

Issued in Des Plaines, Illinois on April 21, 1999.

**Christopher R. Blum,**

*Manager, Air Traffic Division.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 1020

[Docket No. 98N-1170]

#### Medical Devices; Sunlamp Products Performance Standard; Request for Comments and Information; Extension of Comment Period

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Advance notice of proposed rulemaking; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA) is extending to July 9, 1999, the comment period for the advance notice of proposed rulemaking (ANPRM) that appeared in the **Federal Register** of February 9, 1999 (64 FR 6288). That ANPRM announced FDA's intention to propose amendments to the performance standard for sunlamp products. The agency is taking this action in response to a request for extension of the comment period. This extension of the comment period is intended to allow interested persons additional time to submit comments on the ANPRM.

**DATES:** Written comments by July 9, 1999.

**ADDRESSES:** Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Individuals or organizations wishing to receive copies of draft amendments or related documents distributed for review during the development of these amendments may have their names placed on a mailing list by writing to the Office of Science and Technology (HFZ-114), Center for Devices and Radiological Health, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, FAX 301-594-6775, e-mail "HWC@CDRH.FDA.GOV".

**FOR FURTHER INFORMATION CONTACT:** W. Howard Cyr, Center for Devices and Radiological Health (HFZ-114), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-7179.

#### SUPPLEMENTARY INFORMATION:

##### I. Extension of Comment Period

In the **Federal Register** of February 9, 1999 (64 FR 6288), FDA published an ANPRM to propose amendments to the performance standard for sunlamp products. FDA is soliciting comments and information from interested persons concerning the adequacy of the warnings on sunlamp products, current recommended exposure schedule to minimize risk to customers who choose to produce and maintain a tan, current labeling for replacement lamps, and current health warnings which do not reflect recent advances in photobiological research.

FDA received a request from an association of tanning facilities owners to extend the comment period an additional 90 days to allow adequate time to respond. In response to the letter, FDA is extending the comment period for 60 additional days.

##### II. Comments

Interested persons may, on or before July 9, 1999, submit to the Dockets Management Branch (address above) written comments regarding this ANPRM. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 26, 1999.

**Linda S. Kahan,**

*Deputy Director for Regulations Policy, Center for Devices and Radiological Health.*

[FR Doc. 99-11121 Filed 5-3-99; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 1, 20, 25, 31, and 40

[REG-100729-98]

RIN 1545-AW41

#### Electronic Funds Transfers of Federal Deposits; Hearing Cancellation

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations relating to the deposits of Federal taxes by electronic funds transfer.

**DATES:** The public hearing originally scheduled for Tuesday, May 11, 1999, at 10 a.m., is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Michael L. Slaughter of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking, and notice of public hearing that appeared in the **Federal Register** on Tuesday, March 23, 1999 (64 FR 13940), announced that a public hearing was scheduled for Tuesday, May 11, 1999, at 10 a.m., in room 2615, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is proposed regulations under section 6302 of the Internal Revenue Code. The public comment period for these proposed regulations expires on Monday, May 24, 1999. The outlines of topics to be addressed at the hearing were due on Tuesday, April 20, 1999.

The notice of proposed rulemaking and notice of public hearing, instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of April 28, 1999, no one has requested to speak. Therefore, the public hearing scheduled for Tuesday, May 11, 1999, is cancelled.

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

[FR Doc. 99-11068 Filed 5-3-99; 8:45 am]

BILLING CODE 4830-01-U

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining and Reclamation and Enforcement

#### 30 CFR Parts 701, 724, 773, 774, 778, 842, 843, and 846

RIN 1029-AB94

#### Application and Permit Information Requirements; Permit Eligibility; Definitions of Ownership and Control; the Applicant/Violator System; Alternative Enforcement Actions

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; reopening and extension of comment period.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is reopening and extending the comment period for the proposed rule published on December 21, 1998 (63 FR 70580). The comment period originally closed

on February 19, 1999, and was then extended to April 15, 1999 (64 FR 15322; March 31, 1999). We are again reopening and extending the comment period for an additional 5 days.

**DATES:** We will accept written comments on the proposed rule until 5 p.m. Eastern time, on May 10, 1999.

**ADDRESSES:** You may mail or hand-deliver comments to the Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 101, 1951 Constitution Avenue, NW, Washington, DC 20240. You may also submit comments to OSM via the Internet at: osmrules@osmre.gov.

**FOR FURTHER INFORMATION CONTACT:** Earl D. Bandy, Jr., Office of Surface Mining Reclamation and Enforcement, Applicant/Violator System Office, 2679 Regency Road, Lexington, Kentucky 40503. Telephone: (606) 233-2796 or (800) 643-9748. E-Mail: ebandy@osmre.gov.

**SUPPLEMENTARY INFORMATION:** In order to accept comments from members of the public received shortly after the close of the comment period, we are reopening and extending the public comment period for the proposed rule published on December 21, 1998 (63 FR 70580). We are extending the comment period an additional 5 days.

In the rule, we are proposing revised permit eligibility requirements for surface coal mining operations under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). In particular, we propose to revise how ownership and control of mining operations is determined under section 510(c) of SMCRA so that applicants who are responsible for unabated violations do not receive new permits. We have designed this proposal to be effective, fair, and consistent with a 1997 decision by the U.S. Court of Appeals for the DC Circuit addressing ownership and control issues.

Dated: April 28, 1999.

**Mary Josie Blanchard,**

*Assistant Director, Program Support.*

[FR Doc. 99-11125 Filed 5-3-99; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 17

RIN 2900-AJ07

#### Medication Prescribing Authority

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the medical regulations of the Department of Veterans Affairs (VA) regarding patient rights concerning the prescribing of medications. The current regulations were intended to ensure that patients are free of unnecessary medications, that a patient's medical record contains entries reflecting prescribed medications, that drug regimens are reviewed in a timely manner, and that medications not be used as punishment. The adoption of this proposed rule would not lessen these requirements. However, the regulations noted that medication would be administered only on the written order of a physician. Further, the regulations provided for medication review only by a physician. Today, throughout the health care industry other health care professionals are recognized as qualified and credentialed to prescribe medications and conduct medication reviews. Under these circumstances, VA proposes to update the regulations by stating that other health care professionals also are able to prescribe medications as authorized by VA and to conduct the necessary medication reviews. Further, in order to utilize technological advances, VA proposes to amend the regulations to allow for VA health care professionals to issue prescriptions by electronic means in addition to ordering prescriptions by telephone.

**DATES:** Comments must be received on or before July 6, 1999.

**ADDRESSES:** Mail or hand-deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue, NW, Room 1154, Washington, DC 20420. Comments should indicate that they are submitted in response to "RIN 2900-AJ07." All written comments received will be available for public inspection at the above address, Room 1158, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays).

**FOR FURTHER INFORMATION CONTACT:** Ronald J. Gebhart, M.D., Chief Consultant, Primary and Ambulatory Care (112), Veterans Health Administration, 202-273-8550. (This is not a toll-free number.)

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Flexibility Act

The Secretary of Veterans Affairs hereby certifies that adoption of the proposed 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 proposed rule concerns which VA health care professionals may prescribe medications. It would not have an effect on small entities and is not intended to affect the prescription of medications to veterans. Pursuant to 5 U.S.C. 605(b), this proposed rule, therefore, is exempt from the initial and final regulatory flexibility analysis requirements of §§ 603 and 604.

#### Executive Order 12866

This proposed rule has been reviewed by OMB under Executive Order 12866.

#### Catalog of Federal Domestic Assistance

There is no Catalog of Federal Domestic Assistance number for this proposed rule.

#### List of Subjects in 38 CFR Part 17

Alcoholism, Claims, Dental health, Drug abuse, Foreign relations, Government contracts, Grant programs-health, Health care, Health facilities, Health professions, Medical devices, Medical research, Mental health programs, Nursing home care, Philippines, Veterans.

Approved: January 5, 1999

**Togo D. West, Jr.,**

*Secretary of Veterans Affairs.*

For the reasons set out in the preamble, 38 CFR part 17 is proposed to be amended as set forth below.

#### PART 17—MEDICAL

1. The authority citation for part 17 continues to read as follows:

**Authority:** 38 USC 501, 1721, unless otherwise noted.

2. In 17.33, paragraph (e) is revised to read as follows:

##### 17.33 Patients' rights.

\* \* \* \* \*

(e) *Medication.* Patients have a right to be free from unnecessary or excessive medication. Medication will be administered only on the order of a healthcare professional authorized by VA to prescribe medication. That individual may issue the order personally, or in the case of an emergency, by telephone or other electronic means. If made personally, the healthcare professional must issue the order in writing by placing an entry in the patient's medical record. If the order is issued by telephone or other electronic means, the person receiving the order must place an entry in the patient's medical record showing that the order was made, and it must be countersigned within 24 hours by a healthcare professional authorized by VA to prescribe medication. The