

**To:** Jamie Wilson  
Office of Information and Regulatory Affairs (OIRA)  
Office of Management and Budget (OMB)

**From:** William Parham  
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**Date:** May 13, 2026

**Subject:** Non-Substantive Change Request – Health Insurance Portability and Accountability Act Administrative Simplification (Non-Privacy/Security) Complaint Form (OMB No: 0938-0948; CMS-10148)

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This memo requests approval of a non-substantive change to the approved information collection titled Health Insurance Portability and Accountability Act Administrative Simplification (Non-Privacy/Security) Complaint Form (OMB No: 0938-0948; CMS-10148)

## **BACKGROUND**

The Secretary of Health and Human Services, hereafter known as “The Secretary”, codified 45 CFR Parts 160 and 164 Administrative Simplification provisions that apply to the enforcement of the Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 (HIPAA). The provisions address rules relating to the investigation of non-compliance of the HIPAA Administrative Simplification code sets, unique identifiers, operating rules, and transactions. 45 CFR Section 160.306 provides for investigations of covered entities by the Secretary. Further, it outlines the procedures and requirements for filing a complaint against a covered entity.

The authority for administering and enforcing compliance of non-privacy/security HIPAA rules, has been delegated to the Centers for Medicare & Medicaid Services (CMS) Enforcement Rule.

In addition to an online complaint management tool, CMS provides a paper complaint form for stakeholders who wish to mail in their complaints. The National Standards Group (NSG) currently utilizes the **OMB control number 0938-0948** (Expiration date 04/30/2029) for collection of information related to non-compliance of HIPAA Administrative Simplification.

The authority for administering and enforcing compliance with the non-privacy/security Health Insurance Portability and Accountability Act (HIPAA) rules has been delegated to the Centers for Medicare & Medicaid Services (CMS). At present, CMS’ compliance and enforcement activities are primarily complaint-based.

## **OVERVIEW OF REQUESTED CHANGES**

The National Standards Group (NSG) in the Office of Healthcare Experience and

Interoperability (OHEI) is requesting to make the following non-substantive edits to the currently approved information collection request due to system upgrades. Please see the attached redline document for a visual illustration of the non-substantive edit to form CMS-10148. The following changes have no impact on the currently approved burden for this information collection. No data elements have been added or removed. This non-material/non-substantive change request is to implement minor changes and replace the current form with the updated version. There are no other changes being made at this time and there are no program changes.

- Non-Substantive change: Freedom of Investigation Act to Freedom of Information Act
- Non-Substantive change: [https://asett.cms.gov/ASETT\\_HomePage](https://asett.cms.gov/ASETT_HomePage) to <https://asett.cms.gov>