

Instructions for completing the Certificate of Disposition (COD)

This document: The Requester or Data Custodian must complete the Certificate of Disposition (COD) to document the disposition of CMS data.

General Instructions

1. Answer every item in the document.
2. Do not alter the layout or content of the document.
3. Submit the signed PDF to CMS.

Specific Instructions

A Enter the name of the Requester listed on the DUA. The **Requester** is the individual authorized to sign agreements on behalf of the requesting organization. This person is often referred to as the 'legal signatory'. This person accepts all terms and conditions in the DUA and attests that all information contained in the request is accurate.

B Enter the exact legal name of the Requesting Organization listed on the DUA.

C Enter the exact Study Title listed on the DUA.

D Enter the DUA number. List only one DUA number per form.

(Instructions continue on page 2)


OMB No. 0938-0734. Exp. 12/31/2027

CERTIFICATE OF DISPOSITION (COD)
FOR DATA ACQUIRED FROM THE CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS)

DUA Requester	A	<i>Must match the individual specified in the DUA.</i>
Requesting Organization	B	<i>Must match the organization specified in the DUA.</i>
Study Title	C	<i>Must match the study title specified in the DUA.</i>
DUA #	D	

GENERAL INSTRUCTIONS

The DUA Requester or Data Custodian must complete this certificate if they wish to:

- Close the entire DUA and all associated files; or
- Close certain files on the DUA but leave the DUA and the remainder of its files open; or
- Document destruction of physical media

By completing this certificate, the DUA Requester or Data Custodian certifies that the Requesting Organization has destroyed/discontinued use of CMS data specified on this form at all locations. This includes any original files, copies, derivatives or subsets, and any back-ups. The Requesting Organization may not retain any copies, derivatives or manipulated files unless approved by CMS for use on another open CMS DUA. The Requesting Organization may retain data that is de-identified under the HIPAA Privacy Rule as described at 45 CFR 164.514(b) and adheres to CMS policy for cell size suppression.

Please ensure the Requesting Organization has completed one of the following approved methods to dispose of CMS data:

- Clearing - sanitize data or media using organizationally approved and validated technologies, methods, or tools. Clearing shall render data unrecoverable in the service or medium in which it is stored; either by cryptographic means (e.g., sanitizing the encryption key for a cloud storage service) or the equivalent, such as overwriting, resetting, or other measures to prevent data recovery.
- Purging - degauss with an organizationally approved degausser rated at a minimum for the media. Other methods of purging include overwrite, block erase, and cryptographic means using techniques that apply service-specific methods to bypass the abstraction inherent in typical read and write capabilities of services or devices (e.g., cloud storage or physical devices).
- Destroy - shred, disintegrate, melt, pulverize, or incinerate by burning the device in a licensed, or organizationally approved and validated incinerator.

SECTION 1 - DATA DISPOSITION

E I am closing the entire DUA and all associated files.

F I am only closing certain files on the DUA but leaving the DUA open.

G I am destroying the physical media but leaving the DUA and all files open.

H Other – Must be preapproved by CMS. Provide preapproved language below.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-0734 (Expires 12/31/2027). This information collection allows CMS to determine if the research disclosure complies with federal laws and regulations, as well as CMS policy. The information collected in the DUA-SAC enables CMS to evaluate researcher data systems to ensure that CMS data are adequately secured and appropriately protected, as per the Privacy Act and the HIPAA Privacy Rule. CMS is permitted to disclose data files for approved research purposes in compliance with 45 CFR 164.512(i). Researchers requesting data files must, as part of the request process, complete a research request packet that provides CMS with information pertaining to the research study, including describing how the research results/ findings will be disseminated, as well as the data files being requested. Should CMS approve the research request, the data requestor enters into a Data Use Agreement (DUA). This data collection is required based on 45 CFR 164.512(i). The time required to complete this information collection is estimated to average less than 10 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, to review and complete the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850. ***CMS Disclosure*** Please do not send applications, claims, payments, medical records or any documents containing sensitive information to the PRA Reports Clearance Officer. Please note that any correspondence not pertaining to the information collection burden approved under the associated OMB control number listed on this form will not be reviewed, forwarded, or retained. If you have questions or concerns regarding where to submit your documents, please contact: DataUseAgreement@cms.hhs.gov

E

Check this box if you are closing the entire DUA and all associated files. Complete Section 2 - Disposition Statement.

F

Check this box if you are only closing certain files on the DUA, but leaving the DUA open. Complete Section 2 - Disposition Statement.

G

Check this box if you are only destroying the physical media, but leaving the DUA open. Complete Section 2 - Disposition Statement.

Note: Beginning 08/04/2026, CMS requires that all shipped physical media be destroyed once the data is uploaded into the DMP SAQ approved environment. This is not required for data shipped prior to that date.

H

Check this box if you have preapproved language provided by CMS.



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