

this chapter), or prepaid health plan (as defined in § 434.2 of this chapter) the patients of each of those entities.

* * * * *

(2) *When disclosure must be made to HCFA.* (i) HCFA will not approve an HMO's or CMP's application for a contract unless the HMO or CMP has provided to it the information required by paragraphs (h)(1)(i) through (h)(1)(v) of this section. In addition, an HMO or CMP must provide this information to HCFA upon the effective date of its contract renewal.

(ii) An HMO or CMP must provide the capitation data required under paragraph (h)(1)(vi) for the previous calendar year to HCFA by April 1 of each year.

* * * * *

PART 434—CONTRACTS

B. Part 434 is amended as follows:

1. The authority citation for part 434 continues to read as follows:

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

2. In § 434.44, paragraph (a)(1) is revised to read as follows:

§ 434.44 Special rules for certain health insuring organizations.

(a) * * *

(1) Subject to the general requirements set forth in § 434.20(d) concerning services that may be covered; § 434.20(e), which sets forth the requirements for all contracts; the additional requirements set forth in §§ 434.21 through 434.38; and the Medicaid agency responsibilities specified in subpart E of this part; and

* * * * *

3. In § 434.70, paragraph (a) introductory text is republished, and paragraph (a)(3) is revised to read as follows:

§ 434.70 Condition for FFP.

(a) FFP is available in expenditures for payments to contractors only for the periods that—

* * * * *

(3) The HMO, HIO (or, in accordance with § 417.479(i) of this chapter, the subcontracting entity) has supplied the information on its physician incentive plan listed in § 417.479(h)(1) of this chapter to the State Medicaid agency. The information must contain detail

sufficient to enable the State to determine whether the plan complies with the requirements of §§ 417.479 (d) through (g) of this chapter. The HMO or HIO must supply the information required under §§ 417.479 (h)(1)(i) through (h)(1)(v) of this chapter to the State Medicaid agency as follows:

(i) Prior to approval of its contract or agreement.

(ii) Upon the contract or agreements anniversary or renewal effective date.

* * * * *

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; Program No. 93.774, Medicare—Supplementary Medical Insurance Program; and Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: December 17, 1996.

Bruce C. Vladeck,

Administrator, Health Care Financing Administration.

Dated: December 20, 1996.

Donna E. Shalala,

Secretary.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 960129018-6018-01; I.D. 122396A]

Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Pacific Cod for Processing by the Inshore Component in the Western and Central Regulatory Areas

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

ACTION: Directed fishing opening.

SUMMARY: MFS is opening directed fishing for Pacific cod for vessels catching Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas of Gulf of Alaska (GOA). This action is necessary to fully utilize the total allowable catch (TAC) of Pacific cod for the inshore

component in the Western and Central Regulatory Areas of the GOA.

EFFECTIVE DATE: 1200 hrs, Alaska local time (A.l.t.), January 1, 1997, until 2400 hrs, A.l.t., December 31, 1997.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the GOA (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20 (c)(2)(i), the interim TAC of Pacific cod for vessels catching Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas was established by the Interim 1997 Harvest Specifications for Groundfish (61 FR 64299, December 4, 1996) as 3,393 metric tons (mt) and 7,722 mt, respectively.

Vessels catching Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas were prohibited from directed fishing for Pacific cod under § 679.20 (d)(1)(iii) in order to reserve amounts anticipated to be needed for incidental catch in other fisheries (61 FR 64299, December 4, 1996). NMFS has determined that sufficient TAC is available to allow a directed fishery. Therefore, NMFS is terminating the previous closure and is opening directed fishing for Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas.

Classification

This action is taken under 50 CFR 679.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: December 24, 1996.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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