

Committee meeting, which is open to the public. Interested individuals must register to attend as instructed below under **SUPPLEMENTARY INFORMATION**.

**DATES:** The Green Building Advisory Committee will hold a web-based public meeting on Monday, April 18, 2022 from 11:00 a.m. to 5:00 p.m. Eastern Time (ET).

**FOR FURTHER INFORMATION CONTACT:** Dr. Ken Sandler, Designated Federal Officer, Office of Federal High-Performance Green Buildings, Office of Government-wide Policy, General Services Administration, 1800 F Street NW (Mail-code: MG), Washington, DC 20405, at [ken.sandler@gsa.gov](mailto:ken.sandler@gsa.gov) or 202-219-1121. Additional information about the Committee, including meeting materials and agendas, will be available on-line at <https://www.gsa.gov/gbac>.

#### **SUPPLEMENTARY INFORMATION:**

#### **Procedures for Attendance**

Contact Dr. Ken Sandler at [ken.sandler@gsa.gov](mailto:ken.sandler@gsa.gov) to register to attend this public web-based meeting. To register, submit your full name, organization, email address and phone number. Requests to attend the web-based meeting must be received by 5:00 p.m. ET, on Tuesday, April 12, 2022. Meeting call-in information will be provided to interested parties who register by the deadline. (GSA will be unable to provide technical assistance to any listener experiencing technical difficulties. Testing access to the web-based meeting site before the meetings is recommended.) Contact Dr. Sandler to register to provide public comment during the April 18, 2022 meeting public comment period. Attendees registered to provide public comment will be allowed a maximum of five minutes each and will need to provide written copies of their comments. Requests to provide public comment at the Committee meeting must be received by 5:00 p.m. ET, on Tuesday, April 12, 2022. To request for an accommodation, such as closed captioning, or to ask about accessibility, please contact Mr. Bryan Steverson at [bryan.steverson@gsa.gov](mailto:bryan.steverson@gsa.gov) by Monday, April 4, 2022 to give GSA as much time as possible to process the request.

#### **Background**

The Administrator of GSA established the Committee on June 20, 2011 (**Federal Register**/Vol. 76, No. 118) pursuant to Section 494 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17123). Under this statute, the Committee provides independent policy advice and recommendations to GSA to advance federal building

innovations in planning, design, and operations to reduce costs, enable agency missions, enhance human health and performance, and minimize environmental impacts.

#### **April 18, 2022 Meeting Agenda**

- Updates and Introductions
- Update on Embodied Carbon
- Environmental Justice and Equity for Federal Green Buildings Task Group: Proposed Advice Letter
- Federal Building Decarbonization Task Group: Proposed Advice Letter and Update
- Executive Order 14057: Update and Discussion
- New Committee Topics and Directions
- Public Comment
- Next Steps and Closing Comments

**Kevin Kampschroer,**

*Federal Director, Office of Federal High-Performance Green Buildings, Office of Government-wide Policy, General Services Administration.*

[FR Doc. 2022-06040 Filed 3-21-22; 8:45 am]

**BILLING CODE 6820-14-P**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Centers for Medicare & Medicaid Services**

**[CMS-3422-N]**

#### **Announcement of the Re-Approval of the American Association for Laboratory Accreditation (A2LA) as an Accreditation Organization Under the Clinical Laboratory Improvement Amendments of 1988**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** This notice announces the application of the American Association for Laboratory Accreditation (A2LA) for approval as an accreditation organization for clinical laboratories under the Clinical Laboratory Improvement Amendments of 1988 (CLIA) program. We have determined that the A2LA meets or exceeds the applicable CLIA requirements. In this notice, we announce the approval and grant the A2LA deeming authority for a period of 6 years.

**DATES:** The approval announced in this notice is effective from March 23, 2022, until March 22, 2028.

**FOR FURTHER INFORMATION CONTACT:** Cindy Flacks, 410-786-6520.

**SUPPLEMENTARY INFORMATION:**

## **I. Background and Legislative Authority**

On October 31, 1988, the Congress enacted the Clinical Laboratory Improvement Amendments of 1988 (CLIA) (Pub. L. 100-578). CLIA amended section 353 of the Public Health Service Act. We issued a final rule implementing the accreditation provisions of CLIA on July 31, 1992 (57 FR 33992). Under those provisions, we may grant deeming authority to an accreditation organization if its requirements for laboratories accredited under its program are equal to or more stringent than the applicable CLIA program requirements in 42 CFR part 493 (Laboratory Requirements). Subpart E of part 493 (Accreditation by a Private, Nonprofit Accreditation Organization or Exemption Under an Approved State Laboratory Program) specifies the requirements an accreditation organization must meet to be approved by CMS as an accreditation organization under CLIA.

## **II. Notice of Approval of A2LA as an Accreditation Organization**

In this notice, we approve the American Association for Laboratory Accreditation (A2LA) as an organization that may accredit laboratories for purposes of establishing their compliance with CLIA requirements in all specialties and subspecialties. We have examined the initial A2LA application and all subsequent submissions to determine its accreditation program's equivalency with the requirements for approval of an accreditation organization under subpart E of part 493. We have determined that the A2LA meets or exceeds the applicable CLIA requirements. We have also determined that the A2LA will ensure that its accredited laboratories will meet or exceed the applicable requirements in subparts H, I, J, K, M, Q, and the applicable sections of subpart R of part 493. Therefore, we grant the A2LA approval as an accreditation organization under subpart E of part 493, for the period stated in the **DATES** section of this notice for all specialties and subspecialties under CLIA. As a result of this determination, any laboratory that is accredited by the A2LA during the time period stated in the **DATES** section of this notice will be deemed to meet the CLIA requirements for the listed specialties and subspecialties, and therefore, will generally not be subject to routine inspections by a State survey agency to determine its compliance with CLIA requirements. The accredited laboratory,

however, is subject to validation and complaint investigation surveys performed by CMS, or its agent(s).

### **III. Evaluation of the A2LA Request for Approval as an Accreditation Organization Under CLIA**

The following describes the process used to determine that the A2LA accreditation program meets the necessary requirements to be approved by CMS and that, as such, we may approve the A2LA as an accreditation program with deeming authority under the CLIA program. The A2LA formally applied to CMS for approval as an accreditation organization under CLIA for all specialties and subspecialties.

In reviewing these materials, we reached the following determinations for each applicable part of the CLIA regulations:

#### ***A. Subpart E—Accreditation by a Private, Nonprofit Accreditation Organization or Exemption Under an Approved State Laboratory Program***

The A2LA submitted its mechanism for monitoring compliance with all requirements equivalent to condition-level requirements, a list of all its current laboratories and the expiration date of their accreditation, and a detailed comparison of the individual accreditation requirements with the comparable condition-level requirements. We have determined that the A2LA policies and procedures for oversight of laboratories performing all laboratory testing covered by CLIA are equivalent to those required by our CLIA regulations in the matters of inspection, monitoring proficiency testing (PT) performance, investigating complaints, and making PT information available. The A2LA submitted documentation regarding its requirements for monitoring and inspecting laboratories and describing its own standards regarding accreditation organization data management, inspection processes, procedures for removal or withdrawal of accreditation, notification requirements, and accreditation organization resources. We have determined that the requirements of the accreditation program submitted for approval are equal to or more stringent than the requirements of the CLIA regulations.

#### ***B. Subpart H—Participation in Proficiency Testing for Laboratories Performing Nonwaived Testing***

We have determined that the A2LA's requirements are equal to or more stringent than the CLIA requirements at §§ 493.801 through 493.865. Consistent with the CLIA requirements, all of the

A2LA's accredited laboratories are required to participate in an HHS-approved PT program for tests listed in subpart I. The CLIA requirement at § 493.801(b)(6) requires PT activities for the primary methods for nonwaived testing, whereas the A2LA requires its accredited laboratories to conduct PT activities for both primary and secondary test systems for waived and non-waived testing.

#### ***C. Subpart J—Facility Administration for Nonwaived Testing***

The A2LA's requirements are equal to or more stringent than the CLIA requirements at §§ 493.1100 through 493.1105.

#### ***D. Subpart K—Quality System for Nonwaived Testing***

We have determined that the quality control requirements of the A2LA are equal to or more stringent than the CLIA requirements at §§ 493.1200 through 493.1299.

#### ***E. Subpart M—Personnel for Nonwaived Testing***

We have determined that the A2LA's requirements are equal to or more stringent than the CLIA requirements at §§ 493.1403 through 493.1495 for laboratories that perform moderate and high complexity testing.

#### ***F. Subpart Q—Inspection***

We have determined that the A2LA's inspection requirements are equal to or more stringent than the CLIA requirements at §§ 493.1771 through 493.1780. The A2LA will continue to conduct biennial onsite inspections. The A2LA requires annual review of all accredited laboratories. Laboratories are required to submit any updates on information about its organization, facilities, key personnel, and results of any proficiency testing. Laboratories may be required to undergo an onsite surveillance visit if they do not submit their annual review documentation to the A2LA by the established 30-day deadline, if significant changes to the facility or organization have occurred, or if proficiency testing results have been consistently poor. The CLIA regulations do not have these requirements.

#### ***G. Subpart R—Enforcement Procedures***

We have determined that A2LA meets the requirements of subpart R to the extent that it applies to accreditation organizations. The A2LA policy sets forth the actions the organization takes when laboratories it accredits do not comply with its requirements and standards for accreditation. When

appropriate, the A2LA will deny, suspend, or revoke accreditation in a laboratory accredited by A2LA and report that action to us within 30 days. A2LA also provides an appeals process for laboratories that have had accreditation denied, suspended, or revoked.

We have determined that the A2LA's laboratory enforcement and appeal policies are equal to or more stringent than the requirements of part 493, subpart R, as they apply to accreditation organizations.

### **IV. Federal Validation Inspections and Continuing Oversight**

The Federal validation inspections of laboratories accredited by the A2LA may be conducted on a representative sample basis or in response to substantial allegations of noncompliance (that is, complaint inspections). The outcome of those validation inspections, performed by CMS or our agents, or the State survey agencies, will be our principal means for verifying that the laboratories accredited by the A2LA remain in compliance with CLIA requirements. This Federal monitoring is an ongoing process.

### **V. Removal of Approval as an Accrediting Organization**

Our regulations provide that we may rescind the approval of an accreditation organization, such as that of the A2LA, for cause, before the end of the effective date of approval. If we determine that the A2LA has failed to adopt, maintain, and enforce requirements that are equal to, or more stringent than, the CLIA requirements, or that systemic problems exist in its monitoring, inspection or enforcement processes, we may impose a probationary period, not to exceed 1 year, in which the A2LA would be allowed to address any identified issues. Should the A2LA be unable to address the identified issues within that timeframe, we may, in accordance with the applicable regulations, revoke the A2LA's deeming authority under CLIA.

Should circumstances result in our withdrawal of the A2LA's approval, we will publish a notice in the **Federal Register** explaining the basis for removing its approval.

### **VI. Collection of Information Requirements**

This document does not impose information collection requirements, that is, reporting record keeping or third party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget (OMB) under the authority of the

Paperwork Reduction Act of 1995 (44 U.S.C. 35). The requirements associated with the accreditation process for clinical laboratories under the CLIA program, and the implementing regulations in 42 CFR part 493, subpart E, are currently approved under OMB control number 0938–0686.

## VII. Executive Order 12866 Statement

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

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Chiquita Brooks-LaSure, having reviewed and approved this document, authorizes Lynette Wilson, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Dated: March 17, 2022.

**Lynette Wilson,**

*Federal Register Liaison, Centers for Medicare & Medicaid Services.*

[FR Doc. 2022–06023 Filed 3–21–22; 8:45 am]

**BILLING CODE 4120–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[CMS–7066–N]

### Announcement of the Advisory Panel on Outreach and Education (APOE) April 7, 2022 Virtual Meeting

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** This notice announces the next meeting of the APOE (the Panel) in accordance with the Federal Advisory Committee Act. The Panel advises and makes recommendations to the Secretary of the U.S. Department of Health and Human Services (HHS) (the Secretary) and the Administrator of the Centers for Medicare & Medicaid Services (CMS) on opportunities to enhance the effectiveness of consumer education strategies concerning the Health Insurance Marketplace®, Medicare, Medicaid, and the Children's Health Insurance Program (CHIP). This meeting is open to the public.

**DATES:** *Meeting Date:* Thursday, April 7, 2022 from 12:00 p.m. to 5:00 p.m. eastern daylight time (e.d.t.).

*Deadline for Meeting Registration, Presentations, Special*

*Accommodations, and Comments:* Thursday, March 31, 2022 5:00 p.m. (e.d.t.).

**ADDRESSES:** *Meeting Location:* Virtual. All those who RSVP will receive the link to attend.

*Presentations and Written Comments:* Presentations and written comments should be submitted to: Lisa Carr, Designated Federal Official (DFO), Office of Communications, Centers for Medicare & Medicaid Services, 200 Independence Avenue SW, Mailstop 325G HHH, Washington, DC 20201, 202–690–5742, or via email at [APOE@cms.hhs.gov](mailto:APOE@cms.hhs.gov).

*Registration:* Persons wishing to attend this meeting must register at the website <https://www.eventbrite.com/e/apoe-april-7-2022-virtual-meeting-tickets-261248299697> or by contacting the DFO listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, by the date listed in the **DATES** section of this notice. Individuals requiring sign language interpretation or other special accommodations should contact the DFO at the address listed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Lisa Carr, Designated Federal Official, Office of Communications, 200 Independence Avenue SW, Mailstop 325G HHH, Washington, DC 20201, 202–690–5742, or via email at [APOE@cms.hhs.gov](mailto:APOE@cms.hhs.gov).

Additional information about the APOE is available at: <https://www.cms.gov/Regulations-and-Guidance/Guidance/FACA/APOE> Press inquiries are handled through the CMS Press Office at (202) 690–6145.

### SUPPLEMENTARY INFORMATION:

#### I. Background and Charter Renewal Information

##### A. Background

The Advisory Panel for Outreach and Education (APOE) (the Panel) is governed by the provisions of the Federal Advisory Committee Act (FACA) (Pub. L. 92–463), as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of federal advisory committees. The Panel is authorized by section 1114(f) of the Social Security Act (the Act) (42 U.S.C. 1314(f)) and section 222 of the Public Health Service Act (42 U.S.C. 217a).

The Secretary of the U.S. Department of Health and Human Services (HHS) (the Secretary) signed the charter establishing the Citizen's Advisory Panel on Medicare Education<sup>1</sup> (the

<sup>1</sup> We note that the Citizen's Advisory Panel on Medicare Education is also referred to as the

predecessor to the APOE) on January 21, 1999 (64 FR 7899) to advise and make recommendations to the Secretary and the Administrator of the Centers for Medicare & Medicaid Services (CMS) on the effective implementation of national Medicare education programs, including with respect to the Medicare+Choice (M+C) program added by the Balanced Budget Act of 1997 (Pub. L. 105–33).

The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) (Pub. L. 108–173) expanded the existing health plan options and benefits available under the M+C program and renamed it the Medicare Advantage (MA) program. CMS has had substantial responsibilities to provide information to Medicare beneficiaries about the range of health plan options available and better tools to evaluate these options. The successful MA program implementation required CMS to consider the views and policy input from a variety of private sector constituents and to develop a broad range of public-private partnerships.

In addition, Title I of the MMA authorized the Secretary and the Administrator of CMS (by delegation) to establish the Medicare prescription drug benefit. The drug benefit allows beneficiaries to obtain qualified prescription drug coverage. In order to effectively administer the MA program and the Medicare prescription drug benefit, we have substantial responsibilities to provide information to Medicare beneficiaries about the range of health plan options and benefits available, and to develop better tools to evaluate these plans and benefits.

The Patient Protection and Affordable Care Act (Pub. L. 111–148) and Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152) (collectively referred to as the Affordable Care Act) expanded the availability of other options for health care coverage and enacted a number of changes to Medicare as well as to Medicaid and CHIP. Qualified individuals and qualified employers are now able to purchase private health insurance coverage through a competitive marketplace, called an Affordable Insurance Exchange (also called Health Insurance Marketplace®, or Marketplace®<sup>2</sup>). In order to effectively implement and administer these changes, we must provide information

Advisory Panel on Medicare Education (65 FR 4617). The name was updated in the Second Amended Charter approved on July 24, 2000.

<sup>2</sup> Health Insurance Marketplace® and Marketplace® are service marks of the U.S. Department of Health and Human Services.