

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 67****[Docket ID FEMA-2014-0002]****Final Flood Elevation Determinations****AGENCY:** Federal Emergency Management Agency, DHS.**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**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 (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final 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.

*Regulatory Classification.* This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

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

*Executive Order 12988, Civil Justice Reform.* This final 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 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.

**§ 67.11 [Amended]**

- 2. The tables published under the authority of § 67.11 are amended as follows:

State	City/town/county	Source of flooding	Location	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground ^Elevation in meters (MSL) Modified
<b>City of Newport News, Virginia</b> <b>Docket No.: FEMA-B-1158</b>				
Virginia .....	City of Newport News	Newmarket Creek .....	Approximately 0.45 mile downstream of Hampton Roads Center Parkway.	+18
			Approximately 0.94 mile upstream of Hampton Roads Center Parkway.	+21
	City of Newport News	Newmarket Creek .....	Approximately 1,287 feet downstream of Harpersville Road.	+24
			Approximately 0.56 mile upstream of Harpersville Road.	+26
	City of Newport News	Newmarket Creek Tributary.	Approximately 765 feet downstream of Augusta Drive.	+22
			Approximately 167 feet upstream of Augusta Drive.	+22
	City of Newport News	Stoney Run .....	Approximately 0.8 mile downstream of Old Courthouse Way.	+8
			Approximately 0.56 mile upstream of Woodside Lane.	+47

State	City/town/county	Source of flooding	Location	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground ^Elevation in meters (MSL) Modified
	City of Newport News	Stoney Run-Colony Pines Branch.	Approximately 776 feet downstream of Richneck Road.	+27
			Approximately 1,450 feet upstream of Windsor Castle Drive.	+40
	City of Newport News	Stoney Run-Denbigh Branch.	Just downstream of Richneck Road .....	+27
			Just downstream of McManus Boulevard .....	+33

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

#### ADDRESSES

##### City of Newport News

Maps are available for inspection at the Department of Engineering, 2400 Washington Avenue, Newport News, VA 23607.

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

Dated: July 11, 2014.

**Roy E. Wright,**

*Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

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#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### Office of the Secretary

##### 45 CFR Part 162

[CMS-0043-F]

RIN 0938-AS31

#### **Administrative Simplification: Change to the Compliance Date for the International Classification of Diseases, 10th Revision (ICD-10-CM and ICD-10-PCS) Medical Data Code Sets**

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Final rule.

**SUMMARY:** This final rule implements section 212 of the Protecting Access to Medicare Act of 2014 by changing the compliance date for the International Classification of Diseases, 10th Revision, Clinical Modification (ICD-10-CM) for diagnosis coding, including the Official ICD-10-CM Guidelines for Coding and Reporting, and the International Classification of Diseases, 10th Revision, Procedure Coding System (ICD-10-PCS) for inpatient

hospital procedure coding, including the Official ICD-10-PCS Guidelines for Coding and Reporting, from October 1, 2014 to October 1, 2015. It also requires the continued use of the International Classification of Diseases, 9th Revision, Clinical Modification, Volumes 1 and 2 (diagnoses), and 3 (procedures) (ICD-9-CM), including the Official ICD-9-CM Guidelines for Coding and Reporting, through September 30, 2015.

**DATES:** These regulations are effective on September 3, 2014.

**FOR FURTHER INFORMATION CONTACT:**

Denesecia Green, (410) 786-8797.  
Geanelle G. Herring, (410) 786-4466.  
Kamahanahokulani Farrar, (410) 786-2155.

**SUPPLEMENTARY INFORMATION:**

#### **I. Executive Summary and Background**

##### *A. Executive Summary*

##### 1. Purpose

Prior to the enactment of the Protecting Access to Medicare Act of 2014 (PAMA) (Pub. L. 113-93) on April 1, 2014, the health care industry was actively preparing to transition to the International Classification of Diseases, 10th Revision, Clinical Modification (ICD-10-CM) for diagnosis coding and the International Classification of Diseases, 10th Revision, Procedure Coding System (ICD-10-PCS) for inpatient hospital procedure coding (herein collectively referred to as ICD-10) on October 1, 2014. Many in the health care industry had invested time and resources in system upgrades, testing, training, and undertaking the necessary changes to workflow processes. However, PAMA required the

Secretary to adopt ICD-10 no sooner than October 1, 2015.

This final rule establishes October 1, 2015, as the new ICD-10 compliance date. This final rule also requires the continued use of the International Classification of Diseases, 9th Revision, Clinical Modification, Volumes 1 and 2 (diagnoses), and 3 (procedures), including the Official ICD-9-CM Guidelines for Coding and Reporting (herein collectively referred to as ICD-9-CM), through September 30, 2015.

##### a. Need for the Regulatory Action

This final rule establishes October 1, 2015 as the compliance date for ICD-10. It also requires the continued use of ICD-9-CM through September 30, 2015.

##### b. Legal Authority for the Regulatory Action

Section 212 of PAMA, titled "Delay in Transition from ICD-9-CM to ICD-10 Code Sets" is the legal authority for the regulatory action.

##### 2. Summary of the Major Provisions

As noted previously, this final rule changes the compliance date for ICD-10 from October 1, 2014 to October 1, 2015 and requires covered entities to continue using ICD-9-CM through September 30, 2015.

##### 3. Summary of Costs and Benefits

In the September 5, 2012 **Federal Register** (77 FR 54664), the Department of Health and Human Services (HHS) published a final rule titled "Administrative Simplification: Adoption of a Standard for a Unique Health Plan Identifier; Addition to the National Provider Identifier