

substantial number of small rural hospitals.

In accordance with the provisions of Executive Order 12866, this regulation was not reviewed by the Office of Management and Budget.

VI. Other Required Information

A. Waiver of 30-Day Delay in Effective Date

We normally provide a delay in the effective date of 30 days after publication for final rules. However, we may waive the delay in the effective date if we find good cause that a delay in the effective date is impracticable, unnecessary, or contrary to the public interest.

As explained above, this final rule extends the time frame for providers to file cost reports from 3 months after the close of a cost reporting period to 5 months after the close of a cost reporting period. We believe this change will be beneficial to providers and that a delay in implementing this change would serve no purpose. Thus, we have concluded that in this instance it would be unnecessary and contrary to the public interest to provide for a 30-day delay in the effective date of this final rule. Therefore, we find good cause to waive the usual 30-day delay in effective date.

B. Paperwork Reduction Act

Section 413.24 contains information collection and recordkeeping requirements concerning provider cost reports that are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The burdens associated with filing cost reports have been approved by OMB. This final rule merely changes the date on which cost reports are due and thus has no effect on the information collection and recordkeeping burden. However, the information collection and recordkeeping requirements contained in § 413.24 are not effective until they have been approved by OMB. We will publish a notice in the **Federal Register** when OMB approval has been obtained. Organizations and individuals desiring to submit comments on the information collection and recordkeeping requirements set forth in § 413.24 should direct them to the Office of Management and Budget, Human Resources and Housing Branch, Room 10235, New Executive Office Building, Washington, D.C., 20503, Attention: Allison Eydt (desk officer for HCFA).

List of Subjects in 42 CFR Part 413

Health facilities, Kidney diseases, Medicare, Puerto Rico, Reporting and recordkeeping requirements.

42 CFR Chapter IV, part 413, is amended as follows:

PART 413—PRINCIPLES OF REASONABLE COST REIMBURSEMENT; PAYMENT FOR END-STAGE RENAL DISEASE SERVICES

1. The authority citation for part 413 continues to read as follows:

Authority: Secs. 1102, 1122, 1814(b), 1815, 1833 (a), (i), and (n), 1861(v), 1871, 1881, 1883, and 1886 of the Social Security Act (42 U.S.C. 1302, 1320a-1, 1395f(b), 1395g, 13951 (a), (i), and (n), 1395x(v), 1395hh, 1395rr, 1395tt, and 1395ww).

Subpart B—Accounting Records and Reports

2. In § 413.24, paragraph (f)(2) is revised, and a new paragraph (f)(5) is added to read as follows:

§ 413.24 Adequate cost data and cost finding

* * * * *

(f) * * *

(2) *Due dates for cost reports.* (i) Cost reports are due on or before the last day of the fifth month following the close of the period covered by the report. For cost reports ending on a day other than the last day of the month, cost reports are due 150 days after the last day of the cost reporting period.

(ii) Extensions of the due date for filing a cost report may be granted by the intermediary only when a provider's operations are significantly adversely affected due to extraordinary circumstances over which the provider has no control, such as flood or fire.

* * * * *

(5) An acceptable cost report submission is defined as follows:

(i) All providers—The provider, must complete and submit the required cost reporting forms, including all necessary signatures. A cost report is rejected for lack of supporting documentation only if it does not include the Provider Cost Reimbursement Questionnaire. Additionally, a cost report for a teaching hospital is rejected for lack of supporting documentation if the cost report does not include a copy of the Intern and Resident Information System diskette.

(ii) For providers that are required to file electronic cost reports—In addition to the requirements of paragraphs (f)(4) and (f)(5)(i) of this section, the provider must submit its cost reports in an electronic cost report format in

conformance with the requirements contained in the Electronic Cost Report (ECR) Specifications Manual (unless the provider has received an exemption from HCFA).

(iii) The intermediary makes a determination of acceptability within 30 days of receipt of the provider's cost report. If the cost report is considered unacceptable, the intermediary returns the cost report with a letter explaining the reasons for the rejection. When the cost report is rejected, it is deemed an unacceptable submission and treated as if a report had never been filed.

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

Dated: May 30, 1995.

Bruce C. Vladeck,
Administrator, Health Care Financing Administration.

[FR Doc. 95-15340 Filed 6-26-95; 8:45 am]

BILLING CODE 4120-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95-24; RM-8583]

Radio Broadcasting Services; Clarendon, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of ROHO Broadcasting, allots Channel 257C2 to Clarendon, Texas, as the community's first local aural transmission service. See 60 FR 10534, February 27, 1995. Channel 257C2 can be allotted to Clarendon, Texas, in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 257C2 at Clarendon are 34-56-16 and 100-53-16. With this action, this proceeding is terminated.

DATES: Effective August 7, 1995. The window period for filing applications will open on August 7, 1995, and close on September 7, 1995.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-24, adopted June 13, 1995, and released June 22, 1995. The full text of this