



Billing Code: 4165-15

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

#### National Practitioner Data Bank: Change in User Fees

AGENCY: Health Resources and Services Administration

ACTION: Notice

SUMMARY: The Health Resources and Services Administration, Department of Health and Human Services, is announcing a decrease in user fees charged to individuals and entities authorized to request information from the National Practitioner Data Bank (NPDB). The new fee will be \$3.00 for both continuous and one-time queries and \$5.00 for self-queries.

SUPPLEMENTARY INFORMATION: The current fee structure (\$3.25/continuous query enrollment, \$4.75/one-time query, and \$8.00/self-query) was last announced in the Federal Register on March 10, 2006 (71 FR 12367), and became effective on May 9, 2006. One-time queries, continuous query enrollments, and self-queries are submitted and query responses are received through the NPDB's secure website. Fees are paid via electronic funds transfer, debit card, or credit card.

The NPDB is authorized by the Health Care Quality Improvement Act of 1986 (the Act), Title IV of Pub. L. 99-660, as amended (42 U.S.C. 11101 *et seq.*). Further, two additional statutes expanded the scope of the NPDB—Section 1921 of the Social Security Act, as amended (42 U.S.C. 1396r-2) and Section 1128E of the Social Security Act, as amended (42 U.S.C. 1320a-

7e). Information collected under the Section 1128E authority was consolidated within the NPDB pursuant to Section 6403 of the Patient Protection and Affordable Care Act, Pub. L. 111-148; this consolidation became effective on May 6, 2013.

42 U.S.C. 11137(b)(4), 42 U.S.C. 1396r-2(e), and 42 U.S.C. 1320a-7e(d) authorize the establishment of fees for the costs of processing requests for disclosure of such information. Final regulations at 45 C.F.R. Part 60 set forth the criteria and procedures for information to be reported to and disclosed by the NPDB. In determining any changes in the amount of user fees, the Department uses the criteria set forth in section 60.19(b) of the regulations, as well as allowable costs pursuant to Pub. L. 113-76. Section 60.19(b) states:

“The amount of each fee will be determined based on the following criteria:

(1) Direct and indirect personnel costs, including salaries and fringe benefits such as medical insurance and retirement, (2) Physical overhead, consulting, and other indirect costs (including materials and supplies, utilities, insurance, travel, and rent and depreciation on land, buildings, and equipment), (3) Agency management and supervisory costs, (4) Costs of enforcement, research, and establishment of regulations and guidance, (5) Use of electronic data processing equipment to collect and maintain information—the actual cost of the service, including computer search time, runs and printouts, and (6) Any other direct or indirect costs related to the provision of services.”

The Department will continue to review the user fees periodically as required by Office of Management and Budget Circular Number A-25, and will revise fees as necessary. Any future changes in user fees and their effective dates will be announced in the Federal Register. This change will be effective October 1, 2014.

FOR FURTHER INFORMATION CONTACT: Director, Division of Practitioner Data Banks,  
Bureau of Health Professions, Health Resources and Services Administration, Parklawn  
Building, 5600 Fishers Lane, Room 8-103, Rockville, Maryland 20857; telephone number:  
(301) 443-2300.

Dated: April 10, 2014.

Mary Wakefield, Ph.D., R.N.,  
Administrator.

[FR Doc. 2014-08830 Filed 04/17/2014 at 8:45 am; Publication Date: 04/18/2014]