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Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)

From: William Parham
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Date:

Subject: Non-Substantive Change Request – Appointment of Representative CMS-1696
(OMB control #0938-0950)

This memo requests approval of non-substantive changes to the approved information collection, Appointment of Representative CMS-1696 (OMB control #0938-0950)

BACKGROUND

In conjunction with statutory changes to the appeals process under BIPA and MMA (Benefits Improvement and Protections Act of 2000, and the Medicare Modernization Act of 2003, respectively), the requirements for appointing representatives for claims and appeals processed under 42 CFR Part 405 Subpart I were codified into regulation at 42 CFR 405.910. In summary, section 405.910 states an individual or entity may appoint a representative to act on their behalf in exercising their rights relative to an initial claim determination or an appeal. The appointment of representation must be in writing and must include all the required elements specified in 405.910(c). The burden associated with this requirement is the time and effort of the individual or entity to prepare an appointment of representation containing all the required information of this section. To reduce some of the burden associated with this requirement, we developed a standardized form that the individual/entity may opt (but is not required) to use.

The collection was last approved by OMB on December 31, 2025 and expires on December 31, 2028.

OVERVIEW OF REQUESTED CHANGES

Subsequent to OMB's approval on December 31, 2025, the Centers for Medicare and Medicaid Services (CMS) updated this form to correct form field edits in the fillable pdf version. CMS also reformatted sections and added clarifying language to help Medicare beneficiaries and Medicare Advantage enrollees understand where to send the AOR form after completion, to ensure the form gets filed appropriately. This non-substantive change request is to implement these 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 or burden adjustments.