II. Summary of Prior Notices

Since we published the FFS Adjuster Study on October 26, 2018,1 we have published several related notices. On December 27, 2018 (83 FR 66661), we announced an extension of the comment period for the RADV provisions until April 30, 2019 and a plan to release data underlying the October 26, 2018 FFS Adjuster Study.

On March 6, 2019 (84 FR 8069), we announced the release of data underlying the FFS Adjuster Study, both through the Office of Enterprise Data Analytics (OEDA) and on the Private Plans Team website. Data made available to the public through a data use agreement included all of the following:

• An input file containing additional documentation and data related to the RADV FFS Adjuster Study.

1 The Executive Summary and Technical Appendix of the study are both available at https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medicare-Risk-Adjustment-Data-Validation-Program/Resources.html.
Adjustment-Data-Validation-Program/Resources.html. This data included a RADV Data Dictionary and Provisional Coefficients workbook.

On April 30, 2019 (84 FR 18215), we announced an additional extension of the comment period for the RADV provision until August 28, 2019. We also announced that we would be releasing additional data underlying the FFS Adjuster Study, including additional data containing Protected Health Information, to all parties who entered an applicable data use agreement and paid the required fee. This data has been available since June 14, 2019. The forms and instructions to request this data and previously released data remain available via the CMS website at https://www.cms.gov/research-statistics-data-and-systems/files-for-order/limiteddatasets/. Updates to existing documentation related to the study data, as well as additional data without Protected Health Information, were posted on the CPI Private Plans Team website on April 25, 2019.

III. Release of Additional Study Material and Further Request for Public Comment

We have now replicated the FFS Adjuster Study and published a summary of that replication as an addendum to the study at: https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medicare-Risk-Adjustment-Data-Validation-Program/Resources.html. The results of the replication are broadly consistent with the initial implementation of the study. The purpose of this replication was to allow us to both test our initial results and release a more complete set of underlying data. Certain intermediate data elements not saved as part of the implementation of the initial study have been preserved and published in the addendum or at https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medicare-Risk-Adjustment-Data-Validation-Program/Resources.html. In addition, the addendum contains further discussion of the study’s assumptions and methodology. We are also releasing the programming language used to implement the replication of the study, available at https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medicare-Risk-Adjustment-Data-Validation-Program/Resources.html, along with a description of the technical requirements for use of that programming language. It is our intention that the release of this programming language, together with the earlier release of the data used as inputs, will allow for robust public comment on the FFS Adjuster Study.

We welcome public comment on that subject, and all subjects raised in this notice and the notices discussed previously, until 5 p.m. on August 28, 2019.

Dated: June 21, 2019.

Seema Verma,
Administrator, Centers for Medicare & Medicaid Services.

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DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 207, 215, 216, and 234

[Docket DARS—2019–0026]

RIN 0750–AK38

Defense Federal Acquisition Regulation Supplement: Reliability and Maintainability in Weapon System Design (DFARS Case 2019–D003)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: DOD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the National Defense Authorization Act for Fiscal Year 2018 that requires the use of reliability and maintainability designed application of the key performance parameters on sustainment during the development of capabilities requirements for major weapon systems and contracts for the—

• Engineering and manufacturing development of a weapon system, including embedded software; or

• Production of a weapon system, including embedded software.

As a matter of policy, the Under Secretary of Defense for Acquisition and Sustainment directed application of the requirements of 10 U.S.C. 2443 to the technical maturation and risk reduction phase.

II. Discussion and Analysis

The following changes to the DFARS are proposed to implement 10 U.S.C. 2443:

DFARS 207.106(5–70)(2)(ii)(A) implements 10 U.S.C. 2443 as an additional requirement for major systems, and provides guidance to the acquisition team during acquisition planning to ensure that reliability and maintainability are included in the performance attributes of the key performance parameters on sustainment during the development of capabilities requirements.

DFARS 207.106(5–72)(5) informs the contracting officer to ensure best