

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>NI-440-092</i>	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <i>8-27-2009</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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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 E-Health Standards and Services, Eva Fung, 410-786-7539			
4. NAME OF PERSON WITH WHOM TO CONFER Vickie Robey	5 TELEPHONE NUMBER (410) 786-7883	DATE <i>1 DEC 09</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</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>2</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.			
<i>August 20, 2009</i>		SIGNATURE OF AGENCY REPRESENTATIVE Yvonne Wilson <i>Yvonne K. Wilson</i>	
		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7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
1	The attached schedule is for the electronic system, Administrative Simplification Enforcement Tool (ASET) which contains documentation of public complaints pertaining to the Administrative Simplifications provisions of the Health Insurance Portability and Accountability Act of 1996 OGC Concurrence Date. <i>Amy Wisner</i> <i>August 6, 2009</i>		

Administrative Simplification Enforcement Tool (ASET)

ASET contains documentation of public complaints pertaining to the Administrative Simplifications provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). ASET enables the Centers for Medicare & Medicaid Services (CMS) to collect, review, and manage documentation submitted by both the complainant and the Filed Against Entity (FAE), in order to evaluate the facts and determine if there are any issues related to compliance with the HIPAA regulations. The regulations for which CMS has enforcement authority include: The Transactions and Code Sets (TCS); the National Employer Identifier Number (EIN); and the National Provider Identifier (NPI). From 2003 through the summer of 2009, CMS did have authority to enforce the Security Rule, but on July 27, 2009, the Secretary of Health and Human Services transferred the authority to administer and enforce the Security Rule from CMS to the Office for Civil Rights.

1. ~~Input/Sources~~

~~(a) Paper inputs. Paper inputs (complaint letters and forms downloaded from CMS website or mailed to CMS) scanned/entered into ASET from public and government sources. Inputs include filed complaint forms downloaded, and documentation to support an allegation of non-compliance filed against an organization and responses from the FAE (e.g. letters, policies, contracts, copies of other appropriate corporate documents; and corrective action plans).~~

~~DISPOSITION: Temporary. Delete 30 days after verifying successful entry of data per quality assurance procedures, pursuant to CMS Information, Eligibility, and Entitlement Manual: Publication 100-01, Chapter 7, Section 30—Contract Administrative Requirements/Files Maintenance. (GRS 20/2a4)~~

~~(b) Electronic inputs. Electronic inputs uploaded directly into ASET periodically from public and government sources and are accessible to CMS. Inputs include filed complaint forms and documentation to support an allegation of non-compliance filed against an organization and responses from the FAE (e.g. letters, policies, contracts, copies of other appropriate corporate documents; and corrective action plans). Inputs also include correspondence with the CMS Office of Civil Rights; CMS Contractor Enforcement Team recommendations for FAE responses; compliance review reports and documentation, and audit reports from the CMS Office of the Inspector General.~~

~~DISPOSITION: Temporary. Delete when data have been entered into the master file or database and verified, or when no longer need to support reconstruction of, or serve as backup to, the master file or database, whichever is later. (GRS 20/2c)~~

2. ASET Master File – The master file contains complaints and documentation to support allegations of non-compliance filed against an organization; responses from the FAE (e.g., letters, policies, contracts, copies of other appropriate corporate documents, and corrective action plans); correspondence with CMS Office of Civil Rights; CMS Contractor Enforcement Team recommendations for FAE responses; compliance reviews reports and documentation, audit reports from CMS Office of the Inspector General. The HIPAA Information Tracking System (HITS) (a sub-system of ASET) maintains complaint data for tracking HIPAA complaint/compliance enforcement and reports.

DISPOSITION: Temporary. Destroy/delete 6 years after the CY in which the case is closed (includes complaints, compliance reviews and any other entries).

~~**3. Outputs**—Hard copy printouts created to meet ad hoc business needs (e.g., Enforcement Trends Reports, Tracking Reports, Open Case Reports, CMS Outstanding Action Item Reports, and ASET Weekly Statistics Reports).~~

~~DISPOSITION: Temporary. Destroy when agency determines they are no longer needed for administrative, legal, audit or other operational purposes. (GRS 20/16)~~