(b) HCFA will approve the system described in the APD if the following conditions are met:

- HCFA's decision to reduce FFP for
- The findings of fact upon which the determination was made;
- A statement that the system

(c) HCFA will issue to each Medicaid agency, by the end of the first quarter after the fiscal year of the review, a written notice informing the agency whether its system is reapproved or disapproved. If the system is disapproved, the notice will also include—

1. HCFA's decision to reduce FFP for system operations, and the percentage to which it is reduced, beginning with the next calendar quarter;
2. The findings of fact upon which the determination was made; and
3. A statement that the system

(6) The Department has a royalty free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and authorize others to use, for Federal government purposes, software, modifications to software, and documentation that is designed, developed, or installed with 90 percent FFP.

(c) Eligibility determination systems are not eligible for either 90 percent or 75 percent FFP under this subpart.

5. In § 433.113, the introductory language of paragraph (a) is republished for the convenience of the reader and paragraph [a][2] is revised as follows:

§ 433.113 Reduction of FFP for failure to operate a system and obtain initial approval.

(a) Except as waived under § 433.130 or 433.131, FFP will be reduced as specified in paragraph (b) of this section unless the Medicaid agency has in continuous operation a mechanized claims processing and information retrieval system that meets the following conditions:

- The system is operational by September 30, 1985; and

- The system is operational by September 30, 1985; and

- The system is operational by September 30, 1985; and

6. Section 433.119 is revised as follows:

§ 433.119 Conditions for reapproval; notice of decision.

(a) HCFA will review at least once every three years each system operation initially approved under § 433.114 and reapprove it if FFP at 75 percent of expenditures if the following conditions are met:

1. The system meets the conditions of § 433.122(b) (1), (3), (4), and (7) through (9).
2. The system meets the conditions of § 433.116(d) through (h).
3. The system meets the performance standards for reapproval and the system requirements in Part 11 of the State Medicaid Manual as periodically amended.

(b) HCFA may review an entire system operation or focus its review on parts of the operation. However, at a minimum, HCFA will review standards, system requirements and other conditions of reapproval that have demonstrated weaknesses in a previous review or reviews.

(c) HCFA will issue to each Medicaid agency, by the end of the first quarter after the fiscal year of the review, a written notice informing the agency whether its system is reapproved or disapproved. If the system is disapproved, the notice will also include—

1. HCFA's decision to reduce FFP for system operations, and the percentage to which it is reduced, beginning with the next calendar quarter;
2. The findings of fact upon which the determination was made; and
3. A statement that the system

3. Section 433.120 is amended by revising the title and paragraph [a] to read as follows:

§ 433.120 Procedures for reduction of FFP after reapproval review.

(a) If HCFA determines after the reapproval review that the system no longer meets the conditions of reapproval in § 433.119, HCFA will reduce FFP for system operations for at least four quarters. However, no system will be subject to reduction of FFP for at least the first four quarters after the quarter in which the system is initially approved as eligible for 75 percent FFP.

(b) HCFA may retroactively waive a reduction of FFP in expenditures for system operations if HCFA determines that the waiver could improve the administration of the State Medicaid plan. However, HCFA cannot waive this reduction for any quarter immediately preceding the quarter in which HCFA issues the determination (as part of the review process) stating that the system is reapproved.

§ 433.131 [Amended]

10. Section 433.131 is amended by replacing the term "MMIS" with the word "system".

[Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance]


William L. Roper,
Administrator, Health Care Financing Administration.

Approved: June 6, 1988.

Otis B. Bowen,
Secretary.

[FR Doc. 88-16149 Filed 8-10-88; 8:45 am]

BILLING CODE 4120-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611, 672 and 675

Groundfish of the Gulf of Alaska and

Groundfish of the Bering Sea and Aleutian Islands

AGENCY: National Marine Fisheries Service (NMFS), Commerce.

ACTION: Notice of availability of amendments to the fishery management plans and request for comments.

SUMMARY: NOAA issues this notice that the North Pacific Fishery Management Council (Council) has submitted Amendment 12 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Area and Amendment 17 to the FMP for Groundfish of the Gulf of Alaska for Secretarial review and is requesting comments from the public. Copies of the amendments may be obtained from the address below.
DATE: Comments on the plan amendments should be submitted on or before October 6, 1988.

ADDRESSES: All comments should be sent to James Brooks, Acting Director, Alaska Region, NMFS, P.O. Box 1068, Juneau, AK 99802.

Copies of the amendments, the environmental assessment and the regulatory impact review and initial regulatory flexibility analysis are available upon request from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510.

FOR FURTHER INFORMATION CONTACT: Jay J.C. Ginter or Ronald J. Berg (NMFS, Alaska Region), 907-586-7230.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) requires that each regional fishery management council submit any fishery management plan or plan amendment it prepares to the Secretary of Commerce (Secretary) for review and approval or disapproval. This act also requires that the Secretary, upon reviewing the plan or amendment, must immediately publish a notice that the plan or amendment is available for public review and comment. The Secretary will consider the public comments in determining whether to approve the plan or amendment.

Amendment 12 will make the following changes to the Bering Sea and Aleutian Islands FMP: (1) Require all floating processors receiving groundfish caught in the exclusive economic zone (EEZ) to obtain Federal permits and report catch weekly; (2) establish an administrative framework procedure for setting joint venture and foreign prohibited species catch limits for groundfish species that are fully U.S. utilized; (3) incorporate a technical change by removing the July 1 deadline for the annual Resource Assessment Document; and (4) require a separate category for rock sole in the annual specifications of total allowable catch.

Amendment 17 to the Gulf of Alaska FMP will modify the FMP and implementing regulations regarding floating processor permit/reporting requirements in the same way as described above in (1) for the Bering Sea and Aleutian Islands FMP. Regulations proposed by the Council and based on this amendment are scheduled to be published within 15 days.

List of Subjects
50 CFR Part 611
Fisheries, Foreign fishing.
50 CFR Part 672 and 675
Fisheries, Reporting and recordkeeping requirements.

Joe P. Clem,
Acting Director of Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 88-18213 Filed 8-8-88; 4:58 pm]
BILLING CODE 3510-22-M