invitation for bids cover the requirements for the entire contract period. It is understood and agreed that during the period of this contract the Government may order and the contractor will haul such coal as may, in the opinion of the Government, be required, except that in the public exigency procurement may be made without regard to this contract.

(End of Clause)

Alternate II (APR 1984). As prescribed in 816.504(c), insert the following clause:

Estimated Quantities (APR 1984)

The supplies and/or services listed in the attached schedule will be furnished at such time and in such quantities as they are required.

(End of Clause)

Alternate III (JUL 1989). As prescribed in 816.504(d), insert the following clause:

Estimated Quantities (JUL 1989)

As it is impossible to determine the exact quantities that will be required during the contract term, each bidder whose bid is accepted wholly or in part will be required to deliver all articles that may be ordered during the contract term, except as he or she otherwise indicates in his or her bid and except as otherwise provided herein. Bids will be considered if made with the proviso that the total quantities delivered shall not exceed a certain specified quantity. The fact that quantities are estimated shall not relieve the contractor from filling all orders placed under this contract to the extent of his/her obligation. Also, the Department of Veterans Affairs shall not be relieved of its obligation to order from the contractor all articles that may, in the judgment of the ordering officer, be needed except that in the public exigency procurement may be made without regard to this contract.

(End of Clause)

§ 852.222–70 Contract Work Hours and Safety Standards Act—nursing home care contract supplement.

As prescribed in 822.305, for nursing home care requirements, insert the following clause:

Contract Work Hours and Safety Standards Act—Nursing Home Care Contract Supplement (JAN 2008)

The following exemption to FAR clause 52.222–4, Contract Work Hours and Safety Standards Act—Overtime Compensation, applies to this contract: A contractor and subcontractor under this contract will not be required to pay overtime wages to their employees for work in excess of 40 hours in any workweek, which would otherwise be a violation of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701–3708), provided:

(a) The contractor or subcontractor is primarily engaged in the care of nursing home patients residing on the contractor's or subcontractor's premises;

(b) There is an agreement or understanding between the contractor or subcontractor and their employees, before performance of work, that a work period of 14 consecutive days is acceptable in lieu of a work period of 7 consecutive days for the purpose of overtime compensation;

(c) Employees receive overtime compensation at a rate no less than 1½ times the employees' regular hourly rate of pay for work in excess of 80 hours in any 14 day period; and

(d) Pay is otherwise computed in accordance with the requirements of the Fair Labor Standards Act of 1938, as amended.

(End of Clause)

§ 852.228–70 Bond premium adjustment.

As prescribed in 828.106–70, insert the following clause:

Bond Premium Adjustment (JAN 2008)

When net changes in original contract price affect the premium of a Corporate Surety Bond by $5 or more, the Government, in determining the basis for final settlement, will provide for bond premium adjustment computed at the rate shown in the bond.

(End of Clause)

§ 852.228–71 Indemnification and insurance.

As prescribed in 828.306, insert the following clause:

Indemnification and Insurance (JAN 2008)

(a) *Indemnification.* The contractor expressly agrees to indemnify and save the Government, its officers, agents, servants, and employees harmless from and against any and all claims, loss, damage, injury, and liability, however caused, resulting from, arising out of, or in any way connected with the performance of work under this agreement. Further, it is agreed that any negligence or alleged negligence of the Government, its officers, agents, servants, and employees, shall not be a bar to a claim for indemnification unless the act or omission of the Government, its officers, agents, servants, and employees is the sole, competent, and producing cause of such claims, loss, damage, injury, and liability. At the option of the contractor, and subject to the approval by the contracting officer of the sources, insurance coverage may be employed as guaranty of indemnification.

(b) *Insurance.* Satisfactory insurance coverage is a condition precedent to award of a contract. In general, a successful bidder must present satisfactory evidence of full compliance with State and local requirements, or those below stipulated, whichever are the greater. More specifically, workers' compensation and employer's liability coverage will conform to applicable State law requirements for the service contemplated, whereas general liability and automobile liability of comprehensive type shall, in the absence of higher statutory minimums, be required in the amounts per vehicle used of not less than $200,000 per person and $500,000 per occurrence for bodily injury and $20,000 per occurrence for property damage. State-approved sources of insurance coverage ordinarily will be deemed acceptable to the Department of Veterans Affairs installation, subject to timely certifications by such sources of the types and limits of the coverages afforded by the sources to the bidder. [*Contracting Officer's Note: In those instances where airplane service is to be used, substitute the word ''aircraft'' for ''automobile'' and ''vehicle'' and modify coverage to require aircraft public and passenger liability insurance of at least $200,000 per passenger and $500,000 per occurrence for bodily injury, other than passenger liability, and $200,000 per occurrence for property damage. Coverage for passenger liability bodily injury shall be at least $200,000 multiplied by the number of seats or passengers, whichever is greater.*]

(End of Clause)

§ 852.229–70 Sales or use taxes.

As prescribed in 829.302–70, insert the following provision:

Sales or Use Taxes (JAN 2008)

This provision replaces paragraph (k) of Federal Acquisition Regulation clause 52.212–4, Contract Terms and Conditions—Commercial Items. The articles listed in this solicitation will be purchased from the personal funds of patients and prices submitted herein include any sales or use tax heretofore imposed by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, applicable to the material in this solicitation.

(End of Clause)

§ 852.229–71 [Reserved].

§ 852.233–70 Protest content/alternative dispute resolution.

As prescribed in 833.106, insert the following provision:

Protest Content/Alternative Dispute Resolution (JAN 2008)

(a) Any protest filed by an interested party shall:

(1) Include the name, address, fax number, and telephone number of the protester;

(2) Identify the solicitation and/or contract number;

(3) Include an original signed by the protester or the protester's representative and at least one copy;

(4) Set forth a detailed statement of the legal and factual grounds of the protest, including a description of resulting prejudice to the protester, and provide copies of relevant documents;

(5) Specifically request a ruling of the individual upon whom the protest is served;

(6) State the form of relief requested; and

(7) Provide all information establishing the timeliness of the protest.

(b) Failure to comply with the above may result in dismissal of the protest without further consideration.

(c) Bidders/offerors and contracting officers are encouraged to use alternative dispute resolution (ADR) procedures to resolve protests at any stage in the protest process. If ADR is used, the Department of Veterans Affairs will not furnish any documentation in an ADR proceeding beyond what is allowed by the Federal Acquisition Regulation.

(End of Provision)

§ 852.233–71 Alternate protest procedure.

As prescribed in 833.106, insert the following provision:

Alternate Protest Procedure (JAN 1998)

As an alternative to filing a protest with the contracting officer, an interested party may file a protest with the Deputy Assistant Secretary for Acquisition and Materiel Management, Acquisition Administration Team, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, or for solicitations issued by the Office of Construction and Facilities Management, the Director, Office of Construction and Facilities Management, 810 Vermont Avenue, NW., Washington, DC 20420. The protest will not be considered if the interested party has a protest on the same or similar issues pending with the contracting officer.

(End of Provision)

§ 852.236–70 [Reserved].

§ 852.236–71 Specifications and drawings for construction.

As prescribed in 836.521, insert the following clause:

Specifications and Drawings for Construction (JUL 2002)

The clause entitled ''Specifications and Drawings for Construction'' in FAR 52.236–21 is supplemented as follows:

(a) The contracting officer's interpretation of the drawings and specifications will be final, subject to the disputes clause.

(b) Large scale drawings supersede small scale drawings.

(c) Dimensions govern in all cases. Scaling of drawings may be done only for general location and general size of items.

(d) Dimensions shown of existing work and all dimensions required for work that is to connect with existing work shall be verified by the contractor by actual measurement of the existing work. Any work at variance with that specified or shown in the drawings shall not be performed by the contractor until approved in writing by the contracting officer.

(End of Clause)

852.236–72 Performance of work by the contractor.

As prescribed in 836.501, insert the following clause:

Performance of Work by the Contractor (JUL 2002)

The clause entitled ''Performance of Work by the Contractor'' in FAR 52.236–1 is supplemented as follows:

(a) Contract work accomplished on the site by laborers, mechanics, and foremen/forewomen on the contractor's payroll and under his/her direct supervision shall be included in establishing the percent of work to be performed by the contractor. Cost of material and equipment installed by such labor may be included. The work by the contractor's executive, supervisory and clerical forces shall be excluded in establishing compliance with the requirements of this clause.

(b) The contractor shall submit, simultaneously with the schedule of costs required by the Payments Under Fixed-Price Construction Contracts clause of the contract, a statement designating the branch or branches of contract work to be performed with his/her forces. The approved schedule of costs will be used in determining the value of a branch or branches, or portions thereof, of the work for the purpose of this article.

(c) If, during the progress of work hereunder, the contractor requests a change in the branch or branches of the work to be performed by his/her forces and the contracting officer determines it to be in the best interest of the Government, the contracting officer may, at his/her discretion, authorize a change in such branch or branches of said work. Nothing contained herein shall permit a reduction in the percentage of work to be performed by the contractor with his/her forces, it being expressly understood that this is a contract requirement without right or privilege of reduction.

(d) In the event the contractor fails or refuses to meet the requirement of the FAR clause at 52.236–1, it is expressly agreed that the contract price will be reduced by 15 percent of the value of that portion of the percentage requirement that is accomplished by others. For the purpose of this clause, it is agreed that 15 percent is an acceptable estimate of the contractor's overhead and profit, or mark-up, on that portion of the work which the contractor fails or refuses to perform, with his/her own forces, in accordance with the FAR clause at 52.236–1.

(End of Clause)

Alternate I (Date). For requirements which include Network Analysis System (NAS), substitute the following paragraphs (b) and (c) for paragraphs (b) and (c) of the basic clause:

(b) The contractor shall submit, simultaneously with the cost per activity of the construction schedule required by Section 01310 or 01311, NETWORK ANALYSIS SYSTEM, a responsibility code for all activities of the network for which the contractor's forces will perform the work. The cost of these activities will be used in determining the portions of the total contract work to be executed by the contractor's forces for the purpose of this article.

(c) If, during progress of work hereunder, the contractor requests a change in activities of work to be performed by the contractor's forces and the contracting officer determines it to be in the best interest of the Government, the contracting officer may, at his or her discretion, authorize a change in such activities of said work.

852.236–73 [Reserved].

852.236–74 Inspection of construction.

As prescribed in 846.312, insert the following clause:

Inspection of Construction (JUL 2002)

The clause entitled ''Inspection of Construction'' in FAR 52.246–12 is supplemented as follows:

(a) Inspection of materials and articles furnished under this contract will be made at the site by the resident engineer, unless otherwise provided for in the specifications.

(b) Final inspection will not be made until the contract work is ready for beneficial use or occupancy. The contractor shall notify the contracting officer, through the resident engineer, fifteen (15) days prior to the date on which the work will be ready for final inspection.

(End of Clause)

852.236–75 [Reserved].

852.236–76 Correspondence.

As prescribed in 836.570, insert the following clause:

Correspondence (APR 1984)

All correspondence relative to this contract shall bear the Specification Number, Project Number, Department of Veterans Affairs Contract Number, title of project and name of facility.

(End of Clause)

852.236–77 Reference to ''standards''.

As prescribed in 836.571, insert the following clause:

Reference to ''Standards'' (JUL 2002)

Any materials, equipment, or workmanship specified by references to number, symbol, or title of any specific Federal, Industry or Government Agency Standard Specification shall comply with all applicable provisions of such standard specifications, except as limited to type, class or grade, or modified in contract specifications. Reference to ''Standards'' referred to in the contract specifications, except as modified, shall have full force and effect as though printed in detail in the specifications.

(End of Clause)

852.236–78 Government supervision.

As prescribed in 836.572, insert the following clause:

Government Supervision (APR 1984)

(a) The work will be under the direction of the Department of Veterans Affairs contracting officer, who may designate another VA employee to act as resident engineer at the construction site.

(b) Except as provided below, the resident engineer's directions will not conflict with or change contract requirements.

(c) Within the limits of any specific authority delegated by the contracting officer, the resident engineer may, by written direction, make changes in the work. The contractor shall be advised of the extent of such authority prior to execution of any work under the contract.

(End of Clause)

852.236–79 Daily report of workers and material.

As prescribed in 836.573, insert the following clause:

Daily Report of Workers and material (APR 1984)

The contractor shall furnish to the resident engineer each day a consolidated report for the preceding work day in which is shown the number of laborers, mechanics, foremen/forewomen and pieces of heavy equipment used or employed by the contractor and subcontractors. The report shall bear the name of the firm, the branch of work that they perform, such as concrete, plastering, masonry, plumbing, sheet metal work, etc. The report shall give a breakdown of employees by crafts, location where employed, and work performed. The report shall also list materials delivered to the site on the date covered by the report.

(End of Clause)

852.236–80 Subcontracts and work coordination.

As prescribed in 836.574, insert the following clause:

Subcontracts and Work Coordination (APR 1984)

(a) Nothing contained in this contract shall be construed as creating any contractual relationship between any subcontractor and the Government. Divisions or sections of specifications are not intended to control the contractor in dividing work among subcontractors, or to limit work performed by any trade.

(b) The contractor shall be responsible to the Government for acts and omissions of his/her own employees, and of the subcontractors and their employees. The contractor shall also be responsible for coordination of the work of the trades, subcontractors, and material suppliers.

(c) The Government or its representatives will not undertake to settle any differences between the contractor and subcontractors or between subcontractors.

(d) The Government reserves the right to refuse to permit employment on the work or require dismissal from the work of any subcontractor who, by reason of previous unsatisfactory work on Department of Veterans Affairs projects or for any other reason, is considered by the contracting officer to be incompetent or otherwise objectionable.

(End of Clause)

Alternate I (JUL 2002). For new construction work with complex mechanical-electrical work, the following paragraph relating to work coordination may be substituted for paragraph (b) of the basic clause:

(b) The contractor shall be responsible to the Government for acts and omissions of his/her own employees, and subcontractors and their employees. The contractor shall also be responsible for coordination of the work of the trades, subcontractors, and material suppliers. The contractor shall, in advance of the work, prepare coordination drawings showing the location of openings through slabs, the pipe sleeves and hanger inserts, as well as the location and elevation of utility lines, including, but not limited to, conveyor systems, pneumatic tubes, ducts, and conduits and pipes 2 inches and larger in diameter. These drawings, including plans, elevations, and sections as appropriate, shall clearly show the manner in which the utilities fit into the available space and relate to each other and to existing building elements. Drawings shall be of appropriate scale to satisfy the previously stated purposes, but not smaller than ⅜-inch scale. Drawings may be composite (with distinctive colors for the various trades) or may be separate but fully coordinated drawings (such as sepias or photographic paper reproducibles) of the same scale. Separate drawings shall depict identical building areas or sections and shall be capable of being overlaid in any combination. The submitted drawings for a given area of the project shall show the work of all trades that will be involved in that particular area. Six complete composite drawings or six complete sets of separate reproducible drawings shall be received by the Government not less than 20 days prior to the scheduled start of the work in the area illustrated by the drawings, for the purpose of showing the contractor's planned methods of installation. The objectives of such drawings are to promote carefully planned work sequence and proper trade coordination, in order to assure the expeditious solutions of problems and the installation of lines and equipment as contemplated by the contract documents while avoiding or minimizing additional costs to the contractor and to the Government. In the event the contractor, in coordinating the various installations and in planning the method of installation, finds a conflict in location or elevation of any of the utilities with themselves, with structural items or with other construction items, he/she shall bring this conflict to the attention of the contracting officer immediately. In doing so, the contractor shall explain the proposed method of solving the problem or shall request instructions as to how to proceed if adjustments beyond those of usual trades coordination are necessary. Utilities installation work will not proceed in any area prior to the submission and completion of the Government review of the coordinated drawings for that area, nor in any area in which conflicts are disclosed by the coordination drawings, until the conflicts have been corrected to the satisfaction of the contracting officer. It is the responsibility of the contractor to submit the required drawings in a timely manner consistent with the requirements to complete the work covered by this contract within the prescribed contract time.

852.236–81 [Reserved].

852.236–82 Payments under fixed-price construction contracts (without NAS).

As prescribed in 832.111, insert the following clause in contracts that do not contain a section entitled ''Network Analysis System (NAS).''

Payments Under Fixed-Price Construction Contracts (APR 1984)

The clause entitled ''Payments Under Fixed-Price Construction Contracts'' in FAR 52.232–5 is implemented as follows:

(a) Retainage:

(1) The contracting officer may retain funds:

(i) Where performance under the contract has been determined to be deficient or the contractor has performed in an unsatisfactory manner in the past; or

(ii) As the contract nears completion, to ensure that deficiencies will be corrected and that completion is timely.

(2) Examples of deficient performance justifying a retention of funds include, but are not restricted to, the following:

(i) Unsatisfactory progress as determined by the contracting officer;

(ii) Failure to meet schedule in Schedule of Work Progress;

(iii) Failure to present submittals in a timely manner; or

(iv) Failure to comply in good faith with approved subcontracting plans, certifications, or contract requirements.

(3) Any level of retention shall not exceed 10 percent either where there is determined to be unsatisfactory performance, or when the retainage is to ensure satisfactory completion. Retained amounts shall be paid promptly upon completion of all contract requirements, but nothing contained in this subparagraph shall be construed as limiting the contracting officer's right to withhold funds under other provisions of the contract or in accordance with the general law and regulations regarding the administration of Government contracts.

(b) The contractor shall submit a schedule of cost to the contracting officer for approval within 30 calendar days after date of receipt of notice to proceed. Such schedule will be signed and submitted in triplicate. The approved cost schedule will be one of the bases for determining progress payments to the contractor for work completed. This schedule shall show cost by the branches of work for each building or unit of the contract, as instructed by the resident engineer.

(1) The branches shall be subdivided into as many sub-branches as are necessary to cover all component parts of the contract work.

(2) Costs as shown on this schedule must be true costs and, should the resident engineer so desire, he/she may require the contractor to submit the original estimate sheets or other information to substantiate the detailed makeup of the schedule.

(3) The sum of the sub-branches, as applied to each branch, shall equal the total cost of such branch. The total cost of all branches shall equal the contract price.

(4) Insurance and similar items shall be prorated and included in the cost of each branch of the work.

(5) The cost schedule shall include separate cost information for the systems listed in the table in this paragraph (b)(5). The percentages listed below are proportions of the cost listed in the contractor's cost schedule and identify, for payment purposes, the value of the work to adjust, correct and test systems after the material has been installed. Payment of the listed percentages will be made only after the contractor has demonstrated that each of the systems is substantially complete and operates as required by the contract.

VALUE OF ADJUSTING CORRECTING, AND TESTING SYSTEM

System	Percent
Pneumatic Tube System	10
Incinerators (medical waste and trash)	5

VALUE OF ADJUSTING CORRECTING, AND TESTING SYSTEM—Continued

System	Percent
Sewage treatment plant equipment	5
Water treatment plant equipment	5
Washers (dish, cage, glass, etc.)	5
Sterilizing equipment	5
Water distilling equipment	5
Prefab temperature rooms (cold, constant temperature)	5
Entire air-conditioning system (Specified under 600 Sections)	5
Entire boiler plant system (Specified under 700 Sections)	5
General supply conveyors	10
Food service conveyors	10
Pneumatic soiled linen and trash system	10
Elevators and dumbwaiters	10
Materials transport system	10
Engine-generator system	5
Primary switchgear	5
Secondary switchgear	5
Fire alarm system	5
Nurse call system	5
Intercom system	5
Radio system	5
TV (entertainment) system	5

(c) In addition to this cost schedule, the contractor shall submit such unit costs as may be specifically requested. The unit costs shall be those used by the contractor in preparing his/her bid and will not be binding as pertaining to any contract changes.

(d) The contracting officer will consider for monthly progress payments material and/or equipment procured by the contractor and stored on the construction site, as space is available, or at a local approved location off the site, under such terms and conditions as such officer approves, including but not limited to the following:

(1) The material or equipment is in accordance with the contract requirements and/or approved samples and shop drawings.

(2) Only those materials and/or equipment as are approved by the resident engineer for storage will be included.

(3) Such materials and/or equipment will be stored separately and will be readily available for inspection and inventory by the resident engineer.

(4) Such materials and/or equipment will be protected against weather, theft and other hazards and will not be subjected to deterioration.

(5) All of the other terms, provisions, conditions and covenants contained in the contract shall be and remain in full force and effect as therein provided.

(6) A supplemental agreement will be executed between the Government and the contractor with the consent of the contractor's surety for off-site storage.

(e) The contractor, prior to receiving a progress or final payment under this contract, shall submit to the contracting officer a certification that the contractor has made payment from proceeds of prior payments, or that timely payment will be made from the proceeds of the progress or final payment then due, to subcontractors and suppliers in accordance with the contractual arrangements with them.

(f) The Government reserves the right to withhold payment until samples, shop drawings, engineer's certificates, additional bonds, payrolls, weekly statements of compliance, proof of title, nondiscrimination compliance reports, or any other things required by this contract, have been submitted to the satisfaction of the contracting officer.

(End of Clause)

Alternate I (JUL 2002). If the specifications include guarantee period services, the contracting officer shall include the following paragraphs as additions to paragraph (b) of the basic clause:

(6)(i) The contractor shall at the time of contract award furnish the total cost of the guarantee period services in accordance with specification section(s) covering guarantee period services. The contractor shall submit, within 15 calendar days of receipt of the notice to proceed, a guarantee period performance program that shall include an itemized accounting of the number of work-hours required to perform the guarantee period service on each piece of equipment. The contractor shall also submit the established salary costs, including employee fringe benefits, and what the contractor reasonably expects to pay over the guarantee period, all of which will be subject to the contracting officer's approval.

(ii) The cost of the guarantee period service shall be prorated on an annual basis and paid in equal monthly payments by VA during the period of guarantee. In the event the installer does not perform satisfactorily during this period, all payments may be withheld and the contracting officer shall inform the contractor of the unsatisfactory performance, allowing the contractor 10 days to correct deficiencies and comply with the contract. The guarantee period service is subject to those provisions as set forth in the Payments and Default clauses.

852.236–83 Payments under fixed-price construction contracts (including NAS).

As prescribed in 832.111, insert the following clause in contracts that contain a section entitled ''Network Analysis System (NAS).''

Payments Under Fixed-Price Construction Contracts (JUL 2002)

The clause entitled ''Payments Under Fixed-Price Construction Contracts'' in FAR 52.232–5 is implemented as follows:

(a) Retainage:

(1) The contracting officer may retain funds:

(i) Where the performance under the contract has been determined to be deficient

or the contractor has performed in an unsatisfactory manner in the past; or

(ii) As the contract nears completion, to ensure that deficiencies will be corrected and that completion is timely.

(2) Examples of deficient performance justifying a retention of funds include, but are not restricted to, the following:

(i) Unsatisfactory progress as determined by the contracting officer;

(ii) Failure either to meet schedules in Section Network Analysis System (NAS), or to process the Interim Arrow Diagram/Complete Project Arrow Diagram;

(iii) Failure to present submittals in a timely manner; or

(iv) Failure to comply in good faith with approved subcontracting plans, certifications, or contract requirements.

(3) Any level of retention shall not exceed 10 percent either where there is determined to be unsatisfactory performance, or when the retainage is to ensure satisfactory completion. Retained amounts shall be paid promptly upon completion of all contract requirements, but nothing contained in this subparagraph shall be construed as limiting the contracting officer's right to withhold funds under other provisions of the contract or in accordance with the general law and regulations regarding the administration of Government contracts.

(b) The contractor shall submit a schedule of costs in accordance with the requirements of Section Network Analysis System (NAS) to the contracting officer for approval within 90 calendar days after date of receipt of notice to proceed. The approved cost schedule will be one of the bases for determining progress payments to the contractor for work completed.

(1) Costs as shown on this schedule must be true costs and, should the resident engineer so desire, he/she may require the contractor to submit his/her original estimate sheets or other information to substantiate the detailed makeup of the cost schedule.

(2) The total costs of all activities shall equal the contract price.

(3) Insurance and similar items shall be prorated and included in each activity cost of the critical path method (CPM) network.

(4) The CPM network shall include a separate cost loaded activity for adjusting and testing of the systems listed in the table in paragraph (b)(5) of this section. The percentages listed below will be used to determine the cost of adjust and test activities and identify, for payment purposes, the value of the work to adjust, correct and test systems after the material has been installed.

(5) Payment for adjust and test activities will be made only after the contractor has demonstrated that each of the systems is substantially complete and operates as required by the contract.

VALUE OF ADJUSTING, CORRECTING, AND TESTING SYSTEM

System	Percent
Pneumatic tube system	10
Incinerators (medical waste and trash)	5

VALUE OF ADJUSTING, CORRECTING, AND TESTING SYSTEM—Continued

System	Percent
Sewage treatment plant equipment	5
Water treatment plant equipment	5
Washers (dish, cage, glass, etc.)	5
Sterilizing equipment	5
Water distilling equipment	5
Prefab temperature rooms (cold, constant temperature)	5
Entire air-conditioning system (Specified under 600 Sections)	5
Entire boiler plant system (Specified under 700 Sections)	5
General supply conveyors	10
Food service conveyors	10
Pneumatic soiled linen and trash system	10
Elevators and dumbwaiters	10
Materials transport system	10
Engine-generator system	5
Primary switchgear	5
Secondary switchgear	5
Fire alarm system	5
Nurse call system	5
Intercom system	5
Radio system	5
TV (entertainment) system	5

(c) In addition to this cost schedule, the contractor shall submit such unit costs as may be specifically requested. The unit costs shall be those used by the contractor in preparing his/her bid and will not be binding as pertaining to any contract changes.

(d) The contracting officer will consider for monthly progress payments material and/or equipment procured by the contractor and stored on the construction site, as space is available, or at a local approved location off the site, under such terms and conditions as such officer approves, including but not limited to the following:

(1) The material or equipment is in accordance with the contract requirements and/or approved samples and shop drawings.

(2) Only those materials and/or equipment as are approved by the resident engineer for storage will be included.

(3) Such materials and/or equipment will be stored separately and will be readily available for inspection and inventory by the resident engineer.

(4) Such materials and/or equipment will be protected against weather, theft and other hazards and will not be subjected to deterioration.

(5) All of the other terms, provisions, conditions and covenants contained in the contract shall be and remain in full force and effect as therein provided.

(6) A supplemental agreement will be executed between the Government and the contractor with the consent of the contractor's surety for off-site storage.

(e) The contractor, prior to receiving a progress or final payment under this contract, shall submit to the contracting officer a certification that the contractor has made payment from proceeds of prior payments, or that timely payment will be made from the proceeds of the progress or final payment then due, to subcontractors and suppliers in accordance with the contractual arrangements with them.

(f) The Government reserves the right to withhold payment until samples, shop drawings, engineer's certificates, additional bonds, payrolls, weekly statements of compliance, proof of title, nondiscrimination compliance reports, or any other things required by this contract, have been submitted to the satisfaction of the contracting officer.

(End of Clause)

Alternate I (JUL 2002). If the specifications include guarantee period services, the contracting officer shall include the following paragraphs as additions to paragraph (b) of the basic clause:

(6)(i) The contractor shall show on the critical path method (CPM) network the total cost of the guarantee period services in accordance with the guarantee period service section(s) of the specifications. This cost shall be priced out when submitting the CMP cost loaded network. The cost submitted shall be subject to the approval of the contracting officer. The activity on the CPM shall have money only and not activity time.

(ii) The contractor shall submit with the CPM a guarantee period performance program which shall include an itemized accounting of the number of work-hours required to perform the guarantee period service on each piece of equipment. The contractor shall also submit the established salary costs, including employee fringe benefits, and what the contractor reasonably expects to pay over the guarantee period, all of which will be subject to the contracting officer's approval.

(iii) The cost of the guarantee period service shall be prorated on an annual basis and paid in equal monthly payments by VA during the period of guarantee. In the event the installer does not perform satisfactorily during this period, all payments may be withheld and the contracting officer shall inform the contractor of the unsatisfactory performance, allowing the contractor 10 days to correct and comply with the contract. The guarantee period service is subject to those provisions as set forth in the Payments and Default clauses.

852.236–84 Schedule of work progress.

As prescribed in 836.575, insert the following clause:

Schedule of Work Progress (NOV 1984)

(a) The contractor shall submit with the schedule of costs, a progress schedule that indicates the anticipated installation of work versus the elapsed contract time, for the approval of the contracting officer. The

progress schedule time shall be represented in the form of a bar graph with the contract time plotted along the horizontal axis. The starting date of the schedule shall be the date the contractor receives the ''Notice to Proceed.'' The ending date shall be the original contract completion date. At a minimum, both dates shall be indicated on the progress schedule. The specific item of work, i.e., ''Excavation'', ''Floor Tile'', ''Finish Carpentry'', etc., should be plotted along the vertical axis and indicated by a line or bar at which time(s) during the contract this work is scheduled to take place. The schedule shall be submitted in triplicate and signed by the contractor.

(b) The actual percent completion will be based on the value of installed work divided by the current contract amount. The actual completion percentage will be indicated on the monthly progress report.

(c) The progress schedule will be revised when individual or cumulative time extensions of 15 calendar days or more are granted for any reason. The revised schedule should indicate the new contract completion date and should reflect any changes to the installation time(s) of the items of work affected.

(d) The revised progress schedule will be used for reporting future scheduled percentage completion.

(End of Clause)

852.236–85 Supplementary labor standards provisions.

As prescribed in 836.576, insert the following clause:

Supplementary Labor Standards Provisions (APR 1984)

(a) The wage determination decision of the Secretary of Labor is set forth in section GR, General Requirements, of this contract. It is the result of a study of wage conditions in the locality and establishes the minimum hourly rates of wages and fringe benefits for the described classes of labor in accordance with applicable law. No increase in the contract price will be allowed or authorized because of payment of wage rates in excess of those listed.

(b) The contractor shall submit the required copies of payrolls to the contracting officer through the resident engineer or engineer officer, when acting in that capacity. Department of Labor Form WH–347, Payroll, available from the Superintendent of Documents, Government Printing Office, Washington, DC 20402, may be used for this purpose. If, however, the contractor or subcontractor elects to use an individually composed payroll form, it shall contain the same information shown on Form WH–347, and in addition be accompanied by Department of Labor Form WH–348, Statement of Compliance, or any other form containing the exact wording of this form.

(End of Clause)

852.236–86 Workers' compensation.

As prescribed in 836.577, insert the following clause:

Workers' Compensation (JAN 2008)

Public Law 107–217 (40 U.S.C. 3172) authorizes the constituted authority of States to apply their workers compensation laws to all lands and premises owned or held by the United States.

(End of Clause)

852.236–87 Accident prevention.

As prescribed in 836.513, insert the following clause:

Accident Prevention (SEP 1993)

The Resident Engineer on all assigned construction projects, or other Department of Veterans Affairs employee if designated in writing by the Contracting Officer, shall serve as Safety Officer and as such has authority, on behalf of the Contracting Officer, to monitor and enforce Contractor compliance with FAR 52.236–13, Accident Prevention. However, only the Contracting Officer may issue an order to stop all or part of the work while requiring satisfactory or corrective action to be taken by the Contractor.

(End of Clause)

852.236–88 Contract changes—supplement.

As prescribed in 836.578, insert the following clause:

Contract Changes—Supplement (JUL 2002)

The clauses entitled ''Changes'' in FAR 52.243–4 and ''Differing Site Conditions'' in FAR 52.236–2 are supplemented as follows:

(a) Paragraphs (a)(1) through (a)(4) apply to proposed contract changes costing over $500,000.

(1) When requested by the contracting officer, the contractor shall submit proposals for changes in work to the resident engineer. Proposals, to be submitted as expeditiously as possible but within 30 calendar days after receipt of request, shall be in legible form, original and two copies, with an itemized breakdown that will include material, quantities, unit prices, labor costs (separated into trades), construction equipment, etc. (Labor costs are to be identified with specific material placed or operation performed.) The contractor must obtain and furnish with a proposal an itemized breakdown as described above, signed by each subcontractor participating in the change regardless of tier. When certified cost or pricing data are required under FAR Subpart 15.403, the cost or pricing data shall be submitted in accordance with FAR 15.403–5.

(2) When the necessity to proceed with a change does not allow sufficient time to negotiate a modification or because of failure to reach an agreement, the contracting officer may issue a change order instructing the contractor to proceed on the basis of a tentative price based on the best estimate available at the time, with the firm price to be determined later. Furthermore, when the change order is issued, the contractor shall submit a proposal, which includes the information required by paragraph (a)(1), for cost of changes in work within 30 calendar days.

(3) The contracting officer will consider issuing a settlement by determination to the contract if the contractor's proposal required by paragraphs (a)(1) or (a)(2) of this clause is not received within 30 calendar days or if agreement has not been reached.

(4) Bond premium adjustment, consequent upon changes ordered, will be made as elsewhere specified at the time of final settlement under the contract and will not be included in the individual change.

(b) Paragraphs (b)(1) through (b)(11) apply to proposed contract changes costing $500,000 or less:

(1) When requested by the contracting officer, the contractor shall submit proposals for changes in work to the resident engineer. Proposals, to be submitted as expeditiously as possible but within 30 calendar days after receipt of request, shall be in legible form, original and two copies, with an itemized breakdown that will include material, quantities, unit prices, labor costs (separated into trades), construction equipment, etc. (Labor costs are to be identified with specific material placed or operation performed.) The contractor must obtain and furnish with a proposal an itemized breakdown as described above, signed by each subcontractor participating in the change regardless of tier. When certified cost or pricing data or information other than cost or pricing data are required under FAR 15.403, the data shall be submitted in accordance with FAR 15.403–5. No itemized breakdown will be required for proposals amounting to less than $1,000.

(2) When the necessity to proceed with a change does not allow sufficient time to negotiate a modification or because of failure to reach an agreement, the contracting officer may issue a change order instructing the contractor to proceed on the basis of a tentative price based on the best estimate available at the time, with the firm price to be determined later. Furthermore, when the change order is issued, the contractor shall submit within 30 calendar days, a proposal that includes the information required by paragraph (b)(1) for the cost of the changes in work.

(3) The contracting officer will consider issuing a settlement by determination to the contract if the contractor's proposal required by paragraphs (b)(1) or (b)(2) of this clause is not received within 30 calendar days, or if agreement has not been reached.

(4) Allowances not to exceed 10 percent each for overhead and profit for the party performing the work will be based on the value of labor, material, and use of construction equipment required to accomplish the change. As the value of the change increases, a declining scale will be used in negotiating the percentage of overhead and profit. Allowable percentages on changes will not exceed the following: 10 percent overhead and 10 percent profit on the first $20,000; 7–1/2 percent overhead and 7–1/2 percent profit on the next $30,000; 5 percent overhead and 5 percent profit on balance over $50,000. Profit shall be computed by multiplying the profit percentage by the sum of the direct costs and computed overhead costs.

(5) The prime contractor's or upper-tier subcontractor's fee on work performed by

lower-tier subcontractors will be based on the net increased cost to the prime contractor or upper-tier subcontractor, as applicable. Allowable fee on changes will not exceed the following: 10 percent fee on the first $20,000; 7–1/2 percent fee on the next $30,000; and 5 percent fee on balance over $50,000.

(6) Not more than four percentages, none of which exceed the percentages shown above, will be allowed regardless of the number of tiers of subcontractors.

(7) Where the contractor's or subcontractor's portion of a change involves credit items, such items must be deducted prior to adding overhead and profit for the party performing the work. The contractor's fee is limited to the net increase to contractor of subcontractors' portions cost computed in accordance herewith.

(8) Where a change involves credit items only, a proper measure of the amount of downward adjustment in the contract price is the reasonable cost to the contractor if he/she had performed the deleted work. A reasonable allowance for overhead and profit are properly includable as part of the downward adjustment for a deductive change. The amount of such allowance is subject to negotiation.

(9) Cost of Federal Old Age Benefit (Social Security) tax and of Worker's Compensation and Public Liability insurance appertaining to changes are allowable. While no percentage will be allowed thereon for overhead or profit, prime contractor's fee will be allowed on such items in subcontractors' proposals.

(10) Overhead and contractor's fee percentages shall be considered to include insurance other than mentioned herein, field and office supervisors and assistants, security police, use of small tools, incidental job burdens, and general home office expenses and no separate allowance will be made therefore. Assistants to office supervisors include all clerical, stenographic and general office help. Incidental job burdens include, but are not necessarily limited to, office equipment and supplies, temporary toilets, telephone and conformance to OSHA requirements. Items such as, but not necessarily limited to, review and coordination, estimating and expediting relative to contract changes are associated with field and office supervision and are considered to be included in the contractor's overhead and/or fee percentage.

(11) Bond premium adjustment, consequent upon changes ordered, will be made as elsewhere specified at the time of final settlement under the contract and will not be included in the individual change.

(End of Clause)

852.236–89 Buy American Act.

As prescribed in Table 825.1102, insert the following clause:

Buy American Act (JAN 2008)

(a) Reference is made to the clause entitled ''Buy American Act—Construction Materials,'' FAR 52.225–9.

(b) Notwithstanding a bidder's right to offer identifiable foreign construction material in its bid pursuant to FAR 52.225–9, VA does not anticipate accepting an offer that includes foreign construction material.

(c) If a bidder chooses to submit a bid that includes foreign construction material, that bidder must provide a listing of the specific foreign construction material he/she intends to use and a price for said material. Bidders must include bid prices for comparable domestic construction material. If VA determines not to accept foreign construction material and no comparable domestic construction material is provided, the entire bid will be rejected.

(d) Any foreign construction material proposed after award will be rejected unless the bidder proves to VA's satisfaction: (1) it was impossible to request the exemption prior to award, and (2) said domestic construction material is no longer available, or (3) where the price has escalated so dramatically after the contract has been awarded that it would be unconscionable to require performance at that price. The determinations required by (1), (2), and (3) of this paragraph shall be made in accordance with Subpart 825.2 and FAR 25.2.

(e) By signing this bid, the bidder declares that all articles, materials and supplies for use on the project shall be domestic unless specifically set forth on the Bid Form or addendum thereto.

(End of Cause)

Alternate I (JAN 2008). As prescribed in Table 825.1102, substitute the following paragraphs for paragraphs (a) and (b) of the basic clause:

(a) Reference is made to the clause entitled ''Buy American Act—Construction Materials under Trade Agreements,'' FAR 52.225–11.

(b) The restrictions contained in this clause 852.236–89 are waived for designated country construction material as defined in FAR 52.225–11. Notwithstanding a bidder's right to offer identifiable foreign construction material in its bid pursuant to FAR 52.225–11, VA does not anticipate accepting an offer that includes foreign construction material, other than designated country construction material.

Alternate II (JAN 2008). As prescribed in Table 825.1102, substitute the following paragraphs for paragraphs (a) and (b) of the basic clause:

(a) Reference is made to the clause entitled ''Buy American Act—Construction Materials under Trade Agreements,'' FAR 52.225–11 and its Alternate I.

(b) The restrictions contained in this clause 852.236–89 are waived for World Trade Organization (WTO) Government Procurement Agreement (GPA) country, Australian, Chilean, or Moroccan, least developed country, or Caribbean Basin country construction material, as defined in FAR 52.225–11 and its Alternate I. Notwithstanding a bidder's right to offer identifiable foreign construction material in its bid pursuant to FAR 52.225–11, VA does not anticipate accepting an offer that includes foreign construction material, other than WTO GPA country, Australian, Chilean, or Moroccan, least developed country, or Caribbean Basin country construction material.

852.236–90 Restriction on submission and use of equal products.

As prescribed in 836.202(c), the following clause shall be included in the solicitation if it is determined that only one product will meet the Government's minimum needs and the Department of Veterans Affairs will not allow the submission of ''equal'' products:

Restriction on Submission and Use of Equal Products (NOV 1986)

The clause applies to the following items:

_____

_____

_____

Notwithstanding the ''Material and Workmanship'' clause of this contract, FAR 52.236–5(a), nor any other contractual provision, ''equal'' products will not be considered by the Department of Veterans Affairs and may not be used.

(End of Clause)

852.236–91 Special notes.

As prescribed in 836.579, insert the following clause:

Special Notes (JUL 2002)

(a) Signing of the bid shall be deemed to be a representation by the bidder that:

(1) Bidder is a construction contractor who owns, operates, or maintains a place of business, regularly engaged in construction, alteration, or repair of buildings, structures, and communications facilities, or other engineering projects, including furnishing and installing of necessary equipment; or

(2) If newly entering into a construction activity, bidder has made all necessary arrangements for personnel, construction equipment, and required licenses to perform construction work; and

(3) Upon request, prior to award, bidder will promptly furnish to the Government a statement of facts in detail as to bidder's previous experience (including recent and current contracts), organization (including company officers), technical qualifications, financial resources and facilities available to perform the contemplated work.

(b) Unless otherwise provided in this contract, where the use of optional materials or construction is permitted, the same standard of workmanship, fabrication and installation shall be required irrespective of which option is selected. The contractor shall make any change or adjustment in connecting work or otherwise necessitated by the use of such optional material or construction, without additional cost to the Government.

(c) When approval is given for a system component having functional or physical characteristics different from those indicated or specified, it is the responsibility of the contractor to furnish and install related components with characteristics and capacities compatible with the approved substitute component as required for systems to function as noted on drawings and

specifications. There shall be no additional cost to the Government.

(d) In some instances it may have been impracticable to detail all items in specifications or on drawings because of variances in manufacturers' methods of achieving specified results. In such instances the contractor will be required to furnish all labor, materials, drawings, services and connections necessary to produce systems or equipment which are completely installed, functional, and ready for operation by facility personnel in accordance with their intended use.

(e) Claims by the contractor for delay attributed to unusually severe weather must be supported by climatological data covering the period and the same period for the 10 preceding years. When the weather in question exceeds in intensity or frequency the 10-year average, the excess experienced shall be considered ''unusually severe.'' Comparison shall be on a monthly basis. Whether or not unusually severe weather in fact delays the work will depend upon the effect of weather on the branches of work being performed during the time under consideration.

(End of Clause)

852.237–7 Indemnification and Medical Liability Insurance.

As prescribed in 837.403, insert the following clause:

Indemnification and Medical Liability Insurance (JAN 2008)

(a) It is expressly agreed and understood that this is a non-personal services contract, as defined in Federal Acquisition Regulation (FAR) 37.101, under which the professional services rendered by the Contractor or its health-care providers are rendered in its capacity as an independent contractor. The Government may evaluate the quality of professional and administrative services provided but retains no control over professional aspects of the services rendered, including by example, the Contractor's or its health-care providers' professional medical judgment, diagnosis, or specific medical treatments. The Contractor and its health-care providers shall be liable for their liability-producing acts or omissions. The Contractor shall maintain or require all health-care providers performing under this contract to maintain, during the term of this contract, professional liability insurance issued by a responsible insurance carrier of not less than the following amount(s) per specialty per occurrence: *[Contracting Officer's Note: Insert the dollar amount value(s) of standard coverage(s) prevailing within the local community as to the specific medical specialty, or specialties, concerned, or such higher amount as the Contracting Officer deems necessary to protect the Government's interests.]* However, if the Contractor is an entity or a subdivision of a State that either provides for self-insurance or limits the liability or the amount of insurance purchased by State entities, then the insurance requirement of this contract shall be fulfilled by incorporating the provisions of the applicable State law.

(b) An apparently successful offeror, upon request of the Contracting Officer, shall, prior to contract award, furnish evidence of the insurability of the offeror and/or of all health-care providers who will perform under this contract. The submission shall provide evidence of insurability concerning the medical liability insurance required by paragraph (a) of this clause or the provisions of State law as to self-insurance, or limitations on liability or insurance.

(c) The Contractor shall, prior to commencement of services under the contract, provide to the Contracting Officer Certificates of Insurance or insurance policies evidencing the required insurance coverage and an endorsement stating that any cancellation or material change adversely affecting the Government's interest shall not be effective until 30 days after the insurer or the Contractor gives written notice to the Contracting Officer. Certificates or policies shall be provided for the Contractor and/or each health-care provider who will perform under this contract.

(d) The Contractor shall notify the Contracting Officer if it, or any of the health-care providers performing under this contract, change insurance providers during the performance period of this contract. The notification shall provide evidence that the Contractor and/or health-care providers will meet all the requirements of this clause, including those concerning liability insurance and endorsements. These requirements may be met either under the new policy, or a combination of old and new policies, if applicable.

(e) The Contractor shall insert the substance of this clause, including this paragraph (e), in all subcontracts for health-care services under this contract. The Contractor shall be responsible for compliance by any subcontractor or lower-tier subcontractor with the provisions set forth in paragraph (a) of this clause.

(End of Clause)

852.237–70 Contractor responsibilities.

As prescribed in 837.110, insert the following clause:

Contractor Responsibilities (APR 1984)

The contractor shall obtain all necessary licenses and/or permits required to perform this work. He/she shall take all reasonable precautions necessary to protect persons and property from injury or damage during the performance of this contract. He/she shall be responsible for any injury to himself/herself, his/her employees, as well as for any damage to personal or public property that occurs during the performance of this contract that is caused by his/her employees fault or negligence, and shall maintain personal liability and property damage insurance having coverage for a limit as required by the laws of the State of [ ]. Further, it is agreed that any negligence of the Government, its officers, agents, servants and employees, shall not be the responsibility of the contractor hereunder with the regard to any claims, loss, damage, injury, and liability resulting there from.

(End of Clause)

852.246–70 Guarantee.

As prescribed in 846.302–70, insert the following clause:

Guarantee (JAN 2008)

The contractor guarantees the equipment against defective material, workmanship and performance for a period of [ ][1], said guarantee to run from date of acceptance of the equipment by the Government. The contractor agrees to furnish, without cost to the Government, replacement of all parts and material that are found to be defective during the guarantee period. Replacement of material and parts will be furnished to the Government at the point of installation, if installation is within the continental United States, or f.o.b. the continental U.S. port to be designated by the contracting officer if installation is outside of the continental United States. Cost of installation of replacement material and parts shall be borne by the contractor.[2]

(End of Clause)

[1] Normally, insert one year. If industry policy covers a shorter or longer period, i.e., 90 days or for the life of the equipment, insert such period.

[2] The above clause will be modified to conform to standards of the industry involved.

852.246–71 Inspection.

As prescribed in 846.302–71(a), insert the following clause:

Inspection (JAN 2008)

Rejected goods will be held subject to contractors order for not more than 15 days, after which the rejected merchandise will be returned to the contractor's address at his/her risk and expense. Expenses incident to the examination and testing of materials or supplies that have been rejected will be charged to the contractor's account.

(End of Clause)

Alternate I (JAN 2008). As provided in 846.302–71(b), insert the following clause:

Inspection (JAN 2008)

The contractor shall remove rejected supplies within 48 hours after notice of rejection. Supplies determined to be unfit for human consumption will not be removed without permission of the local health authorities. Supplies not removed within the allowed time may be destroyed. The Department of Veterans Affairs will not be responsible for nor pay for products rejected. The contractor will be liable for costs incident to examination of rejected products.

(End of Clause)

852.246–72 Frozen processed foods.

As prescribed in 846.302–72, insert the following clause:

Frozen Processed Foods (JAN 2008)

The products delivered under this contract shall be in excellent condition, shall not show evidence of defrosting, refreezing, or

freezer burn and shall be transported and delivered to the consignee at a temperature of 0 degrees Fahrenheit or lower.

(End of Clause)

852.246–73 Noncompliance with packaging, packing, and/or marking requirements.

As prescribed in 846.302–73, insert the following clause:

Noncompliance With Packaging, Packing and/or Marking Requirements (JAN 2008)

Failure to comply with the packaging, packing and/or marking requirements indicated herein, or incorporated herein by reference, may result in rejection of the merchandise and request for replacement or repackaging, repacking, and/or marking. The Government reserves the right, without obtaining authority from the contractor, to perform the required repackaging, repacking, and/or marking services and charge the contractor at the actual cost to the Government for the same or have the required repackaging, repacking, and/or marking services performed commercially under Government order and charge the contractor at the invoice rate. In connection with any discount offered, time will be computed from the date of completion of such repackaging, repacking and/or marking services.

(End of Clause)

852.246–74 Special warranties.

As prescribed in 846.710–70, insert the following clause:

Special Warranties (JAN 2008)

The clause entitled ''Warranty of Construction'' in FAR 52.246–21 is supplemented as follows:

Any special warranties that may be required under the contract shall be subject to the elections set forth in the FAR clause at 52.246–21, Warranty of Construction, unless otherwise provided for in such special warranties.

(End of Clause)

852.246–75 Warranty for construction—guarantee period services.

As prescribed in 846.710–71, insert the following clause:

Warranty for Construction—Guarantee Period Services (JAN 2008)

The clause entitled ''Warranty of Construction'' in FAR 52.246–21 is supplemented as follows:

Should the contractor fail to prosecute the work or fail to proceed promptly to provide guarantee period services after notification by the contracting officer, the Government may, subject to the default clause contained at FAR 52.249–10, Default (Fixed-Price Construction), and after allowing the contractor 10 days to correct and comply with the contract, terminate the right to proceed with the work (or the separable part of the work) that has been delayed or unsatisfactorily performed. In this event, the Government may take over the work and complete it by contract or otherwise, and may take possession of and use any materials, appliances, and plant on the work site necessary for completing the work. The contractor and its sureties shall be liable for any damages to the Government resulting from the contractor's refusal or failure to complete the work within this specified time, whether or not the contractor's right to proceed with the work is terminated. This liability includes any increased costs incurred by the Government in completing the work.

(End of Clause)

852.247–70 Determining transportation costs for bid evaluation.

As prescribed in 847.305–70, insert the following provision:

Determining Transportation Costs for Bid Evaluation (APR 1984)

For the purpose of evaluating bids and for no other purpose, the delivered price per unit will be determined by adding the nationwide average transportation charge to the f.o.b. origin bid prices. The nationwide average transportation charge will be determined by applying the following formula: Multiply the guaranteed shipping weight by the freight, parcel post, or express rate, whichever is proper, to each destination shown below and then multiply the resulting transportation charges by the anticipated demand factor shown for each destination. Total the resulting weighted transportation charges for all destinations and divide the total by 20 to give the nationwide average transportation charge.

ANTICIPATED DEMAND

Area destination	Factor
Oakland, California	3
Dallas, Texas	2
Omaha, Nebraska	3
Fort Wayne, Indiana	4
Atlanta, Georgia	3
New York, New York	5
Total of factors	20

(End of Provision)

852.252–70 Solicitation provisions or clauses incorporated by reference.

As prescribed in 852.102(a), insert the following provision:

Solicitation Provisions or Clauses Incoporated by Reference (JAN 2008)

The following provisions or clauses incorporated by reference in this solicitation must be completed by the offeror or prospective contractor and submitted with the quotation or offer. Copies of these provisions or clauses are available on the Internet at the Web sites provided in the provision at FAR 52.252–1, Solicitation Provisions Incorporated by Reference, or the clause at FAR 52.252–2, Clauses Incorporated by Reference. Copies may also be obtained from the contracting officer.

[*Contracting officer shall list all FAR and 48 CFR Chapter 8 (VAAR) provisions and clauses incorporated by reference that must be completed by the offeror or prospective contractor and submitted with the quotation or offer.*]

(End of Provision)

852.270–1 Representatives of contracting officers.

As prescribed in 801.603–70(d), insert the following provision:

Representatives of Contracting Officers (JAN 2008)

The contracting officer reserves the right to designate representatives to act for him/her in furnishing technical guidance and advice or generally monitor the work to be performed under this contract. Such designation will be in writing and will define the scope and limitation of the designee's authority. A copy of the designation shall be furnished to the contractor.

(End of Provision)

852.270–2 Bread and bakery products—quantities.

As prescribed in 870.111–3, insert the following clause:

Bread and Bakery Products—Quantities (JAN 2008)

The bidder agrees to furnish up to 25 percent more or 25 percent less than the quantities awarded when ordered by the Department of Veterans Affairs.

(End of Clause)

852.270–3 Purchase of shellfish.

As prescribed in 870.111–3, insert the following clause:

Purchase of Shellfish (APR 1984)

The bidder certifies that oysters, clams, and mussels will be furnished only from plants approved by and operated under the supervision of shellfish authorities of States whose certifications are endorsed currently by the U.S. Public Health Service, and the names and certificate numbers of those shellfish dealers must appear on current lists published by the U.S. Public Health Service. These items shall be packed and delivered in approved containers, sealed in such manner that tampering is easily discernible, and marked with packer's certificate number impressed or embossed on the side of such containers and preceded by the State abbreviation. Containers shall be tagged or labeled to show the name and address of the approved producer or shipper, the name of the State of origin, and the certificate number of the approved producer or shipper.

(End of Clause)

852.271–70 Nondiscrimination in services provided to beneficiaries.

As prescribed in 837.110–70 and 871.212, insert the following provision:

Nondiscrimination in Services Provided to Beneficiaries (JAN 2008)

The contractor agrees to provide all services specified in this contract for any person determined eligible by the Department of Veterans Affairs, regardless of the race, color, religion, sex, or national origin of the person for whom such services are ordered. The contractor further warrants that he/she will not resort to subcontracting as a means of circumventing this provision.

(End of Provision)

852.271–71 [Reserved].

852.271–72 Time spent by counselee in counseling process.

As prescribed in 871.212, insert the following clause:

Time Spent by Counselee in Counseling Process (APR 1984)

The contractor agrees that no counselee referred under the provisions of this agreement will be required to give any extra time in connection with the counseling process to supply test results or other information for purposes other than those specified in this contract.

(End of Clause)

852.271–73 Use and publication of counseling results.

As prescribed in 871.212, insert the following clause:

Use and Publication of Counseling Results (JAN 2008)

The contractor agrees that none of the information or data gathered in connection with the services specified in this contract or studies or materials based thereon or relating thereto will be publicized without the prior approval of the Under Secretary for Benefits or his/her designee.

(End of Clause)

852.271–74 Inspection.

As prescribed in 871.212, insert the following clause:

Inspection (JAN 2008)

The contractor will permit the duly authorized representative of the Department of Veterans Affairs to visit the place of instruction or the counseling and testing operations as may be necessary and examine the training facilities, the work of the veterans in training under this contract, and the records of these operations.

(End of Clause)

852.271–75 Extension of contract period.

As prescribed in 871.212, insert the following clause:

Extension of Contract Period (APR 1984)

This contract may be extended from year to year if agreeable to both parties provided the agreement for extension is consummated 30 days prior to the expiration date, and further provided that there is no change in the provisions, terms, conditions, or rate of payment. Any extension made hereunder is subject to the availability of funds during the period covered by the extension.

(End of Clause)

852.273–70 Late offers.

As prescribed in 873.110(a), insert the following provision:

Late Offers (JAN 2003)

This provision replaces paragraph (f) of FAR provision 52.212–1. Offers or modifications of offers received after the time set forth in a request for quotations or request for proposals may be considered, at the discretion of the contracting officer, if determined to be in the best interest of the Government. Late bids submitted in response to an invitation for bid (IFB) will not be considered.

(End of Provision)

852.273–71 Alternative negotiation techniques.

As prescribed in 873.110(b), insert the following provision:

Alternative Negotiation Techniques (JAN 2003)

The contracting officer may elect to use the alternative negotiation techniques described in section 873.111(e) of 48 Code of Federal Regulations Chapter 8 in conducting this procurement. If used, offerors may respond by maintaining offers as originally submitted, revising offers, or submitting an alternative offer. The Government may consider initial offers unless revised or withdrawn, revised offers, and alternative offers in making the award. Revising an offer does not guarantee an offeror an award.

(End of Provision)

852.273–72 Alternative evaluation.

As prescribed in 873.110(c), insert the following provision:

Alternative Evaluation (JAN 2003)

(a) The Government will award a contract resulting from this solicitation to the responsible offeror submitting the lowest priced offer that conforms to the solicitation. During the specified period for receipt of offers, the amount of the lowest offer will be posted and may be viewed by [*Contracting officer insert description of how the information may be viewed electronically or otherwise*]. Offerors may revise offers anytime during the specified period. At the end of the specified time period for receipt of offers, the responsible offeror submitting the lowest priced offer will be in line for award.

(b) Except when it is determined not to be in the Government's best interest, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are materially unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(End of provision)

852.273–73 Evaluation—health-care resources.

As prescribed in 873.110(d), in lieu of FAR provision 52.212–2, the contracting officer may insert a provision substantially as follows:

Evaluation—Health-Care Resources (JAN 2003)

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer, conforming to the solicitation, will be most advantageous to the Government, price and other factors considered. The following information or factors shall be used to evaluate offers: [*Contracting officer insert evaluation information or factors, such as technical capability to meet the Government's requirements, past performance, or such other evaluation information or factors as the contracting officer deems necessary to evaluate offers. Price must be evaluated in every acquisition. The contracting officer may include the evaluation information or factors in their relative order of importance, such as in descending order of importance. The relative importance of any evaluation information must be stated in the solicitation.*]

(b) Except when it is determined not to be in the Government's best interest, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are materially unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) If this solicitation is a request for proposals (RFP), a written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of provision)

852.273–74 Award without exchanges.

As prescribed in 873.110(e), insert the following provision:

Award Without Exchanges (JAN 2003)

The Government intends to evaluate proposals and award a contract without exchanges with offerors. Therefore, each initial offer should contain the offeror's best terms from a cost or price and technical standpoint. However, the Government reserves the right to conduct exchanges if later determined by the contracting officer to be necessary.

(End of provision)

PART 853—FORMS

Sec.
853.000 Scope of part.

Subpart 853.1—General

853.107 Obtaining forms.

Subpart 853.2—Prescription of Forms

853.201 Federal acquisition system.
853.201–1 Contracting authority and responsibilities (SF 1402).
853.213 Simplified acquisition procedures (SF's 18, 30, 44, 1165, 1449, and OF's 336, 347, and 348).
853.215 Contracting by negotiation.
853.215–70 VA Form 10–1170, Application for Furnishing Nursing Home Care to Beneficiaries of VA.
853.236 Construction and architect-engineer contracts.
853.236–70 VA Form 10–6298, Architect-Engineer Fee Proposal.
853.271 Loan Guaranty, Education and Vocational Rehabilitation and Employment Programs.
853.271–1 Loan Guaranty Program (VA Forms 26–6724 and 26–1839).
853.271–2 Education Programs.

Subpart 853.3—Illustration of Forms

853.300 Scope of subpart.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

853.000 Scope of part.

This part prescribes VA forms for use in the acquisition of goods and services. It only identifies forms that are used between VA and its contractors or the general public. It does not identify forms for uses internal to VA or between VA and another Federal agency.

Subpart 853.1—General

853.107 Obtaining forms.

The VA forms may be obtained from any VA contracting office or by requesting such forms from the Deputy Assistant Secretary for Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420.

Subpart 853.2—Prescription of Forms

853.201 Federal acquisition system.

853.201–1 Contracting authority and responsibilities (SF 1402).

Standard Form (SF) 1402, Certificate of Appointment, is used in accordance with FAR 1.603–3, Appointment, to appoint VA contracting officers under VA's Contracting Officer Certification Program (see 801.690–6).

853.213 Simplified acquisition procedures (SF's 18, 30, 44, 1165, 1449, and OF's 336, 347, and 348).

The following forms are prescribed as stated in this section for use in simplified acquisition procedures, orders under existing contracts or agreements, orders from required sources of supplies and services, and orders for other supplies or services:

(a) VA Forms 90–2138, Order for Supplies or Services, or 90–2138–ADP, Purchase Order for Supplies or Service, shall be used as indicated in 813.307. They may be used in lieu of OF 347, Order of Supplies and Services, or Standard Form 1449, Solicitation/Contract/Order for Commercial Items.

(b) The following forms are for use for obtaining indicated medical and dental services within the limitations prescribed in 813.307:

(1) VA Form 10–7078, Authorization and Invoice for Medical and Hospital Services.

(2) VA Form 10–7079, Request for Outpatient Medical Services.

(3) VA Form 10–2570d, Dental Record Authorization and Invoice for Outpatient Service.

(c) VA Form 10–2511, Authority and Invoice for Travel by Ambulance or Other Hired Vehicle, will be used as prescribed in 813.307.

(d) VA Form 10–2421, Prosthetics Authorization and Items and Services, will be used for indicated procurements not to exceed $300 as prescribed in 813.307.

853.215 Contracting by negotiation.

853.215–70 VA Form 10–1170, Application for Furnishing Nursing Home Care to Beneficiaries of VA.

VA Form 10–1170, Application for Furnishing Nursing Home Care to Beneficiaries of VA, will be used for establishing contract nursing home care for VA beneficiaries.

853.236 Construction and architect-engineer contracts.

853.236–70 VA Form 10–6298, Architect-Engineer Fee Proposal.

VA Form 10–6298, Architect-Engineer Fee Proposal, shall be used as prescribed in 836.606–71.

853.271 Loan Guaranty, Education and Vocational Rehabilitation and Counseling Programs.

853.271–1 Loan Guaranty Program (VA Forms 26–6724 and 26–1839).

(a) VA Form 26–6724, Invitation, Bid, and/or Acceptance or Authorization, will be used in obtaining services specified in Subpart 871.1.

(b) VA Form 26–1839, Compliance Inspection Report, will be used for inspection of repairs for properties under the Loan Guaranty Program as specified in 846.472.

853.271–2 Education Programs.

To obtain education or rehabilitation services, contracting officers may use an individual written contract or VA Form 28–1905, Authorization and Certification of Entrance or Reentrance into Rehabilitation and Certification of Status.

Subpart 853.3—Illustration of Forms

853.300 Scope of subpart.

VA Forms will not be illustrated in this VAAR. Persons wishing to obtain copies of VA forms prescribed in the VAAR may do so in accordance with 853.107. VA forms may also be available on the Web at *http://www.va.gov/vaforms/*.

SUBCHAPTER I—DEPARTMENT SUPPLEMENTARY REGULATIONS

PART 870—SPECIAL PROCUREMENT CONTROLS

Subpart 870.1—Controls

Sec.
870.111 Subsistence.
870.111–3 Contract clauses.
870.111–5 Frozen processed food products.
870.112 Telecommunications equipment.
870–113 Paid use of conference facilities.
870.115 Food service equipment.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 870.1—Controls

870.111 Subsistence.

870.111–3 Contract clauses.

(a) The contracting officer shall include the clause at 852.270–2, Bread and bakery products—quantities, in solicitations and contracts for bread and bakery products.

(b) The contracting officer shall include the clause at 852.270–3, Purchase of shellfish, in solicitations and contracts for shellfish.

870.111–5 Frozen processed food products.

(a) The following frozen processed food products must have a label complying with the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.), which requires that all ingredients be listed according to the order of their predominance:

(1) Frozen processed food products that contain meat, poultry, or a significant proportion of eggs.

(2) Frozen processed food products that contain fish or fish products.

(3) Frozen bakery products.

(b) All procured frozen processed food products that contain meat, poultry or a significant proportion of eggs must meet the following requirements:

(1) The products must be processed or prepared in plants operating under the supervision of the Department of Agriculture (USDA).

(2) The product must be inspected and approved in accordance with USDA regulations governing meat, poultry, or egg inspection. A label or seal that indicates compliance with USDA regulations, affixed to the container, will be accepted as evidence of compliance.

(c) All procured frozen processed food products that contain fish or fish products must meet the following requirements:

(1) The product must be processed or prepared in plants operated under the supervision of the Department of Commerce (DOC). The products listed in DOC's publication ''Approved List of Sanitarily Inspected Fish Establishments'' are processed in plants under Federal inspection of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, DOC. The inspected products packed under various labels bearing the brand names are produced in accordance with current U.S. Grade Standards or official product specifications, packed under optimum hygienic conditions, and must meet Federal, State, and city sanitation and health regulations. Such brand label or DOC seal indicating compliance with DOC regulations, affixed to a container, will be accepted as evidence of compliance.

(2) If the condition in paragraph (c)(1) of this section was not met (no seal), the shipment may be lot-inspected by the DOC, and containers stamped to indicate acceptance or a Certification of Inspection issued to accompany the shipment.

(d) Producers of frozen bakery products that ship products in interstate commerce are required to comply with the Federal Food, Drug and Cosmetic Act. Therefore, the product must be verified as shipped interstate or that the producer ships products to other purchasers interstate.

870.112 Telecommunications equipment.

(a) The contracting officer must include the clause at 852.211–71, Special notice in solicitations, including those for construction, that are based on detailed purchase descriptions or formal specifications for telecommunications equipment, as defined in VA manual MP–6, Part VIII (available at any VA facility).

(b) The Telecommunications Support Service must review and approve the descriptive literature required by the clause in 852.211–71, Special notice, furnished by the contractor after award, before delivery or installation by the contractor. Promptly upon receipt of the descriptive literature, contracting officers will forward it, together with a copy of the contract, the formal specification, or the detailed purchase description, to the DSPE.

(c) Solicitations, including those for construction, for telecommunications equipment based on ''brand name or equal'' purchase description are subject to the following:

(1) Before award, contracting officers will forward to the DSPE the abstract of bids, one copy of each offer received, including descriptive literature and pertinent letters, and the comments and recommendations of the contracting officer.

(2) No commitments are to be made to contractors before receiving Central Office's response.

(3) The solicitation must allow at least 30 calendar days for acceptance to allow sufficient time for the review required by this paragraph. (See FAR 52.214–16.)

870.113 Paid use of conference facilities.

When contracting for the use of conference facilities, contracting officers shall follow and comply with the Federal Travel Regulation, 41 CFR Part 301–74, Conference Planning, and shall document the contract file as specified therein, including documentation of efforts to locate Government-owned space and efforts to reduce costs.

870.115 Food service equipment.

(a) All new food service equipment purchased for Dietetic Service through other than Defense General Supply Center sources must meet requirements set forth by the National Sanitation Foundation.

(b) The contracting officer will accept an affixed National Sanitation Foundation label and/or documentation of the certification by the National Sanitation Foundation from the contractor as evidence that the subject equipment meets sanitation standards issued by the National Sanitation Foundation.

PART 871—LOAN GUARANTY AND VOCATIONAL REHABILITATION AND EMPLOYMENT PROGRAMS

Subpart 871.1—Loan Guaranty and Direct Loan Programs

Sec.
871.100 Scope of subpart.
871.101 Policy.
871.102 Authorization for repairs to properties.
871.104 Qualification of bidders.
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871.107 Stipulations against liens.

Subpart 871.2—Vocational Rehabilitation and Employment Service

871.200 Scope of subpart.
871.201 General.
871.201–1 Requirements for the use of contracts.
871.201–2 Requirements when contracts are not required.
871.201–3 Medical services.
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871.209 Records and reports.
871.210 Correspondence courses.
871.211 Information concerning correspondence courses.
871.212 Contract clauses.

Authority: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

Subpart 871.1—Loan Guaranty and Direct Loan Programs

871.100 Scope of subpart.

This subpart sets forth policy and procedures with respect to the loan guaranty and direct loan programs as they pertain to property management, including the acquisition, management, and disposition of property, real, personal, or mixed, that were secured by loans guaranteed, insured, or made under Title 38, U.S.C.

871.101 Policy.

All acquisitions for the repair and maintenance of VA property acquired under 38 U.S.C. Chapter 37 must be made in accordance with FAR Parts 14, 15, and 16, Parts 814, 815, and 816 of this chapter, and this subpart.

871.102 Authorization for repairs to properties.

(a) Except as provided in this subpart, Directors, Loan Guaranty Officers, and Assistant Loan Guaranty Officers, VA Regional Offices, are authorized to approve a repair program for any VA property acquired under Chapter 37, Title 38, U.S.C., if the cost does not exceed $25,000. A repair program means the aggregate amount of the proposed contracts that are contemplated in a property analysis by the Loan Guaranty activity.

(b) In cases where the expenditure is known or estimated to exceed $25,000, the Loan Guaranty Officer, or his or her designee, must forward the request,

together with the loan guaranty folder, to the Under Secretary for Benefits for approval.

(c) During the period when VA has assumed custody of the property from a holder and before its conveyance to VA under 38 CFR 36.4320, repairs not in excess of $3,500 are authorized, when appropriate to make the property ready for sale at an earlier date than would otherwise be possible if the repair program was delayed until VA acquired absolute title. In cases where the expenditure is known or estimated to exceed $3,500, the Loan Guaranty Officer, or his or her designee, must forward the request, together with the loan guarantee folder, to the Under Secretary for Benefits for approval.

(d) The holder must not make repairs to a property when it has continued custody, except for emergency repairs not in excess of $500, unless the holder gives adequate notice to the Director, Regional Office. Emergency repairs means immediate action to preserve the property from serious damage or to correct a situation imminently dangerous to life or limb, including the initial cleanup of the property to prevent the risk of damage by fire or vandalism.

(e) An approved management broker may be authorized, when the property is assigned, to incur expenses for fuel and utilities or other recurring items that VA is required to furnish to its tenants or are required to maintain the property if the following conditions are met:

(1) Advance blanket authorization to a management broker must be limited to repairs not in excess of $500 in any transaction.

(2) The management broker must either submit receipts with an invoice or maintain receipts for inspection.

(3) Expenditures in excess of $500 require prior approval of the Director, Regional Office, having jurisdiction of the property.

(4) The management broker must aggregate the costs of repairs when determining whether prior approval is required.

871.104 Qualification of bidders.

(a) Bidders must be qualified in accordance with procedures outlined in FAR Subpart 9.1 and Subpart 809.1 of this chapter.

(b) Management brokers are not acceptable bidders for a repair contract due to their close association on a fee basis with VA. This restriction also applies to any contracting firm in which the management broker has an interest and in which it could be presumed that the firm would have an advantage over the other bidders. This does not preclude the management broker from performing routine recurring maintenance or minor repairs. When seeking payment for maintenance or repairs, the management broker must establish that any charges are not in excess of the prevailing fees for similar services in the area.

871.106 Lien waivers.

(a) In a contract for $2,500 or more, the contracting officer must include the following requirements:

(1) The contractor must sign a formal release in full or a lien waiver before payment may be made.

(2) The contractor must notify the Director, Regional Office, of any subcontracts for services or materials in excess of $2,500. Each subcontractor must sign the release or waiver jointly with the prime contractor or exercise a release or waiver in the subcontractor's own name.

(b) The contracting officer must not pay the contractor unless the release or waiver accompanies the contractor's invoice.

(c) Before any authorized partial payment, the contractor must execute a release or waiver.

(d) Due to the variations of local law, no standard release or waiver is prescribed. Each release or waiver must be prepared in accordance with local law and must be in form acceptable to the District Counsel.

871.107 Stipulations against liens.

(a) In a contract for an amount less than $2,500, when determined necessary by the Director, Regional Office, the contracting officer may include the following:

The contractor expressly waives any and all rights to file or maintain any mechanics lien or claim against the aforesaid premises.

(b) In a contract for $2,500 or more when there is doubt that the final responsibility of the contractor will provide maximum protection to the Government, the contracting officer must include any requirements that are available under local law. The contracting officer must obtain advice and approval of any contract stipulation or legal stipulations against liens from the District Counsel.

Subpart 871.2—Vocational Rehabilitation and Employment Service

871.200 Scope of subpart.

This subpart establishes policy and procedures for the vocational rehabilitation and employment services as it pertains to the following:

(a) Contracts for training and rehabilitation services.

(b) Approval of institutions (including rehabilitation facilities), training establishments, and employers under 38 U.S.C. Chapter 31.

(c) Contracts for counseling services under 38 U.S.C. Chapters 30, 31, 32, 35, and 36 and 10 U.S.C. Chapters 106, 107, and 1606.

871.201 General.

871.201–1 Requirements for the use of contracts.

The VA negotiates contracts for tuition, fees, books, supplies, and other allowable expenses incurred by an institution, training establishment, or employer for the training and rehabilitation of eligible veterans under 38 U.S.C. Chapter 31 when the following services are provided:

(a) *Courses of instruction by correspondence* means a course of education or training conducted by mail consisting of regular lessons or reading assignments, the preparation of required written work that involves the application of principles studied in each lesson, the correction of assigned work with such suggestions or recommendation as may be necessary to instruct the student, the keeping of student achievement records, and issuance of a diploma, certificate, or other evidence to the student upon satisfactorily completing the requirements of the course.

(b) *Special services or special courses that are furnished at the request of the VA.* Special services or courses are those services or courses that VA requests that are over and above those the institution customarily provides for similarly circumstanced non-veterans and that the contracting officer considers to be necessary for the rehabilitation of the trainee.

871.201–2 Requirements when contracts are not required.

(a) For the purpose of this section a contract is not required when all tuition, fees, and charges for books, supplies, or services necessary to train or educate an eligible veteran under 38 U.S.C. Chapter 31 are published in the school catalog or other published document.

(b) When a contract is not required, the Vocational Rehabilitation and Employment Officer must obtain a signed statement of charges from the educational institution or training establishment for courses to be offered, including the rate of tuition, fees, and separate charges, if any, for books, supplies, and equipment handling charges, refund policy, and other provisions as are required to determine

proper payment. The statement of charges may be in the form of a statement on VA Form 28–1905, Authorization and Certification of Entrance or Reentrance Into Rehabilitation and Certification Status, that charges will be in accordance with catalog or other published document (identify publication). The statement of charges may not exceed those charges nonveterans pay or that are published in the school catalog or other published document.

871.201–3 Medical services.

The medical services provided trainees under vocational rehabilitation and education contracts, agreements, or arrangements are separate and distinct from any other medical service under the jurisdiction of the Veterans Health Administration to which the veteran may be entitled. No certificate of eligibility is required from the Veterans Health Administration before the veteran may be provided such services.

871.201–4 Letter contracts.

Letter contracts are authorized for use in accordance with the provision of FAR 16.603 and in those cases in which it is not possible to complete a formal contract with an approved educational institution before the enrollment of eligible veterans for training.

871.202 Marking and release of supplies.

The educational institution or training establishment is not required to mark supplies to indicate ownership by the United States. Supplies are considered to be the property of the trainee at the time they are furnished.

871.203 Renewals or supplements to contracts.

Except for contracts for educational and vocational counseling, the contracting office may renew contracts from year to year by completing a renewal agreement no later than 30 days before the expiration of the contract. There must be no change in the schedule of provisions in the original contract.

(a) Supplements may be negotiated at any time during the contract period upon the completion of the supplemental agreement.

(b) Contracts for educational and vocational counseling may provide for automatic extension from year to year.

871.204 Guaranteed payment.

A contracting officer may not award a contract or agreement to any institution or training establishment that requires VA is to pay a minimum charge, or to enroll a minimum number of participants per quarter, semester, term, course, or other period.

871.205 Proration of charges.

A contract must include the exact formula agreed on for the proration of charges in the event that the veteran's program is interrupted or discontinued before the end of the term, semester, quarter, or other period, or the program is completed in less time than stated in the contract.

871.206 Other fees and charges.

VA may pay fees and other charges that are not prescribed by law but are required by nongovernmental organizations, such as initiation fees required to become a member of a labor union and the dues necessary to maintain membership incidental to training on the job or to obtaining employment during a period in which the veteran is a chapter 31 participant, provided there are no facilities feasibly available where the necessary training can be feasibly accomplished or employment obtained without paying such charges. Payment for such fees must be made in accordance with Part 813.

871.207 Payment of tuition or fees.

(a) Contracts, agreements, or arrangements requiring the payment of tuition or fees must provide either of the following:

(1) Payment for tuition or fees must be made in arrears and must be prorated in installments over the school year or the length of the course.

(2) An institution may be paid in accordance with paragraph (b) of this section, if the institution operates on a regular term, quarter, or semester basis and normally accepts students only at the beginning of the term, quarter, or semester and if the institution is one of the following:

(i) An institution of higher learning that uses a standard unit of credit recognized by accrediting associations. Such institutions include those that are members of recognized national or regional educational accrediting associations, and those that, although not members of such accrediting associations, grant standard units of credit acceptable at full value without examination by collegiate institutions that are members of national or regional accrediting associations.

(ii) A public tax-supported institution.

(iii) An institution operated and controlled by a State, county, or local board of education.

(b) An institution that meets the exceptions of paragraph (a)(2) of this section and that has a refund policy providing for a graduated scale of charges for purposes of determining refunds may be paid part or all such tuitions or fees for a term, quarter, or other period of enrollment immediately following the date on which the refund expires.

(c) Proration of charges does not apply to a fee for noncontinuing service, such as a registration fee, etc.

(d) The period for which payment of charges may be made is the period of actual enrollment and is subject to the following:

(1) The effective date is the date of the trainee's entrance into training status, except that payment may be made for an entire semester, quarter, or term in institutions operating on that basis if the trainee enters no later than the final date set by the institution for enrolling for full credit.

(2) In those cases where the institution has not set a final date for enrolling for full credit or does not set a date acceptable to VA, payment may be prorated on the basis of attendance, regardless of the refund policy.

(3) If an institution customarily charges for the amount of credit or number of hours of attendance for which a trainee enrolls, payment may be made on that basis when a trainee enrolls after the final date permitted for carrying full credit for the semester or term.

871.208 Rehabilitation facilities.

Charges by rehabilitation facilities for the rehabilitation services provided under 38 U.S.C. Chapter 31 are paid in the same manner as charges for educational and vocational services through contract, agreement, or other arrangement.

871.209 Records and reports.

Contracts, agreements, or arrangements must provide for the number and frequency of reports, adequate financial records to support payment for each trainee, and maintenance of attendance and progress records. Such records must be preserved for a period of three years.

871.210 Correspondence courses.

Contracts with institutions for correspondence courses must provide for the following:

(a) Major changes in courses or course material are not binding on the VA until a supplemental agreement to the contract is negotiated.

(b) Minor changes in course or course material not affecting the length of the course or number of lessons and not lowering the educational value of the course or the quality of the course

material, such as revision of text, the substitution of a newer lesson for an older one, or the substitution of equipment of equal or greater value, are permitted without supplemental agreements. The institution must place such minor changes and revisions on file with the contracting officer at the time of the change or revision.

(c) Trainees must be provided with prompt and adequate lessons service and, unless otherwise specified in the contract, must be furnished the same texts, lessons service, diplomas, and other services as are normally provided for regularly enrolled non-veteran students.

(d) All lessons must be adequately serviced on an individual basis. Grouping of lessons into units or partial servicing does not meet this requirement.

(e) Each lesson must have a separate examination that is adequate in terms of lesson content.

(f) The training of persons under a VA contract or the fact that the United States is using the facilities of the institution for training veterans must not be used in any way to advertise the institution. References in the advertising media or correspondence of the institution shall be limited to a list of courses under 38 U.S.C. Chapter 31 and must not be directed or pointed specifically to veterans.

(g) The rates, fees, and charges must not be in excess of those charged nonveterans.

(h) Payment must be made on a lesson-completed basis in areas for assignments sent in by trainees and serviced during a pay period as established by the contract.

(i) Payment must be made only once for each lesson even though it is necessary to service a lesson more than once.

871.211 Information concerning correspondence courses.

Specific questions on correspondence courses as to the content of courses, academic credit, and entrance requirements for courses included in VA contracts may be directed to the institutions offering the courses.

871.212 Contract clauses.

Contracting officers must use the following clauses, as appropriate, in solicitations and contracts for vocational rehabilitation and employment services as they pertain to training and rehabilitation services and contracts for counseling services:

(a) 852–271–70 Nondiscrimination in services provided to beneficiaries.

(b) 852.271–72 Time spent by counselee in counseling process.

(c) 852.271–73 Use and publication of counseling results.

(d) 852.271–74 Inspection.

(e) 852.271–75 Extension of contract period.

PART 872—[RESERVED]

PART 873—SIMPLIFIED ACQUISITION PROCEDURES FOR HEALTH-CARE RESOURCES

Sec.

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Authority: 38 U.S.C. 501 and 8151–8153; 40 U.S.C. 121(c); and 48 CFR 1.301–1.304.

873.101 Policy.

The simplified acquisition procedures set forth in this Department of Veterans Affairs Acquisition Regulation (VAAR) part apply to the acquisition of health-care resources consisting of commercial services or the use of medical equipment or space. These procedures shall be used in conjunction with the Federal Acquisition Regulation (FAR) and other parts of the VAAR. However, when a policy or procedure in the FAR or another part of the VAAR differs from the procedures contained in this part, this part shall apply. These procedures contain more flexibility than provided in the FAR or elsewhere in the VAAR. (38 U.S.C. 8153)

873.102 Definitions.

Commercial service means a service, except construction exceeding $2,000 and architect-engineer services, that is offered and sold competitively in the commercial marketplace, is performed under standard commercial terms and conditions, and is procured using firm-fixed price contracts. (38 U.S.C. 8153)

Health-care providers include health-care plans and insurers and any organizations, institutions, or other entities or individuals who furnish health-care resources. (38 U.S.C. 8153)

Health-care resource includes hospital care and medical services (as those terms are defined in section 1701 of title 38 United States Code (U.S.C.)), any other health-care service, and any health-care support or administrative resource, including the use of medical equipment or space. (38 U.S.C. 8153)

873.103 Priority sources.

Without regard to FAR 8.002(a)(2), except for the acquisition of services available from the Committee for Purchase From People Who Are Blind or Severely Disabled, pursuant to the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) and FAR Subpart 8.7, there are no priority sources for the acquisition of health-care resources consisting of commercial services or the use of medical equipment or space. (38 U.S.C. 8153)

873.104 Competition requirements.

(a) Without regard to FAR Part 6, if the health-care resource required is a commercial service, the use of medical equipment or space, or research, and is to be acquired from an institution affiliated with the Department in accordance with section 7302 of title 38 U.S.C., including medical practice groups and other approved entities associated with affiliated institutions (entities will be approved if determined legally to be associated with affiliated institutions), or from blood banks, organ banks, or research centers, the resource may be acquired on a sole source basis. (38 U.S.C. 8153)

(b) Acquisition of health-care resources identified in paragraph (a) of this section are not required to be publicized as otherwise required by 873.108 or FAR 5.101. In addition, written justification, as otherwise set forth in section 303(f) of the Federal Property and Administration Services Act of 1949 (41 U.S.C. 253(f)) and FAR Part 6, is not required. (38 U.S.C. 8153)

(c) Without regard to FAR 6.101, if the health-care resource required is a commercial service or the use of medical equipment or space, and is to be acquired from an entity not described in paragraph (a) of this section, contracting officers must seek competition to the maximum extent practicable and must permit all responsible sources, as appropriate under the provisions of this part, to submit a bid, proposal or quotation (as appropriate) for the resources to be procured and provide for the consideration by the Department of bids, proposals, or quotations so submitted. (38 U.S.C. 8153)

(d) Without regard to FAR 5.101, acquisition of health-care resources identified in paragraph (c) of this section shall be publicized as otherwise

required by 873.108. Moreover, for any such acquisition described in paragraph (c) of this section to be conducted on a sole source basis, the contracting officer must prepare a justification that includes the information and is approved at the levels prescribed in section 303(f) of the Federal Property and Administration Services Act of 1949 (41 U.S.C. 253(f)) and FAR Part 6. (38 U.S.C. 8153)

873.105 Acquisition planning.

(a) Acquisition planning is an indispensable component of the total acquisition process.

(b) For the acquisition of health-care resources consisting of commercial services or the use of medical equipment or space, where the acquisition is expected to exceed the simplified acquisition threshold (SAT), an acquisition team must be assembled. The team shall be tailored by the contracting officer for each particular acquisition expected to exceed the SAT. The team should consist of a mix of staff, appropriate to the complexity of the acquisition, and may include contracting, fiscal, legal, administrative, and technical personnel, and such other expertise as necessary to assure a comprehensive acquisition plan. The team should include the small business advocate representing the contracting activity or a higher level designee and the SBA Procurement Center Representative (PRC), if available. As a minimum, the team must include the contracting officer and a representative of the requesting service. (38 U.S.C. 8153)

(c) Prior to determining whether a requirement is suitable for acquisition using these simplified acquisition procedures, the contracting officer or the acquisition team, as appropriate, must conduct market research to identify interested businesses. It is the responsibility of the contracting officer to ensure the requirement is appropriately publicized and information about the procurement opportunity is adequately disseminated as set forth in 873.108. (38 U.S.C. 8153)

(d) In lieu of the requirements of FAR Part 7 addressing documentation of the acquisition plan, the contracting officer may conduct an acquisition strategy meeting with cognizant offices to seek approval for the proposed acquisition approach. If a meeting is conducted, briefing materials shall be presented to address the acquisition plan topics and structure in FAR 7.105. Formal written minutes—summarizing decisions, actions, and conclusions—shall be prepared and included in the contract file, along with a copy of the briefing materials. (38 U.S.C. 8153)

873.106 Presolicitation exchanges with industry.

(a) This section shall be used in lieu of FAR Part 10, except as provided in paragraph (b)(3) of this section. In conducting market research, exchange of information by all interested parties involved in an acquisition, from the earliest identification of a requirement through release of the solicitation, is encouraged. Interested parties include potential offerors, end users, Government acquisition and support personnel, and others involved in the conduct or outcome of the acquisition. The nature and extent of presolicitation exchanges between the Government and industry shall be a matter of the contracting officer's discretion (for acquisitions not exceeding the simplified acquisition threshold) or the acquisition team's discretion, as coordinated by the contracting officer. (38 U.S.C. 8153)

(b) Techniques to promote early exchange of information include—

(1) Industry or small business conferences;

(2) Public hearings;

(3) Market research in accordance with FAR 10.002(b), which shall be followed to the extent that the provisions therein would provide relevant information;

(4) One-on-one meetings with potential offerors;

(5) Presolicitation notices;

(6) Draft requests for proposals (RFPs);

(7) Requests for information (RFIs);

(8) Presolicitation or preproposal conferences;

(9) Site visits;

(10) Electronic notices (e.g., Internet); and

(11) Use of the Central Contractor Registration (CCR). (*http://www.bpn.gov/ccrinq/scripts/search.asp*) and the ''Advanced Search'' feature on VetBiz Vendor Information Pages (*http://vip.vetbiz.gov/general_user/search/default.asp*) to search for vendors. (38 U.S.C. 8153).

873.107 Socioeconomic programs.

(a) *Implementation.* This section provides additional authority, over and above that found at FAR 19.502, to waive small business set-asides. For acquisitions above the micro-purchase threshold, if, through market research, the contracting officer determines that there is reasonable expectation that reasonably priced bids, proposals, or quotations will be received from two or more responsible small businesses, a requirement for health-care resources must be reserved for small business participation. Without regard to FAR 13.003(b)(1), 19.502–2, and 19.502–3, the head of the contracting activity (HCA) may approve a waiver from the requirement for any set-aside for small business participation when a waiver is determined to be in the best interest of the Government. (38 U.S.C. 8153)

(b) *Rejecting Small Business Administration (SBA) recommendations.* (1) The contracting officer (or, if a waiver has been approved in accordance with paragraph (a) of this section, the HCA) must consider and respond to a recommendation from an SBA representative to set a procurement aside for small business within 5 working days. If the recommendation is rejected by the contracting officer (or, if a waiver has been approved, by the HCA) and if SBA intends to appeal that determination, SBA must, within 2 working days after receipt of the determination, notify the contracting officer involved of SBA's intention to appeal.

(2) Upon receipt of the notification of SBA's intention to appeal and pending issuance of a final Department appeal decision to SBA, the contracting officer involved must suspend action on the acquisition unless the contracting officer makes a determination in writing that proceeding to contract award and performance is in the public interest. The contracting officer must promptly notify SBA of the determination to proceed with the solicitation and/or contract award and must provide a copy of the written determination to SBA.

(3) SBA shall be allowed 10 working days after receiving the rejection notice from the contracting officer (or the HCA, if a waiver has been approved) for acquisitions not exceeding $5 million, or 15 working days after receiving the rejection notice for acquisitions exceeding $5 million, to file an appeal. SBA must notify the contracting officer within this 10 or 15 day period whether an appeal has, in fact, been taken. If notification is not received by the contracting officer within the applicable period, it shall be deemed that an appeal was not taken.

(4) SBA shall submit appeals to the Secretary. Decisions shall be made by the DSPE, whose decisions shall be final. (38 U.S.C. 8153)

(c) *Contracting with the Small Business Administration (the 8(a) Program).* The procedures of FAR 19.8 shall be followed where a responsible 8(a) contractor has been identified.

(d) *Certificates of Competency and determinations of responsibility.* The Director, Office of Small and

Disadvantaged Business Utilization (OSDBU), Department of Veterans Affairs (VA), and the Assistant Administrator, Office of Industrial Assistance, Small Business Administration (SBA), shall serve as ombudsmen to assist VA contracting officers on any issues relating to Certificates of Competency (COC). Copies of all COC referrals to SBA shall be submitted to the Director, OSDBU (00SB).

873.108 Publicizing contract actions.

(a) Without regard to FAR 5.101, all acquisitions under this part 873, except as provided in paragraph (b) of this section, for dollar amounts in excess of the simplified acquisition threshold (SAT), as set forth in FAR Part 13, shall be publicly announced utilizing a medium designed to obtain competition to the maximum extent practicable and to permit all responsible sources, as appropriate under the provisions of this part, to submit a bid, proposal, or quotation (as appropriate).

(1) The publication medium may include the Internet, including the Governmentwide point of entry (GPE), and local, regional or national publications or journals, as appropriate, at the discretion of the contracting officer, depending on the complexity of the acquisition.

(2) Without regard to FAR 5.203, notice shall be published for a reasonable time prior to issuance of a request for quotations (RFQ) or a solicitation, depending on the complexity or urgency of the acquisition, in order to afford potential offerors a reasonable opportunity to respond. If the notice includes a complete copy of the RFQ or solicitation, a prior notice is not required, and the RFQ or solicitation shall be considered to be announced and issued at the same time.

(3) The notice may include contractor qualification parameters, such as time for delivery of service, credentialing or medical certification requirements, small business or other socio-economic preferences, the appropriate small business size standard, and such other qualifications as the contracting officer deems necessary to meet the needs of the Government. (38 U.S.C. 8153)

(b) The requirement for public announcement does not apply to sole source acquisitions, described in 873.104(a), from institutions affiliated with the Department in accordance with section 7302 of title 38 U.S.C., including medical practice groups and other approved entities associated with affiliated institutions (entities will be approved if determined legally to be associated with affiliated institutions), or from blood banks, organ banks, or research centers. In addition, the requirement for public announcement does not apply to sole source acquisitions of hospital care and medical services (as those terms are defined in section 1701 of title 38 U.S.C.) or any other health-care services, including acquisitions for the mutual use or exchange of use of such services. However, as required by 38 U.S.C. 8153(a)(3)(D), acquisitions from non-affiliates, if conducted on a sole source basis, must still be justified and approved (see 873.104(d)). (38 U.S.C. 8153)

(c) For acquisitions below the SAT, a public announcement is optional. (38 U.S.C. 8153)

(d) Each solicitation issued under these procedures must prominently identify that the requirement is being solicited under the authority of 38 U.S.C. 8153 and part 873. (38 U.S.C. 8153)

873.109 General requirements for acquisition of health-care resources.

(a) *Source selection authority.* Contracting officers shall be the source selection authority for acquisitions of health-care resources, consisting of commercial services or the use of medical equipment or space, utilizing the guidance contained in this part 873. (38 U.S.C. 8153)

(b) *Statement of work/Specifications.* Statements of work or specifications must define the requirement and should, in most instances, include qualifications or limitations such as time limits for delivery of service, medical certification or credentialing restrictions, and small business or other socio-economic preferences. The contracting officer may include any other such terms as the contracting officer deems appropriate for each specific acquisition. (38 U.S.C. 8153)

(c) *Documentation.* Without regard to FAR 13.106–3(b), 13.501(b), or 15.406–3, the contract file must include:

(1) A brief written description of the procedures used in awarding the contract;

(2) The market research, including the determination that the acquisition involves health-care resources;

(3) The number of offers received; and

(4) An explanation, tailored to the size and complexity of the acquisition, of the basis for the contract award decision. (38 U.S.C. 8153)

(d) *Time for receipt of quotations or offers.* (1) Without regard to FAR 5.203, contracting officers shall set a reasonable time for receipt of quotations or proposals in requests for quotations (RFQs) and solicitations.

(2) Without regard to FAR 15.208 or 52.212–1(f), quotations or proposals received after the time set forth in an RFQ or request for proposals (RFP) may be considered at the discretion of the contracting officer if determined to be in the best interest of the Government. Contracting officers must document the rationale for accepting quotations or proposals received after the time specified in the RFQ or RFP. This paragraph (d)(2) shall not apply to RFQs or RFPs if alternative evaluation techniques described in 873.111(e)(1)(ii) are used. This paragraph (d)(2) does not apply to invitations for bid (IFBs). (38 U.S.C. 8153)

(e) *Cancellation of procurements.* Without regard to FAR 14.404–1, any acquisition may be canceled by the contracting officer at any time during the acquisition process if cancellation is determined to be in the best interest of the Government. (38 U.S.C. 8153)

873.110 Solicitation provisions.

(a) As provided in 873.109(d), contracting officers shall insert the provision at 852.273–70, Late offers, in all requests for quotations (RFQs) and requests for proposals (RFPs) exceeding the micro-purchase threshold. (38 U.S.C. 8153)

(b) The contracting officer shall insert a provision in RFQs and solicitations, substantially the same as the provision at 852.273–71, Alternative negotiation techniques, when either of the alternative negotiation techniques described in 873.111(e)(1) will be used. (38 U.S.C. 8153)

(c) The contracting officer shall insert the provision at 852.273–72, Alternative evaluation, in lieu of the provision at 52.212–2, Evaluation—Commercial Items, when the alternative negotiation technique described in 873.111(e)(1)(ii) will be used. (38 U.S.C. 8153)

(d) When evaluation information, as described in 873.112, is to be used to select a contractor under an RFQ or RFP for health-care resources consisting of commercial services or the use of medical equipment or space, the contracting officer may insert the provision at 852.273–73, Evaluation—health-care resources, in the RFQ or RFP in lieu of FAR provision 52.212–2. (38 U.S.C. 8153)

(e) As provided at 873.113(f), if award may be made without exchange with vendors, the contracting officer shall include the provision at 852.273–74, Award without exchanges, in the RFQ or RFP. (38 U.S.C. 8153)

(f) The contracting officer shall insert the FAR clause at 52.207–3, Right of

First Refusal of Employment, and the clause at 852.207–70, Report of employment under commercial activities, in all RFQs, solicitations, and contracts issued under the authority of 38 U.S.C. 8151–8153 which may result in a conversion, from in-house performance to contract performance, of work currently being performed by Department of Veterans Affairs employees. (38 U.S.C. 8153)

873.111 Acquisition strategies for health-care resources.

Without regard to FAR 13.003 or 13.500(a), the following acquisition processes and techniques may be used, singly or in combination with others, as appropriate, to design acquisition strategies suitable for the complexity of the requirement and the amount of resources available to conduct the acquisition. These strategies should be considered during acquisition planning. The contracting officer shall select the process most appropriate to the particular acquisition. There is no preference for sealed bid acquisitions. (38 U.S.C. 8153)

(a) *Request for quotations.* (1) Without regard to FAR 6.1 or 6.2, contracting officers must solicit a sufficient number of sources to promote competition to the maximum extent practicable and to ensure that the purchase is advantageous to the Government, based, as appropriate, on either price alone or price and other factors (e.g., past performance and quality). RFQs must notify vendors of the basis upon which the award is to be made.

(2) For acquisitions in excess of the SAT, the procedures set forth in FAR Part 13 concerning RFQs may be utilized without regard to the dollar thresholds contained therein. (38 U.S.C. 8153)

(b) *Sealed bidding.* FAR Part 14 provides procedures for sealed bidding.

(c) *Negotiated acquisitions.* If the procedures of FAR Parts 12, 13, and 15 differ from the procedures of this Part, the procedures of this Part shall take precedence. (38 U.S.C. 8153)

(d) *Multiphase acquisition technique.* (1) *General.* Without regard to FAR 15.202, multiphase acquisitions may be appropriate when the submission of full proposals at the beginning of an acquisition would be burdensome for offerors to prepare and for Government personnel to evaluate. Using multiphase techniques, the Government may seek limited information initially, make one or more down-selects, and request a full proposal from an individual offeror or limited number of offerors. Provided that the notice notifies offerors, the contracting officer may limit the number of proposals during any phase to the number that will permit an efficient competition among proposals offering the greatest likelihood of award. The contracting officer may indicate in the notice an estimate of the greatest number of proposals that will be included in the down-select phase. The contracting officer may down-select to a single offeror.

(2) *First phase notice.* In the first phase, the Government shall publish a notice (see 873.108) that solicits responses and that may provide, as appropriate, a general description of the scope or purpose of the acquisition and the criteria that will be used to make the initial down-select decision. The notice may also inform offerors of the evaluation criteria or process that will be used in subsequent down-select decisions. The notice must contain sufficient information to allow potential offerors to make an informed decision about whether to participate in the acquisition. The notice must advise offerors that failure to participate in the first phase will make them ineligible to participate in subsequent phases. The notice may be in the form of a synopsis in the Governmentwide point of entry (GPE) or a narrative letter or other appropriate method that contains the information required by this paragraph.

(3) *First phase responses.* Offerors shall submit the information requested in the notice described in paragraph (d)(2) of this section. Information sought in the first phase may be limited to a statement of qualifications and other appropriate information (e.g., proposed technical concept, past performance information, limited pricing information).

(4) *First phase evaluation and down-select.* The Government shall evaluate all offerors' submissions in accordance with the notice and make a down-select decision.

(5) *Subsequent phases.* Additional information shall be sought in the second phase so that a down-select can be performed or an award made without exchanges, if necessary. The contracting officer may conduct exchanges with remaining offeror(s), request proposal revisions, or request best and final offers, as determined necessary by the contracting officer, in order to make an award decision.

(6) *Debriefing.* Without regard to FAR 15.505, contracting officers must debrief offerors as required by 873.118 when they have been excluded from the competition. (38 U.S.C. 8153)

(e) *Alternative negotiation techniques.* (1) Contracting officers may utilize alternative negotiation techniques for the acquisition of health-care resources. Alternative negotiation techniques may be used when award will be based on either price or price and other factors. Alternative negotiation techniques include but are not limited to:

(i) Indicating to offerors a price, contract term or condition, commercially available feature, and/or requirement (beyond any requirement or target specified in the solicitation) that offerors will have to improve upon or meet, as appropriate, in order to remain competitive.

(ii) Posting offered prices electronically or otherwise (without disclosing the identity of the offerors) and permitting revisions of offers based on this information.

(2) Except as otherwise permitted by law, contracting officers shall not conduct acquisitions under this section in a manner that reveals the identities of offerors, releases proprietary information, or otherwise gives any offeror a competitive advantage (see FAR 3.104). (38 U.S.C. 8153)

873.112 Evaluation information.

(a) Without regard to FAR 15.304 (except for 15.304(c)(1) and (c)(3), which do apply to acquisitions under this authority), the criteria, factors, or other evaluation information that apply to an acquisition, and their relative importance, are within the broad discretion of agency acquisition officials as long as the evaluation information is determined to be in the best interest of the Government. (38 U.S.C. 8153)

(b) Price or cost to the Government must be evaluated in every source selection. Past performance shall be evaluated in source selections for negotiated competitive acquisitions exceeding the SAT unless the contracting officer documents that past performance is not an appropriate evaluation factor for the acquisition. (38 U.S.C. 8153)

(c) The quality of the product or service may be addressed in source selection through consideration of information such as past compliance with solicitation requirements, technical excellence, management capability, personnel qualifications, and prior experience. The information required from quoters, bidders, or offerors shall be included in notices or solicitations, as appropriate. (38 U.S.C. 8153)

(d) The relative importance of any evaluation information included in a solicitation must be set forth therein. (38 U.S.C. 8153)

873.113 Exchanges with offerors.

(a) Without regard to FAR 15.201 or 15.306, negotiated acquisitions generally involve exchanges between

the Government and competing offerors. Open exchanges support the goal of efficiency in Government by providing the Government with relevant information (in addition to that submitted in the offeror's initial proposal) needed to understand and evaluate the offeror's proposal. The nature and extent of exchanges between the Government and offerors is a matter of contracting officer judgment. Clarifications, communications, and discussions, as provided for in the FAR, are concepts not applicable to acquisitions under this part 873. (38 U.S.C. 8153)

(b) Exchanges with potential offerors may take place throughout the source selection process. Exchanges may start in the planning stages and continue through contract award. Exchanges should occur most often with offerors determined to be in the best value pool (see 873.114). The purpose of exchanges is to ensure there is mutual understanding between the Government and the offerors on all aspects of the acquisition, including offerors' submittals/proposals. Information disclosed as a result of oral or written exchanges with an offeror may be considered in the evaluation of an offeror's proposal. (38 U.S.C. 8153)

(c) Exchanges may be conducted, in part, to obtain information that explains or resolves ambiguities or other concerns (e.g., perceived errors, perceived omissions, or perceived deficiencies) in an offeror's proposal. (38 U.S.C. 8153)

(d) Exchanges shall only be initiated if authorized by the contracting officer and need not be conducted with all offerors. (38 U.S.C. 8153)

(e) Except for acquisitions based on alternative negotiation techniques contained in 873.111(e)(1), the contracting officer and other Government personnel involved in the acquisition shall not disclose information regarding one offeror's proposal to other offerors without consent of the offeror in accordance with FAR Parts 3 and 24. (38 U.S.C. 8153)

(f) Award may be made on initial proposals without exchanges if the solicitation states that the Government intends to evaluate proposals and make award without exchanges, unless the contracting officer determines that exchanges are considered necessary. (38 U.S.C. 8153)

873.114 Best value pool.

(a) Without regard to FAR 15.306(c), the contracting officer may determine the most highly rated proposals having the greatest likelihood of award based on the information or factors and subfactors in the solicitation. These vendors constitute the best value pool. This determination is within the sole discretion of the contracting officer. Competitive range determinations, as provided for in the FAR, are not applicable to acquisitions under this part 873. (38 U.S.C. 8153)

(b) In planning an acquisition, the contracting officer may determine that the number of proposals that would otherwise be included in the best value pool is expected to exceed the number at which an efficient, timely, and economical competition can be conducted. In reaching such a conclusion, the contracting officer may consider such factors as the results of market research, historical data from previous acquisitions for similar services, and the resources available to conduct the source selection. Provided the solicitation notifies offerors that the best value pool can be limited for purposes of making an efficient, timely, and economical award, the contracting officer may limit the number of proposals in the best value pool to the greatest number that will permit an efficient competition among the proposals offering the greatest likelihood of award. The contracting officer may indicate in the solicitation the estimate of the greatest number of proposals that will be included in the best value pool. The contracting officer may limit the best value pool to a single offeror. (38 U.S.C. 8153)

(c) If the contracting officer determines that an offeror's proposal is no longer in the best value pool, the proposal shall no longer be considered for award. Written notice of this decision must be provided to unsuccessful offerors at the earliest practicable time. (38 U.S.C. 8153)

873.115 Proposal revisions.

(a) Without regard to FAR 15.307, the contracting officer may request proposal revisions as often as needed during the proposal evaluation process at any time prior to award from vendors remaining in the best value pool. Proposal revisions shall be submitted in writing. The contracting officer may establish a common cutoff date for receipt of proposal revisions. Contracting officers may request best and final offers. In any case, contracting officers and acquisition team members must safeguard proposals, and revisions thereto, to avoid unfair dissemination of an offeror's proposal. (38 U.S.C. 8153)

(b) If an offeror initially included in the best value pool is no longer considered to be among those most likely to receive award after submission of proposal revisions and subsequent evaluation thereof, the offeror may be eliminated from the best value pool without being afforded an opportunity to submit further proposal revisions. (38 U.S.C. 8153)

(c) Requesting and/or receiving proposal revisions does not necessarily conclude exchanges. However, requests for proposal revisions should advise offerors that the Government may make award without obtaining further revisions. (38 U.S.C. 8153)

873.116 Source selection decision.

(a) An integrated comparative assessment of proposals should be performed before source selection is made. The contracting officer shall independently determine which proposal(s) represents the best value, consistent with the evaluation information or factors and subfactors in the solicitation, and that the prices are fair and reasonable. The contracting officer may determine that all proposals should be rejected if it is in the best interest of the Government. (38 U.S.C. 8153)

(b) The source selection team, or advisory boards or panels, may conduct comparative analysis(es) of proposals and make award recommendations, if the contracting officer requests such assistance. (38 U.S.C. 8153)

(c) The source selection decision must be documented in accordance with FAR 15.308.

873.117 Award to successful offeror.

(a) The contracting officer shall award a contract to the successful offeror by furnishing the contract or other notice of the award to that offeror. (38 U.S.C. 8153)

(b) If a request for proposal (RFP) process was used for the solicitation and if award is to be made without exchanges, the contracting officer may award a contract without obtaining the offeror's signature a second time. The offeror's signature on the offer constitutes the offeror's agreement to be bound by the offer. If a request for quotation (RFQ) process was used for the solicitation, and if the contracting officer determines there is a need to establish a binding contract prior to commencement of work, the contracting officer should obtain the offeror's acceptance signature on the contract to ensure formation of a binding contract. (38 U.S.C. 8153)

(c) If the award document includes information that is different than the latest signed offer, both the offeror and the contracting officer must sign the contract award. (38 U.S.C. 8153)

(d) When an award is made to an offeror for less than all of the items that may be awarded and additional items are being withheld for subsequent award, each notice shall state that the Government may make subsequent awards on those additional items within the offer acceptance period. (38 U.S.C. 8153)

873.118 Debriefings.

Offerors excluded from a request for proposals (RFP) may submit a written request for a debriefing to the contracting officer. Without regard to FAR 15.505, preaward debriefings may be conducted by the contracting officer when determined to be in the best interest of the Government. Post-award debriefings shall be conducted in accordance with FAR 15.506. (38 U.S.C. 8153)

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