

## **System of Records (SOR)**

### **Summary Description:**

The Privacy Act defines a System of Records (SOR) as a group of any records under the control of a Federal agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. Additionally, the Privacy Act requires that the Federal government inform the public of any collection of information about its citizens from which data are retrieved by a unique identifier as described above. CMS fulfills this requirement to inform the public via the publication of a system notice in the Federal Register. This notice describes the SOR and gives the public an opportunity to comment. Without the written consent of the subject individual, the Privacy Act prohibits the release of protected information maintained in a SOR unless one of the 12 disclosure exceptions apply. Therefore, a SOR is completed by the System Owner/Manager in collaboration with the Business Owner(s)/Partner(s) and consists of three documents: a Narrative Statement that is submitted to the Office of Management & Budget (OMB), and a Preamble and Statement of Records Notice that are provided to Congress. The Preamble and the Statement of Records Notice are also published in the Federal Register to notify the public of a new or revised SOR.

### **Status:**

**Conditionally Mandatory** - All funded and in-house IT projects that will cause CMS or its agents to collect, maintain, use or disclose information about a citizen of the United States (beneficiaries or individual health care providers), or transmit or maintain electronically any identifiable health information, must have a System of Records (SOR). For new systems that do not have an existing SOR, the Privacy Act Staff in OIS/EDG/DPCDD must be notified six (6) months in advance of any such data collection.

### **Timeframe:**

The development of a new System of Records (SOR) or modification of an existing SOR is initiated during the [Requirements Analysis Phase](#) and is subsequently baselined during the [Design & Engineering Phase](#). The baselined SOR is then processed through a formal review and clearance process that begins during the Design & Engineering Phase and must be completed by the end of the [Implementation & Testing Phase](#).

### **Responsible Reviewing Component:**

[OIS/EDG/DPCDD](#) is the CMS component that has the primary decision authority over the need for a new or modified System of Records (SOR), requirements for its creation, and acceptance of the end product in meeting the information needs.

## **Primary Information Exchange Partners:**

The following are the primary stakeholders who have an interest in the content of the System of Records (SOR):

[Privacy Officer](#)

[Chief Information Officer \(CIO\)](#)

[Senior Information Systems Security Officer \(ISSO\)](#)

CMS Paperwork Reduction Staff

CMS Records Management Officer

CMS Administrator

[Beneficiary Confidentiality Board \(BCB\)](#)

DHHS Office of General Council (OGC)

DHHS Assistant Secretary of Public Affairs

DHHS Privacy Act Officer

[Office of Management and Budget \(OMB\)](#)

Congress

Public

## **Government Responsibilities:**

The [Project Owner/Manager](#) is responsible for ensuring that the [System Owner/Manager](#) collaborates with the [Business Owner\(s\)/Partner\(s\)](#) to prepare the initial System of Records (SOR) package. The Project Owner/Manager and/or the System Owner/Manager forward the completed SOR package to OIS/EDG/DPCDD to begin the formal review and clearance process.

## **Contractor Responsibilities:**

Not Applicable.

## **Content:**

For information regarding the format and content of the Narrative Statement that is submitted to the Office of Management & Budget (OMB), see:

[System of Records \(SOR\) Narrative Statement Template \(PDF 116KB\)](#)

[System of Records \(SOR\) Narrative Statement Template \(Word Version\)](#)

For information regarding the format and content of the Preamble and the Statement of Records Notice that are provided to Congress and printed in the Federal Register, see:

[System of Records \(SOR\) Preamble and Statement of Records Notice Template \(PDF 154KB\)](#)

[System of Records \(SOR\) Preamble and Statement of Records Notice Template \(Word\)](#)

### Version)

Examples of existing SORs that have been published in the Federal Register can be found on the CMS Internet at: <http://www.cms.hhs.gov/privacyact/tblsors.asp>

### **Guidance:**

For additional guidance in the preparation, formal review, and clearance of the System of Records (SOR) package, contact [OIS/EDG/DPCDD](#).

### **Review Process:**

The System of Records (SOR) package prepared by the System Owner/Manager and Business Owner(s)/ Partner(s) is processed through a formal review and clearance process, which includes sign off by the CMS Privacy Act Officer, Chief Information Officer (CIO), Beneficiary Confidentiality Board (BCB), Records Management Officer, Paperwork Reduction Act Staff, DHHS Office of General Council (OGC), DHHS Privacy Act Officer, and SOR systems security components. The final SOR package is assembled for the CMS Administrator's signature. The Narrative Statement is submitted to the Office of Management and Budget (OMB), and the Preamble and Statement of Record Notice is published in the Federal Register for public comment. As a result, the Project Owner/Manager should allow six months for the processing of the SOR package through the formal review and clearance process.

### **Date Created/Modified:**

March 2002/October 2004