

SEPTEMBER 2004

77

CHANGES OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2004

**TITLE 42—PUBLIC HEALTH**

Title 42 Nomenclature change.....18803

**Chapter I—Public Health Service,  
Department of Health and  
Human Services (Parts 1—199)**

|                                                                                                                                                                                                                                                                 |              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 52a Authority citation revised.....                                                                                                                                                                                                                             | <b>69621</b> |
| 52a.1 (a) revised .....                                                                                                                                                                                                                                         | <b>69621</b> |
| 52a.2 Amended.....                                                                                                                                                                                                                                              | <b>69621</b> |
| 52a.3 (a) and (b) revised.....                                                                                                                                                                                                                                  | <b>69622</b> |
| 52a.8 Amended.....                                                                                                                                                                                                                                              | <b>69622</b> |
| 52h Revised.....                                                                                                                                                                                                                                                | 275          |
| 71 Policy statement.....                                                                                                                                                                                                                                        | 7165, 12975  |
| 71.56 Added; interim.....                                                                                                                                                                                                                                       | <b>62369</b> |
| 73.0 (b)(5) through (8) and (c)(5)<br>through (8) added; interim.....                                                                                                                                                                                           | <b>62246</b> |
| 83 Added .....                                                                                                                                                                                                                                                  | 30780        |
| 102 Authority citation revised.....                                                                                                                                                                                                                             | <b>70093</b> |
| 102.1—102.3 (Subpart A) Added;<br>interim .....                                                                                                                                                                                                                 | <b>70093</b> |
| 102.3 (g)(2)(A), (B), (bb)(2)(A) and<br>(B) correctly designated as<br>(g)(2)(i), (ii), (bb)(2)(i) and (ii)<br>.....                                                                                                                                            | 7376         |
| 102.10—102.11 (Subpart B) Added;<br>interim .....                                                                                                                                                                                                               | <b>70093</b> |
| 102.20 (Subpart C) Added; in-<br>terim .....                                                                                                                                                                                                                    | <b>70093</b> |
| 102.30—102.33 (Subpart D) Added;<br>interim .....                                                                                                                                                                                                               | <b>70096</b> |
| 102.40—102.46 (Subpart E) Added;<br>interim .....                                                                                                                                                                                                               | <b>70096</b> |
| 102.50—102.54 (Subpart F) Added;<br>interim .....                                                                                                                                                                                                               | <b>70096</b> |
| 102.51 (a)(2)(A) and (B) correctly<br>designated as (a)(2)(i) and (ii)<br>.....                                                                                                                                                                                 | 7376         |
| 102.60—102.63 (Subpart G) Added;<br>interim .....                                                                                                                                                                                                               | <b>70096</b> |
| 102.70—102.74 (Subpart H) Added;<br>interim .....                                                                                                                                                                                                               | <b>70096</b> |
| 102.80—102.84 (Subpart I) Added;<br>interim .....                                                                                                                                                                                                               | <b>70096</b> |
| 102.81 (a)(1)(A) and (B) des-<br>ignated correctly as (a)(1)(i)<br>and (ii) .....                                                                                                                                                                               | 7376         |
| 102.82 (b)(2)(A), (B), (d)(2)(A), (B),<br>(3)(A) introductory text, (i),<br>(ii) and (iii) correctly des-<br>ignated as (b)(2)(i), (ii),<br>(d)(2)(i), (ii), (3)(i) introduc-<br>tory text, (A), (B), (C) and<br>(ii); (d)(3) cross-reference<br>corrected..... | 7376         |

|                                                   |              |
|---------------------------------------------------|--------------|
| 102.90—102.92 (Subpart J) Added;<br>interim ..... | <b>70096</b> |
| Regulation at 68 FR 70096 cor-<br>rected.....     | 7376         |

**Chapter IV—Centers for Medicare  
& Medicaid Services, Depart-  
ment of Health and Human  
Services (Parts 400—499)**

|                                                                                        |              |
|----------------------------------------------------------------------------------------|--------------|
| 400.202 Amended .....                                                                  | <b>63715</b> |
| 403.736 (a)(3) revised.....                                                            | <b>66720</b> |
| 403.738 (a)(4) added .....                                                             | <b>66720</b> |
| 403.744 (a) and (c) revised.....                                                       | 49240        |
| 403.800—403.822 (Subpart H) Re-<br>vised; interim .....                                | <b>69915</b> |
| 405 Technical correction .....                                                         | 35527        |
| 405.378 (b)(2) revised.....                                                            | 45607        |
| 405.400 Amended; interim.....                                                          | 1116         |
| 405.517 (a) text redesignated as<br>(a)(1) and amended; (a)(2)<br>added; interim ..... | 1116         |
| 405.732 Revised .....                                                                  | <b>63715</b> |
| 405.860 Revised .....                                                                  | <b>63716</b> |
| 405.2401 (b) amended .....                                                             | <b>74815</b> |
| 405.2410 Revised .....                                                                 | <b>74815</b> |
| 405.2462 Revised .....                                                                 | <b>74816</b> |
| 406.12 (e)(2) introductory text<br>and (i) revised; eff. 11-23-04<br>.....             | 57224        |
| 408.20 (a)(5) and (b)(4) added; in-<br>terim .....                                     | <b>69927</b> |
| 408.21 Added .....                                                                     | <b>66723</b> |
| 409 Technical correction.....                                                          | <b>58756</b> |
| 409.20 (c) introductory text re-<br>vised.....                                         | 35529        |
| 410 Policy statement.....                                                              | <b>63398</b> |
| Regulation at 68 FR 63398 cor-<br>rected.....                                          | <b>75442</b> |
| Technical corrections .....                                                            | 15729        |
| 410.130 Amended .....                                                                  | <b>63261</b> |
| 410.140 Amended .....                                                                  | <b>63261</b> |
| 410.141 (d) revised .....                                                              | <b>63261</b> |
| 411 Technical correction.....                                                          | <b>58756</b> |
| Technical correction; interim;<br>eff. 7-26-04 .....                                   | 17933        |
| 411.24 (m)(2)(ii) and (iii) revised<br>.....                                           | 45607        |
| 411.350—411.361 (Subpart J) Re-<br>vised; interim; eff. 7-26-04 .....                  | 16126        |
| 411.354 (d)(1) eff. date delayed in<br>part to 7-7-04.....                             | <b>74491</b> |
| (d)(1) eff. date delayed in part<br>to 7-26-04.....                                    | 35529        |
| 411.370 Added; interim .....                                                           | 57227        |
| 411.372 Added; interim .....                                                           | 57227        |

NOTE: Boldface page numbers indicate 2003 changes.

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## TITLE 42 Chapter IV—Con.

|                                        |              |                                       |                     |
|----------------------------------------|--------------|---------------------------------------|---------------------|
| 411.373 Added; interim .....           | 57227        | 412.212 (b) revised.....              | 49248               |
| 411.375 Added; interim .....           | 57228        | 412.230 (a)(5)(ii), (d) and           |                     |
| 411.377 Added; interim .....           | 57229        | (e)(2)(i)(C) removed;                 |                     |
| 411.378 Added; interim .....           | 57229        | (a)(5)(iii), (iv), (v) and (e) re-    |                     |
| 411.379 Added; interim .....           | 57229        | designated as (a)(5)(ii), (iii),      |                     |
| 411.380 Added; interim .....           | 57229        | (iv) and (d); (a)(1), (4), new        |                     |
| 411.382 Added; interim .....           | 57229        | (d)(3)(i) and (ii) revised; new       |                     |
| 411.384 Added; interim .....           | 57230        | (d)(1), (2)(iii), (4) introduc-       |                     |
| 411.386 Added; interim .....           | 57230        | tory text and (iii) amended;          |                     |
| 411.387 Added; interim .....           | 57230        | (d)(3)(iii)(C) added .....            | 49249               |
| 411.388 Added; interim .....           | 57230        | 412.232 (a)(1), (4) and (b) revised   |                     |
| 411.389 Added; interim .....           | 57230        | .....                                 | 49249               |
| 412 Technical correction.....          | <b>57732</b> | 412.234 (c) removed; (d) redesign-    |                     |
| 412.2 (b)(3) added.....                | 49240        | ated as (c); (a)(3), (4) and          |                     |
| 412.4 (d) revised.....                 | 49240        | new (c) revised.....                  | 49249               |
| 412.22 (a) amended; (e) revised;       |              | 412.236 Removed.....                  | 49250               |
| (h)(6) added.....                      | 49240        | 412.252 (b) amended.....              | 49250               |
| 412.23 (e)(3) and (4) revised.....     | 25720        | 412.274 (b)(1) revised.....           | 49250               |
| (b)(2) revised.....                    | 25775        | 412.312 (b)(2)(ii) and (e) revised    |                     |
| 412.25 (g) added .....                 | 49241        | .....                                 | 49250               |
| 412.30 (c) and (d)(2)(ii) revised..... | 25776        | 412.316 (b) revised.....              | 49250               |
| 412.63 Heading, (a), (c)(1), (5), (6)  |              | 412.320 (a)(1) revised.....           | 49250               |
| and (u) revised; (b) introduc-         |              | 412.374 (a) revised; (b) and (c) re-  |                     |
| tory text added.....                   | 49241        | designated as (c) and (d); new        |                     |
| 412.64 Added.....                      | 49242        | (b) added.....                        | 49250               |
| 412.87 (b)(3) revised .....            | 49243        | 412.521 (e) added .....               | 49250               |
| 412.88 (c) removed.....                | 49244        | 412.525 (d)(2) revised.....           | 25721               |
| 412.101 Added .....                    | 49244        | (b) correctly added; CFR cor-         |                     |
| 412.102 Introductory text revised      |              | rection.....                          | 34585               |
| .....                                  | 49244        | 412.531 (a), (b)(1), (2) and (3) re-  |                     |
| 412.103 (a) introductory text re-      |              | vised .....                           | 25721               |
| vised; (a)(4) added.....               | 49244        | 412.532 (f) and (i) amended .....     | 25722               |
| 412.104 (a) revised.....               | 49244        | 412.534 Added .....                   | 49251               |
| 412.105 (e) and (f)(1)(iv) redesign-   |              | 413 Technical correction.....         | <b>57732, 58756</b> |
| ated as (e)(1) and                     |              | Authority citation revised .....      | 49252               |
| (f)(1)(iv)(A); (b) and (d)(3)(vii)     |              | 413.40 (c)(4)(iii)(A)(I), (2),        |                     |
| revised; (d)(3)(viii) through          |              | (B)(4)(i), (d)(4)(i) introduc-        |                     |
| (xii), (4), (e)(2), (f)(1)(iv)(B)      |              | tory text and (ii) introduc-          |                     |
| and (C) added; (a)(1) intro-           |              | tory text revised .....               | 49252               |
| ductory text, (f)(1)(i)(A),            |              | 413.64 (h)(2) introductory text re-   |                     |
| (ii)(C), (vi) through (xii) and        |              | vised; (h)(2)(vi) added;              |                     |
| (g) amended.....                       | 49244        | (h)(3)(iv) and (4) removed .....      | 49252               |
| 412.106 (a)(1)(ii)(B), (C), (b)(2)(i)  |              | 413.70 (a) heading, (1), (b)(2)(i),   |                     |
| introductory text, (d)(2)(ii),         |              | (iii), (3) heading, (i), (ii) and     |                     |
| (iii) and (iv) revised;                |              | (4) revised; (a)(4), (d) and (e)      |                     |
| (a)(1)(ii)(D) added; (a)(1)(iii)       |              | added .....                           | 49252               |
| amended .....                          | 49246        | 413.80 Redesignated as 413.89.....    | 49254               |
| 412.108 (a)(1) introductory text       |              | 413.85 (b)(2) and (c)(3) amended      |                     |
| revised.....                           | 49247        | .....                                 | 49254               |
| 412.115 (c) revised .....              | <b>67960</b> | 413.86 Removed .....                  | 49254               |
| 412.204 (a) introductory text and      |              | 413.75—413.83 (Subpart F) Added       |                     |
| (b) introductory text revised;         |              | .....                                 | 49254               |
| (c) and (d) added .....                | 49247        | 413.87 (e) and (f)(1)(i) amended..... | 49265               |
| 412.210 Heading and (a)(1) revised     |              | 413.88 (b)(1), (2), (d)(7),           |                     |
| .....                                  | 49247        | (g)(1)(i)(A), (B) and (h)(1)(i)       |                     |
| 412.211 Added .....                    | 49248        | amended .....                         | 49265               |

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|                                             |              |                                        |              |
|---------------------------------------------|--------------|----------------------------------------|--------------|
| 413.114 (a)(2) amended .....                | 49265        | (a) and (b) amended .....              | 49267        |
| 413.302 Amended .....                       | 49265        | 480.120 Introductory text and          |              |
| 413.355 Added .....                         | <b>67960</b> | (a)(5) amended .....                   | 49267        |
| 414 Technical corrections .....15729, 35527 |              | 480.121 Amended .....                  | 49267        |
| (Addendum F) Regulation at 69               |              | 480.130 Amended .....                  | 49267        |
| FR 1250 corrected .....                     | 15703        | 480.132 (b)(2) and (3) amended .....   | 49267        |
| 414.1 Amended; interim .....                | 1116         | 480.133 (a)(2)(iii) revised .....      | 49266        |
| 414.22 (b)(6)(iii) revised .....            | <b>63261</b> | (a)(2)(ii), (b)(2) and (3) amended     |              |
| 414.46 (e), (f) and (g) redesignated        |              | .....                                  | 49267        |
| as (f), (g) and (h); new (e)                |              | 480.136 (a) introductory text          |              |
| added .....                                 | <b>63261</b> | amended .....                          | 49267        |
| 414.605 Amended .....                       | <b>67963</b> | 480.137 (a) introductory text          |              |
| 414.610 (c)(3) and (5) revised .....        | <b>67963</b> | amended .....                          | 49267        |
| (c)(1) and (5) revised; (c)(7)              |              | 480.138 (b)(2) amended .....           | 49267        |
| added; interim .....                        | 40292        | 480.140 (d) and (e) redesignated as    |              |
| 414.617 Added; interim .....                | 40292        | (e) and (f); new (d) added .....       | 49266        |
| 414.701—414.707 (Subpart I)                 |              | 480.141 Amended .....                  | 49267        |
| Added; interim .....                        | 1116         | 480.142 (b) amended .....              | 49267        |
| 414.800—414.806 (Subpart J)                 |              | 482.41 (b) revised .....               | 49267        |
| Added; interim .....                        | 17938        | 482.43 (c)(6), (7) and (8) added ..... | 49268        |
| 414.804 (a)(3) revised .....                | 55765        | 483 Technical correction .....         | <b>58756</b> |
| 418.100 (d)(1) and (4) revised;             |              | 483.70 (a) revised .....               | 49268        |
| (d)(5) added .....                          | 49266        | 483.470 (j) revised .....              | 49271        |
| 419 Policy statement .....                  | <b>63398</b> | 484.265 Added .....                    | <b>67960</b> |
| Regulation at 68 FR 63398 cor-              |              | 485.610 (b) introductory text and      |              |
| rected .....                                | <b>75442</b> | (c) revised; (b)(3) added .....        | 49271        |
| 419.32 (d) revised; interim .....           | 832          | 485.618 (d)(1) introductory text       |              |
| 419.43 (d)(1) introductory text             |              | revised; (d)(2)(iv) and (3)            |              |
| and (e) revised; (f) added; in-             |              | amended .....                          | 49271        |
| terim .....                                 | 832          | 485.620 (a) revised .....              | 49271        |
| 419.64 (d) revised; interim .....           | 832          | 485.623 (d)(1) and (5) revised;        |              |
| 419.70 (d)(1) amended; (d)(3)               |              | (d)(6) added .....                     | 49271        |
| added; interim .....                        | 832          | 485.645 (a)(2) revised .....           | 49272        |
| 419.89 Redesignated from 413.80             |              | 485.647 Added .....                    | 49272        |
| .....                                       | 49254        | 488 Technical correction .....         | <b>58756</b> |
| 424 Technical correction; in-               |              | 489 Technical correction .....         | <b>58756</b> |
| terim; eff. 7-26-04 .....                   | 17933        | 489.2 (b)(9) added .....               | <b>66720</b> |
| 424.45 Removed .....                        | 21966        | 489.10 (a) and (c) revised .....       | <b>66720</b> |
| 426 Added .....                             | <b>63716</b> | 489.20 (m) amended; (t) added .....    | 49272        |
| 426.10 (a) corrected .....                  | <b>65346</b> | 489.53 (a)(3) revised .....            | <b>66720</b> |
| 440 Technical correction .....              | <b>58756</b> | (b)(2) amended .....                   | 49272        |
| 440.110 (c)(2) revised; (c)(3) added        |              | 489.102 (a) introductory text re-      |              |
| .....                                       | 30587        | vised .....                            | <b>66720</b> |
| 447.534 (h)(1) revised; interim .....       | 513          | 491.2 Revised .....                    | <b>74816</b> |
| 460.72 (b)(1) and (3) revised; (b)(4)       |              | 491.3 Revised .....                    | <b>74816</b> |
| added .....                                 | 49266        | 491.5 (b) revised; (d) and (e) re-     |              |
| 476.78 (b) introductory text, (2),          |              | moved; (f) redesignated as (d)         |              |
| (c) introductory text and (d)               |              | .....                                  | <b>74816</b> |
| revised; (c)(4) added .....                 | <b>67960</b> | 491.8 (a)(6) revised; (d) added .....  | <b>74817</b> |
| 480 Heading revised .....                   | 49266        | 491.11 Revised .....                   | <b>74817</b> |
| 480.101 (b) amended .....                   | 49267        | 493.945 (b)(3)(ii)(C) table cor-       |              |
| 480.104 (a)(1), (2) and (d) amended         |              | rectly amended; CFR correc-            |              |
| .....                                       | 49267        | tion .....                             | 57859        |
| 480.105 (a), (b)(1) and (2) amended         |              | 498.2 Amended .....                    | <b>66721</b> |
| .....                                       | 49267        |                                        |              |
| 480.106 (c) added .....                     | 49266        |                                        |              |

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## CHANGES OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2004

## TITLE 42

Chapter V—Office of Inspector  
General-Health Care, Depart-  
ment of Health and Human  
Services (Parts 1000—1999)

|                                                                                       |       |
|---------------------------------------------------------------------------------------|-------|
| 1003 Authority citation revised .....                                                 | 28845 |
| 1003.100 (a), (b)(1)(xv) and (xvi)<br>revised; (b)(1)(xvii) added; in-<br>terim ..... | 28845 |
| 1003.101 Amended; interim .....                                                       | 28845 |
| 1003.102 (b)(17), (18) and (19)<br>added; interim .....                               | 28845 |
| 1003.103 (m) added; interim .....                                                     | 28845 |

*Proposed Rules:*

|            |                           |
|------------|---------------------------|
| 50 .....   | 20778                     |
| 93 .....   | 20778                     |
| 402 .....  | 43956, 52620              |
| 403 .....  | 28196, 35920, 46632       |
| 405 .....  | 35716, 47488              |
| 410 .....  | 47488, 50448              |
| 411 .....  | 46632, 47488, 50448       |
| 412 .....  | <b>66920</b>              |
| .....      | 4464, 4754, 28196, 35920  |
| 413 .....  | <b>66920</b>              |
| .....      | 4464, 28196, 35716, 35920 |
| 414 .....  | 47488                     |
| 417 .....  | 35716, 46632, 46866       |
| 418 .....  | 28196, 35920, 47488       |
| 419 .....  | 50448                     |
| 421 .....  | 15755                     |
| 422 .....  | 46866                     |
| 423 .....  | 46632                     |
| 424 .....  | <b>66920</b>              |
| .....      | 4464, 47488               |
| 431 .....  | 52620, 57244, 58596       |
| 447 .....  | 565                       |
| 457 .....  | 52620, 57244, 58596       |
| 460 .....  | 28196, 35920              |
| 480 .....  | 28196, 35920              |
| 482 .....  | 28196, 35920              |
| 483 .....  | 9282, 28196, 35920        |
| 484 .....  | 31248, 45640, 47488       |
| 485 .....  | 28196, 35920              |
| 486 .....  | 47488                     |
| 489 .....  | 28196, 35920              |
| 1001 ..... | <b>69366</b>              |

TITLE 43—PUBLIC LANDS:  
INTERIOR

|                                    |       |
|------------------------------------|-------|
| Title 43 Nomenclature change ..... | 18803 |
|------------------------------------|-------|

Subtitle A—Office of the Secretary  
of the Interior (Parts 1—199)

|                                                                            |                     |
|----------------------------------------------------------------------------|---------------------|
| 2.17 (c) table revised .....                                               | 58324               |
| 2.18 (g) revised .....                                                     | 58324               |
| 2.22 (b)(2) introductory text re-<br>vised .....                           | 58324               |
| 2.23 (d) and (e)(3) revised .....                                          | 58325               |
| 2.25 Introductory text revised .....                                       | 58325               |
| 2 Appendix A revised .....                                                 | 58325               |
| 4.400—4.478 (Subpart E) Author-<br>ity citation revised .....              | <b>68770</b>        |
| 4.421 (c) revised; (h) added .....                                         | <b>68770</b>        |
| 4.470 Revised .....                                                        | <b>68770</b>        |
| 4.471 Redesignated as 4.473; new<br>4.471 added .....                      | <b>68770</b>        |
| 4.472 Redesignated as 4.474; new<br>4.472 added .....                      | <b>68770</b>        |
| 4.473 Redesignated as 4.475; new<br>4.473 redesignated from 4.471<br>..... | <b>68770</b>        |
| 4.474 Redesignated as 4.476; new<br>4.474 redesignated from 4.472<br>..... | <b>68770</b>        |
| (c) and (d) added .....                                                    | 68771               |
| 4.475 Redesignated as 4.477; new<br>4.475 redesignated from 4.473<br>..... | <b>68770</b>        |
| 4.476 Redesignated as 4.478; new<br>4.476 redesignated from 4.474<br>..... | <b>68770</b>        |
| 4.477 Redesignated as 4.479; new<br>4.477 redesignated from 4.475<br>..... | <b>68770</b>        |
| 4.478 Redesignated as 4.480; new<br>4.478 redesignated from 4.476<br>..... | <b>68770</b>        |
| Revised .....                                                              | 68771               |
| 4.479 Redesignated from 4.477 .....                                        | <b>68770</b>        |
| Revised .....                                                              | 68771               |
| 4.1307 (b) and (c) revised .....                                           | <b>66728</b>        |
| 12 Authority citation revised .....                                        | <b>66628</b>        |
| 12.100—12.635 (Subpart D) Re-<br>moved .....                               | <b>66628</b>        |
| 42 Added .....                                                             | <b>66544, 66628</b> |
| 42.215 (h) through (k) added .....                                         | <b>66629</b>        |
| 42.440 Added .....                                                         | <b>66629</b>        |
| 42.935 (b) added .....                                                     | <b>66630</b>        |
| 42.970 (a)(12) through (15) added<br>.....                                 | <b>66630</b>        |
| 42.1010 (b) added .....                                                    | <b>66630</b>        |
| 43 Added .....                                                             | <b>66557, 66630</b> |
| 43.301 Added .....                                                         | <b>66630</b>        |
| 43.510 (c) amended .....                                                   | <b>66630</b>        |
| 43.605 (a)(2) amended .....                                                | <b>66630</b>        |

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