are intended for extensive distribution directly to the health care provider community, as well as to those charged with administering the Federal health care programs.

In developing Special Fraud Alerts, OIG has relied on a number of sources and has consulted directly with experts in the subject field, including those within OIG, other agencies of the Department, other Federal and State agencies, and those in the health care industry.

C. Section 205 of the Health Insurance Portability and Accountability Act of 1996

Section 205 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104–191 § 205, the Act, § 1128D, 42 U.S.C. 1320a–7d, requires the Department to develop and publish an annual notice in the Federal Register formally soliciting proposals for modifying existing safe harbors to the anti-kickback statute and for developing new safe harbors and Special Fraud Alerts.

In developing safe harbors for a criminal statute, OIG is required to engage in a thorough review of the range of factual circumstances that may fall within the proposed safe harbor subject area so as to uncover potential opportunities for fraud and abuse. Only then can OIG determine, in consultation with the Department of Justice, whether it can effectively develop regulatory limitations and controls that will permit beneficial and innocuous arrangements within a subject area while, at the same time, protecting the Federal health care programs and their beneficiaries from abusive practices.

II. Solicitation of Additional New Recommendations and Proposals

In accordance with the requirements of section 205 of HIPAA, OIG last published a Federal Register solicitation notice for developing new safe harbors and Special Fraud Alerts on December 28, 2012 (77 FR 76434). As required under section 205, a status report of the public comments related to safe harbors received in response to that notice is set forth in Appendix F to the OIG’s Semiannual Report to Congress covering the period April 1, 2013, through September 30, 2013.1 OIG is not seeking additional public comment on the proposals listed in Appendix F at this time. Rather, this notice seeks additional recommendations regarding the development of new or modified safe harbor regulations and new Special Fraud Alerts beyond those summarized in Appendix F.

A detailed explanation of justifications for, or empirical data supporting, a suggestion for a safe harbor or Special Fraud Alert would be helpful and should, if possible, be included in any response to this solicitation.


In accordance with section 205 of HIPAA, we will consider a number of factors in reviewing proposals for new or modified safe harbor provisions, such as the extent to which the proposals would affect an increase or decrease in:

- Access to health care services,
- the quality of health care services,
- patient freedom of choice among health care providers,
- competition among health care providers,
- the cost to Federal health care programs,
- the potential overutilization of health care services, and
- the ability of health care facilities to provide services in medically underserved areas or to medically underserved populations.

In addition, we will also take into consideration other factors, including, for example, the existence (or nonexistence) of any potential financial benefit to health care professionals or providers that may be taken into account in their decisions whether to (1) order a health care item or service or (2) arrange for a referral of health care items or services to a particular practitioner or provider.

B. Criteria for Developing Special Fraud Alerts

In determining whether to issue additional Special Fraud Alerts, we will consider whether, and to what extent, the practices that would be identified in a new Special Fraud Alert may result in any of the consequences set forth above, as well as the volume and frequency of the conduct that would be identified in the Special Fraud Alert.

Dated: December 17, 2013.

Daniel R. Levinson,
Inspector General.

1 The OIG Semiannual Report to Congress can be accessed through the OIG Web site at http://oig.hhs.gov/publications/semiannual.asp.
the affected community's local newspaper.


Dated: November 22, 2013.

Roy E. Wright,

[FR Doc. 2013–30952 Filed 12–26–13; 8:45 am]
BILLING CODE 9110–12–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[WC Docket No. 12–375; DA 13–2379]

Rates for Interstate Inmate Calling Services

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: In this document, the Wireline Competition Bureau grants in part the Motion for Extension of Time to File Comments and Reply Comments filed on December 6, 2013 by the Ohio Department of Rehabilitation and Correction in WC Docket No. 12–375. Specifically, the Bureau agreed that a modest extension of time will facilitate a more complete record in this proceeding.

DATES: Comments are due on or before December 20, 2013; reply comments are due on or before January 13, 2014.

ADDRESSES: You may submit comments, identified by WC Docket No. 12–375, by any of the following methods:

• Federal Communications Commission’s Web site: http://fjallfoss.fcc.gov/ecfs2/. Follow the instructions for submitting comments.

• Mail: Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

• U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW., Washington, DC 20554.

• People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov or phone: 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Lynne Engledow, Wireline Competition Bureau, Pricing Policy Division, (202) 418–1520 or lynne.engledow@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Order, in WC Docket No. 12–375, DA 13–2379, adopted and released December 12, 2013. The complete text of this document is available for public inspection during regular business hours in the FCC Reference Information Center, Room CY–A257, 445 12th Street SW., Washington, DC 20554. It is also available on the Commission’s Web site at http://www.fcc.gov.

1. On September 26, 2013, the Federal Communications Commission (Commission) released the Inmate Calling Report and Order and Further Notice of Proposed Rulemaking (R&O and FNPRM). See 78 FR 68005, November 13, 2013. In that item, the Commission adopted reforms of interstate inmate calling service rates, requiring that all providers’ rates and charges be cost-based. In the FNPRM portion of the item, the Commission sought comment on a number of outstanding issues. The FNPRM set dates for comments and reply comments as December 13 and December 30, 2013 respectively.

2. The Ohio DRC requests that parties be allowed an extension of time to file comments to those questions raised in the FNPRM portion of the item: January 13, 2014 for initial comments and until February 12, 2014 for reply comments. The Ohio DRC asserts that an additional grant of time would allow for “a more complete factual and legal record in this proceeding.” Three parties filed comments in support of the Ohio DRC motion, and none opposed it.

3. Section 1.46 of the Commission’s rules provides that “[i]t is the policy of the Commission that extensions of time shall not be routinely granted.” Upon review, however, we agree with the commenters that a modest time extension will more fully allow parties to provide us with more fulsome comments that will facilitate the compilation of a complete record in this proceeding, without causing undue delay to the Commission’s consideration of these issues.

4. Accordingly, it is ordered, pursuant to sections 4(i), 4(j), and 303(r) of the Communications Act, as amended, 47 U.S.C. 154(i), 154(j), and 303(r); and §§0.91, 0.291, 1.45, and 1.415 of the Commission’s rules, 47 CFR 0.91, 0.291, 1.45, and 1.415 that the Motion for Extension of Time to File Comments and Reply Comments filed by the Ohio Department of Rehabilitation and Correction on December 6, 2013 is granted in part to the extent described herein and is otherwise denied, and the deadline for filing comments to the FNPRM is December 20, 2013 and reply comments is January 13, 2014.

Federal Communications Commission.

Lynne H. Engledow,
Assistant Division Chief, Wireline Competition Bureau.

[FR Doc. 2013–30826 Filed 12–26–13; 8:45 am]
BILLING CODE 6712–01–P