

[www.cms.gov/files/document/cy2020part-d-reportingrequirements.pdf](https://www.cms.gov/files/document/cy2020part-d-reportingrequirements.pdf) is corrected to read "<https://www.cms.gov/files/document/cy2020part-d-reporting-requirements082719.pdf>".

4. On page 5950, third column, third full paragraph, lines 23 and 24, the phrase "will become" is corrected to "became".

5. On page 5962, third column, second partial paragraph, line 7, the citation "§ 422.509 or § 423.510" is corrected to read "§ 422.510 or § 423.509".

6. On page 5975, first column, fifth paragraph, line 18, the word "reward" is corrected to read "rewards".

7. On page 5977, third column, second full paragraph, line 19, the phrase "Section IIC" is corrected to read "Section III.C."

8. On page 5983, second column, first partial paragraph, line 37, the word "provider" is corrected to read "provides".

9. On page 5985, third column, first full paragraph, line 6, the word "are" is corrected to read "is".

10. On page 5987, first column, second partial paragraph, line 17, the word "of" is corrected to read "or".

11. On page 5990, second column, first full paragraph, line 25, the reference "section D." is corrected to read "section V.D."

12. On page 6007, first column, second partial paragraph, lines 26 and 27, the phrase "used evaluating" is corrected to read "use in evaluating".

13. On page 6016, first column, first full paragraph, line 1, the word "toe" is corrected to read "to".

14. On page 6058, third column, first full paragraph, line 4:

a. The reference "0938–10396" is corrected to "0938–1154".

b. The reference "CMS–1154" is corrected to read "CMS–10396".

15. On page 6062, first column, first full paragraph, line 1, "288 Part D sponsors" is corrected to read "288 Part D parent organizations".

16. On page 6088, second column, first full paragraph, line 12, "positon" is corrected to "position".

#### List of Subjects

##### 42 CFR Part 422

Administrative practice and procedure, Health facilities, Health maintenance organizations (HMO), Medicare, Penalties, Privacy, Reporting and recordkeeping requirements.

##### 42 CFR Part 423

Administrative practice and procedure, Emergency medical services,

Health facilities, Health maintenance organizations (HMO), Medicare, Penalties, Privacy, Reporting and recordkeeping requirements.

Accordingly, 42 CFR parts 422 and 423 are corrected by making the following correcting amendments:

#### PART 422—MEDICARE ADVANTAGE PROGRAM

■ 1. The authority citation for part 422 continues to read as follows:

**Authority:** 42 U.S.C. 1302 and 1395hh.

##### § 422.101 [Amended]

■ 2. Section 422.101 is amended by removing paragraph (f)(2)(vi).

■ 3. Section 422.760 is amended as follows:

■ a. In paragraph (b)(3)(ii)(A) by removing the word "increases" and adding in its place the phrase "are increased".

■ b. By revising paragraph (b)(3)(ii)(C).  
The revision reads as follows:

##### § 422.760 Determinations regarding the amount of civil money penalties and assessment imposed by CMS.

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(ii) \* \* \*

(C) CMS tracks the calculation and accrual of the standard minimum penalty and aggravating factor amounts and announces them on an annual basis.

\* \* \* \* \*

#### PART 423—VOLUNTARY MEDICARE PRESCRIPTION DRUG BENEFIT

■ 4. The authority citation for part 423 continues to read as follows:

**Authority:** 42 U.S.C. 1302, 1306, 1395w–101 through 1395w–152, and 1395hh.

##### § 423.568 [Amended]

■ 5. Section 423.568 is amended as follows:

■ a. In paragraph (j)(2) by removing the phrase "MA organization" and adding in its place the phrase "Part D plan sponsor".

■ b. In paragraph (j)(3) by removing the term "reconsideration" adding in its place the term "redetermination".

■ c. In paragraph (k) by removing the term "redetermination" adding in its place the term "coverage determination".

##### § 423.2267 [Amended]

■ 6. Section 423.2267 is amended by redesignating paragraph (e)(13)(ii)(H) as paragraph (e)(13)(ii)(G).

Dated: May 25, 2021.

**Karuna Seshasai,**

*Executive Secretary to the Department, Department of Health and Human Services.*

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#### DEPARTMENT OF TRANSPORTATION

##### Pipeline and Hazardous Materials Safety Administration

##### 49 CFR Parts 107

##### RIN 2105–AE99

##### Civil Penalty Amounts; Correction

**AGENCY:** Department of Transportation (DOT or the Department).

**ACTION:** Final rule; technical correction.

**SUMMARY:** In accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, DOT published a final rule on May 3, 2021 to provide the 2021 inflation adjustment to civil penalty amounts that may be imposed for violations of certain DOT regulations. This rule corrects an error in that rulemaking resulting from an inaccurate amendatory instruction. The rule does not change any civil penalty amounts established in the final rule published on May 3, 2021.

**DATES:** Effective June 2, 2021.

##### FOR FURTHER INFORMATION CONTACT:

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**SUPPLEMENTARY INFORMATION:** This rule corrects an error in DOT's final rule, published on May 3, 2021 (86 FR 23241) in accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, providing the 2021 inflation adjustment to civil penalty amounts that may be imposed for violations of certain DOT regulations. Specifically, in amendatory instruction 19., DOT specified removal of "July 31, 2019" from appendix A to subpart D of 49 CFR 107, and replacement with "May 3, 2021". The instruction should instead have directed removal of "January 11, 2021" and replacement with "May 3, 2021". DOT publishes this final rule to effectuate that change.

##### Regulatory Analysis and Notices

DOT has determined that all of the regulatory reviews and analyses conducted in support of the May 3, 2021 final rule remain unchanged as a result of this final rule.

**List of Subjects in 49 CFR Part 107**

Administrative practices and procedure, Hazardous materials transportation, Packaging and containers, Penalties, Reporting and recordkeeping requirements.

Accordingly, the Department of Transportation amends 49 CFR part 107 with the following technical correction:

**PART 107—[AMENDED]**

■ 1. The authority citation for part 107 continues to read as follows:

**Authority:** 49 U.S.C. 5101–5128, 44701; Pub. L. 101–410 Section 4; Pub. L. 104–121 Sections 212–213; Pub. L. 104–134 Section 31001; Pub. L. 114–74 Section 4 (28 U.S.C. 2461 note); 49 CFR 1.81 and 1.97; 33 U.S.C. 1321.

**Appendix A to Subpart D of Part 107  
[Amended]**

■ 2. In appendix A to subpart D of part 107, in the second paragraph of section B. “Penalty Increases for Multiple Counts,” remove “January 11, 2021” and add in its place “May 3, 2021”.

Signed in Washington, DC, on or about May 24, 2021.

**John E. Putnam,**

*Acting General Counsel.*

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