ITEMS TO BE DISCUSSED: Compliance matters pursuant to 2 U.S.C. § 437g. Audits conducted pursuant to 2 U.S.C. § 437g. § 438(b), and Title 26, U.S.C. Matters concerning participation in civil actions or proceedings or arbitration. Internal personnel rules and procedures or matters affecting a particular employee.

DATE & TIME: Thursday, August 24, 2000 at 10 a.m.

PLACE: 999 E Street, N.W., Washington, D.C. (ninth floor)

STATUS: This meeting will be open to the public.

ITEMS TO BE DISCUSSED:
Correction and Approval of Minutes.
Draft Advisory Opinion 2000–08 (Reconsideration)—Philip D. Harvey.
Draft Revisions to FEC Forms and Instructions.

PERSON TO CONTACT FOR INFORMATION:
Mr. Ron Harris, Press Officer, Telephone: (202) 694–1220.

Mary W. Dove, Acting Secretary of the Commission.

FOR FURTHER INFORMATION CONTACT:
Pat Hagen, Children’s Bureau, Administration on Children, Youth and Families, 330 C Street, SW, Room 2420, Washington, DC 20447; Telephone: (202) 205–8575.


Patricia Montoya, Commissioner, Administration on Children, Youth and Families.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families

[ACYF CB–2000–02]

Grant to National Conference of State Legislatures

AGENCY: Administration on Children, Youth and Families (ACYF), ACF, DHHS.

ACTION: Notice of award.

SUMMARY: Notice is hereby given that ACYF will award grant funds without competition to the National Conference of State Legislatures (NCSL). This grant is a sole source award which will assist State legislatures in addressing “second generation” issues arising from implementation of the Adoption and Safe Families Act (ASFA) and to educate legislators on the new Child Welfare rules that impact existing State Plan requirements. This award is made non-competitively after our review of an unsolicited proposal submitted by NCSL.

1. Background: NCSL has a unique relationship with State legislatures that enables them to help legislators understand critical child welfare issues in light of recent changes to Federal law and policy. NCSL is a bipartisan, non-profit organization that serves the Nation’s legislatures and staff. It is an instrumentality of the States, providing informational services to State legislators, allowing them to make policy decisions based on reliable, objective and comprehensive analyses. In addition to providing research, publications, and consultative services, NCSL provides policymakers with the opportunity to exchange ideas and communicate with each other on the most pressing problems States face, as well as solutions that work. NCSL plans to accomplish these goals through special briefings, publications, delivering on-site technical assistance, holding special sessions at regular NCSL meetings, and the tracking of State child welfare legislation.

Following our review of the proposal submitted by the NCSL for these activities, this award is made noncompetitively. The NCSL proposal presents a unique opportunity to establish a continuing dialogue with State legislatures across the country. The project period will be for 17 months, beginning September 29, 2000 and ending February 28, 2002. The grantee will be awarded $193,301 during the project period.

Authority: This award will be made pursuant to Title IV–E of the Social Security Act.

FOR FURTHER INFORMATION CONTACT: Pat Hagen, Children’s Bureau, Administration on Children, Youth and Families, 330 C Street, SW, Room 2420, Washington, DC 20447; Telephone: (202) 205–8575.


Patricia Montoya, Commissioner, Administration on Children, Youth and Families.
SUMMARY: The Children’s Bureau, in the Administration on Children, Youth and Families, administers the title IV-E program which provides funds to States to assist in meeting the needs of certain children who are removed from their homes and placed in foster care. Federal financial participation (FFP) is available for a portion of the costs States incur in operating the foster care maintenance payments program.

We have received a number of inquiries regarding the requirements and/or restrictions associated with States’ contracting for the performance of title IV-E administrative functions. In light of the range and complexity of the questions posed by States, we would like to examine the issues raised more closely. This notice invites public comment on State practices in contracting for the performance of title IV-E administrative functions. Based on comments received, we will determine the need for additional guidance related to contracting for the performance of specific title IV-E administrative functions.

Section 471(a)(5) of the Social Security Act requires States to “* * * * use such methods relating to the establishment and maintenance of personnel standards on a merit basis * * * *.” Under a merit system of personnel administration, certain administrative functions must be performed by State agency employees. Functions that must be retained by the State agency are referred to as “inherently governmental.” Office of Management and Budget Circular A-76, “Performance of Commercial Activities,” defines “inherently governmental functions,” i.e., those that must be performed by government employees, as “* * * * those activities which require either the exercise of discretion in applying Governmental authority or the use of value judgment in making decisions for the Government * * *.*” The determination of a child’s eligibility for title IV-E is, for example, an inherently governmental function.

We are requesting that respondents from State child welfare agencies, third-party medical billing companies, hospices, Medicare-Choice organizations offering coordinated care plans and nursing facilities. Additionally, the Individual and Small Group Physician Practice Compliance Program Guidance has been issued in draft form (June 12, 2000; 65 FR 36818). The Compliance Program Guidelines can be found on the OIG web site at http://www.hhs.gov/oig in the Electronic Reading Room, or by calling the OIG Public Affairs office at (202) 619–1341.

The OIG expects the risk areas identified in the CRG will not be all-inclusive. Ambulance providers and suppliers will remain responsible for identifying those risk areas particular to their specific operations.

DATES: To assure consideration, comments must be delivered to the address provided below by no later than 5 p.m. on October 16, 2000.

ADDRESSES: Please mail or deliver your written comments, recommendations and suggestions to the following address: Department of Health and Human Services, Office of Inspector General, Attention: OIG—1—CRG, Room 5527 A, Cohen Building, 330 Independence Avenue, S.W., Washington, D.C. 20201.

We do not accept comments by facsimile (FAX) transmission. In commenting, please refer to the file code OIG—1—CRG. Comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, in Room 5541 of the Office of Inspector General at 330 Independence Avenue, S.W., Washington, D.C. 20201 on Monday through Friday of each week from 8 A.M. to 4:30 P.M.


SUPPLEMENTARY INFORMATION: The contents of this CRG will differ from the previous OIG compliance program guidelines. Although the CRG will refer to the seven elements of establishing an effective compliance program, set forth in the previous compliance program
