

allowable inpatient cost for routine services (excluding the cost of services provided in intensive care units, coronary care units, and other intensive care type inpatient hospital units and nursery costs); and

(ii) Dividing the remainder (excluding the total private room cost differential) by the total number of inpatient hospital days of care (excluding Medicare SNF-type days and non-Medicare NF-type days of care; days of care in intensive care units, coronary care units, and other intensive care type inpatient hospital units; and newborn days; but including total private room days).

* * * * *

Nursing facility (NF)-type services, formerly known as ICF and SNF-type services, are routine services furnished by a swing-bed hospital to Medicaid and other non-Medicare patients. Under the Medicaid program, effective October 1, 1990, facilities are no longer certified as SNFs or ICFs but instead are certified only as NFs and can provide services as defined in section 1919(a)(1) of the Act.

* * * * *

Skilled nursing facility (SNF)-type services are routine services furnished by a swing-bed hospital that would constitute extended care services if furnished by an SNF. SNF-type services include routine SNF services furnished in the distinct part SNF of a hospital complex that is combined with the hospital general routine service area cost center under § 413.24(d)(5). Effective October 1, 1990, only Medicare covered services are included in the definition of SNF-type services.

* * * * *

Subpart F—Specific Categories of Costs

3. In § 413.114, paragraphs (c)(1) and (2) are removed, paragraph (c)(3) is redesignated as paragraph (c)(2), and a new paragraph (c)(1) is added to read as follows:

§ 413.114 Payment for posthospital SNF care furnished by a swing-bed hospital.

* * * * *

(c) *Principle.* * * *

(1) The reasonable cost of routine SNF services is based on the average Medicare rate per patient day for routine services provided in freestanding SNFs in the region where the swing-bed hospital is located. The rates are calculated using the regions as defined in section 1886(d)(2)(D) of the Social Security Act. The rates are based on the most recent year for which settled cost reporting period data are available, increased in a compounded manner, using the increase applicable to the SNF

routine cost limits, up to and including the calendar year for which the rates are in effect. If the current Medicare swing-bed rate for routine extended care services furnished by a swing-bed hospital during a calendar year is less than the rate for the prior calendar year, payment is made based on the prior calendar year's rate.

* * * * *

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance;) Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Note: This document received at the Office of the Federal Register on April 11, 1996.

Dated: September 29, 1995.

Bruce C. Vladeck,

Administrator, Health Care Financing Administration.

[FR Doc. 96-9347 Filed 4-19-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Part 1313

[STB Ex Parte No. 541]

Railroad Contracts

AGENCY: Surface Transportation Board.

ACTION: Advance notice of proposed rulemaking; extension of comment due date.

SUMMARY: The original comment due date in this proceeding of April 25, 1996, is extended to May 28, 1996, at the request of the National Grain and Feed Association (NGFA), the Association of American Railroads (AAR), and the National Industrial Transportation League (NITL). This proceeding solicited suggestions from the transportation community for appropriate regulations to implement the new rail contract provisions.

DATES: Comments are due on May 28, 1996.

ADDRESSES: Send comments (an original and 10 copies) referring to STB Ex Parte No. 541 to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: On March 26, 1996, an advance notice of proposed rulemaking (ANPR) was served and published in the Federal Register, at 61 FR 13147-13148, soliciting suggestions from the transportation community for

appropriate regulations to implement the new rail contract provisions of 49 U.S.C. 10709. On April 15, 1996, a joint request was filed by NGFA, AAR, and NITL, requesting an extension of the comment due date until May 28, 1996, to give shipper and carrier organizations the opportunity to reach negotiated agreements regarding issues relevant to the proceeding.

In the ANPR, the various sectors of the transportation community were encouraged to discuss the issues and present a proposal for consideration. The jointly filed extension request is in keeping with that encouragement. Accordingly, the due date for comments will be extended to May 28, 1996.

Decided: April 16, 1996.

By the Board, Linda J. Morgan, Chairman.

Vernon A. Williams,

Secretary.

[FR Doc. 96-9790 Filed 4-19-96; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 625

[Docket No. 960412110-6110-01; I.D. 030596E]

RIN 0648-A193

Summer Flounder Fishery; Proposed 1996 Recreational Fishery Management Measures

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule to amend the regulations implementing the Fishery Management Plan for the Summer Flounder Fishery (FMP). This rule proposes a possession limit of eight fish per person and a minimum fish size of 14 inches (35.6 cm) for the 1996 summer flounder recreational fishery. The intent of this action is to comply with implementing regulations for the fishery that require NMFS to publish measures for the upcoming fishing year that will prevent overfishing of the resource.

DATES: Public comments on this proposed rule must be received on or before May 17, 1996.

ADDRESSES: Comments should be sent to: Director, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930.