

of the financial and statistical records of participating providers.

(f) *Public Notice.* The Medicaid agency must provide that it has complied with the public notice requirements in § 447.205 of this part when it is proposing significant changes to its methods or standards for setting payment rates for inpatient hospital or LTC facility services.

(g) *Rates Paid.* The Medicaid agency must pay for inpatient hospital and long term care services using rates determined in accordance with methods and standards specified in an approved State plan.

5. The material in § 447.253 is revised, and the revised material is designated as § 447.252, as follows:

§ 447.252 State plan requirements.

(a) The plan must provide that the requirements of this subpart are met.

(b) The plan must specify comprehensively the methods and standards used by the agency to set payment rates in a manner consistent with 45 CFR 201.2.

(c) If the agency chooses to apply the cost limits established under Medicare (see § 405.460 of this chapter) on an individual provider basis, the plan must specify this requirement.

(The OMB approval number for the reporting of these State plan requirements is 0938-0193)

§ 447.254 [Removed]

6. Section 447.254 is removed.

7. Section 447.255 is amended by revising the title, removing paragraph (a) and revising paragraph (b) to read as follows:

§ 447.255 Related information.

The Medicaid agency must submit, with the assurances described in § 447.253(a), the following information:

(a) The amount of the estimated average proposed payment rate for each type of provider (hospital, SNF, ICF, or ICF/MR), and the amount by which that estimated average rate increased or decreased relative to the average payment rate in effect for each type of provider for the immediately preceding rate period;

(b) An estimate of the short-term and, to the extent feasible, long-term effect the change in the estimated average rate will have on—

(1) The availability of services on a Statewide and geographic area basis;

(2) The type of care furnished;

(3) The extent of provider participation; and

(4) The degree to which costs are covered in hospitals that serve a disproportionate number of low income patients with special needs.

8. Section 447.256 is revised to read as follows:

§ 447.256 Procedures for HCFA action on assurances and State plan amendments.

(a) *Criteria for approval.* (1) HCFA approval action on State plans and significant or other State plan amendments, is taken in accordance with 45 CFR 201.2 and 201.3 and §§ 1116, 1902(b) and 1915(f) of the Act.

(2) In the case of State plan and plan amendment changes in payment methods and standards, HCFA bases its approval on the acceptability of the Medicaid agency's assurances that the requirements of § 447.253 have been met, and the State's compliance with the other requirements of this subpart.

(b) *Time Limit.* HCFA will send a notice to the agency of its determination as to whether the assurances regarding a State plan amendment are acceptable within 90 days of the date HCFA receives the assurances described in § 447.253, and the related information described in § 447.255 of this subpart. If HCFA does not send a notice to the agency of its determination within this time limit and the provisions in paragraph (a) of this section are met, the assurances and/or the State plan amendment will be deemed accepted and approved.

(c) *Effective date.* A State plan amendment that is approved will become effective not earlier than the first day of the calendar quarter in which an approvable amendment is submitted in accordance with 45 CFR 201.3(g) and 447.253.

§§ 447.258, 447.260, 447.265, 447.272 [Removed]

9. Sections 447.258, 447.260, 447.265, 447.272 are removed.

(Catalog of Federal Domestic Assistance Programs, No. 13.714, Medical Assistance Program)

Dated: December 13, 1982.

Carolyn K. Davis,
Administrator, Health Care Financing Administration.

Approved: April 26, 1983.

Margaret M. Heckler,
Secretary.

[FR Doc. 83-33334 Filed 12-16-83; 8:45 am]

BILLING CODE 4120-03-M

LEGAL SERVICES CORPORATION

45 CFR Parts 1612, 1618 and 1621

Instruction on Implementation; LSC Instruction 83-10

AGENCY: Legal Services Corporation.

ACTION: Adoption of LSC Instruction 83-10.

SUMMARY: The Legal Services Corporation requires that its recipient provide an opportunity for grievance and/or complaint to eligible clients and members of the public. This instruction provides guidance as to the implementation of those requirements.

EFFECTIVE DATE: January 18, 1984.

FOR FURTHER INFORMATION CONTACT: Thomas J. Opsut, Office of Compliance and Review, Legal Services Corporation, 733 15th Street, NW., Washington, D.C. 20005, (202) 272-4331.

Authority: Section 1008(e) of the Legal Services Corporation Act of 1974 as amended, 1977; 42 U.S.C. 2996g(e).

I. Purpose

The purpose of this instruction is to provide guidance as to the implementation of the Act, 45 CFR 1612.5, 45 CFR 1618, and 45 CFR 1621 to assure the opportunity for grievances and complaints to be appropriately resolved. The Act and regulations currently require recipients of LSC funding to adopt policies and procedures to allow eligible persons a grievance process. Recipients also have an affirmative responsibility under 45 CFR 1612.5 and 45 CFR 1618 to enforce provisions of the Act and regulations.

For these requirements to be effective, all segments of the public must have an opportunity to express their complaint or grievance. Access to the governing body is essential to assure enforcement and fulfillment of the governing body's responsibility. The real or perceived problem should be resolved in a timely manner at the local level whenever possible.

II. Policy

Consistent with Section 1006(b)(2) of the Legal Services Corporation Act of 1974 as amended, 1977, 45 CFR 1612.5, 45 CFR 1618, and 45 CFR Part 1621, the governing body of each grantee, subgrantee, or contractor who receives annualized funding shall adopt written procedures to assure any applicant for service or member of the public an opportunity to bring a complaint concerning denial of service, manner or quality of services, or a violation of the Act, regulation, instructions, or guidelines. The procedures must allow the opportunity for the complainant to have a prompt hearing before a committee of the governing body. A record shall be kept of the hearing, of the findings, and decisions of the committee. The decision shall be reviewable by the governing body as a

whole. The record of the hearing, all findings, and decisions by the committee of the governing board shall be available for inspection by the Corporation.

Each recipient shall provide adequate notice of this procedure to all applicants for service as required in 45 CFR Part 1621 and upon request provide a copy of the written policy and procedure to any member of the public who requests it. The information provided must include notice that the complainant may also contact the:

Legal Services Corporation, Office of Compliance and Review, 733 Fifteenth Street, N.W., Washington, D.C. 20005.

By April 1, 1984, and at least annually thereafter, public notice by local publication must be given which includes a summary of the policy and procedure.

Dated: December 14, 1983.

Gregg L. Hartley,
Director, Office of Field Services.
[FR Doc. 83-33636 Filed 12-16-83; 8:45 am]
BILLING CODE 6820-35-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

Various Railroads Authorized To Use Tracks and/or Facilities of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor, (Richard B. Ogilvie, Trustee)

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 4 To Thirteenth Revised Service Order No. 1474.

SUMMARY: Pursuant to Section 122 of the Rock Island Railroad Transition and Employee Assistance Act, Public Law 96-254, this order authorizes various railroads to provide interim service over the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor, (Richard B. Ogilvie), Trustee, and to use such tracts and facilities as are necessary for operations. This order permits carriers to continue to provide service to shippers which would otherwise be deprived of essential rail transportation.

EFFECTIVE: 11:59 p.m., December 15, 1983, and continuing in effect until 11:59 p.m., March 31, 1984, unless otherwise modified, amended or vacated by order of this Commission.

FOR FURTHER INFORMATION CONTACT:
M. F. Clemens, Jr., (202) 275-7840 or 275-1559.

Decided: December 13, 1983.

Upon further consideration of Thirteenth Revised Service Order No. 1474 (48 FR 6989, 13047, 28992 and 44559), and good cause appearing therefor:

It is ordered,

§ 1033.1474 Revised Service Order 1474.

(a) Various railroads authorized to use tracks and/or facilities of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, debtor, (Richard B. Ogilvie, trustee).

Thirteenth Revised Service Order No. 1474 is amended by substituting the following paragraph (n) for paragraph (n) thereof:

(n) *Expiration date.* The provisions of this order are extended for an additional period of time, and shall expire at 11:59 p.m., March 31, 1984, unless otherwise modified, amended or vacated by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 15, 1983.

This action is taken under authority of 49 U.S.C. 10304-10305 and Section 122, Pub. L. 96-254.

This amendment shall be served upon the Association of American Railroads, Transportation Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. Notice of this amendment shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

List of Subjects in 49 CFR Part 1033

Railroads.

By the Commission, Railroad Service Board, members J. Warren McFarland, Bernard Gaillard, and John H. O'Brien.

James H. Bayne,
Acting Secretary.

[FR Doc. 83-33570 Filed 12-16-83; 8:45 am]
BILLING CODE 7035-01-M