

Response to Comments for 30-Day FR Notice
Medicare Authorization to Disclose Personal Health Information
(OMB control number 0938-0930)___

Medicare Authorization to Disclose Personal Health Information Comments and Responses

Comment:

It isn't clear if CMS is indicating that sponsors will be required to use this standard for instead of the sponsor's own authorization form.

Response:

This form is not required for Medicare Prescription Drug plans. It is intended for use by contractors who have access to Medicare Fee-for-Service-Claims.

Medicare Authorization to Disclose Personal Health Information Comments and Responses

Comment:

If there is a generic form for all sponsors to use, will each sponsor be responsible for keeping those completed forms for their own beneficiaries or will there be a centralized repository for the completed forms? A centralized repository may be cumbersome and costly.

Response:

See response provided above.

Comment:

It isn't stated that the form will include information with respect to the process to be followed for revoking the authorization should a beneficiary later change their mind. It is our understanding that the revocation process must be a part of the form.

Response:

While this may be a requirement for Medicare Prescription Drug plans to include the revocation process on the form it is not a requirement for Medicare contractors who have access to Medicare Fee-For-Service claim information.

Comment:

Authorizations can be for a set time or dependent upon services or conditions vs. a blanket authorization to share all information with a particular individual. Will these provisions still be applicable to the proposed standard form?

Response:

Yes. The form allows the beneficiary to allocate a specific timeframe for authorization as well as state if the authorization is restricted to certain types of information.

Comment:

It isn't stated how CMS intends to handle incomplete authorizations.

Response:

The contractors who have access to Medicare Fee-for-Service claims information have established a process for handling incomplete authorizations which does not need to be included on the form.

Comment:

Special Needs Plans encounter some challenging situations with beneficiaries and completion of these forms that other sponsors may not see or not see as frequently. Please consider the unique circumstances of dealing with Special Needs populations.

Response:

This form is not required for Medicare Prescription Drug plans. It is intended for use by contractors who have access to Medicare Fee-for-Service-Claims.