

method can simply create an illusion of accuracy instead of actual improvements in accuracy.

In light of all these complexities, it was not evident to us in the FY 2004 calculation that any particular adjustment to cost-to-charge ratios would improve our projections. Since we believe we acted appropriately and in accordance with statutory requirements, we are not recalculating the FY 2004 threshold.

2. FY 2005

In our FY 2005 projections, we again chose not to introduce a new adjustment to attempt to account for the updating of cost-to-charge ratios during the year as new tentative cost reports were settled. Most of the factors discussed previously were still present: The fundamental differences in the nature and properties of charges and cost-to-charge ratios; the complexity of simulating the updating of cost-to-charge ratios through either application of a uniform update factor or a more complex adjustment; and our lack of experience with that task.

Also, at the time of the FY 2005 rulemaking, we were still focusing our efforts on the task that we believed had the most significant potential impact on our projections: Monitoring the effects of the June 2003 rule changes and related changes in hospital behavior. We again chose to defer closer examination of the possibility of an adjustment to capture the effect of updates to cost-to-charge ratios.

Also, again, it is important not to overestimate the likely impact of updates to cost-to-charge ratios on the overall robustness of our projections. First, the effect typically comes into play only for part of the year. In our FY 2005 projections, we did not use estimated cost-to-charge ratios as we had done in the FY 2004 rulemaking. Rather, for the FY 2005 final rule, we used CCRs from the March 2004 update of the Provider Specific File, the latest data available (the proposed FY 2005 IPPS rule refers to the same data as the "April 2004" update (69 FR 49277)). CCRs are typically in use for 1 year or more, so, for many hospitals, the CCR in the March 2004 update of the Provider Specific File would be the same CCR used for payment at the beginning of FY 2005, which began in October 2004.

Also, the effect of updates to cost-to-charge ratios is just one of many factors—many of them highly unpredictable—that affect our projections. We note that several commenters on the proposed FY 2005 IPPS rule (69 FR 49276 and 49277) advocated for adjustments to account for

CCR updates. Three commenters in particular provided us with analyses that purported to include such adjustments. One of these commenters advocated for a FY 2005 threshold of \$26,600, another commenter suggested a threshold of \$28,455, and a third advocated for a threshold "no higher than \$27,000." In other words, each of these three commenters purported to incorporate adjustments designed to account for the effect of updated CCRs, among many other factors, yet each arrived at a fixed-loss threshold estimate considerably higher than the \$25,800 level we ultimately set.

Because we believe we acted appropriately and in accordance with statutory requirements, we are not recalculating the FY 2005 threshold.

3. FY 2006

The factors discussed previously were all still present for FY 2006: (1) The fundamental differences in the nature and properties of charges and cost-to-charge ratios; (2) the complexity of simulating the updating of cost-to-charge ratios; and (3) our desire to focus on monitoring the aftermath of the 2003 rule changes.

While we carefully analyzed comments suggesting we make a separate adjustment to the CCRs, we again declined to do so, noting that the CCRs we were using from the March 2005 Provider-Specific File were the most recent available, were the CCRs that in many instances Medicare contractors would be using to make outlier payments in FY 2006, and were approximately 3 percent lower than the CCRs used in the FY 2006 proposed rule (70 FR 47494).

As had been the case in FY 2005, two commenters submitted recommendations based on an analysis that purported to account for updates to CCRs, and those recommendations were in turn endorsed by many other comments. These commenters advocated for a threshold of \$24,050, higher than the \$23,600 level that we computed. This lent further support to our decision to defer closer study of the effect of updates to cost-to-charge ratios.

Because we believe we acted appropriately and in accordance with statutory requirements, we are not recalculating the FY 2006 threshold.

III. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and

Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Dated: May 14, 2019.

Seema Verma,

Administrator, Centers for Medicare & Medicaid Services.

Dated: May 28, 2019.

Alex M. Azar II,

Secretary, Department of Health and Human Services.

[FR Doc. 2019-11796 Filed 6-3-19; 11:15 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 27

[WT Docket No. 12-357; FCC 19-29]

Service Rules for Advanced Wireless Services H Block—Implementing Section 6401 of the Middle-Class Tax Relief and Job Creation Act of 2012 Related to the 1915–1920 MHz and 1995–2000 MHz Bands

AGENCY: Federal Communications Commission.

ACTION: Notification of order on reconsideration.

SUMMARY: The Commission denied in part and dismissed in part the Petition for Reconsideration filed by the Rural Wireless Association, Inc. on September 16, 2013.

DATES: June 6, 2019.

FOR FURTHER INFORMATION CONTACT: Paul Malmud at the Wireless Telecommunication Bureau, at (202) 418-0006 or paul.malmud@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order on Reconsideration, FCC 19-29, adopted on April 10, 2019 and released on April 12, 2019. The complete text of this document is available for public inspection and copying from 8 a.m. to 4:30 p.m. Eastern Time (ET) Monday through Thursday or from 8 a.m. to 11:30 a.m. ET on Fridays in the FCC Reference Information Center, 445 12th Street SW, Room CY-A257, Washington, DC 20554. The complete text is also available on the Commission's website at <https://www.fcc.gov/edocs>. Alternative formats are available to persons with disabilities by calling the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

Synopsis

1. In 2013, the Commission released the *H Block Report and Order* 78 FR

50214 (Aug. 16, 2013), which adopted licensing and technical rules as well as a band plan for the 1915–1920 MHz and 1995–2000 MHz bands (the “H Block”) and procedures for assigning H Block licenses through a system of competitive bidding. The Rural Wireless Association, Inc. (RWA) filed a Petition for Reconsideration later that year asking the Commission to reconsider its decisions to license H Block spectrum using Economic Areas (EAs) and to adopt population-based performance requirements. The Commission disagrees with RWA’s contention that the Commission should have: (1) Licensed H Block spectrum using CMAs rather than EAs, and (2) adopted geographic-based, rather than population-based, performance requirements.

2. In this document, the Commission dismisses in part and denies in part RWA’s Petition for Reconsideration because the Commission acted well within its discretion, struck a reasonable and well-justified balance among multiple statutory goals. RWA also asked the Commission not to use package bidding, particularly Hierarchical Package Bidding, in the H Block Auction. The Commission dismissed this request as moot because package bidding was rejected in a related proceeding. 28 FCC Rcd 13019. Accordingly, *it is ordered* pursuant to section 4(i), 4(j), 303(r), and 309(j) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 303(r), and 309(j), as well as § 1.429 of the Commission’s rules, 47 CFR 1.429, that the Petition for Reconsideration filed by the Rural Wireless Association, Inc., on September 16, 2013, *is dismissed* to the extent specified in this Order on Reconsideration and, alternatively and independently, *denied* as specified in the Order on Reconsideration.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2019–11047 Filed 6–5–19; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket Nos. 10–51 and 03–123; FCC 19–39]

Improving Video Relay Service and Direct Video Calling

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (FCC or Commission) takes actions to: Enable direct video calling between sign language users and customer support call centers, by adopting procedures for qualified entities to register customer support telephone numbers in the telecommunications relay service (TRS) Numbering Directory; facilitate per-call validation of video relay service (VRS) user registrations via the TRS Numbering Directory querying system; require VRS providers to register enterprise and public videophones in the TRS user registration database (User Database or Database); prohibit VRS providers from offering or providing non-service related inducements to entice consumers to sign up for or use a VRS provider’s service; and make technical corrections to the Commission’s TRS rules. These actions will improve VRS and direct video calling for people with disabilities and help protect against waste, fraud, and abuse to the TRS program.

DATES: *Effective Date:* These rules are effective July 8, 2019, except for the amendments to §§ 64.611, 64.613, and 64.615, which are delayed. The Commission will publish a document in the **Federal Register** announcing the effective date.

FOR FURTHER INFORMATION CONTACT:

Michael Scott, Consumer and Governmental Affairs Bureau, at (202) 418–1264, or email *Michael.Scott@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Report and Order, document FCC 19–39, adopted on May 9, 2019, released on May 15, 2019, in CG Docket Nos. 10–51 and 03–123. The Commission previously sought comment on these issues in the Further Notice of Proposed Rulemaking (*2017 VRS Improvements FNPRM*), published at 82 FR 17613, April 12, 2017. A Further Notice of Proposed Rulemaking (FNPRM) contained in document FCC 19–39 is published elsewhere in this issue of the **Federal Register**. The full text of document FCC 19–39 will be available for public inspection and copying via the Commission’s Electronic Comment Filing System (ECFS), and during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street SW, Room CY–A257, Washington, DC 20554. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov*, or call

the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice) or (202) 418–0432 (TTY).

Congressional Review Act

The Commission sent a copy of document FCC 19–39 to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

Final Paperwork Reduction Act of 1995 Analysis

The Report and Order in document FCC 19–39 contains modified information collection requirements, which are not effective until approval is obtained from OMB. The Commission, as part of its continuing effort to reduce paperwork burdens, will invite the general public to comment on these information collection requirements as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104–13. The Commission will publish a separate document in the **Federal Register** announcing approval of the information collection requirements. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, 44 U.S.C. 3506(c)(4), the Commission previously sought comment on how the Commission might “further reduce the information burden for small business concerns with fewer than 25 employees.” *2017 VRS Improvements FNPRM*.

Amendments to §§ 64.611, 64.613, and 64.615 of the Commission’s rules, which contain modified information collection requirements, shall be effective on the date specified in a document to be published in the **Federal Register** announcing Office of Management and Budget (OMB) approval of the information collection requirements of such rules pursuant to the Paperwork Reduction Act.

Synopsis

1. VRS is a form of TRS that enables people with hearing or speech disabilities who use sign language to make telephone calls over broadband with a videophone. In addition to enabling communication between ASL users and voice users, the VRS system also enables ASL users to communicate directly with other ASL users via video.

Direct Video Access to the TRS Numbering Directory

2. In order to facilitate direct video calling between sign language users and customer support call centers, the Commission allows telephone numbers and routing information for qualifying call centers to be entered in the TRS Numbering Directory (Numbering