DEPARTMENT OF LABOR
Office of the Secretary
Agency Information Collection Activities; Submission for OMB Review; Comment Request; Affordable Care Act Internal Claims and Appeals and External Review Procedures for Non-Grandfathered Plans

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Employee Benefits Security Administration (EBSA) sponsored information collection request (ICR) titled, “Affordable Care Act Internal Claims and Appeals and External Review Procedures for Non-grandfathered Plans,” to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35).

DATES: Submit comments on or before March 31, 2011.

ADDRESSES: A copy of this ICR, with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, http://www.reginfo.gov/public/do/PRAMain, on the day following publication of this notice or by contacting Michel Smyth by telephone at 202–693–4129 (this is not a toll-free number) or sending an e-mail to DOL_PRA_PUBLIC@dol.gov.

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129 (this is not a toll-free number) or by e-mail at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The Affordable Care Act added Public Health Service Act section 2719, which provides rules relating to internal claims and appeals and external review processes. On July 23, 2010, the EBSA issued interim final regulations to implement this statutory provision. See 75 FR 43230. With respect to internal claims and appeals processes for group health coverage, group health plans and health insurance issuers offering group health insurance coverage must comply with the internal claims and appeals processes set forth in 29 CFR 2560.503–1 (the DOL claims procedure regulation) and update such processes in accordance with standards established by the Secretary of Labor. Group health plans and issuers offering group health insurance coverage must comply with either a State external review process or a Federal review process. The regulations provide a basis for determining when plans and issuers must comply with an applicable State external review process and when they must comply with the Federal external review process.

The claims procedure regulation imposes information collections, as part of the reasonable procedures that an employee benefit plan must establish regarding the handling of a benefit claim. These information collections include third-party notice and disclosure requirements that the plan must satisfy by providing information to participants and beneficiaries of the plan; consequently, the collections are subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for these information collections under OMB Control Number 1210–0144. The current OMB approval is scheduled to expire on February 28, 2011; however, it should be noted that information collections submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the Federal Register on December 10, 2010. Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the SUPPLEMENTARY INFORMATION

ADDRESS: April 1, 2011.

DEPARTMENT OF LABOR
Office of the Secretary
Agency Information Collection Activities; Submission for OMB Review; Comment Request; Certification of Funeral Expenses

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Office of Workers’ Compensation Programs (OWCP) sponsored information collection request (ICR) titled, “Certification of Funeral Expenses,” to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act of 1993 (Pub. L. 104–13, 44 U.S.C. chapter 35).

DATES: Submit comments on or before March 31, 2011.

ADDRESSES: A copy of this ICR, with applicable supporting documentation;