

provided about the quality of care they are receiving or have received.

(2) The written notice must contain the name of the QIO, its mailing address, electronic mail address, and telephone number.

(3) The clinic or center must document in the beneficiary's record that the written notice was presented to the beneficiary or beneficiary's representative or surrogate.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program) (Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: August 26, 2010.

Donald M. Berwick,
Administrator, Centers for Medicare & Medicaid Services.

Approved: January 27, 2011

Kathleen Sebelius,
Secretary.

[FR Doc. 2011-2275 Filed 2-1-11; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1174]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this proposed rule is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is

required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

DATES: Comments are to be submitted on or before May 3, 2011.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1170, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriquez1@dhs.gov.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriquez1@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to

meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

National Environmental Policy Act. This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Executive Order 12866, Regulatory Planning and Review. This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

Executive Order 13132, Federalism. This proposed rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This proposed rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Benton County, Arkansas, and Incorporated Areas				
Blossom Way Creek	At the Osage/Turtle Creek confluence	+1205	+1204	City of Rogers.
	Approximately 0.4 mile upstream of 1st Street	+1347	+1346	
Brush Creek	Approximately 1,530 feet upstream of the Little Sugar Creek confluence.	None	+1095	City of Little Flock, City of Rogers, Unincorporated Areas of Benton County.
	Approximately 1,600 feet upstream of State Highway 94 North.	None	+1198	
Brush Creek Tributary	At the Brush Creek confluence	None	+1114	City of Little Flock.
	Approximately 0.37 mile upstream of the Brush Creek confluence.	None	+1131	
Cross Creek	Approximately 1,875 feet downstream of Willow Ridge Way.	None	+1249	City of Rogers.
Cross Creek Tributary 1	At the upstream side of Mills Lane	None	+1313	City of Rogers.
	At the Cross Creek confluence	None	+1267	
	Approximately 1,625 feet upstream of West Drive	None	+1307	City of Rogers.
Cross Creek Tributary 2	At the Cross Creek Tributary 1 confluence	None	+1267	
	Approximately 150 feet upstream of West Drive	None	+1310	Town of Springtown, Unin- corporated Areas of Benton County.
East Flint Creek	At the Flint Creek confluence	None	+1201	
	Approximately 1,830 feet upstream of Aubrey Long Road.	None	+1211	City of Rogers.
East Tributary of Blossom Way Creek.	At the Blossom Way Creek confluence	+1281	+1280	
	Approximately 0.41 mile upstream of the Blossom Way Creek confluence.	None	+1303	Town of Springtown, Unin- corporated Areas of Benton County.
Flint Creek	Approximately 0.45 mile downstream of the North Flint Creek and East Flint Creek confluence.	None	+1193	
	At the North Flint Creek and East Flint Creek con- fluence.	None	+1201	City of Bentonville, Unin- corporated Areas of Benton County.
Little Osage Creek (down- stream reach).	Approximately 0.71 mile downstream of Southwest Regional Airport Boulevard.	None	+1163	
	At the Little Osage Creek Tributary 2 confluence	None	+1182	City of Bentonville, City of Centerteron.
Little Osage Creek (upstream reach).	Approximately 390 feet downstream of Brookside Road.	None	+1219	
	Approximately 600 feet upstream of the upstream crossing of West Fish Hatchery Road.	None	+1258	City of Bentonville, Unin- corporated Areas of Benton County.
Little Osage Creek Tributary 2.	Approximately 210 feet downstream of Southwest Opal Road.	None	+1182	
	Approximately 0.5 mile downstream of Southwest I Street.	None	+1268	City of Bentonville, City of Centerteron, Unincor- porated Areas of Benton County.
Little Osage Creek Tributary 2.1.	At the Little Osage Creek Tributary 2 confluence	None	+1205	
	Approximately 1,510 feet upstream of Greenhouse Road.	None	+1244	City of Centerteron.
Little Osage Creek Tributary 2.1.1.	At the Little Osage Creek Tributary 2.1 confluence	None	+1228	
	Approximately 0.68 mile upstream of the Little Osage Creek Tributary 2.1 confluence.	None	+1257	City of Centerteron, Unincor- porated Areas of Benton County.
Little Osage Creek Tributary 2.1.2.	At the Little Osage Creek Tributary 2.1 confluence	None	+1237	
	Approximately 0.52 mile upstream of the Little Osage Creek Tributary 2.1 confluence.	None	+1254	Town of Springtown, Unin- corporated Areas of Benton County.
North Flint Creek	At the Flint Creek confluence	None	+1201	
	Approximately 0.55 mile upstream of the Flint Creek confluence.	None	+1212	City of Bentonville, City of Rogers.
Osage Tributary 1	At the Osage/Turtle Creek confluence	+1196	+1194	

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Osage Tributary 2	At the downstream side of Riviera Road	+1256	+1257	City of Bentonville, City of Rogers.
	At the Osage Tributary 1 confluence	+1251	+1256	
Osage Tributary 3	Approximately 1,450 feet upstream of I-540	None	+1283	City of Rogers.
	At the Osage Tributary 1 confluence	+1268	+1269	
Osage Tributary 4	Approximately 1,550 feet upstream of I-540	None	+1284	City of Rogers, Unincorporated Areas of Benton County.
	At the Osage/Turtle Creek confluence	+1190	+1189	
Osage/Turtle Creek	Approximately 1,800 feet upstream of South Rainbow Road.	None	+1270	City of Cave Springs, City of Rogers, Unincorporated Areas of Benton County.
	Approximately 0.47 mile downstream of Southgate Road.	None	+1152	
Superior Tributary to Osage/ Turtle Creek.	Approximately 700 feet upstream of 5th Street	+1347	+1346	City of Rogers.
	At the Osage/Turtle Creek confluence	+1284	+1288	
Tributary 1 to Blossom Way Creek.	Approximately 50 feet downstream of Dixieland Road	+1310	+1309	City of Rogers.
	At the Blossom Way Creek confluence	+1289	+1288	
Tributary 2 to Blossom Way Creek.	At the downstream side of South 8th Street	None	+1331	City of Rogers.
	At the Tributary 1 to Blossom Way Creek confluence	+1302	+1303	
Turtle Creek Tributary	Approximately 750 feet upstream of South 1st Street	None	+1333	City of Little Flock, City of Rogers.
	At the Osage/Turtle Creek confluence	+1277	+1276	
Turtle Creek Tributary 1A	Approximately 1,580 feet upstream of 2nd Street	None	+1352	City of Rogers.
	At the Turtle Creek Tributary confluence	None	+1324	
	Approximately 1,050 feet upstream of West Easy Street.	None	+1355	
Unnamed Tributary to Puppy Creek.	Approximately 370 feet upstream of West Monroe Avenue.	None	+1273	City of Lowell.
	Approximately 300 feet upstream of Links Drive	None	+1285	
West Tributary to Blossom Way Creek.	At the Blossom Way Creek confluence	+1277	+1276	City of Rogers.
	Approximately 0.49 mile upstream of the Blossom Way Creek confluence.	None	+1303	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Bentonville

Maps are available for inspection at City Hall, 117 West Central Avenue, Bentonville, AR 72712.

City of Cave Springs

Maps are available for inspection at City Hall, 134 North Main Street, Cave Springs, AR 72718.

City of Centerton

Maps are available for inspection at City Hall, 290 Main Street, Centerton, AR 72719.

City of Little Flock

Maps are available for inspection at City Hall, 1500 Little Flock Drive, Rogers, AR 72756.

City of Lowell

Maps are available for inspection at City Hall, 216 North Lincoln Street, Lowell, AR 72745.

City of Rogers

Maps are available for inspection at City Hall, 301 West Chestnut Street, Rogers, AR 72756.

Town of Springtown

Maps are available for inspection at the Town Hall, 12055 Wasson Road, Springtown, AR 72734.

Unincorporated Areas of Benton County

Maps are available for inspection at the Benton County Administration Building, 215 East Central Avenue, Bentonville, AR 72712.

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
White County, Illinois, and Incorporated Areas				
Griffith Lake	Entire shoreline within community	None	+391	City of Carmi. City of Carmi, Unincorporated Areas of White County.
Little Wabash River	Approximately 0.7 mile upstream of County Highway 23.	+376	+377	
Old Channel Wabash River ..	At County Road 1200 East (Lowe Road)	+379	+381	City of Grayville.
	Approximately 0.82 mile downstream of Mulberry Street extended. Approximately 250 feet downstream of North Street extended.	None	+386	
Unnamed Ponding Area	Entire area of ponding north of the abandoned railroad.	None	+398	City of Carmi, Unincorporated Areas of White County.
Unnamed Tributary to Little Wabash River.	At the upstream side of College Boulevard	+377	+379	City of Carmi, Unincorporated Areas of White County.
	At the downstream side of the abandoned railroad (approximately 1.94 miles upstream of the Little Wabash River confluence).	None	+394	
Unnamed Tributary to Little Wabash River, West Branch.	At the Unnamed Tributary to Little Wabash River confluence.	None	+380	City of Carmi, Unincorporated Areas of White County.
Wabash River	At the downstream side of Fairground Road	None	+383	Village of Maunie.
	Approximately 0.51 mile downstream of County Road 1100 North (Emma Street) extended. Approximately 480 feet upstream of County Road 1100 North (Emma Street) extended.	None	+374 +375	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

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ADDRESSES

City of Carmi

Maps are available for inspection at City Hall, 225 East Main Street, Carmi, IL 62821.

City of Grayville

Maps are available for inspection at City Hall, 122 South Court Street, Grayville, IL 62844.

Unincorporated Areas of White County

Maps are available for inspection at the White County Courthouse, 301 East Main Street, Carmi, IL 62821.

Village of Maunie

Maps are available for inspection at the Village Hall, 328 Sheridan Street, Maunie, IL 62861

Missouri River	At the Atchison County boundary	None	+797	City of Elwood, City of Wathena, City of White Cloud, Iowa Tribe of Kansas And Nebraska, Unincorporated Areas of Doniphan County.
Peters Creek	Approximately 1.7 miles upstream of Main Street	None	+858	Unincorporated Areas of Doniphan County, City of Wathena.
	At the Missouri River confluence	+811	+813	
	At the upstream side of Chicago Rock Island and Pacific Railroad.	+812	+813	

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+ North American Vertical Datum.

Depth in feet above ground.

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Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

** BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Elwood

Maps are available for inspection at City Hall, 207 North 6th Street, Elwood, KS 66024.

City of Wathena

Maps are available for inspection at City Hall, 206 Saint Joseph Street, Wathena, KS 66090.

City of White Cloud

Maps are available for inspection at City Hall, 2017 Main Street, White Cloud, KS 66094.

Iowa Tribe of Kansas and Nebraska

Maps are available for inspection at 3345 B Thrasher Road, White Cloud, KS 66094.

Unincorporated Areas of Doniphan County

Maps are available for inspection at 120 East Chesnut Street, Doniphan County Courthouse, Troy, KS 66087.

Blair County, Pennsylvania (All Jurisdictions)

Bells Gap Run	At the downstream side of Becker Road	None	+1044	Borough of Bellwood.
	At the upstream side of Becker Road	None	+1067	
Blair Gap Run	Approximately 0.59 mile upstream of Mill Road	None	+1136	Township of Allegheny.
	Approximately 0.69 mile upstream of Mill Road	None	+1141	
Blair Gap Run	Approximately 975 feet upstream of the railroad	None	+1019	Township of Allegheny.
	Approximately 890 feet downstream of 2nd Avenue	None	+1022	
Brush Run	At the upstream side of 17th Street	None	+1096	Township of Logan.
	Approximately 149 feet upstream of 17th Street	None	+1098	
Burgoon Run	Approximately 405 feet upstream of Oak Avenue	None	+1132	Township of Logan.
	Approximately 585 feet upstream of Oak Avenue	None	+1135	
Cabbage Creek	Approximately 745 feet upstream of Main Street	+1223	+1222	Township of Taylor.
	Approximately 975 feet upstream of Main Street	+1224	+1223	
Clover Creek	Approximately 130 feet upstream of Private Drive	+1075	+1072	Township of Huston, Township of Woodbury.
	Approximately 700 feet upstream of Private Drive	+1075	+1074	
Frankstown Branch Juniata River.	Approximately 1,855 feet downstream of State Route 36 (Woodbury Pike).	+998	+995	Township of Freedom.
	Approximately 1,050 feet downstream of State Route 36 (Woodbury Pike).	+999	+998	
Halter Creek	Approximately 709 feet downstream of Mountain Street.	+1143	+1144	Borough of Roaring Spring.
	Approximately 479 feet downstream of Mountain Street.	+1144	+1146	
Laurel Run	Approximately 1,025 feet upstream of Clite's Road	None	+1016	Township of Snyder.
	Approximately 1,045 feet upstream of Clite's Road	None	+1017	
Little Juniata River	Approximately 1,415 feet downstream of the Homer Gap Run confluence.	None	+1081	Township of Logan.
	Approximately 1,205 feet downstream of the Homer Gap Run confluence.	None	+1081	
Mill Run	At the downstream side of 58th Street	+1051	+1052	City of Altoona.
Poplar Run	Approximately 550 feet upstream of Poplar Run Road	None	+1234	Township of Freedom.
	Approximately 780 feet upstream of Poplar Run Road	None	+1239	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

Borough of Bellwood

Maps are available for inspection at the Borough Hall, 400 North 1st Street, Bellwood, PA 16617.

Borough of Roaring Spring

Maps are available for inspection at the Borough Building, 616 Spang Street, Roaring Spring, PA 16673.

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

City of Altoona

Maps are available for inspection at City Hall, 1301 12th Street, Suite 300, Altoona, PA 16601.

Township of Allegheny

Maps are available for inspection at the Allegheny Township Building, 3131 Colonial Drive, Duncansville, PA 16635.

Township of Freedom

Maps are available for inspection at the Freedom Township Building, 131 Municipal Street, East Freedom, PA 16637.

Township of Huston

Maps are available for inspection at the Huston Township Office, 1538 Sportsman Road, Martinsburg, PA 16662.

Township of Logan

Maps are available for inspection at the Logan Township Building, 100 Chief Logan Circle, Altoona, PA 16602.

Township of Snyder

Maps are available for inspection at the Snyder Township Building, 108 Baughman Hollow Road, Tyrone, PA 16686.

Township of Taylor

Maps are available for inspection at the Taylor Township Municipal Building, 1002 Route 36, Roaring Spring, PA 16673.

Township of Woodbury

Maps are available for inspection at the Woodbury Township Building, 6385 Clover Creek Road, Williamsburg, PA 16693.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: January 24, 2011.

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2011-2281 Filed 2-1-11; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Part 170

[OCIO-9983-NC; Docket No. THE SECRETARY-OS-2010-0034]

RIN 0950-AA19

Planning and Establishment of Consumer Operated and Oriented Plan Program; Request for Comments Regarding Provisions of Consumer Operated and Oriented Plan Program

AGENCY: Office of Consumer Information and Insurance Oversight, Department of Health and Human Services.

ACTION: Request for comments.

SUMMARY: This document is a request for comments regarding the provisions of section 1322 of the Patient Protection and Affordable Care Act (the Affordable Care Act), enacted on March 23, 2010, which requires the Secretary to establish the Consumer Operated and Oriented Plan program. The Secretary of Health and Human Services invites public comments in advance of future

rulemaking and grant and loan solicitations.

DATES: To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on March 4, 2011.

ADDRESSES: All comments will be made available to the public. **WARNING:** Do not include any confidential business information that you do not want publicly disclosed. All comments are posted on the Internet exactly as received, and can be retrieved by most Internet search engines. No deletions, modifications, or redactions will be made to the comments received, as they are public records.

In commenting, please refer to file code OCIO-9983-NC. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission. You may submit comments using any of the following methods (please choose only one of the ways listed):

- *Electronically.* You may submit electronic comments to <http://www.regulations.gov>. Follow the instructions under the "More Search Options" tab.

- *Mail.* You may mail written comments to the following address ONLY: Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, Attention: OCIO-9983-NC, Room 445-G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201. Please allow sufficient time for mailed comments to be received before the close of the comment period.

- *Hand or Courier.* If you prefer, you may deliver (by hand or courier) your written comments before the close of the comment period to the following address: Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, Attention: OCIO-9983-NC, Room 445-G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201.

Because access to the interior of the Hubert H. Humphrey Building is not readily available to persons without Federal government identification, commenters are encouraged to leave their comments in the OCIO drop slots located in the main lobby of the building. A stamp-in clock is available for persons wishing to retain a proof of filing by stamping in and retaining an extra copy of the comments being filed.

Comments mailed to the address indicated as appropriate for hand or courier delivery may be delayed and received after the close of the comment period.

FOR FURTHER INFORMATION CONTACT:

Catherine Halverson, Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, at (301) 492-4391. *Customer Service Information:* Individuals interested in obtaining information about the Patient Protection and Affordable Care Act may visit the Secretary of Health and Human Services' Web site (<http://www.HealthCare.gov>).

SUPPLEMENTARY INFORMATION: