

10 minutes per request is required to handle these requests, thereby totaling 44,483 hours of time by clerical personnel. [(266,900 x 10 minutes)/60 minutes = 44,483 hours] In addition, whenever the requesting consumer cannot be identified using an automated method (a Web site or automated telephone service), it will be necessary to redirect that consumer to send identifying material along with the request by mail. Staff estimates that this will occur in about 5% of the new requests (or 1,321,155) that were originally placed over the internet or telephone. Staff estimates that inputting and processing those redirected requests will consume approximately 10 minutes apiece at a cumulative total of 220,193 clerical hours. [(1,321,155 x 10 minutes)/60 minutes = 220,193 hours]

Instructions to Consumers

The Rule also requires that certain instructions be provided to consumers. See Rule sections 610.2(b)(2)(iv)(A,B), 610.3(a)(2)(iii)(A,B). Minimal associated time or cost is involved, however. Internet instructions to consumers are embedded in the centralized source Web site and do not require additional time or cost for the nationwide consumer reporting agencies. Similarly, regarding telephone requests, the automated phone systems provide the requisite instructions when consumers select certain options. Some consumers who request their credit reports by mail may additionally request printed instructions from the nationwide and nationwide specialty consumer reporting agencies. Staff estimates that there will be a total of 1,588,055 requests each year for free annual file disclosures by mail.¹¹ Based on their knowledge of the industry, staff estimates that of the predicted 1,588,055 mail requests 10% (or 158,806) will request instructions by mail. If printed instructions are sent to each of these consumers by mail, requiring 10 minutes of clerical time per consumer, this will require 26,468 hours. [(158,806 instructions x 10 minutes)/60 minutes per hour]

Labor costs: \$5.18 million.

Labor costs are derived by applying hourly cost figures to the burden hours described above. Accordingly, staff estimates that it will cost \$70,195 to provide annual file disclosures for requests that require a telephone service representative. [5,338 hours x \$13.15

per hour].¹² The remaining processing of requests for annual file disclosures and instructions will be performed by clerical personnel, which will require 291,144 hours at a cost of \$4,387,540. [(44,483 hours for handling initial mail request + 220,193 hours for handling requests redirected to mail + 26,468 hours for handling instructions mailed to consumers) x \$15.07 per hour.¹³] As elaborated on above, staff estimates that a total of 14,560 labor hours (8,320 internet contract hours + 6,240 telephone capacity contract hours) will be needed to obtain, maintain, and adjust the new capacity requirements for the automated telephone call center and the internet web services. This will result in approximately \$726,294 per year in labor costs. [(8,320 hours x \$51.10 per hour for automated phone service) + (6,240 hours x \$48.26 per hour for Web services)]¹⁴ Thus, staff estimates that all non-contract labor will cost \$5.18 million each year.

Capital/other non-labor costs: \$8.39 million.

Staff believes it is likely that the consumer reporting agencies will use third-party contractors (instead of their own employees) to increase the capacity of their systems. Because of the way these contracts are typically established, these costs will likely be incurred on a continuing basis, and will be calculated based on the number of requests handled by the systems. Staff estimates that the total annual amount to be paid for services delivered under these contracts is \$8.39 million.¹⁵

Thus, combined, estimated annual labor and non-labor costs are approximately \$13.57 million per year.¹⁶

William Blumenthal,
General Counsel.

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¹² The 2005 BLS wage rate for telephone operators, \$12.36, increased by 6.385% for compounded wage inflation, is \$13.15.

¹³ The 2005 BLS wage rate for employees in administrative support, clerical (level 4 of 9), \$14.17, multiplied by 6.385% for compounded wage inflation, is \$15.07.

¹⁴ The 2005 BLS wage rate for top-level computer programmers, \$48.03, multiplied by 6.385% for compounded wage inflation, is \$51.10. The 2005 BLS wage rate for marketing managers, averaged overall, is \$45.36; compounded for wage inflation at 6.385% it becomes \$48.26.

¹⁵ This consists of an estimated \$7.69 million for automated telephone cost (\$1.20 per request x 6.41 million requests) and an estimated \$700,000 (\$0.035 per request x 20 million requests) for internet web service cost. Per unit cost estimates are based on staff's knowledge of the industry.

¹⁶ The consumer reporting industry is a multi-billion dollar market. As of 2002, it is estimated to have more than \$4 billion dollars in sales of file disclosures. One study indicates that the

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the National Coordinator for Health Information Technology; American Health Information Community Meeting

ACTION: Announcement of meeting.

SUMMARY: This notice announces the 11th meeting of the American Health Information Community in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., app.) The American Health Information Community will advise the Secretary and recommend specific actions to achieve a common interoperability framework for health information technology (IT).

DATES: January 23, 2007, from 8:30 a.m. to 4:30 p.m.

ADDRESSES: Hubert H. Humphrey Building (200 Independence Avenue, SW., Washington, DC 20201), Conference Room 800.

FOR FURTHER INFORMATION CONTACT: Visit <http://www.hhs.gov/healthit/ahic.html>.

SUPPLEMENTARY INFORMATION: The meeting will include presentations by the Consumer Empowerment, Biosurveillance, Confidentiality, Privacy and Security, and Quality Workgroups on their Recommendations and also a demonstration of prototypes of the Nationwide Health Information Network (NHIN).

A Web site of the Community meeting will be available on the NIH Web site at: <http://www.videocast.nih.gov/>.

If you have special needs for the meeting, please contact (202) 690-7151.

Dated: December 19, 2006.

Judith Sparrow,

Director, American Health Information Community, Office of Programs and Coordination, Office of the National Coordinator for Health Information Technology.

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nationwide consumer reporting agencies had approximately \$1.2 billion in earnings in 2002. See Michael Turner, Daniel Balis, Joseph Duncan, and Robin Varghese, "Free Consumer Credit Reports: At What Cost? The Economic Impact of a Free Credit Report Law to the National Credit Reporting Infrastructure," Washington, DC: Information Policy Institute, September, 2003. Thus, the total labor and non-labor cost burden estimate of \$13.57 million represents a small percentage—approximately 1% of the overall market (\$13.57 million divided by \$1.2 billion). This comparison is conservative, as it does not include the earnings of the nationwide specialty consumer reporting agencies.

¹¹ This figure includes both the estimated 1% of 26.69 million requests that will be made by mail each year (266,900), and the estimated 5% of the requests initially made over the Internet or telephone that will be redirected to the mail process (5% of 99% of 26.69 million = 1,321,155).