

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>71-440-02-2</i>	
TO: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <i>14 Aug 2002</i>	
1. FROM (Agency or establishment) Department of Health and Human Services		NOTIFICATION TO AGENCY In accordance with the provisions of 44 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
2. MAJOR SUBDIVISION Centers for Medicare & Medicaid Services			
3. MINOR SUBDIVISION Office of Hearings (Steve Kirsh, 410-786-2053)			
4. NAME OF PERSON WITH WHOM TO CONFER Vickie Robey	5. TELEPHONE NUMBER (410) 786-7883	DATE <i>1-24-03</i>	ARCHIVIST OF THE UNITED STATES <i>John W. Paul</i>
6. AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached <u>3</u> page(s) are not needed now for the business for this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, X is not required <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested. OGC Concurrence: <i>[Signature]</i>			
DATE <i>2002-8-8</i> AUG - 8 2002	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i> A Prentice Barnes, Sr.		TITLE DHHS Records Management Officer
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	OFFICE OF HEARING RECORDS SCHEDULE See attached.	Superceding NC1-440-79-1, NI-440-95-1, NI-440-93-2	
<i>cc NWMD NWML, agency 8/7</i>			

OFFICE OF HEARINGS

Superseded by Job / Item number:

DAA-0440-2015-0001-0001

Date (MM/DD/YYYY):

11/22/2016

1. Administrative Files

~~a. Instruction Files~~

~~Manuals, directives, handbooks, instructions, and other formal policy and procedural issuances prepared by the Office of Hearings (OH).~~

~~DISPOSITION: PERMANENT Cutoff file and retire to the Federal Records Center (FRC) at the end of the calendar year when superseded or discontinued. Transfer to NARA 10 years after cutoff. (Estimated volume, 1 cubic foot, Arranged alphabetically by title.) (Supersedes NCI-440-79-1, Item 1A.)~~

Superseded by:

DAA-0440-2015-0002-0002

DATE (MM/DD/YYYY):

8/15/2017

~~b. Instructions Background Files~~

~~Records accumulated in the preparation, clearance, and publication of manuals, directives, handbooks, instructions, and other formal policy and procedural issuances. Included are studies, clearance comments, recommendations and similar records, which provide a basis for publication and contribute to the content of the issuance.~~

~~DISPOSITION: Temporary. Destroy when superseded or discontinued. (Supersedes NCI-440-79-1, Item 1B)~~

c. Office of Hearings Database

Removal per 10/25/02 phone call from V. Robey
Law Tech Case Tracker is a Unify Corporation database. It resides on an IBM RISC 6000 computer using a UNIX operating system. The OH uses Case Tracker to track and record the appeal activities of the Provider Reimbursement Review Board and the Medicare Geographic Classification Review Board. OH is in the process of adding a new section to Case Tracker to record the appeal activities of the CMS Hearing Officers. The physical paper records of the appeal activities are contained in the files that are described in (2), (3) and (4) below.

Case Tracker serves as an index for the cases and tracks case actions in data fields such as date of request, date of acknowledgement, filing dates, hearing dates, decision, withdrawal or dismissal dates, case number, intermediary information, final actions taken, date of retention implementation, and others. Dates: 1990 to Present.

(1) Master Data File:

~~DISPOSITION: Temporary. Delete/destroy when superseded, obsolete, or when migrated to a new system.~~

~~(2) Documentation. Contains data dictionaries, program codes and record layouts for the data fields, user manuals, glossaries for program terms and acronyms, and related materials.~~

~~DISPOSITION: Temporary. Destroy or delete when superseded or obsolete, or upon authorized migration of the database, whichever is sooner.~~

Superseded by:

DAA-GRS-2013-0005-0003

DATE (MM/DD/YYYY):

6/12/2014

Superseded by Job / Item number:

DAA-GRS-2013-0002-0001

Date (MM/DD/YYYY):

2/5/2015

~~(3) Outputs. Regular and ad hoc reports:~~

PRRB Reports:

- PRRB Monthly Progress Report (by fiscal year)
- PRRB Work In Process (by fiscal year)
- PRRB Aged Appeals (by Year of Receipt)
- Decision Inventory (as of Month and FY)
- Decision Conferences (through Month and FY))
- Position Paper Report (Month and FY)
- Preliminary Position Paper Report (Month and FY)
- Mediation Report

Superseded by Job / Item number:

DAA-GRS-2017-0003-0002

Date (MM/DD/YYYY):

5/31/2017

MGCRB Reports:

- Case Status - By Case Number
- Case Status - By Provider Number
- Case Listing - By Selected Provider Number

Ad Hoc Reports:

These are produced to get specific case information or when the Office of Hearings receives a request for something specific, e.g.; all open PRRB or MGCRB appeals in a State.

DISPOSITION: Temporary. File with appropriate record series or destroy or delete when no longer needed for administrative, legal, fiscal, or reference purposes, as applicable.

~~(4) Back-up Files. Daily and weekly incremental backups, intended for restoration to its native environment in case of system failure.~~

DISPOSITION: Temporary. Destroy or delete when no longer needed for current business or when replaced by a subsequent security backup file.

Superseded by Job / Item number:

DAA-GRS-2013-0006-0005

Date (MM/DD/YYYY):

6/12/2014

2. Provider Reimbursement Review Board Files

a. Hearing Decisions

Case files containing documents accumulated in the hearing process. Included are the provider's request for a hearing, provider position papers, fiscal intermediary position papers, cost reports, notice of hearing, hearing transcripts, hearing decision by the Board, and related documents. Hearing decisions may be reviewed by the Secretary of HHS, and provider may seek judicial review of unfavorable decisions.

DISPOSITION: Temporary. Cutoff file after the final decision and retire to the FRC by fiscal year. Destroy 6 years and 3 months after cutoff. (Supersedes NI 440-95-1, Item 16)

b. Closed Case Files

Case files containing documents accumulated in the hearing process. Included are the provider's request for a hearing, provider position papers, fiscal intermediary position

Superseded by Job / Item number:

DAA-0440-2015-0008-0001

Date (MM/DD/YYYY):

7/25/2017

~~papers, cost reports, notice of hearing and related documents. Cases are usually closed without a formal hearing and have been withdrawn or dismissed by the Board.~~

~~DISPOSITION: Temporary. Cutoff file after the final decision, and retire to the FRC by fiscal year. Destroy 6 years and 3 months after cutoff.~~

Superseded by:

DAA-0440-2015-0008-001

DATE (MM/DD/YYYY):

7/25/2017

3. Medicare Geographic Classification Review Board Files

Decisions issued by the Medicare Geographic Classification Review Board (MGCRB) on applications submitted by hospitals seeking geographic reclassification for purposes of determining a hospital's standardized amount or the applicable area wage index or both. The MGCRB's decisions are subject to review by the Administrator. The Administrator's decisions reviewing MGCRB decisions will be placed in the MGCRB file and returned to the MGCRB. (Any pre-decisional attorney-client privileged material generated during the review will be maintained by the Office of the Attorney Advisor permanently.)

~~DISPOSITION: Temporary. Cutoff file upon issuance of the final agency action on a hospital's application. Place in an inactive file by fiscal year. Hold in the Office of Hearings for 36 months from the date the final agency action was taken, then retire to the Federal Records Center (FRC) by fiscal year. Destroy 6 years and 3 months after cutoff.~~

(Superseded N1-44093.2)

4. Hearing Officer Decisions or Proposed Decision Files

Case files contain documents accumulated in the hearing process. Included are request for hearings, position papers of the parties, cost reports, notice of hearing, hearing transcript, hearing officer decision or proposed decision to the CMS Administrator, and related documents. The following types of cases are handled by the CMS Hearing Officers: Appeals from Denials of Medicaid State Plan Amendments, Appeals from Cost Determinations from HMO/CMP Cost Reports, Appeals from Denials of Medicare Provider or Supplier Enrollment Number, Appeals from Cost Determinations from Organ Procurement Organizations or Histocompatibility laboratory. With regard to Provider and Supplier Number appeals, the record includes initial Carrier Determination and Carrier Hearing Officer Decision. For State Plan Amendment and HMO/CMP appeals, the Hearing Officer prepares proposed decision to the CMS Administrator. The final decision of the CMS Administrator is included in the file.

Superseded by:

DAA-0440-2015-0008-001

DATE (MM/DD/YYYY):

7/25/2017

~~DISPOSITION: Temporary. Cutoff after the final decision and retire to the FRC by fiscal year. Destroy 6 years and 3 months after cutoff.~~

5. Electronic Mail and Word Processing System Copies

a. Copies that have no further administrative value after the recordkeeping (paper) copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy.

~~DISPOSITION: Temporary. Delete within 180 days after the recordkeeping copy has been produced.~~

Superseded by Job / Item number:

DAA-CRS-2017-0003-0001

Date (MM/DD/YYYY):

5/31/2017

~~b. Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.~~

~~DISPOSITION: Temporary. Delete when dissemination, revision, or updating is completed.~~

Superseded by Job / Item number:

F:115 Office of Hearings (revised 10/7/2002)

DAA-GRS-2017-0003-0001

Date (MM/DD/YYYY):

5/31/2017

NOTE: Some CMS Office of Hearings Files may be worthy of permanent retention if they significantly interpret CMS regulations, reflect significant developments, or attract extensive public attention. These should be brought to the attention of NARA via a SF-115, Request for Disposition Authority, so that they can be appraised and appropriate disposition authorized. The appraisal process of these records will include a determination of the appropriate medium for transfer of any records determined to be permanent. (added 11/19/02 per e-mail from V. Robey)