

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Public Health Authority Notification**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** The FAA is publishing this notice to inform hospitals and other health care organizations of its status as a "public health authority" under the medical privacy requirements of the Health Insurance Portability and Accountability Act of 1996.

**FOR FURTHER INFORMATION CONTACT:** Charles DeJohn, CAMI, Aeromedical Research Division, Federal Aviation Administration, CAMI Building, AAM-600, RM #112A, P.O. Box 25082, Oklahoma City, OK 73125. 405-954-5519.

**SUPPLEMENTARY INFORMATION:** The Health Insurance Portability and Accountability Act of 1996 (HIPAA) was enacted to improve the portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage to simplify the administration of health insurance, and for other purposes (Pub. L. 104-191, 110 Stat. 196 (1996)). The administration simplification provisions (HIPAA, Title II) require the Department of Health and Human Services (HHS) to establish national medical privacy regulations to protect the privacy of individually identifiable electronic health information. These regulations (the "Privacy Rule") were published by the HHS on December 28, 2000, and established the standards to identify the rights of individuals who are the subjects of "protected health information," which is defined as individually-identifiable health information; provide procedures for the exercise of those rights; and define the general rules and disclosures of protected health information. (45 CFR 160-164).

Beginning April 14, 2003, the Privacy Rule prohibits health plans, health care clearinghouses and selected health care providers from using or disclosing protected health information, except as permitted by certain exceptions (45 CFR 164.502). Under one exception, the Privacy Rule permits the disclosure of protected information to public health authorities legally authorized to "collect or receive the information for the

purpose of preventing or controlling disease, injury, or disability" (45 CFR 164.512(b)(1)(i)) A "public health authority" includes "an agency or authority of the United States \* \* \* that is responsible for public health matters as part of its official mandate" (45 CFR 164.501). Examples of public health matters include the reporting of disease, injury, or vital events; and public health surveillance, public health investigations or public health interventions (45 CFR 164.512(b)(1)(i)).

Guidance issued by HHS titled "Disclosures for Public Health Activities (45 CFR 164.512(b))" on December 3, 2002, and revised on April 3, 2003, further addressed the issue of disclosure to public health authorities. The guidance states that:

The HIPAA Privacy Rule recognizes the legitimate need for public health authorities and others responsible for ensuring public health and safety to have access to protected health information to carry out their public health mission. The Rule also recognizes that public health reports made by covered entities are an important means of identifying threats to the health and safety of the public at large, as well as individuals. Accordingly, the Rule permits covered entities to disclose protected health information without authorization for specified public health purposes. (See: <http://www.hhs.gov/ocr/hipaa/publichealth.pdf>).

The FAA has statutory responsibility for promoting safe flight of civil aircraft in air commerce. The scope of this statutory responsibility includes the performance of medical research intended to protect the occupants of aircraft from risks and hazards that are attendant to flight (49 U.S.C. 44701, 44703, 44507). The Administrator has delegated to the Federal Air Surgeon the responsibility for this research, which is conducted at the Civil Aerospace Medical Institute (CAMI). The medical and crash injury research conducted at CAMI requires collection and analysis of relevant data which the FAA relies upon to establish safety standards for such issues as cabin materials, seat design and strength, and environmental control. These research functions are conducted in the interests of public health and the improvement of aviation safety for the traveling public. Public health authority status will allow CAMI to efficiently obtain medical information necessary to fulfill its statutory mission.

In light of the statutory duties described above, the FAA has determined that it is a public health authority within the meaning of the Privacy Rule. As a public health authority, FAA is entitled to receive protected health information from hospitals and other health care

organizations, without written consent or authorization because disclosures of protected health information to a public authority are permitted disclosures under the Privacy Rule (45 CFR 164.502(a)(1)(vi)).

Issued in Washington, DC on February 10, 2006.

**Nicholas A. Sabatini,**  
*Associate Administrator for Aviation Safety,*  
*AVS-1.*

[FR Doc. 06-1424 Filed 2-14-06; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****FAA (Aircraft Certification Service) Information Sharing and Listening Session**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice announces a meeting to discuss various FAA rotorcraft safety initiatives and to gather any relevant information that will help to reduce general aviation rotorcraft accidents. This meeting supports the FAA's Flight Plan initiative to reduce general aviation accidents.

**DATES:** The meeting will be on February 28, 2006, 1-3:30 p.m. CST.

**ADDRESSES:** The meeting is in conjunction with Heli-Expo at the Dallas Convention Center, Conference Room D167, 650 South Griffin Street, Dallas, TX 75202; telephone (214) 939-2700.

**FOR FURTHER INFORMATION CONTACT:** Jorge Castillo, Rotorcraft Standards Staff, ASW-111, 2601 Meacham Boulevard, Fort Worth, TX 76137, telephone (817) 222-5127, or by e-mail at [Jorge.R.Castillo@faa.gov](mailto:Jorge.R.Castillo@faa.gov).

**SUPPLEMENTARY INFORMATION:** The meeting is announced pursuant to 49 U.S.C. 40113 and 49 U.S.C. 44701 to take actions the FAA considers necessary in order to enhance safety in air commerce and the DOT policies and procedures to seek public participation in that process.

This meeting is part of the Rotorcraft Directorate's initiative and supports one of the top safety objectives of the FAA 2006-2010 Flight Plan to reduce the number of fatal accidents in general aviation. At this meeting, we will brief you on some of the FAA's initiatives intended to reduce rotorcraft accidents, including installing Health Usage Monitoring Systems (HUMS) and using Night Vision Imaging Systems (NVIS).

You will have an opportunity to propose safety-enhancing recommendations and to recommend how the FAA should implement strategies that will help reduce rotorcraft accidents. Attendance is open to all interested persons but will be limited to the space available.

Issued in Fort Worth, Texas, on February 8, 2006.

Sharon Y. Miles,

Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.

[FR Doc. E6-2179 Filed 2-14-06; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application 05-04-C-00-BOS To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at General Edward Lawrence Logan International Airport, East Boston, MA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at General Edward Lawrence Logan International Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before date, which is 30 days after date of publication in the **Federal Register**.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Ms. Priscilla Scott, PFC Program Manager, Federal Aviation Administration, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Craig Coy, CEO and Executive Director of the Massachusetts Port Authority at the following address: One Harborside Drive, Suite 200S, East Boston, Massachusetts 02128.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Massachusetts Port Authority under section 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Priscilla Scott, PFC Program Manager,

Federal Aviation Administration, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803, (781) 238-7614. The application may be reviewed in person at 16 New England Executive Park, Burlington, Massachusetts. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at General Edward Lawrence Logan International Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 4, 2006, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Massachusetts Port Authority was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 5, 2006.

The following is a brief overview of the application.

*Proposed charge effective date:* February 1, 2011.

*Proposed charge effective date:* February 1, 2016.

*Level of the proposed PFC:* \$3.00.

*Total estimated PFC revenue:* \$112,298,000.

*Brief description of proposed project(s):* Construct Elevated Walkways.

*Level of the proposed PFC:* \$4.50.

*Total estimated PFC revenue:* \$180,718,000.

*Brief description of proposed project(s):* Residential sound insulation, construction of runway 14-32 and associated taxiways, southwest taxiway improvements, runways 4L-22R and 4R-22L improvements, reconstruction of aprons and alleyways at terminal B, C, and D, security improvements, centerfield taxiway construction, airfield drainage improvements and airfield perimeter road improvements.

*Class or classes of air carriers, which the public agency has requested, not be required to collect PFCs:* Non-Schedules/On-Demand Air Carriers.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Massachusetts Port Authority.

Issued in Burlington, Massachusetts on February 1, 2006.

LaVerne F. Reid,

Manager, Airports Division, New England Region.

[FR Doc. 06-1426 Filed 2-14-06; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Monthly Notice of PFC Approvals and Disapprovals. In January 2006, there were seven applications approved. This notice also includes information on one application, approved in December 2005, inadvertently left off the December 2005 notice. Additionally, six approved amendments to previously approved applications are listed.

**SUMMARY:** The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158). This notice is published pursuant to paragraph d of § 158.29.

#### PFC Applications Approved

*Public Agency:* City of Monroe, Louisiana.

*Application Number:* 06-02-C-00-MLU.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.

*Total PFC Revenue Approved in This Decision:* \$720,000.

*Earliest Charge Effective Date:* February 1, 2006.

*Estimated Charge Expiration Date:* September 1, 2007.

*Class of Air Carriers Not Required to Collect PFC's:* None.

*Brief Description of Project Approved for Collection and Use:* Passenger terminal scoping and planning study.

*Decision Date:* December 20, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Patrick Vaught, Southwest Region Airports Division, (817) 222-5638.

*Public Agency:* Texas A&M University, College Station, Texas.

*Application Number:* 06-05-C-00-CLL.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.