

§ 1.603 [Amended]

5. In § 1.603, paragraphs (a) and (b) are removed; the paragraph designation (c) and its heading are removed; paragraphs (c)(1) and (c)(2) are redesignated as paragraphs (a) and (b), respectively; and newly redesignated paragraphs (a)(i), (a)(ii), (a)(iii), and (a)(iv) are redesignated as paragraphs (a)(1), (a)(2), (a)(3) and (a)(4), respectively.

6. Section 1.620 is revised to read as follows:

§ 1.620 Eligibility for burial.

Section 2402 of title 38, United States Code, bestows eligibility for burial in any open cemetery in the National Cemetery System. The following rules in paragraphs (a) through (c) of this section state conditions in addition to those imposed by statute. To be eligible for burial in a national cemetery:

(a) A United States citizen who served in an allied armed force, as provided in 38 U.S.C. 2402(4), must have been a citizen of the United States at the time of entry on such service and at the time of his or her death.

(b) A minor child of an eligible person, as provided in 38 U.S.C. 2402(5), must have been at the time of his or her death under 21 years old or under 23 years old if pursuing a course of instruction at an approved educational institution.

(c) An unmarried adult child of an eligible person, as provided in 38 U.S.C. 2402(5), must have been physically or mentally disabled and incapable of self support.

(Authority: 38 U.S.C. 2402)

§ 1.630 [Amended]

7. In § 1.630, paragraph (b) is amended by removing the second and third sentences.

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38 CFR Part 1

RIN 2900-A109

Gender Policy for VA Publications and Other Communications

AGENCY: Department of Veterans Affairs.
ACTION: Final rule.

SUMMARY: This document amends regulations of the Department of Veterans Affairs (VA) by removing § 1.13 of 38 CFR. This section provided that VA publications and other communications must avoid using language referring only to the masculine gender when the feminine gender also

was intended to be included. This guidance was intended to avoid any incorrect appearance of seeming to preclude benefits for female veterans, dependents, or beneficiaries. Although, VA is fully committed to the gender-neutral concepts that were set forth in § 1.13, the material from § 1.13 is removed since the mandate from that section is being accomplished through internal issuances.

EFFECTIVE DATE: May 31, 1996.

FOR FURTHER INFORMATION CONTACT: Kenneth Hoffman, Director, Information Resources Management, Policy and Standards Service (045A3), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-8129.

SUPPLEMENTARY INFORMATION: This final rule consists of nonsubstantive changes and, therefore, is not subject to the notice and comment and effective date provisions of 5 U.S.C. 553.

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-602. This final rule would not cause a significant effect on any entities since it does not contain any substantive provisions. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

There are no Catalog of Federal Domestic Assistance program numbers for this regulation.

List of Subjects in 38 CFR Part 1

Administrative practice and procedure, Claims, Freedom of information, Government contracts, Government employees, Government property, Reporting and recordkeeping requirements.

Approved: May 13, 1996.

Jesse Brown,
Secretary of Veterans Affairs.

For the reasons set forth in the preamble, 38 CFR part 1 is amended as set forth below:

PART 1—GENERAL PROVISIONS

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

Authority: 38 U.S.C. 501(a), unless otherwise noted.

§ 1.131 [Removed]

2. The undesignated centerheading preceding § 1.13 and § 1.13 are removed.

[FR Doc. 96-13478 Filed 5-30-96; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Care Financing Administration****42 CFR Part 417**

[OMC-004-F]

RIN 0938-AE64

Health Maintenance Organizations: Employer Contribution to HMOs

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rule.

SUMMARY: This rule amends § 417.157 of the HCFA regulations, which pertains to employer contributions to health maintenance organizations (HMOs) that are included among the alternatives in health benefits plans that an employer offers to its employees.

These amendments are necessary to conform that section to changes made in section 1310(c) of the Public Health Service Act by section 7(a)(2) of the HMO Amendments of 1988.

The intent is to ensure that employees who choose the HMO alternative are not financially disadvantaged.

DATES: Effective Date: These regulations are effective on July 1, 1996.

FOR FURTHER INFORMATION, CONTACT: Marty Abeln, (410) 786-1032.

SUPPLEMENTARY INFORMATION:**I. Background**

Under section 1310 of the Public Health Service (PHS) Act, the following rules apply:

- Certain public and private employers that offer health benefits plans to their employees must include the option of enrollment in qualified health maintenance organizations (HMOs) if such HMOs request inclusion and their requests meet specified conditions as to content and timing (this is known as the "employer mandate" provision);

- The procedures for offering the HMO option must take into account the rules of collective bargaining; and

- No employer is required to contribute more for health benefits than would be required by any prevailing collective bargaining agreement or any other legally enforceable contract between the employer and the employees for health benefits.

These provisions are implemented by subpart E of part 417 of the HCFA rules. Section 417.157 of those rules provides that—

- The employer or designee must include the HMO option in the offering on terms no less favorable, with respect