

## **CMS Disclaimer–User Agreement**

### **2008 Basic Stand Alone Inpatient Claims Public Use File**

The Centers for Medicare & Medicaid Services (CMS) is pleased to make the 2008 Basic Stand Alone Inpatient Claims Public Use File (PUF) available to the public as a free download. This PUF is intended to support research studies requiring the use and analysis of Medicare data.

This disclaimer–user agreement details the sources and nature of the data, including potential limitations, and specifies the responsibility of the data user in regard to the processing and understanding of the data files. In addition to this disclaimer–user agreement, users should also read the documentation files for this PUF.

**Data accuracy:** CMS public data is derived from data that is used by the agency for operational purposes. CMS does not guarantee 100% accuracy of all records and all fields. Some data fields that are not used for agency functions may contain incorrect or incomplete data. CMS publishes data limitations for their statistical data sources on the internet. Users must familiarize themselves with the data limitations documents and accept the quality of the data they receive. For the Basic Stand Alone Inpatient Claims PUF please read the General File Documentation, as well as the Data Dictionary and Codebook, before conducting any analyses with the data.

**Data integrity:** It is the responsibility of each user to identify the information needed to satisfy the user’s needs. Any alteration of the original data, including conversion to other media or other data formats, is the responsibility of the user. Data that has been manipulated or reprocessed by the user is the responsibility of the user. The user may not present or otherwise reference data that have been altered in any way as CMS data. CMS has no responsibility for the data after it has been converted, processed or otherwise altered. CMS has no responsibility for assisting users with converting the data to another format. The Basic Stand Alone Inpatient Claims PUF is made available as a downloadable CSV file. The PUF’s Data Users file contains specific information concerning file layout, as well as SAS code for creating a SAS dataset from the CSV file. The Data Dictionary and Codebook file for the PUF lists variables and their definitions, as well as provides frequency distributions.

**Privacy protection:** CMS is obligated by the federal Privacy Act, 5 U.S.C. Section. 552a and the HIPAA Privacy Rule, 45 C.F.R Parts 160 and 164, to protect the privacy of individual beneficiaries and other persons. All direct identifiers have been removed from this data file; therefore the public data file does not permit direct identification of any individuals. Attempting to determine individual identities from public data is a violation of the federal Privacy Act, 5 U.S.C and the HIPAA Privacy Rule. Note that the Basic Stand Alone Inpatient PUF is disjoint from the existing 5% CMS research sample;<sup>1</sup> there is no overlap of the beneficiaries in the Basic Stand Alone Inpatient PUF and in the 5% CMS research sample. The PUF is designed to prevent record linking to other files released by CMS or other sources since a claim for a sampled beneficiary is only included in the PUF if the combination of all analytic variables is shared by at least eleven (11) beneficiaries in the population.

**Additional terms and conditions:** User acknowledges that CMS reserves the right to amend or modify this disclaimer–user agreement, and that future use of the Basic Stand Alone Medicare PUFs may be subject to revised or additional terms and conditions.

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<sup>1</sup> [http://www.resdac.org/tools/TBs/TN-011\\_How5percentMedicarefilescreated\\_508.pdf](http://www.resdac.org/tools/TBs/TN-011_How5percentMedicarefilescreated_508.pdf)