

of hazardous waste treatment, storage, or disposal facilities (TSDFs) may take advantage of the flexibility that an approved state may exercise. Such flexibility will reduce, not increase, compliance costs for the private sector. Thus, today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

EPA has determined that this rule contains no regulatory requirements that might significantly or uniquely affect small governments. The Agency recognizes that small governments may own and/or operate TSDFs that will become subject to the requirements of an approved state hazardous waste program. However, such small governments which own and/or operate TSDFs are already subject to the requirements in 40 CFR parts 264, 265 and 270. Once EPA authorizes a state to administer its own hazardous waste program and any revisions to that program, these same small governments will be able to own and operate their TSDFs with increased levels of flexibility provided under the approved State program.

Authority: This notice is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: July 6, 1995.

Felicia Marcus,

Regional Administrator.

[FR Doc. 95-17479 Filed 7-17-95; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 410 and 414

[BPD-789-CN]

RIN 0938-AG52

Medicare Program; Refinements to Geographic Adjustment Factor Values, Revisions to Payment Policies, Adjustments to the Relative Value Units (RVUs) Under the Physician Fee Schedule for Calendar Year 1995, and the 5-Year Refinement of RVUs; Correction

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Correction of final rule with comment period.

SUMMARY: This document is a second correction to technical errors that appeared in the final rule with comment period entitled "Medicare Program; Refinements to Geographic Adjustment Factor Values, Revisions to Payment Policies, Adjustments to the Relative Value Units (RVUs) Under the Physician Fee Schedule for Calendar Year 1995, and the 5-Year Refinement of RVUs" published in the **Federal Register** on December 8, 1994. The first correction notice was published in the **Federal Register** on January 3, 1995 (60 FR 46).

EFFECTIVE DATE: January 1, 1995.

FOR FURTHER INFORMATION CONTACT: Elizabeth Holland, (410) 966-1309.

SUPPLEMENTARY INFORMATION:

Background

In the FR Doc. (94-29916) dated December 8, 1994, there were a number of technical and typographical errors in the preamble, in the regulations text, and in the addenda. To correct these errors, we published a correction notice in the **Federal Register** on January 3, 1995 (60 FR 46). Since the publication of that correction notice, we discovered additional errors, beginning on page 63417, in the preamble, in one section of the regulations text, in Addendum B ("Relative Value Units (RVUs) and Related Information"), and in Addendum F ("Procedure Codes Subject to the Site-of-Service Differential"). The corrections appear later in this document, under the heading "Correction of Errors."

In the preamble, on pages 63417 and 63432, we incorrectly referred to the "American Osteopathic Association" as the "American Academy of Osteopathy." Also, on page 63425, we provided an incorrect response to one of the public comments we received.

In the regulations text set forth at § 414.39 ("Special rules for payment of care plan oversight"), on page 63463, we inadvertently failed to state, in paragraph (b)(2) concerning the conditions under which separate payment may be made, that a physician may not have an ownership interest in a home health agency.

In Addendum B, we inadvertently printed incorrect information for certain

codes. In Addendum F, we should not have included HCPCS codes 29530, 95880, and 95881.

Correction of Errors

In FR Doc. 94-29916 of December 8, 1994 (59 FR 63410) make the following corrections:

A. Page 63417

On page 63417, in column one, in the second bullet point, replace the "American Academy of Osteopathy" with the "American Osteopathic Association."

B. Page 63425

On page 63425, in column three, remove the response to the second comment, and, in its place, insert the following response: "The commenters correctly stated that psychotherapy codes are excluded from the site-of-service list; however, the two codes listed are not psychotherapy codes. They are diagnostic tests. Since these codes lack work RVUs, these codes should be treated like CPT code 90830, psychological testing. Therefore, we are modifying our proposed site-of-service list and are removing CPT codes 95880 and 95881 from the list."

C. Page 63432

On page 63432, in column two, in the second bullet point, replace the "American Academy of Osteopathy" with the "American Osteopathic Association."

D. Page 63463

On page 63463, in column 2, in line 3, in § 414.39(b)(2), insert the phrase "ownership interest in, or" before the word "financial," and insert a comma after the word "with" in line 4.