

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)
<b>Rankin County (Unincorporated Areas), City of Brandon</b>	
<i>Pelahatchie Creek Tributary 1:</i> Just upstream of State Route 43 .....	÷ 351
Approximately 375 feet upstream of Ragan Road .....	÷ 370
<b>Town of Pelahatchie</b>	
<i>Pearl River Tributary 3:</i> Approximately 3,000 feet downstream of U.S. Highway 25 .....	• 282
Approximately 150 feet upstream of Flowood Drive ...	• 282
<b>City of Flowood</b> <b>Rankin County</b> <b>(Unincorporated Areas)</b>	
<b>Maps available for inspection</b> at the Rankin County Building, 211 East Government, Brandon, Mississippi.	
<b>City of Brandon</b>	
<b>Maps available for inspection</b> at the Brandon City Hall, 201 North College Street, Brandon, Mississippi.	
<b>City of Flowood</b>	
<b>Maps available for inspection</b> at the Flowood City Hall, 2101 Airport Road, Flowood, Mississippi.	
<b>City of Pearl</b>	
<b>Maps available for inspection</b> at the Pearl City Hall, 2420 Old Brandon Road, Pearl, Mississippi.	
<b>Town of Pelahatchie</b>	
<b>Maps available for inspection</b> at the Pelahatchie City Hall, 705 Second Street, Pelahatchie, Mississippi.	
<b>City of Richland</b>	
<b>Maps available for inspection</b> at the Richland City Hall, 380 Scarborough Street, Richland, Mississippi.	

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 45 CFR Part 146

[CMS-2152-F]

RIN 0938-AL42

### Amendment to the Interim Final Regulation for Mental Health Parity

**AGENCY:** Centers for Medicare & Medicaid Services, Department of Health and Human Services.

**ACTION:** Amendment to interim final regulation.

**SUMMARY:** This document contains an amendment to the interim final regulation that implements the Mental Health Parity Act (MHPA) to conform the sunset date of the regulation to the sunset date of the statute under legislation passed by the 107th Congress.

**DATES:** *Effective date:* The amendment to the regulation is effective July 28, 2003.

*Applicability dates:* Under the amendment, the requirements of the MHPA interim final regulation apply to group health plans and health insurance issuers offering health insurance coverage in connection with a group health plan during the period commencing July 28, 2003 through December 30, 2003. Under the extended sunset date, MHPA requirements do not apply to benefits for services furnished on or after December 31, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Dave Mlawsky, Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, at 1-877-267-2323, ext. 61565.

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#### SUPPLEMENTARY INFORMATION:

#### I. Background

The Mental Health Parity Act of 1996 (MHPA) was enacted on September 26, 1996 (Pub. L. 104-204). MHPA amended the Public Health Service Act (PHS Act) and the Employee Retirement Income Security Act of 1974 (ERISA) to provide for parity in the application of annual and lifetime dollar limits on mental health benefits with dollar limits on medical/surgical benefits. Provisions implementing MHPA were later added to the Internal Revenue Code of 1986 (Code) under the Taxpayer Relief Act of 1997 (Pub. L. 105-34).

The provisions of MHPA are set forth in Title XXVII of the PHS Act, Part 7 of Subtitle B of Title I of ERISA, and Chapter 100 of Subtitle K of the Code. The Secretaries of Health and Human Services, Labor, and the Treasury share jurisdiction over the MHPA provisions. These provisions are substantially similar, except as follows:

- The MHPA provisions in the PHS Act generally apply to health insurance issuers that offer health insurance coverage in connection with group health plans and to certain State and local governmental plans. States, in the first instance, enforce the PHS Act for issuers. Only if a State does not substantially enforce the MHPA provisions under its insurance laws will the Department of Health and Human Services enforce the provisions, through the imposition of civil money penalties. Moreover, no enforcement action may be taken by the Secretary of Health and Human Services against any group health plan except certain State and local governmental plans.

- The MHPA provisions in ERISA generally apply to all group health plans other than governmental plans, church plans, and certain other plans. These provisions also apply to health insurance issuers that offer health insurance coverage in connection with such group health plans. Generally, the Secretary of Labor enforces the MHPA provisions in ERISA, except that no enforcement action may be taken by the Secretary against issuers. However, individuals may generally pursue actions against issuers under ERISA and, in some circumstances, under State law.

- The MHPA provisions in the Code generally apply to all group health plans other than governmental plans, but they

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

Dated: June 18, 2003.

**Anthony S. Lowe,**

*Mitigation Division Director, Emergency Preparedness and Response Directorate.*

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