# 09–90–1000

## System name:

Consolidated Data Repository, HHS/OIG.

System location(s):

Records will be maintained at the following computer site locations:

* HHS-OIG, 330 Independence Avenue, SW., Washington, DC 20201.
* HHS-OIG, N2-01-02, 7500 Security Boulevard, Baltimore, MD 21244.

And the following HHS-OIG Regional/Field Office locations:

* JFK Federal Building, Boston, MA 02203.
* J.K. Javits Federal Building, 26 Federal Plaza, New York, NY 10278.
* 150 South Independence Mall West, Public Ledger Building, Philadelphia, PA 19106.
* Atlanta Federal Center, Forsyth Street South, Atlanta, GA 30303.
* 8659 Baypine Road, Suite 203 Jacksonville, FL 32256.
* 233 North Michigan Avenue, Room 1360, Chicago, IL 60601.
* 3815 West Street, Joseph Hwy, Lansing, MI 48917.
* Galtier Plaza, 380 Jackson Street, Suite 727, St. Paul, MN 55101.
* 1124 Rickard Road, Suite C, Springfield, IL 62704.
* 1100 Commerce Street, Dallas, TX 75242.
* 1201 Walnut Street, Kansas City, MO 64106.
* 90 7th Street, San Francisco, CA 94103.

Categories of individuals covered by the system:

The records include information concerning Medicare beneficiaries and Medicaid recipients.

Categories of records in the system:

The categories of records in the system will include Medicare beneficiaries' names, addresses, dates of birth, Medicare HIC numbers, SSNs, enrollment information and eligibility information, and claims information relating to the following types of services: Inpatient, skilled nursing facility, outpatient, physician/supplier, home health, hospice, durable medical equipment, prescription drug, and Medicare Advantage. The records will also include names, addresses, dates of birth, and SSNs on Medicaid recipients from State enrollment and eligibility files and claims information relating to the following types of services: Inpatient, long-term care, professional, dental, pharmacy, and Medicare cross-over. The National Provider Identification database and the Unique Provider Identification Number (UPIN) directory will be stored in this system of records.

Authority for maintenance of the system:
Inspector General Act of 1978 (5 U.S.C. App.).

Purpose(s):
The purpose of this system of records is to conduct audits, evaluations and inspections, and investigations of the Medicare and Medicaid programs.

Routine uses of records maintained in the system, including categories of users and the purpose of such uses:
The Privacy Act permits OIG to disclose information outside HHS without an individual's consent if the information is to be used for a purpose that is compatible with the purposes for which the information was collected. Any such disclosure of data is known as a routine use. Accordingly, we are proposing to establish the following routine use disclosures of records maintained in the system:

a. Disclosure may be made to Federal, State, and local agencies for the purpose of better identifying the total current health care usage of the Medicare and Medicaid patient population.

b. Disclosure may be made to Federal, State, and local government agencies and national health care organizations to assist in the development of programs that will be beneficial to claimants and to protect their rights under law and assure that they are receiving all benefits to which they are entitled.

c. Disclosure may be made to a Federal department or agency or to a contractor of a Federal department or agency to permit it to conduct Federal audits, evaluations and inspections, or investigations necessary to accomplish a statutory purpose of an agency. OIG must be able to disclose information for purposes needed to accomplish a statutory purpose of a Federal agency.

d. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

e. In the event of litigation, information from the system of records may be disclosed to the Department of Justice, to a judicial or administrative tribunal, opposing counsel, and witnesses, in the course of proceedings involving HHS, any HHS employee (where the matter pertains to the employee's official duties), or the United States, or any agency thereof where the litigation is likely to affect HHS, or HHS is a party or has an interest in the litigation and the use of the information is relevant and necessary to the litigation.

f. In the event that a system of records maintained by OIG to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

g. In the event that the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

h. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

i. The system of records may be disclosed to student volunteers and other individuals performing functions for the Department but technically not having the status of agency employees, if they need access to the records to perform their assigned agency functions.

j. A record may be disclosed to appropriate Federal agencies and Department contractors that have a need to know the information for the purpose of assisting the Department's efforts to respond to a suspected or confirmed breach of the security or confidentiality of information maintained in this system of records, and the information disclosed is relevant and necessary for that assistance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system--

#### Storage:

Data are maintained on magnetic tape, disk, or laser optical media.

Retrievability:
Records may be retrieved by name, name and one or more criteria (e.g., dates of birth, death, and service), SSN, Medicare HIC number, Medicaid Identification Number.

Safeguards:
The computers that process these data are protected by technical, managerial, and operational controls that follow Federal policies and guidelines. The computers are protected by a combination of physical security by being located in Federal offices; access controls such as passwords and identification numbers; and technical protections such as encryption, firewalls, and anti-virus software. These controls allow only authorized users to access the data.

Employees who maintain records in this system are instructed not to release data until the intended recipient agrees to implement appropriate management, operational, and technical safeguards sufficient to protect the confidentiality, integrity, and availability of the information and information systems and to prevent unauthorized access. This system will conform to all applicable Federal laws and regulations and Federal, HHS, and OIG policies and standards as they relate to information security and data privacy. These laws and regulations may apply but are not limited to: The Privacy Act of 1974; the Federal Information Security Management Act of 2002; the Computer Fraud and Abuse Act of 1986; the Health Insurance Portability and Accountability Act of 1996; the eGovernment Act of 2002, the Clinger-Cohen Act of 1996; the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, and the corresponding implementing regulations; and OMB Circular A-130, Management of Federal Resources, Appendix III, Security of Federal Automated Information Resources also applies. Federal, HHS, and OIG policies and standards include but are not limited to: All pertinent National Institute of Standards and Technology publications; the HHS Information Systems Program Handbook; and OIG Information Security Handbooks.

Retention and disposal:
These records may be maintained for an indefinite duration.

System Manager and Address:
The agency official responsible for the system policies and practices outlined above is: The Chief Information Officer, Office of Management and Policy, Office of Inspector General, Department of Health and Human Services, Wilbur J. Cohen Building, Room 5230, 330 Independence Avenue, SW., Washington, DC 20201.

Notification procedure:

Any inquiries regarding these systems of records should be addressed to the System Manager. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department regulations ([45 CFR 5b.6](http://www.lexis.com/research/buttonTFLink?_m=45f878c67bc941d4d49a464ff90c4fcb&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b73%20FR%2066648%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=2&_butInline=1&_butinfo=45%20CFR%205B.6&_fmtstr=FULL&docnum=2&_startdoc=1&wchp=dGLbVzt-zSkAb&_md5=4b576fd97cac56f919732ff83b36bc79)).)

Records access procedures:
Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department regulations ([45 CFR 5b.5(a)(2)](http://www.lexis.com/research/buttonTFLink?_m=45f878c67bc941d4d49a464ff90c4fcb&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b73%20FR%2066648%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=3&_butInline=1&_butinfo=45%20CFR%205B.5&_fmtstr=FULL&docnum=2&_startdoc=1&wchp=dGLbVzt-zSkAb&_md5=6a6780abde068e73d34128f60af88332).)

Contesting records procedures:
Contact the official at the address in the System Manager and Address section above, and reasonably identify the record and specify the information to be contested and the corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations ([45 CFR 5b.7](http://www.lexis.com/research/buttonTFLink?_m=45f878c67bc941d4d49a464ff90c4fcb&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b73%20FR%2066648%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=4&_butInline=1&_butinfo=45%20CFR%205B.7&_fmtstr=FULL&docnum=2&_startdoc=1&wchp=dGLbVzt-zSkAb&_md5=6f22bb0523916886c427232e23767914)).)

Record source categories:

Sources of information in this records system include: Federal, State, and local government records regarding Medicare, Medicaid, and other benefit programs; Department documents and records; materials regarding service providers in Federal health care programs furnished by nongovernmental sources; and public source materials.

System exempted from certain provisions of the Act:

None.