

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**42 CFR Parts 410, 411, 414, 415, and 485**

[CMS-1413-CN2]

RIN 0938-AP40

**Medicare Program; Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2010; Correction**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Correction of proposed rule.

**SUMMARY:** This document corrects technical errors in the proposed rule entitled “Medicare Program; Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B

for CY 2010” which appeared in the July 13, 2009 **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Aucha Prachanronarong, (410) 786-1879.

**SUPPLEMENTARY INFORMATION:**

**I. Background and Summary of Errors**

In FR Doc. E9-15835 of July 13, 2009, there were technical errors that are identified and corrected in the Correction of Errors section below.

In the Physician Quality Reporting Initiative section of the preamble to the proposed rule (section II.G.2.), we inadvertently omitted eight measures in our discussion of the new individual quality measures proposed for 2010.

**II. Correction of Errors**

In FR Doc. E9-15835 of July 13, 2009 (74 FR 33520), make the following corrections:

1. On page 33574, second column, first full paragraph, the number “168” is corrected to read “176.”

2. On page 33580, bottom fourth of the page, third column, last paragraph, the number “22” is corrected to read “30.”

3. On page 33581,  
a. Top of the page,  
(1) Second column, first paragraph, line 11, the number “22” is corrected to read “30.”

(2) Third column, first full paragraph,  
(a) Line 3, the phrase “16 of these 22 measures” is corrected to read “24 of these 30 measures.”

(b) Line 6, the number “16” is corrected to read “24.”

b. Bottom two-thirds of the page, in Table 19—New Individual Quality Measures Proposed for 2010, after the last measure titled “HIV/AIDS: Sexually Transmitted Diseases—Syphilis Screening” add the following measures:

Measure title	NQF endorsement status as of 5/1/09	AQA adoption status as of 1/31/09	Measure developer	Reporting mechanism(s)
Functional Communication Measure: Spoken Language Comprehension.	Yes .....	No .....	American Speech-Language-Hearing Association (ASHA).	Registry.
Functional Communication Measure: Attention .....	Yes .....	No .....	ASHA .....	Registry.
Functional Communication Measure: Memory .....	Yes .....	No .....	ASHA .....	Registry.
Functional Communication Measure: Motor Speech .....	Yes .....	No .....	ASHA .....	Registry.
Functional Communication Measure: Reading .....	Yes .....	No .....	ASHA .....	Registry.
Functional Communication Measure: Spoken Language Expression.	Yes .....	No .....	ASHA .....	Registry.
Functional Communication Measure: Writing .....	Yes .....	No .....	ASHA .....	Registry.
Functional Communication Measure: Swallowing .....	Yes .....	No .....	ASHA .....	Registry.

**Authority:** Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program.

Dated: July 31, 2009.

**Dawn Smalls,**

*Executive Secretary to the Department.*

[FR Doc. E9-18840 Filed 8-3-09; 4:15 pm]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Parts 300 and 635**

[Docket No. 080724902-9663-01]

RIN 0648-AX07

**Atlantic Highly Migratory Species; North and South Atlantic Swordfish Quotas**

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This proposed rule would adjust the North and South Atlantic swordfish quotas for the 2009 fishing year (January 1, 2009, through December 31, 2009) to account for underharvests, and to transfer 18.8 metric tons (mt)

dressed weight (dw) to Canada per the 2006 and 2008 International Commission for the Conservation of Atlantic Tunas (ICCAT) recommendations 06-03 and 08-02. In addition, NMFS proposes to include minor regulatory modifications and clarifications, eliminate an existing sunset provision in the Madison-Swanson and Steamboat Lumps time/area closure, and establish a small time/area closure in the Gulf of Mexico called the “Edges 40 Fathom Contour.” These changes could impact fishermen with a commercial swordfish, HMS Angling, or Charter/Headboat (CHB) permit who fish for Atlantic swordfish.

**DATES:** Comments on this proposed rule may be submitted at a public hearing (oral or written), or via mail, or fax by September 4, 2009.

The public hearing dates and times are: