

Exhibit 37 - Office of Inspector General, Office of Investigations Data Use Agreement

(Rev. 176, Issued: 11-24-06, Effective: 12-26-06, Implementation: 12-26-06)

DUA #: _____
(to be completed by CMS Staff)

OFFICE OF INSPECTOR GENERAL, OFFICE OF INVESTIGATIONS DATA USE AGREEMENT

I, _____, representing the Office of Inspector General (OIG), Office of Investigations (OI), will observe the following in the use of the Centers for Medicare & Medicaid Services (CMS) files released to me:

A. Purpose: _____

B. The following CMS data file(s) is/are covered under this Agreement.

Description of Data/File	Year(s)	System of Record (to be completed by CMS Staff)

- The files will be used only for purposes authorized by the Inspector General Act of 1978 or other applicable law.
- No information in the files released to the OIG will be used or disclosed except in strict accordance with all applicable confidentiality laws and regulations. Where practicable and consistent with OIG oversight responsibilities, the OIG will notify CMS of files extracted or derived from these files are disclosed pursuant to Federal disclosure and confidentiality laws.
- The information sought in this request is required to be produced to the Office of Investigations pursuant to the Inspector General Act 1978, U.S.C. App. The information is also sought by the OIG in its capacity as a health oversight agency, and this information is necessary to further health oversight activities. Disclosure is therefore permitted under the Health Insurance Portability and Accountability Act (HIPAA)

Standards for Privacy of Individually Identifiable Health Information, 45 C.F.R. 164.501; 164.512(a); and 164.512(d).

- _____ will be designated as custodian of these files and will be responsible for establishment and maintenance of security arrangements to prevent unauthorized use. If the custodianship is transferred within the organization, CMS will be notified.
- No listings or information from individual records, with identifiers will be published or otherwise released outside of those deemed appropriate by OIG to perform the legal scope of OIG duties and responsibilities.
- The OIG needs to retain these files for up to 10 years. CMS will contact the OIG representative at the end of 5 years to confirm either that data will be destroyed or that OIG has a continuing need for the data. CMS will document its tracking system to indicate OIG's need for retention or destruction.

OIG Representative- Printed:		Phone Number:		Email Address:	
Street Address:		City:		State:	Zip Code:
Signature:			Date:		
Name of Custodian of Files, If Different:		Phone Number:		E-mail Address:	
Street Address:		City:		State:	Zip Code:
CMS Representative- Printed:					
Signature:			Date:		