

content and the clarifying technical and editorial changes affect the substance of the rules. If we revise this rule as a result of comments, we will discuss all timely comments in the preamble to the revised rule.

Waiver of Proposed Rulemaking

The changes made by this rule are purely technical and editorial and have no substantive impact. Accordingly, we find that there is good cause to waive proposed rulemaking procedures as unnecessary.

Regulatory Flexibility Analysis

Consistent with the Regulatory Flexibility Act (RFA) and section 1102(b) of the Social Security Act, we prepare a regulatory flexibility analysis for each rule, unless the Secretary certifies that the particular rule will not have a significant economic impact on a substantial number of small entities, or a significant impact on the operation of a substantial number of small rural hospitals.

The RFA defines "small entity" as a small business, a nonprofit enterprise, or a governmental jurisdiction (such as a county, city, or township) with a population of less than 50,000. We also consider all providers and suppliers of services to be small entities. For purposes of section 1102(b) of the Act, we define small rural hospital as a hospital that has fewer than 50 beds, and is located anywhere but in a metropolitan statistical area.

We have not prepared a regulatory flexibility analysis because we have determined, and the Secretary certifies, that these rules will not have a significant economic impact on a substantial number of small entities or a significant impact on the operation of a substantial number of small rural hospitals.

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

List of Subjects

42 CFR Part 400

Grant programs-health, Health facilities, Health maintenance organizations (HMO), Medicaid, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 405

Administrative practice and procedure, Health facilities, Health professions, Kidney diseases, Medicare, Reporting and recordkeeping requirements, Rural areas, X-rays.

42 CFR Part 410

Health facilities, Health professions, Kidney diseases, Laboratories, Medicare, Rural areas, X-rays.

42 CFR Part 484

Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 485

Grant programs-health, Health facilities, Medicaid, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 486

Health professionals, Medicare, Organ procurement, X-rays.

42 CFR Part 498

Administrative practice and procedure, Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

42 CFR chapter IV is amended as set forth below:

PART 400—INTRODUCTION; DEFINITIONS

A. Part 400 is amended as set forth below:

1. The authority citation for part 400 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395(hh)) and 44 U.S.C. Chapter 35.

§ 400.310 [Amended]

2. In the left-hand column of § 400.310, the following changes are made:

a. "405.1716, 405.1717, 405.1720, 405.1721, 405.1722, 405.1724, 405.1725, 405.1726" is revised to read "485.709, 485.711, 485.717, 485.719, 485.721, 485.725, 485.727, 485.729."

b. "405.1733, 405.1736, 405.1737" is revised to read "486.155, 486.161, 486.163".

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Part 405 is amended as set forth below:

§§ 405.1411, 405.1412, 405.1413, 405.1414, 405.1415, 1405.1416 [Redesignated]

1. Subpart N, consisting of §§ 405.1411 through 405.1416 is redesignated as subpart C under a new part 486, in accordance with the following redesignation table:

Old section (subpart N of part 405)	New section (subpart C of part 486)
405.1411	486.100

Old section (subpart N of part 405)	New section (subpart C of part 486)
405.1412	486.102
405.1413	486.104
405.1414	486.106
405.1415	486.108
405.1416	486.110

§§ 405.1701, 405.1730 [Amended]

2. In subpart Q, the undesignated centered headings preceding § 405.1701 and § 405.1730, respectively, are removed.

§§ 405.1701, 405.1702, 405.1715–405.1726 [Redesignated]

3. Subpart G to part 485 is added and reserved and §§ 405.1701, 405.1702, and 405.1715 through 405.1726 of subpart Q in part 405 are redesignated as new subpart H under part 485 in accordance with the following redesignation table:

Old section (subpart Q of part 405)	New section (subpart H of part 485)
405.1701	485.701
405.1702, introductory text	Removed.
405.1702(a)	485.705(a)
405.1702(b)	485.703(a)
405.1702(c)	485.703(b)
405.1702(d)	485.705(b)
405.1702(e)	485.705(c)
405.1702(f)	485.705(d)
405.1702(g)	485.705(e)
405.1702(h)	485.703(c)
405.1702(i)	485.703(d)
405.1702(j)	485.705(f)
405.1702(k)	485.705(g)
405.1702(l)	485.703(e)
405.1702(m)	485.705(h)
405.1715	485.707
405.1716	485.709
405.1717	485.711
405.1718	485.713
405.1719	485.715
405.1720	485.717
405.1721	485.719
405.1722	485.721
405.1723	485.723
405.1724	485.725
405.1725	485.727
405.1726	485.729

§§ 405.1730–405.1737 [Redesignated]

4. Sections 405.1730 through 405.1737 are redesignated as subpart D under a new part 486, in accordance with the following redesignation table:

Old section (subpart Q of part 405)	New section (subpart D of part 486)
405.1730	486.150
405.1731	486.151
405.1732	486.153
405.1733	486.155
405.1734	486.157
405.1735	486.159
405.1736	486.161
405.1737	486.163