### **MEMORANDUM**

### State of Alaska

**Department of Law** 

To: Scott C. Meriwether, AAC Coordinator Office of the Lieutenant Governor

**DATE:** June 8, 2017

FILE NO .:

**TELEPHONE NO.:** 465-3600

FROM: Steven C. Weaver

Senior Assistant Attorney General and Assistant Regulations Attorney Legislation/Regulations Section

**SUBJECT**: Revisor's change to Alaska

Administrative Code (AAC): editor's notes following 7 AAC 24.950, 7 AAC 44.040, 7 AAC 44.230, 7 AAC 44.900, 7 AAC 45.450, 7 AAC 80.050, 7 AAC 100.980, and 7 AAC 160.900

In accordance with the authority of the regulations attorney under AS 44.62.125(b), please forward to the publisher for publication in the Alaska Administrative Code (AAC) the insertion of an editor's note and the changes to existing editor's notes described below. I have forwarded these changes under a specific delegation dated December 1, 2015 from the regulations attorney. The purpose of the changes is to identify amended versions of materials previously adopted by reference.

The editor's notes to be changed appear after 7 AAC 24.950, 7 AAC 44.040, 7 AAC 44.230, 7 AAC 44.900, 7 AAC 45.450, 7 AAC 80.050, 7 AAC 100.980, and 7 AAC 160.900. For the editor's notes that appear after 7 AAC 24.950, 7 AAC 44.040, 7 AAC 44.230, 7 AAC 44.900, 7 AAC 45.450, 7 AAC 80.050, 7 AAC 100.980, and 7 AAC 160.900, please add a new paragraph after the existing text to read as follows:

--For the editor's note following 7 AAC 24.950:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 24.950, would be in effect on January 31, 2017: the United States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The amended version may be reviewed at the Department of Health and Social Services, Division of Public Health, P.O. Box 110616, Juneau, Alaska, 99811-0616. The Federal Register with the amended version may be obtained through the nearest public library. If the Federal Register is not available at that library site,

the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

--For the editor's note following 7 AAC 44.040:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 44.040, would be in effect on January 31, 2017: the United States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The amended version may be reviewed at the Department of Health and Social Services, Division of Public Assistance, Heating Assistance Program, 400 W. Willoughby Ave., Suite 301, Juneau, Alaska, 99801-1731. The Federal Register with the amended version may be obtained through the nearest public library. If the Federal Register is not available at that library site, the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

--For the editor's note following 7 AAC 44.230:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 44.230, would be in effect on January 31, 2017: the United States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The amended version may be reviewed at the Department of Health and Social Services, Division of Public Assistance, Heating Assistance Program, 400 W. Willoughby Ave., Suite 301, Juneau, Alaska, 99801-1731. The Federal Register with the amended version may be obtained through the nearest public library. If the Federal Register is not available at that library site, the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

--For the editor's note following 7 AAC 44.900:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 44.900, would be in effect on January 31, 2017: the United

States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The amended version may be reviewed at the Department of Health and Social Services, Division of Public Assistance, Heating Assistance Program, 400 W. Willoughby Ave., Suite 301, Juneau, Alaska, 99801-1731. The Federal Register with the amended version may be obtained through the nearest public library. If the Federal Register is not available at that library site, the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

### --For the editor's note following 7 AAC 45.450:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 45.450, would be in effect on January 31, 2017: the United States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The Federal Register may be obtained through the nearest public library. If the Federal Register is not available at that library site, the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

### --For the editor's note following 7 AAC 80.050:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 80.050, would be in effect on January 31, 2017: the United States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The amended version is available from the Department of Health and Social Services, Division of Public Health, P.O. Box 110610, Juneau, Alaska 99811-0610. The Federal Register with the amended version may be obtained through the nearest public library. If the Federal Register is not available at that library site, the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

--For the editor's note following 7 AAC 100.980:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 100.980, would be in effect on January 31, 2017: the United States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The Federal Register with the amended version may be obtained through the nearest public library. If the Federal Register is not available at that library site, the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

--For the editor's note following 7 AAC 160.900:

On February 22, 2017, as required by AS 44.62.245 and AS 47.05.012, the department gave notice that the following amended version of material, previously adopted by reference in 7 AAC 160.900, would be in effect on January 31, 2017: the United States Department of Health and Human Services poverty guidelines established in 82 Fed. Reg. 8831 - 8832 (January 31, 2017). The Federal Register with the amended version may be obtained through the nearest public library. If the Federal Register is not available at that library site, the material can be obtained by that library through the interlibrary loan system. It may also be obtained at http://www.gpo.gov/fdsys.

We have enclosed affidavits of notice from the department for your files, as well as an original of the updated item to be adopted by reference. Thank you for your assistance, and please contact me if you have additional questions.

SCW

cc w/enc:

Triptaa Surve, Regulations Contact Department of Health and Social Services



# Department of Health and Social Services

OFFICE OF THE COMMISSIONER

Anchorage

3601 C Street, Suite 902 Anchorage, Alaska 99503-5923

Main: 907.269.7800 Fax: 907.269.0060

RECEIVED

MAY 2 6 2017

Attorney Generals Office Juneau

TO: Susan R. Pollard

Chief Assistant Attorney General

& Regulations Attorney

Legislation & Regulations Section

Department of Law

FROM: Triptaa Surve

**Regulations Contact** 

Department of Health & Social Services

RE: Updated Adoption by Reference

of the Federal Poverty

DATE: May 24, 2017

Guidelines

The Department of Health & Social Services has adopted by reference the 2017 version of the federal poverty guidelines. The following supporting documents are attached:

- 1. the original of the notice of amended version of material adopted by reference:
- 2. the original of the affidavit of notice of amended version of material previously adopted by reference:
- 3. the original of the publisher's affidavit of publication; and
- 4. a copy of the federal poverty guidelines.

## NOTICE OF AMENDED VERSION OF MATERIAL PREVIOUSLY ADOPTED BY REFERENCE

As required by AS 44.62.245, the Department of Health & Social Services gives notice that the following amended version of material adopted by reference in 7 AAC 24.950, 7 AAC 44.040, 7 AAC 44.230, 7 AAC 44.900, 7 AAC 45.450, 7 AAC 80.050, 7 AAC 100.980, and 7 AAC 160.900, under authority of AS 44.62.245 and AS 47.05.012, and dealing with the health care professions loan repayment & incentive program, the heating assistance programs, Alaska temporary assistance programs, fees for department services, Medicaid eligibility, and Medicaid program general provisions, is in effect:

Amended version of the material adopted by reference: Department of Health & Human Services, Office of the Secretary, Annual Update of the HHS Poverty Guidelines; Federal Register, Vol. 82, No. 19; January 31, 2017.

A copy of the above material is available for public review at the following location: Department of Health & Social Services, 3601 C Street, Suite 902, Anchorage, AK 99503.

The effective date for the amended version of the material described above is January 31, 2017.

For more information, please contact Triptaa Surve, 3601 C St. Suite 902, Anchorage, AK 99503; telephone number (907) 269-7870; e-mail address triptaa.surve@alaska.gov

DATE: 2-13-17

Jon Sherwood

**Deputy Commissioner** 

Department of Health & Social Services

# AFFIDAVIT OF NOTICE OF AMENDED VERSION OF MATERIAL PREVIOUSLY ADOPTED BY REFERENCE

I, Triptaa Surve, Project Coordinator, of Department of Health & Social Services, being sworn, state the following:

As required by AS 44.62.245, notice of the amended version of material previously adopted by reference in in 7 AAC 24.950, 7 AAC 44.040, 7 AAC 44.230, 7 AAC 44.900, 7 AAC 45.450, 7 AAC 80.050, 7 AAC 100.980, and 7 AAC 160.900, and dealing with the health care professions loan repayment & incentive program, the heating assistance programs, Alaska temporary assistance programs, fees for department services, Medicaid eligibility, and Medicaid program general provisions, has been given by being

- (1) posted on the Alaska Online Public Notice System;
- published in a newspaper of general circulation or trade or industry publication or in a regularly published agency newsletter or similar printed publication;
- (3) furnished to interested persons;
- (4) furnished to the regulations attorney in the Department of Law; and
- (5) furnished to the members of the Administrative Regulation Review Committee.

As required by AS 44.62.175(a)(8) and (b) and 44.62.245(b), a copy of the notice has been posted on the Alaska Online Public Notice System.

Date: 11 1 1 2

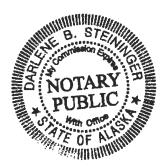
Triptaa Surve Project Coordinator

Subscribed and sworn to before me at 3601 C St Suite 878, Anchorage, Ak or

May 24, 2017 (date)

Notary Public in and for the State of Alaska

[NOTARY SEAL]



### AFFIDAVIT OF PUBLICATION

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

### Emma Dunlap

being first duly sworn on oath deposes and says that he/she is a representative of the Alaska Dispatch News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

February 22, 2017

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

Subscribed and sworn to before me this 22nd day of February, 2017

Notary Public in and for The State of Alaska. Third Division Anchorage, Alaska MY COMMISSION EXPIRES

### NOTICE OF AMENDED VERSION OF MATERIAL PREVIOUSLY ADOPTED BY REFERENCE

As required by AS 44.62.245, the Department of Health & Social Services gives notice that the following amended version of material adopted by reference in 7 AAC 24.950, 7 AAC 44.040, 7 AAC 44.230, 7 AAC 44.900, 7 AAC 45.450, 7 AAC 80.050, 7 AAC 100.980, and 7 AAC 160.900, underauthority of AS 44.62.245 and AS 47.05.012, and dealing with the health care professions loan repayment & incentive program, the heating assistance programs, Alaska temporary assistance programs, fees for department services, Medicaid eligibility, and Medicaid program general provisions, is in effect:

Amended version of the material adopted by reference: Department of Health & Human Services, Office of the Secretary, Annual Update of the HHS Poverty Guidelines; Federal Register, Vol. 82, No. 19; January 31, 2017.

A copy of the above material is available for public review at the following location: Department of Health & Social Services, 3601 C Street, Suite 902, Anchorage, AK 99503. The effective date for the amended version of the material described above is January 31, 2017. For more information, please contact Triptaa Surve, 3601 C St. Suite 902, Anchorage, AK 99503; telephone number (907) 269-7870; e-mail address triptaa.surve@alaska.gov

DATE: 02/13/2017 /s/Jon Sherwood Deputy Commissioner Department of Health & Social Services

Published: February 22, 2017

Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019

Authority: Federal Advisory Committee Act, Pub. L. 92–463.

Dated: January 18, 2017.

Wendy M. Payne,

Executive Director.

[FR Doc. 2017–02028 Filed 1–30–17; 8:45 am]

BILLING CODE 1610-01-P

### FEDERAL ELECTION COMMISSION

#### **Sunshine Act Meetings**

AGENCY: Federal Election Commission. DATE AND TIME: Wednesday, February 1, 2017 at 10:00 a.m.

**PLACE:** 999 E Street NW., Washington, DC (Ninth Floor).

**STATUS:** This meeting will be open to the public.

FEDERAL REGISTER NOTICE OF PREVIOUS ANNOUNCEMENT: 82 FR 8613.

**CHANGE IN THE MEETING:** The February 1, 2017 Public Hearing on Internet Communication Disclaimers has been postponed.

PERSON TO CONTACT FOR INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

#### Dayna C. Brown,

Acting Secretary and Clerk of the Commission.

[FR Doc. 2017–02090 Filed 1–27–17; 11:15 am]
BILLING CODE 6715–01–P

### FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 et seq.) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also

includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than February 24, 2017.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. Nicolet Bankshares, Inc., Green Bay, Wisconsin; to acquire 100 percent of First Menasha Bancshares, Inc., Neenah, Wisconsin, and thereby indirectly acquire The First National Bank—Fox Valley, Neenah, Wisconsin.

B. Federal Reserve Bank of Minneapolis (Jacquelyn K. Brunmeier, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. Ameri Financial Group, Inc., Stillwater, Minnesota; to acquire 100 percent of First Resource Bank, Lino Lakes, Minnesota.

C. Federal Reserve Bank of San Francisco (Gerald C. Tsai, Director, Applications and Enforcement) 101 Market Street, San Francisco, California 94105–1579:

1. BayCom Corp, Walnut Creek, California; to merge with First ULB Corp., and thereby indirectly acquire United Business Bank, F.S.B., both of Oakland, California; and thereby engage in operating a savings association pursuant to 225.28(b)(4).

Board of Governors of the Federal Reserve System, January 25, 2017.

#### Yao-Chin Chao,

Assistant Secretary of the Board. [FR Doc. 2017–01985 Filed 1–30–17; 8:45 am] BILLING CODE 6210–01–P

### DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Annual Update of the HHS Poverty Guidelines

**AGENCY:** Department of Health and Human Services.

**ACTION:** Notice.

SUMMARY: This notice provides an update of the Department of Health and Human Services (HHS) poverty guidelines to account for last calendar year's increase in prices as measured by the Consumer Price Index.

**DATES:** Effective Date: January 26, 2017 unless an office administering a program using the guidelines specifies a different effective date for that particular program.

ADDRESSES: Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: For information about how the guidelines are used or how income is defined in a particular program, contact the Federal, state, or local office that is responsible for that program. For information about poverty figures for immigration forms, the Hill-Burton Uncompensated Services Program, and the number of people in poverty, use the specific telephone numbers and addresses given below.

For general questions about the poverty guidelines themselves, contact Suzanne Macartney, Office of the Assistant Secretary for Planning and Evaluation, Room 422F.3, Humphrey Building, Department of Health and Human Services, Washington, DC 20201—telephone: (202) 690–6143—or visit http://aspe.hhs.gov/poverty/.

For information about the percentage multiple of the poverty guidelines to be used on immigration forms such as USCIS Form I–864, Affidavit of Support, contact U.S. Citizenship and Immigration Services at 1–800–375–5283.

For information about the Hill-Burton Uncompensated Services Program (free or reduced-fee health care services at certain hospitals and other facilities for persons meeting eligibility criteria involving the poverty guidelines), contact the Health Resources and Services Administration Information Center at 1–800–275–4772. You also may visit http://www.hrsa.gov/gethealthcare/affordable/hillburton/.

For information about the number of people in poverty, visit the Poverty section of the Census Bureau's Web site at http://www.census.gov/hhes/www/poverty/poverty.html or contact the Census Bureau's Customer Service Center at 1–800–923–8282 (toll-free) or visit https://ask.census.gov for further information.

#### SUPPLEMENTARY INFORMATION:

### Background

Section 673(2) of the Omnibus Budget Reconciliation Act (OBRA) of 1981 (42 U.S.C. 9902(2)) requires the Secretary of the Department of Health and Human Services to update the poverty guidelines at least annually, adjusting them on the basis of the Consumer Price Index for All Urban Consumers (CPI–U). The poverty guidelines are used as an eligibility criterion by the Community Services Block Grant program and a number of other Federal programs. The poverty guidelines issued here are a simplified version of the poverty thresholds that the Census Bureau uses to prepare its estimates of the number of individuals and families in poverty.

As required by law, this update is accomplished by increasing the latest published Census Bureau poverty thresholds by the relevant percentage change in the Consumer Price Index for All Urban Consumers (CPI-U). The guidelines in this 2017 notice reflect the 1.3 percent price increase between calendar years 2015 and 2016. After this inflation adjustment, the guidelines are rounded and adjusted to standardize the differences between family sizes. In rare circumstances, the rounding and standardizing adjustments in the formula result in small decreases in the poverty guidelines for some household sizes even when the inflation factor is not negative. In cases where the year-toyear change in inflation is not negative and the rounding and standardizing adjustments in the formula result in reductions to the guidelines from the previous year for some household sizes, the guidelines for the affected household sizes are fixed at the prior year's guidelines. As in prior years, these 2017 guidelines are roughly equal to the poverty thresholds for calendar year 2016 which the Census Bureau expects to publish in final form in September 2017.

The poverty guidelines continue to be derived from the Census Bureau's current official poverty thresholds; they are not derived from the Census Bureau's Supplemental Poverty Measure (SPM).

The following guideline figures represent annual income.

2017 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Persons in family/household	Poverty guideline
1	\$12,060 16,240 20,420 24,600 28,780 32,960 37,140 41,320

For families/households with more than 8 persons add \$4,180 for each additional person.

### 2017 POVERTY GUIDELINES FOR ALASKA

Persons in family/household	Poverty guideline
1	\$15,060 20,290 25,520 30,750 35,980 41,210 46,440 51,670

For families/households with more than 8 persons, add \$5,230 for each additional person.

2017 POVERTY GUIDELINES FOR HAWAII

Persons in family/household	Poverty guideline
1	\$13,860 18,670 23,480 28,290 33,100 37,910 42,720 47,530

For families/households with more than 8 persons, add \$4,810 for each additional person.

Separate poverty guideline figures for Alaska and Hawaii reflect Office of Economic Opportunity administrative practice beginning in the 1966-1970 period. (Note that the Census Bureau poverty thresholds—the version of the poverty measure used for statistical purposes—have never had separate figures for Alaska and Hawaii.) The poverty guidelines are not defined for Puerto Rico or other outlying jurisdictions. In cases in which a Federal program using the poverty guidelines serves any of those jurisdictions, the Federal office that administers the program is generally responsible for deciding whether to use the contiguous-states-and-DC guidelines for those jurisdictions or to follow some other procedure.

Due to confusing legislative language dating back to 1972, the poverty guidelines sometimes have been mistakenly referred to as the "OMB" (Office of Management and Budget) poverty guidelines or poverty line. In fact, OMB has never issued the guidelines; the guidelines are issued each year by the Department of Health and Human Services. The poverty guidelines may be formally referenced as "the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and

Human Services under the authority of 42 U.S.C. 9902(2)."

Some federal programs use a percentage multiple of the guidelines (for example, 125 percent or 185 percent of the guidelines), as noted in relevant authorizing legislation or program regulations. Non-Federal organizations that use the poverty guidelines under their own authority in non-Federally-funded activities also may choose to use a percentage multiple of the guidelines.

The poverty guidelines do not make a distinction between farm and non-farm families, or between aged and non-aged units. (Only the Census Bureau poverty thresholds have separate figures for aged and non-aged one-person and two-

person units.)

Note that this notice does not provide definitions of such terms as "income" or "family," because there is considerable variation in defining these terms among the different programs that use the guidelines. These variations are traceable to the different laws and regulations that govern the various programs. This means that questions such as "Is income counted before or after taxes?", "Should a particular type of income be counted?", and "Should a particular person be counted as a member of the family/household?" are actually questions about how a specific program applies the poverty guidelines. All such questions about how a specific program applies the guidelines should be directed to the entity that administers or funds the program, since that entity has the responsibility for defining such terms as "income" or "family," to the extent that these terms are not already defined for the program in legislation or regulations.

Dated: January 26, 2017.

#### Norris Cochran,

Acting Secretary of Health and Human Services.

[FR Doc. 2017-02076 Filed 1-27-17; 11:15 am]

BILLING CODE 4150-05-P

### DEPARTMENT OF HEALTH AND HUMAN SERVICES

### **National Institutes of Health**

### Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and