



Charles N. Kahn III
President

February 6, 2007

CMS
Office of Strategic Operations and Regulatory Affairs
Division of Regulations Development – A
Attn: Melissa Musotto, Room C4-26-05
7500 Security Boulevard
Baltimore, Maryland 21244-1850
ATTN: CMS-10215

Re: Agency Information Collection Activities: Proposed Collection: Collection of Physician Administered Drug National Drug Code (NDC) Numbers on State Medicaid Claims and Supporting Regulations at 42 CFR 447.520; 71 Fed. Reg. 71178 (December 8, 2006)

This letter presents the comments and recommendations of the Federation of American Hospitals (“FAH”) to proposals regarding the collection of Physician Administered Drug National Drug Code (NDC) Numbers on State Medicaid Claims and Supporting Regulations at 42 CFR 447.520 which were published by the Centers for Medicare and Medicaid Services (“CMS”) in the Federal Register on December 8, 2006 (the “proposed rule”).

The Federation of American Hospitals is the national representative of privately owned or managed community hospitals and health systems throughout the United States. Our members include teaching and non-teaching, short-stay and long-term care hospitals in urban and rural America, and provide a wide range of ambulatory, acute and post-acute services. The FAH greatly appreciates the opportunity to comment on CMS’ proposed rule regarding a new proposal for the collection of Physician Administered Drug National Drug Code (NDC) Numbers on State Medicaid Claims.

Document Identifier: CMS-10215

1. Type of Information Collection Request: New collection: Title of Information Collection: Collection of Physician Administered Drug National Drug Code (NDC) numbers on State Medicaid Claims and Supporting Regulations at 42 CFR 447.520.

The FAH strongly disagrees with the definition proposed by CMS that “physician administered drugs” includes hospital outpatient settings. A similar proposed rule published in the December 22,