

Federal Register – August 2022

[NSF, SBIR/STTR Agency Information Collection Activities: Comment Request, 87 Federal Register 24201, August 1, 2022](#)

NOTICE: The primary objective of this clearance is to allow the NSF Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) Programs to collect characteristics, output, and outcome information from the startup companies funded by the programs. This collection will enable the evaluation of the impacts of our investments in technology translation and innovation over time. The second, related objective is to improve our questionnaires and/or data collection procedures through pilot tests and other survey methods used in these activities. Under this clearance a variety of surveys could be pre-tested, modified, and used.

COMMENTS DUE: Within 30 days

[Proposed Collection; Comment Request for Affordable Care Act Internal Claims and Appeals and External Review Disclosures, 87 Federal Register 48071, August 5, 2022](#)

NOTICE: This collection of information request includes the information collection and third-party notice and disclosure requirements that a plan must satisfy under final regulations implementing provisions of the Affordable Care Act pertaining to internal claims and appeals, and the external review process. The No Surprise Act extends the balance billing protections related to external reviews to grandfathered plans. The definitions of group health plan and health insurance issuer that are cited in section 110 of the No Surprises Act include both grandfathered and non-grandfathered plans and coverage. Accordingly, the practical effect of section 110 of the No Surprises Act is that grandfathered health plans must provide external review for adverse benefit determinations involving benefits subject to these surprise billing protections. Grandfathered and non-grandfathered plans must provide claimants, free of charge, any new or additional evidence considered, relied upon, or generated by the plan or issuer in connection with the claim, and the requirement to comply either with a State external review process or a Federal review process. The disclosure requirements of the Federal external review process require (1) a preliminary review by plans of requests for external appeals; (2) Independent Review Organizations (IROs) to notify claimants of eligibility and acceptance for external review; (3) the plan or issuer to provide IROs with documentation and other information considered in making adverse benefit determination; (4) the IRO to forward to the plan or issuer any information submitted by the claimant; (5) plans to notify the claimant and IRO if it reverses its decision; (6) the IRO to notify the claimant and plan of the result of the final external appeal; (7) the IRO to maintain records for six years.

COMMENTS DUE: October 3, 2022

[Veterans Benefits Administration, Information Collection Activity Under OMB Review: Authorization To Disclose Personal Information to a Third Party-Education Benefits, 87 Federal Register 48777, August 10, 2022](#)

NOTICE: VA Form 22-10278 is used to release information in its custody or control in the following circumstances: where the individual identifies the particular information and consents to its use; for the purpose for which it was collected or a consistent purpose (i.e., a purpose which the individual might have

	<p>reasonably expected). By law, VA must have a claimants or beneficiary's written permission (an "authorization") to use or give out claim or benefit information for any purpose that is not contained in VA's System of Records, 58VA21/22/28 Compensation, Pension, Education and Veteran Readiness and Employment Records—VA. The claimant or beneficiary may revoke the authorization at any time, except if VA has already acted based on the claimant's permission. This form is designed to permit the beneficiary the opportunity to authorize release of information specific to their claim or benefits to a designated third party. Without this form, such information cannot be released by VA.</p> <p>COMMENTS DUE: Within 30 days of publication</p>
<p>IRS Disclosure of Information to State Officials Regarding Tax-Exempt Organizations, 87 Federal Register 50240, August 16, 2022</p>	<p>FINAL REGULATIONS: These final regulations provide guidance to states regarding the process by which they may obtain or inspect certain returns and return information (including information about final and proposed denials and revocations of tax-exempt status) for the purpose of administering State laws governing certain tax-exempt organizations and their activities. The final regulations amend existing regulations to reflect changes to the Internal Revenue Code (Code) made by the Pension Protection Act of 2006 (PPA). The final regulations will affect the states choosing to obtain information from the IRS under these rules, as well as the organizations and taxable persons whose tax information is disclosed.</p> <p>EFFECTIVE DATE: August 16, 2022</p>
<p>GSA Maximum Per Diem Reimbursement Rates for the Continental United States (CONUS) for FY 23, 87 Federal Register 50861, August 18, 2022</p>	<p>NOTICE: Notice of GSA Per Diem Bulletin FTR 23-01, Fiscal Year (FY) 2023 CONUS per diem reimbursement rates.</p> <p>EFFECTIVE DATE: October 1, 2022</p>
<p>Optional Alternatives to the Physical Document Examination Associated With Employment Eligibility Verification (Form I-9), 87 Federal Register 50786, August 18, 2022</p>	<p>NOTICE OF PROPOSED RULEMAKING: DHS is proposing to allow for alternative procedures for documents required by the <i>Form I-9, Employment Eligibility Verification</i>. This proposed rule would create a framework under which the Secretary of Homeland Security (the Secretary) could authorize alternative options for document examination procedures with respect to some or all employers. Such procedures could be implemented as part of a pilot program, or upon the Secretary's determination that such procedures offer an equivalent level of security, or as a temporary measure to address a public health emergency declared by the Secretary of Health and Human Services pursuant to Section 319 of the Public Health Service Act, or a national emergency declared by the President pursuant to Sections 201 and 301 of the National Emergencies Act. This proposed rule would allow employers (or agents acting on an employer's behalf) optional alternatives for examining the documentation presented by individuals seeking to establish identity and employment authorization for purposes of completing the <i>Form I-9, Employment Eligibility Verification</i>.</p> <p>COMMENTS DUE: October 17, 2022</p>
<p>FCC Revision of FCC Form 2100, Schedule 302-FM—FM Station License Application, 87 Federal Register 50786, August 19, 2022</p>	<p>NOTICE: The Commission adopted the FM Broadcast Directional Antenna Performance Verification Order, FCC 22-38, adopted May 19, 2022, and released on May 19, 2022, where the Commission revised its broadcast radio rules and procedures to</p>

	<p>allow for FM antenna directional pattern verification by computer modeling. This represents an update from the previous requirement that an FM or LPFM directional antenna's performance be verified by the "measured relative field pattern" and brings our rules for those services into regulatory conformity with our rules governing AM and DTV directional antennas. In Section 73.316, specifies the information required in a license application filed for a station using an FM directional antenna, which opts to use computer modeling pattern verification. Requires that, the first time the directional pattern of a particular model of antenna is verified using computer results, the broadcast station must submit to the Commission both the results of the computer modelling and the measurements of either a full-size or scale model of the antenna or elements thereof, demonstrating a reasonable correlation between the measurements achieved and the computer model results. Once a particular antenna model or series of elements has been verified, subsequent applicants using the same antenna model number or elements and the same modeling software may cross-reference the original submission by providing the application file number.</p> <p>COMMENTS DUE: September 19, 2022</p>
<p>Advanced Methods To Target and Eliminate Unlawful Robocalls, Sixth Report and Order, CG Docket No. 17-59, Call Authentication Trust Anchor, Fifth Report and Order- new information collection, 87 Federal Register 51920, August 24, 2022</p>	<p>NOTICE: The Commission adopted a new information collection associated with the Advanced Methods to Target and Eliminate Unlawful Robocalls Sixth Report and Order and Call Authentication Trust Anchor Fifth Report and Order ("Gateway Provider Report and Order"). Unwanted and illegal robocalls have long been the Federal Communication Commission's ("Commission") top source of consumer complaints and one of the Commission's top consumer protection priorities. Foreign-originated robocalls represent a significant portion of illegal robocalls, and gateway providers serve as a critical choke-point for reducing the number of illegal robocalls received by American consumers. In the Gateway Provider Report and Order, the Commission took steps to prevent these foreign-originated illegal robocalls from reaching consumers and to help track these calls back to the source. Along with further extension of the Commission's caller ID authentication requirements and Robocall Mitigation Database filing requirements, the Commission adopted several robocall mitigation requirements, including a requirement for gateway providers to respond to traceback within 24 hours, mandatory blocking requirements, a "know your upstream provider" requirement, and a general mitigation requirement.</p> <p>EFFECTIVE DATE: September 23, 2022</p>
<p>60-Day Notice of Proposed Information Collection: Risk Analysis and Management (RAM), 87 Federal Register 52102, August 24, 2022</p>	<p>NOTICE: The State Department has implemented a Risk Analysis and Management Program to vet potential contractors and grantees seeking funding from the Department of State to mitigate the risk that such funds might benefit entities or individuals who present a national security risk. To conduct this vetting program the Department collects information from contractors, sub-contractors, grantees and sub-grantees regarding their directors, officers and/or key employees through</p>

	<p>electronic submission. The information collected is compared to information gathered from commercial, public, and U.S. government databases to determine the risk that the applying organization, entity or individual might use Department funds or programs in a way that presents a threat to national security.</p> <p>COMMENTS DUE: October 24, 2022</p>
<p>IRS/EBSA /HHS Requirements Related to Surprise Billing, 87 Federal Register 52618, August 26, 2022</p>	<p>FINAL RULE: This document includes final rules under the No Surprises Act, which was enacted as part of the Consolidated Appropriations Act, 2021 (CAA). The document finalizes certain disclosure requirements relating to information that group health plans, and health insurance issuers offering group or individual health insurance coverage, must share about the qualifying payment amount (QPA) under the interim final rules issued in July 2021, titled <i>Requirements Related to Surprise Billing; Part I</i> (July 2021 interim final rules). Additionally, this document finalizes select provisions under the October 2021 interim final rules, titled <i>Requirements Related to Surprise Billing; Part II</i> (October 2021 interim final rules), to address certain requirements related to consideration of information when a certified independent dispute resolution (IDR) entity makes a payment determination under the Federal IDR process.</p> <p>EFFECTIVE DATE: October 25, 2022</p>
<p>Notice of Debt Cancellation Legal Memorandum, 87 Federal Register 52943, August 30, 2022</p>	<p>NOTICE: The Department publishes this memorandum on the Secretary's legal authority to cancel student debt on a categorical basis.</p>
<p>Deferred Action for Childhood Arrivals, 87 Federal Register 53152, August 30, 2022</p>	<p>FINAL RULE: On September 28, 2021, the Department of Homeland Security (DHS) published a notice of proposed rulemaking (NPRM or proposed rule) that proposed to establish regulations to preserve and fortify the Deferred Action for Childhood Arrivals (DACA) policy to defer removal of certain noncitizens who years earlier came to the United States as children, meet other criteria, and do not present other circumstances that would warrant removal. After a careful review of the public comments received, DHS is now issuing a final rule that implements the proposed rule, with some amendments.</p> <p>EFFECTIVE DATE: October 31, 2022</p>
<p>Implementation of the CHIPS Act of 2022, 87 Federal Register 52847, August 30, 2022</p>	<p>EXECUTIVE ORDER 14080: In implementing the Act, all agencies (as described in section 3502(1) of title 44, United States Code, except for the agencies described in section 3502(5) of title 44) shall, as appropriate and to the extent consistent with law, prioritize:</p> <ul style="list-style-type: none"> (a) protecting taxpayer resources, including by ensuring strong compliance and accountability measures for funding recipients; (b) meeting economic, sustainability, and national security needs, including by building domestic manufacturing capacity that reduces reliance on vulnerable or overly concentrated foreign production for both leading-edge and mature microelectronics;

(c) ensuring long-term leadership in the microelectronics sector, including by establishing a dynamic, collaborative network for microelectronics research and innovation to enable long-term United States leadership in critical industries;

(d) catalyzing private-sector investment, including by reducing risk and maximizing large-scale private investment in production, breakthrough technologies, and worker and workforce development;

(e) generating benefits—such as well-paying, high-skilled union jobs and opportunities for startups; small businesses; and minority-owned, veteran-owned, and women-owned businesses—for a broad range of stakeholders and communities, including by investing in disadvantaged communities and by partnering with State, local, Tribal, and territorial governments and with institutions of higher education; and

(f) strengthening and expanding regional manufacturing and innovation ecosystems, including by investing in suppliers, manufacturers, workforce development, basic and translational research, and related infrastructure and cybersecurity throughout the microelectronics supply chain, and by facilitating the expansion, creation, and coordination of semiconductor clusters.

See Federal Register for more details.

EFFECTIVE DATE: August 25, 2022

Virginia Register – August 2022

[14VAC5-120. Rules Governing the Implementation of the Individual Accident and Sickness Insurance Minimum Standards Act with Respect to Specified Disease Policies \(repealing 14VAC5-120-10 through 14VAC5-120-100\).](#)

[14VAC5-135. Rules Governing Individual and Small Group Market Health Benefit Plans \(adding 14VAC5-135-10 through 14VAC5-135-60\).](#)

[14VAC5-140. Rules Governing the Implementation of the Individual Accident and Sickness Insurance Minimum Standards Act \(repealing 14VAC5-140-10 through 14VAC5-140-100\).](#)

[14VAC5-141. Rules Governing Accident and Sickness Excepted Benefits Policies; Short-Term Limited Duration Insurance \(adding 14VAC5-141-10 through 14VAC5-141-160\).](#)

[Volume 38, Issue 26, Virginia Register of Regulations, August 15, 2022](#)

PROPOSED RULE: The proposed amendments implement the provisions of Chapters 34 (§ 38.2-3400 et seq.) and 35 (§ 38.2-3500 et seq.) of Title 38.2 of the Code of Virginia by repealing 14VAC5-120 and 14VAC5-140 and adding two new chapters, Rules Governing Individual and Small Group Market Health Benefit Plans (14VAC5-135) and Rules Governing Accident and Sickness Excepted Benefits Policies; Short-Term Limited Duration Insurance (14VAC5-141). The new, separate chapters distinguish between two major categories of accident and sickness insurance to clearly identify the requirements for each category.

14VAC5-135 outlines minimum standards for those individual and small group market health benefit plans that are filed in accordance with Affordable Care Act, including general policy and form requirements and certain prohibitions, limitations, and disclosures as well as standards for student health insurance coverage.

14VAC5-141 outlines minimum standards for the types of accident and sickness "excepted benefits" policies that may be filed in Virginia, including accident, disability income, limited scope benefits, specified disease, hospital, or other fixed

	<p>indemnity and similar supplemental coverage as well as standards for short-term limited-duration insurance, including general policy provisions, prohibitions, limitations and disclosures, and requirements for replacement of coverage.</p> <p>COMMENTS DUE: September 30, 2022</p>
--	---