

insurers of individual (non-group) policies of liability insurance that are issued to and in the name of the enrollee or a covered family member.

(d) A FEHB carrier's exercise of its right to pursue and receive subrogation or reimbursement recoveries does not give rise to a claim within the meaning of 5 CFR 890.101 and is therefore not subject to the disputed claims process set forth at 5 CFR 890.105.

(e) Any subrogation or reimbursement recovery on the part of a FEHB carrier shall be effectuated against the recovery first (before any of the rights of any other parties are effectuated) and is not impacted by how the judgment, settlement, or other recovery is characterized, designated, or apportioned.

(f) Pursuant to a subrogation or reimbursement clause, the FEHB carrier may recover directly from any party that may be liable, or from the covered individual, or from any applicable insurance policy, or a workers' compensation program or insurance policy, all amounts available to or received by or on behalf of the covered individual by judgment, settlement, or other recovery, to the extent of the amount of benefits that have been paid or provided by the carrier.

(g) Any contract must contain a provision incorporating the carrier's subrogation and reimbursement rights as a condition of and a limitation on the nature of benefits or benefit payments and on the provision of benefits under the plan's coverage. The corresponding health benefits plan brochure must contain an explanation of the carrier's subrogation and reimbursement policy.

(h) A carrier's rights and responsibilities pertaining to subrogation and reimbursement under any FEHB contract relate to the nature, provision, and extent of coverage or benefits (including payments with respect to benefits) within the meaning of 5 U.S.C. 8902(m)(1). These rights and responsibilities are therefore effective notwithstanding any state or local law, or any regulation issued thereunder, which relates to health insurance or plans.

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**BILLING CODE 6325-63-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 23

[Docket No. CE306; Special Conditions No. 23-246-SC]

#### Special Conditions: Cirrus Design Corporation Model SF50 airplane; Full Authority Digital Engine Control (FADEC) System; Withdrawal

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

**ACTION:** Final special conditions; withdrawal.

**SUMMARY:** The FAA is withdrawing a previously published document granting special conditions for the Cirrus Design Corporation model SF50 airplane. We are withdrawing Special Condition No. 23-246-SC through mutual agreement with Cirrus Design Corporation.

**DATES:** Effective May 21, 2015, the special condition published on April 20, 2010 (75 FR 20518) is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Jeff Pretz, Federal Aviation Administration, Small Airplane Directorate, Aircraft Certification Service, 901 Locust, Room 301, Kansas City, MO 64106; telephone (816) 329-3239; facsimile (816) 329-4090, email [jeff.pretz@faa.gov](mailto:jeff.pretz@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 9, 2008, Cirrus Design Corporation applied for a type certificate for their new model SF50 aircraft. Under the provisions of 14 CFR part 21, § 21.17, Cirrus Design Corporation must show that the model SF50 meets the applicable provisions of part 23, as amended by amendments 23-1 through 23-59.

On April 20, 2010, the FAA published Special Condition No. 23-246-SC for the Cirrus Design Corporation model SF50 airplane. The Cirrus SF50 is a low-wing, five-plus-two-place (2 children), single-engine turboprop-powered aircraft. The airplane engine is controlled by an Electronic Engine Control (EEC), also known as a Full Authority Digital Engine Control (FADEC).

On December 11, 2012 Cirrus Design Corporation elected to adjust the certification basis of the SF50 to include 14 CFR part 23 through amendment 62. Special Condition No. 23-246-SC is therefore being withdrawn. It no longer reflects the appropriate part 23 amendment level of the aircraft and the basic Special Condition requirement for EEC equipped aircraft has been revised.

#### Reason for Withdrawal

The FAA is withdrawing Special Condition No. 23-246-SC because Cirrus Design Corporation elected to revise the model SF50 certification basis to amendment 23-62.

The authority citation for this Special Condition withdrawal is 49 U.S.C. 106(g), 40113 and 44701; 14 CFR 21.16 and 21.17; and 14 CFR 11.38 and 11.19.

#### Conclusion

Withdrawal of this special condition does not preclude the FAA from issuing another document on the subject matter in the future or committing the agency to any future course of action.

Issued in Kansas City, Missouri on May 11, 2015.

**Earl Lawrence,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2015-1570; Directorate Identifier 2014-SW-054-AD; Amendment 39-18161; AD 2015-10-05]

**RIN 2120-AA64**

#### Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters

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

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

**SUMMARY:** We are adopting a new airworthiness directive (AD) for Airbus Helicopters (previously Eurocopter France) Model AS365N3, EC155B, and EC155B1 helicopters with an external life raft in the footsteps with certain part-numbered junction units. This AD requires inspecting the junction units of the external life raft deployment system for corrosion, removing any corrosion, and performing certain measurements to determine whether the junction unit must be replaced. This AD is prompted by failure of a life raft deployment test and corrosion damage inside the left-hand junction unit. These actions are intended to prevent failure of an external life raft to deploy preventing evacuation of passengers during an emergency.

**DATES:** This AD becomes effective June 5, 2015.