

Request for Records Disposition Authority

Records Schedule Number DAA-0468-2012-0003

Schedule Status Approved

Agency or Establishment Department of Health and Human Services

Record Group / Scheduling Group General Records of the Department of Health and Human Services

Records Schedule applies to Major Subdivision

Major Subdivision Office of the Secretary

Minor Subdivision Office of Medicare Hearings and Appeals (OMHA)

Schedule Subject Correspondence and Subject Files of the Office of the Chief Judge of the Office of Medicare Hearings and Appeals (OMHA)

Internal agency concurrences will be provided Yes

Background Information The Office of Medicare Hearings and Appeals (OMHA) is a part of the U S Department of Health and Human Services (HHS) and reports directly to the Secretary of HHS OMHA is responsible for adjudicating Level 3 of the Medicare claims appeal process, certain Medicare entitlement appeals, and Part B premium appeals

OMHA was created by the Medicare Modernization Act of 2003 to simplify the appeals process and make it more efficient During an appeal, an OMHA Administrative Law Judge conducts a new ("de novo") review of an appellant's case and issues a decision based on the facts and the law

The Office consists of four field offices and a headquarters office Each of the field office Managing Administrative Law Judges is responsible for his or her office and works under the direction of the Chief Administrative Law Judge

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
6	2	4	0

GAO Approval

Outline of Records Schedule Items for DAA-0468-2012-0003

Sequence Number	
1	Office of the Chief Administrative Law Judge Briefing Books
1 1	Briefing Books of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of the Office of Medicare Hearings and Appeals (OMHA) Disposition Authority Number DAA-0468-2012-0003-0001
2	Official Correspondence Files of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ)
2 1	Official Correspondence of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of the Office of Medicare Hearings and Appeals Disposition Authority Number DAA-0468-2012-0003-0002
2 2	Working Correspondence Files Disposition Authority Number DAA-0468-2012-0003-0003
3	OMHA Administrative Law Judge and Attorneys Files
3 1	OMHA Administrative Law Judge and Attorneys Program Files Disposition Authority Number DAA-0468-2012-0003-0004
3 2	OMHA Administrative Law Judge and Attorneys Administrative Files Disposition Authority Number DAA-0468-2012-0003-0005
4	OMHA Training Records
4 1	OMHA Training Records Disposition Authority Number DAA-0468-2012-0003-0006

Records Schedule Items

Sequence Number	
1	<p>Office of the Chief Administrative Law Judge Briefing Books Daily Official schedules, talking points, accepted invitations, travel agendas, meeting agendas, handouts of information material, annotated speeches , final copies of speeches, handwritten notes and comments, lists of meeting attendees, calendars, logs, briefing books, issue papers, information that the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of OMHA should be made aware of, and other records documenting telephone calls and other activities of the CALJ/DCALJ of OMHA</p>
1 1	<p>Briefing Books of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of the Office of Medicare Hearings and Appeals (OMHA)</p> <p>Disposition Authority Number DAA-0468-2012-0003-0001</p> <p>Daily Official schedules, talking points, accepted invitations, travel agendas, meeting agendas, handouts of information material, annotated speeches , final copies of speeches, handwritten notes and comments, lists of meeting attendees, calendars, logs, briefing books, issue papers, information that the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of OMHA should be made aware of, and other records documenting telephone calls and other activities of the CALJ/DCALJ of OMHA</p> <p>Final Disposition Permanent</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p> <p>Do any of the records covered by this item exist as structured electronic data? No</p> <p>Disposition Instruction</p> <p>Cutoff Instruction Cutoff at the end of each calendar year in which created or received</p> <p>Transfer to Inactive Storage Transfer paper records to a Federal Records Center 5 years after cutoff</p> <p>Transfer to the National Archives for Accessioning Transfer paper records to the National Archives in four year blocks when the most recent records in the</p>

block are 15 years old Transfer electronic records in four year blocks after cutoff

Additional Information

First year of records accumulation **2005**

What will be the date span of the initial transfer of records to the National Archives? **From 2005 To 2009**

How frequently will your agency transfer these records to the National Archives? **Every 4 Years**

	Estimated Current Volume	Annual Accumulation
Electronic/Digital		
Paper	10 Cubic feet	10 Cubic feet
Microform		
Hardcopy or Analog Special Media		

2 Official Correspondence Files of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ)
Official record copies of correspondence (including electronic mail) and associated background materials (copies of incoming and outgoing memorandums, comments, drafts and similar documents) of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) These files are maintained at the Field Office Level or above in OMHA headquarters and accumulated by Field Office and headquarters directors and their immediate staffs, documenting policy-making decisions or significant program management functions

2 1 Official Correspondence of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of the Office of Medicare Hearings and Appeals

Disposition Authority Number **DAA-0468-2012-0003-0002**

Incoming and outgoing official correspondence, reports and other records that directly relate to the primary mission of OMHA and document the policies, programs and organizational structures established to fulfill the primary mission of the agency Records date from 2005 and are maintained at the headquarters level, accumulated by the Director of Programs and Operations and their immediate

staffs This includes correspondence as it relates to Congressional Inquiries, final versions of the Delegations of Authority, Organizational Charts and Functional Statements, and related records that document the essential organization, staffing and procedures of the office

Final Disposition **Permanent**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

Disposition Instruction

Cutoff Instruction **Cut off at the end of each fiscal year in which created or received**

Transfer to Inactive Storage **Transfer paper records to a Federal Records Center 5 years after cutoff**

Transfer to the National Archives for Accessioning **Transfer paper records to the National Archives in four year blocks when the most recent records in the block are 15 years old Transfer electronic records in four year blocks after cutoff**

Additional Information

First year of records accumulation **2005**

What will be the date span of the initial transfer of records to the National Archives? **From 2005 To 2009**

How frequently will your agency transfer these records to the National Archives? **Every 4 Years**

	Estimated Current Volume	Annual Accumulation
Electronic/Digital		
Paper	10 Cubic feet	10 Cubic feet
Microform		

Hardcopy or Analog Special Media		
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2 2

Working Correspondence Files

Disposition Authority Number **DAA-0468-2012-0003-0003**

Drafts, notes, comments, internal communications, and related working papers generated in the course of creation and review of the Official Correspondence, item 0002 of this schedule

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

Disposition Instruction

Cutoff Instruction **Cutoff at the close of the fiscal year in which created or received**

Retention Period **Destroy 3 year(s) after cutoff**

Additional Information

GAO Approval **Not Required**

3

OMHA Administrative Law Judge and Attorneys Files

Background information, internal government communications, notes, research materials, and pre-decisional documents created by the Administrative Law Judges, attorneys and legal team staff on behalf of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of OMHA

3 1

OMHA Administrative Law Judge and Attorneys Program Files

Disposition Authority Number **DAA-0468-2012-0003-0004**

Background information, internal government communications, notes, research materials, and pre-decisional documents created by the headquarters Administrative Law Judges, attorneys and legal team staff on behalf of the Chief Administrative Law Judge (CALJ) and Deputy Chief Administrative Law Judge (DCALJ) of OMHA that directly relate to the essential primary purpose of OMHA (Note Final decisional documents are transferred to the Centers for Medicare

and Medicaid Services (CMS) upon issuance of OMHA's final disposition. In the event of a suspected fraud referral, the Office of Inspector General (OIG) obtains evidence from CMS. All evidence is maintained by CMS and OIG as OMHA does not retain jurisdictional authority over these records once a final decision has been issued.)

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

Disposition Instruction

Cutoff Instruction Cutoff on the date that the decision letter is mailed

Retention Period Destroy 3 year(s) after cutoff

Additional Information

GAO Approval Not Required

3 2

OMHA Administrative Law Judge and Attorneys Administrative Files

Disposition Authority Number DAA-0468-2012-0003-0005

Files that relate to administrative support activities, that includes but is not limited to staffing and procedures not directly related to the essential primary purpose of OMHA, includes training materials developed by OMHA staff (such as subject matter trainings developed for attorney and administrative staff), certificates of completion of training courses, and standard operating procedures that do not document OMHA policies

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

	Disposition Instruction	
	Cutoff Instruction	Cutoff when final records copy has been created
	Retention Period	Destroy 3 year(s) after cutoff
	Additional Information	
	GAO Approval	Not Required
4	OMHA Training Records	
	Record copy of manuals, syllabuses, textbooks and other training aids developed by OMHA for Administrative Law Judge, attorney and staff training related to the primary mission of OMHA. The courses provided to OMHA staff include but are not limited to continuing education training on Medicare law, management and leadership, and human capital issues	
4 1	OMHA Training Records	
	Disposition Authority Number	DAA-0468-2012-0003-0006
	Record copy of manuals, syllabuses, textbooks and other training aids developed by OMHA for Administrative Law Judge, attorney and staff training related to the primary mission of OMHA. The courses provided to OMHA staff include but are not limited to continuing education training on Medicare law, management and leadership, and human capital issues. This item also includes any drafts and notes created in the development of these records	
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes
	Do any of the records covered by this item exist as structured electronic data?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off at end of fiscal year in which training materials are revised or superseded
	Retention Period	Destroy 3 year(s) after cutoff
	Additional Information	
	GAO Approval	Not Required

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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified

Signatory Information

Date	Action	By	Title	Organization
03/08/2012	Certify	Elaine Pankey	Records Officer	Offices of the Secretary - OCIO
11/19/2012	Return for Revision	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
02/04/2013	Submit For Certification	Karen Ballesteros	Records Specialist	Offices of the Secretary - OCIO
02/04/2013	Certify	Elaine Pankey	Records Officer	Offices of the Secretary - OCIO
03/13/2013	Return for Revision	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
03/28/2013	Submit For Certification	Elaine Pankey	Records Officer	Offices of the Secretary - OCIO
03/28/2013	Certify	Elaine Pankey	Records Officer	Offices of the Secretary - OCIO
06/20/2013	Submit for Concurrence	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
06/25/2013	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - Records Management Services
06/25/2013	Concur	Laurence Brewer	Director, National Records Management Program	National Archives and Records Administration - National Records Management Program
06/26/2013	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist