

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop C5-11-06  
Baltimore, Maryland 21244-1850



**Office of Strategic Operations and Regulatory Affairs/Freedom of Information Group**

Refer to: Control Number 012720237023 and PIN MSEK

6/26/2023

Jerem Singer-Vine



Dear Mr. Singer-Vine:

This letter is in response to your Freedom of Information Act (5 U.S.C. § 552) request of 1/27/2023 which you sent to the Centers for Medicare & Medicaid Services (CMS). Within your correspondence you requested documents pertaining to Database records re. Acute Hospital Care at Home waiver requests submitted to CMS.

After careful review of the pages submitted to me, a total of four CSV files. I am releasing two of the files in their entirety, without deletions. I am also releasing two files to you, in part, pursuant to Exemption 6 and of the FOIA (5 U.S.C. § 552 (b)(6).

Exemption (b)(6) permits Federal agency to withhold information and records about individuals in “personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.”

The information being withheld under these exemptions constitutes the following categories of information: names and personal identifiers. I have weighed the public interest in disclosure (which the Supreme Court has held to be limited in this context to the public interest that would be served by shedding light in the agency’s performance of its statutory duties) against the harm to the privacy of the individuals identified in these records and have concluded that the privacy interest of the subject individuals outweighs the public interest in disclosure in this particular matter.

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Access to individual claims-line level data is limited in order to protect the privacy of beneficiaries. CMS publishes a series of publicly available data files that summarize the utilization and payments for procedures, services, and prescription drugs provided to Medicare beneficiaries by specific inpatient and outpatient hospitals, physicians, and other suppliers here: <https://data.cms.gov/provider-summary-by-type-of-service>. In addition, CMS makes research identifiable files (RIFs) that contain individual claims-line level data as well as redacted limited datasets (LDS files) available for purchase that may be helpful in answering your questions.

For additional information on RIFs, you can contact the CMS Research Data Assistance Center (ResDAC), a CMS contractor that provides technical assistance on purchasing CMS data. Here is a link to the files that can be requested through ResDAC: <https://www.resdac.org/file-availability>. Here is a link to the pricing associated with the files that are available: <https://www.resdac.org/cms-fee-information-research-identifiable-data>.

The list of Approved waiver programs can be found at <https://qualitynet.cms.gov/acute-hospital-care-at-home/resources>. For more information regarding Acute Hospital Care at Home, please use this link <https://qualitynet.cms.gov/acute-hospital-care-at-home>. Additional information on the LDS files can be found at the following link: <https://www.cms.gov/Research-Statistics-Data-and-Systems/Files-for-Order/LimitedDataSets>.

If you are not satisfied with any aspect of the processing and handling of this request, you have the right to seek dispute resolution services from:

Joseph Tripline  
CMS FOIA Public Liaison  
Centers for Medicare & Medicaid Services  
7500 Security Blvd., MS N2-20-16  
Baltimore, Maryland 21244-1850  
Telephone: (410) 786-5353 fax (443)-380-7260

and/or:

Office of Government Information Services  
National Archives and Administration  
8601 Adelphi Road – OGIS  
College Park, MD 20740-6001

Telephone: 202-741-5770  
Toll-Free: 1-877-684-6448

E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)

Sincerely yours,

A handwritten signature in black ink that reads "Joseph Tripline". The signature is written in a cursive, flowing style.

Joseph Tripline  
Director, Division of FOIA Analysis - A  
Freedom of Information Group

Enclosure (s)