

correspondence we normally receive concerning regulations, we are not able to acknowledge or respond to the comments individually. However, if we decide that changes are necessary as a result of our consideration of timely comments, we will issue a final rule and respond to the comments in the preamble of that rule.

#### IV. Regulatory Impact Statement

For final rules with comment period, we generally prepare a regulatory flexibility analysis that is consistent with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 through 612), unless we certify that a final rule will not have a significant economic impact on a substantial number of small entities. For purposes of a RFA, individuals and States are not considered to be small entities.

In addition, section 1102(b) of the Social Security Act requires us to prepare a regulatory impact analysis for any final rule that may have a significant impact on the operations of a substantial number of small rural hospitals. Such an analysis must conform to the provisions of section 604 of the RFA. With the exception of hospitals located in certain rural counties adjacent to urban areas, for purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a Metropolitan Statistical Area and has fewer than 50 beds.

We estimate that the costs of performing the redeterminations arising from recent Federal laws will be substantial. We expect that nearly 1,600,000 individuals will have their eligibility redetermined. Of this number, most are SSI-eligible individuals, and of these, 500,000 involve redetermination of disability. We estimate that the cost to the Medicaid program, emanating from Public Laws 104-193 and 104-121, of allowing a longer period of time to make eligibility redeterminations on those individuals who may lose benefits to be approximately \$50 million (Federal share) in FY 1998. This is estimated on the basis of the redeterminations occurring within one year of implementation of this rule and requiring an approximate extra 75 days to complete.

Because these final regulations affect only States and individuals, which are not defined as small entities, we have determined, and we certify, that this rule will not have a significant economic impact under the threshold criteria of the RFA. Further, we certify, for the same reasons, that this final rule does not have a significant impact on the operations of a substantial number

of small rural hospitals. Therefore, we have not prepared a regulatory flexibility analysis or an analysis of the effects of this rule on small rural hospitals.

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

#### V. Collection of Information Requirements

This rule does not impose any new information collection or recordkeeping requirements that are subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). The existing collection requirements under § 435.1003 are currently approved under OMB approval number 0938-0247 through May 31, 1997.

Redetermination of eligibility is currently required for all individuals whose eligibility is affected either by change in law or change in individual circumstances. The passage of Public Laws 104-193 and 104-121 requires that SSA redetermine the SSI eligibility of large numbers of recipients. Once SSA issues redetermination notices to the affected individuals, States must redetermine Medicaid eligibility of these individuals. Regulations at § 435.1003 require that such redeterminations be performed promptly. These new rules will not change the redetermination requirement and the associated paperwork needed to perform a redetermination. However, because of the change in Federal law, there will be a substantial increase in the volume of redeterminations States will have to make. These regulations are designed to relieve the States of the pressures and costs of these redeterminations by providing both more time and FFP to conduct the redeterminations and to provide FFP in Medicaid expenditures while the redeterminations are pending.

We estimate that each redetermination will involve approximately 18 hours.

#### List of Subjects in 42 CFR Part 435

Aid to Families with Dependent Children, Grant programs—health, Medicaid, Reporting and recordkeeping requirements, Supplemental Security Income (SSI), Wages.

42 CFR Part 435 is amended as follows:

### PART 435—ELIGIBILITY IN THE STATES, DISTRICT OF COLUMBIA, THE NORTHERN MARIANA ISLANDS, AND AMERICAN SAMOA

1. The authority citation for part 435 continues to read as follows:

Authority: Section 1102 of the Social Security Act (42 U.S.C. 1302).

2. In § 435.1003, the title is revised, and a new paragraph (c) is added to read as follows:

#### § 435.1003 FFP for redeterminations.

\* \* \* \* \*

(c) When a change in Federal law affects the eligibility of substantial numbers of Medicaid recipients, the Secretary may waive the otherwise applicable FFP requirements and redetermination time limits of this section, in order to provide a reasonable time to complete such redeterminations. The Secretary will designate an additional amount of time beyond that allowed under paragraphs (a) and (b) of this section, within which FFP will be available, to perform large numbers of redeterminations arising from a change in Federal law.

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: December 10, 1996.

Bruce C. Vladeck,  
*Administrator, Health Care Financing Administration.*

Dated: December 20, 1996.

Donna E. Shalala,  
*Secretary.*

[FR Doc. 97-673 Filed 1-10-97; 8:45 am]

BILLING CODE 4120-01-P

### FEDERAL EMERGENCY MANAGEMENT AGENCY

#### 44 CFR Part 64

[Docket No. FEMA-7655]

#### List of Communities Eligible for the Sale of Flood Insurance

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

**EFFECTIVE DATES:** The dates listed in the third column of the table.

**ADDRESSES:** Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Shea, Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street SW., room 417, Washington, DC 20472, (202) 646-3619.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHB) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the

Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

#### National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

#### Regulatory Flexibility Act

The Executive Associate Director certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U. S. C. 601 et seq., because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

#### 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.

#### Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

#### Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

#### Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

#### List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

#### PART 64—[AMENDED]

1. The authority citation for part 64 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.

#### § 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date
<b>New Eligibles—Emergency Program</b>			
Michigan: Burnside, township of, Lapeer County .....	260960	November 6, 1996 .....	November 26, 1976.
Texas: Onalaska, city of, Polk County .....	480974	.....do .....	
Kentucky: McCreary County, unincorporated areas .....	210343	November 19, 1996 .....	November 25, 1977.
Virginia: Charlotte County, unincorporated areas .....	510333	November 26, 1996 .....	June 7, 1978.
<b>New Eligibles—Regular Program</b>			
Puerto Rico: Bayamón, <sup>1</sup> Municipality of, Bayamón County .....	720100	November 19, 1996 .....	September 20, 1996.
Texas: Anna, city of, Collin County .....	480132	November 29, 1996 .....	January 19, 1996.
<b>Reinstatements</b>			
New Jersey: Fairview, borough of, Bergen County .....	340043	July 16, 1975, Emerg.; August 2, 1982, Reg.; September 20, 1995, Susp.; November 15, 1996, Rein.	September 20, 1995.
New York: Lake George, village of, Warren County .....	360877	April 23, 1975, Emerg.; June 22, 1984, Reg.; September 29, 1996, Susp.; November 19, 1996, Rein.	September 29, 1996.
Pennsylvania:			
Nicholson, township of, Fayette County .....	422420	July 29, 1975, Emerg.; September 4, 1991, Reg.; September 6, 1995, Susp.; November 19, 1996, Rein.	September 6, 1995.
East Pikeland, township of, Chester County .....	421483	September 6, 1974, Emerg.; March 16, 1981, Reg.; March 16, 1981, Susp.; April 27, 1981, Rein.; November 20, 1996, Susp.; November 29, 1996, Rein.	November 20, 1996.

State/location	Community No.	Effective date of eligibility	Current effective map date
West Bradford, township of, Chester County .....	421495	February 10, 1975, Emerg.; July 16, 1981, Reg.; November 20, 1996, Susp.; November 29, 1996, Rein.	Do.
<b>Regular Program Conversions</b>			
<b>Region I</b>			
Massachusetts: Nantucket, town of, Nantucket County .....	250230	November 6, 1996, Suspension Withdrawn	November 6, 1996.
<b>Region III</b>			
Pennsylvania:			
Auburn, borough of, Schuylkill County .....	420766	.....do .....	Do.
Schuylkill Haven, borough of, Schuylkill County .....	420787	.....do .....	Do.
South Manheim, township of, Schuylkill County .....	422022	.....do .....	Do.
<b>Region V</b>			
Michigan: Muir, village of, Ionia County .....	260916	.....do .....	Do.
Wisconsin: New Berlin, City of, Waukesha County .....	550487	.....do .....	Do.
<b>Region VI</b>			
Texas:			
Baytown, city of, Harris County .....	485456	.....do .....	Do.
Bellaire, city of, Harris County .....	480289	.....do .....	Do.
Chelford City M.U.D., Harris County .....	481568	.....do .....	Do.
Deer Park, city of, Harris County .....	480291	.....do .....	Do.
El Lago, city of, Harris County .....	485466	.....do .....	Do.
Fort Bend County M.U.D. No. 2, Harris County .....	481272	.....do .....	Do.
Galena Park, city of, Harris County .....	480293	.....do .....	Do.
Harris County, unincorporated areas .....	480287	.....do .....	Do.
Hilshire Village, city of, Harris County .....	480295	.....do .....	Do.
Houston, city of, Harris County .....	480296	.....do .....	Do.
Hunters Creek Village, city of, Harris County .....	480298	.....do .....	Do.
Jacinto City, city of, Harris County .....	480299	.....do .....	Do.
Jersey Village, city of, Harris County .....	480300	.....do .....	Do.
La Porte, city of, Harris County .....	485487	.....do .....	Do.
Mission Bend M.U.D. No. 1, Harris County .....	481578	.....do .....	Do.
Missouri City, city of, Harris County .....	480304	.....do .....	Do.
Morgans Point, city of, Harris County .....	480305	.....do .....	Do.
Nassau Bay, city of, Harris County .....	485491	.....do .....	Do.
Pasadena, city of, Harris County .....	480307	.....do .....	Do.
Pearland, city of, Harris County .....	480077	.....do .....	Do.
Piney Point Village, city of, Harris County .....	480308	.....do .....	Do.
Seabrook, city of, Harris County .....	485507	.....do .....	Do.
Shoreacres, city of, Harris County .....	485510	.....do .....	Do.
South Houston, city of, Harris County .....	480311	.....do .....	Do.
Southside Place, city of, Harris County .....	480312	.....do .....	Do.
Spring Valley, city of, Harris County .....	480313	.....do .....	Do.
Tomball, city of, Harris County .....	480315	.....do .....	Do.
Webster, city of, Harris County .....	485516	.....do .....	Do.
Willow Fork Drainage District, Harris County .....	481603	.....do .....	Do.
<b>Region X</b>			
Washington: Thurston County, unincorporated areas .....	530188	.....do .....	Do.
<b>Region III</b>			
Pennsylvania:			
Avondale, borough of, Chester County .....	421473	November 20, 1996, Suspension Withdrawn.	November 20, 1996.
Birmingham, township of, Chester County .....	421474	.....do .....	Do.
Caln, township of, Chester County .....	422247	.....do .....	Do.
Charlestown, township of, Chester County .....	421475	.....do .....	Do.
Coatesville, city of, Chester County .....	420274	.....do .....	Do.
Downingtown, borough of, Chester County .....	420275	.....do .....	Do.
East Bradford, township of, Chester County .....	420276	.....do .....	Do.
East Brandywine, township of, Chester County .....	421476	.....do .....	Do.
East Caln, township of, Chester County .....	421477	.....do .....	Do.
East Coventry, township of, Chester County .....	421478	.....do .....	Do.
East Fallowfield, township of, Chester County .....	421479	.....do .....	Do.
East Goshen, township of, Chester County .....	420277	.....do .....	Do.
East Marlborough, township of, Chester County .....	421480	.....do .....	Do.
East Nantmeal, township of, Chester County .....	421481	.....do .....	Do.
East Nottingham, township of, Chester County .....	421482	.....do .....	Do.
East Vincent, township of, Chester County .....	420278	.....do .....	Do.
East Whiteland, township of, Chester County .....	420279	.....do .....	Do.
Easttown, township of, Chester County .....	422600	.....do .....	Do.
Franklin, township of, Chester County .....	422288	.....do .....	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date
Kennett, township of, Chester County .....	422586	.....do .....	Do.
Kennett Square, borough of, Chester County .....	420280	.....do .....	Do.
London Britain, township of, Chester County .....	422273	.....do .....	Do.
Londonderry, township of, Chester County .....	421484	.....do .....	Do.
Lower Oxford, township of, Chester County .....	421485	.....do .....	Do.
New London, township of, Chester County .....	422276	.....do .....	Do.
North Coventry, township of, Chester County .....	420283	.....do .....	Do.
Oxford, borough of, Chester County .....	420284	.....do .....	Do.
Pennsbury, township of, Chester County .....	420285	.....do .....	Do.
Phoenixville, borough of, Chester County .....	420287	.....do .....	Do.
Pocopson, township of, Chester County .....	420286	.....do .....	Do.
Sadsbury, township of, Chester County .....	421488	.....do .....	Do.
Schuylkill, township of, Chester County .....	421489	.....do .....	Do.
South Coatesville, borough, Chester County .....	420288	.....do .....	Do.
South Coventry, township of, Chester County .....	421490	.....do .....	Do.
Thornbury, township of, Chester County .....	420290	.....do .....	Do.
Upper Oxford, township of, Chester County .....	422278	.....do .....	Do.
Upper Uwchlan, township of, Chester County .....	421491	.....do .....	Do.
Uwchlan, township of, Chester County .....	421492	.....do .....	Do.
Valley, township of, Chester County .....	421206	.....do .....	Do.
Wallace, township of, Chester County .....	421493	.....do .....	Do.
West Caln, township of, Chester County .....	421497	.....do .....	Do.
West Chester, borough of, Chester County .....	420292	.....do .....	Do.
West Fallowfield, township of, Chester County .....	422602	.....do .....	Do.
West Goshen, township of, Chester County .....	420293	.....do .....	Do.
West Nantmeal, township of, Chester County .....	421498	.....do .....	Do.
West Marlborough, township of, Chester County .....	422279	.....do .....	Do.
West Nottingham, township of, Chester County .....	422280	.....do .....	Do.
West Whiteland, township of, Chester County .....	420295	.....do .....	Do.
Westtown, township of, Chester County .....	420294	.....do .....	Do.
Willistown, township of, Chester County .....	422282	.....do .....	Do.
<b>Region V</b>			
Illinois:			
Aroma Park, village of, Kankakee County .....	170740	.....do .....	Do.
Momence, city of, Kankakee County .....	170340	.....do .....	Do.
Michigan: Bruce, township of, Macomb County .....	260884	.....do .....	Do.

<sup>1</sup> The Municipality of Bayamón is a new community (as a separate entity) that formerly participated under the Commonwealth of Puerto Rico's application. The Municipality of Bayamón has adopted by reference the Commonwealth of Puerto Rico's FIRM (latest FIRMs are dated February 18, 1992 and September 20, 1996) for floodplain management and insurance purposes. (Panels No. 0047D, 048B, 0049, 0053C, 0108C, 0110C)  
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension; With.—Withdrawn.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: January 6, 1997.

Craig S. Wingo,

Deputy Associate Director, Mitigation Directorate.

[FR Doc. 97-741 Filed 1-10-97; 8:45 am]

BILLING CODE 6718-05-P

#### 44 CFR Part 64

[Docket No. FEMA-7656]

#### Suspension of Community Eligibility

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of

the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the Federal Register.

**EFFECTIVE DATES:** The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

**ADDRESSES:** If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Shea Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not

otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is