

Comment & Response Summary
Coverage of Certain Preventive Services Under the Affordable Care Act
(CMS-10653/OMB Control Number: 0938-1344)

We received 3 comments, two of which were out of scope with regard to these ICRs.

We received one comment opposing the information collection requirements (ICRs) on the basis that implementation of the 2017 interim final rule is preliminarily enjoined. In response to this comment and the injunctions, we have made changes to the ICRs to reflect the fact that the ICRs can be used under whatever accommodation rules are in effect. This will also ensure that when the previously approved ICRs expire (approved under OMB control numbers 0938-1292 and 0938-1248) in October 2018, ICRs to implement the accommodation will still be approved regardless of whether the 2017 interim final rules or the 2015 final rules regarding the accommodation are in effect.

We will publish a notice in the Federal Register providing the public with a 30-day period to submit written comments on these ICRs. However, we will only implement the ICRs under rules that are legally in effect at the time the ICRs are used.