DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop C5-19-16
Baltimore, Maryland 21244-1850

OFFICE OF THE CHIEF INFORMATION OFFICER

CIO Directive 16-02

DATE: **June 2, 2016**

TO: CMS Employees and Contractors with access to Federal Tax Information

FROM: David J. Nelson
CMS Chief Information Officer (CIO)

SUBJECT: CIO Directive 16-02- CMS Security of Federal Tax Information – **ACTION**

Purpose

Prior to employees and contractors accessing Federal Tax Information (FTI)[1], CMS must train employees and contractors and obtain certification that they understand their responsibilities for safeguarding the confidentiality of FTI.

Internal Revenue Code (IRC) 6103 (p) (4) (d) obligates the Internal Revenue Service (IRS) to establish safeguards to protect the confidentiality of FTI. The IRS Publication 1075[2] (Pub 1075) defines those safeguards and the program that must be in place in order for an organization to receive FTI. Specifically, Pub 1075 requires training for employees and contractors with access to FTI to ensure its confidentiality.

Directive

It is CMS's policy that:

1. Training

   Prior to accessing FTI and annually thereafter, all CMS employees and contractors must complete the IRS approved training program offered on CMS's CBT website. [3]

2. Certification

   Upon completion of the training, all CMS employees and contractors must certify in writing or electronically his/her understanding of the confidentiality and security requirements.

CMS will maintain documentation of all employee and contractor certifications for at least five years.

Contacts

If you have additional questions regarding this CIO Directive, please contact the Information Security and Privacy Group (ISPG) at CISO@cms.hhs.gov.

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[1] FTI may consist of returns or return information and may contain personally identifiable information (PII). FTI is any return or return information received from the IRS or secondary source, such as SSA, Federal Office of Child Support Enforcement or Bureau of Fiscal Service. FTI includes any information created by the recipient that is derived from return or return information.
[2] IRS Publication 1075, *Tax Information Security Guidelines for Federal, State, and Local Agencies, Safeguards for Protecting Federal Tax Returns and Return Information*, (October 2014) can be located at: http://www.irs.gov/pub/irs-pdf/p1075.pdf
[3] Located on the Information Security Computer based Training (CBT) page at www.cms.gov/cbt/