

## **Centers for Medicare and Medicaid Services (CMS) Data Sharing Agreements: Information Exchange Agreement (IEA) and Data Request Attestation (DRA) Overview and Frequently Asked Questions (FAQs)**

CMS released the new Information Exchange Agreement (IEA) and Data Request Attestation (DRA) forms for the disclosure and exchange of certain Medicare and Medicaid data of dually eligible individuals on June 11, 2020. The new IEA/DRA allows for the state and CMS to merge multiple existing data sharing agreements for dually eligible beneficiaries into one streamlined IEA and DRA. The purpose of this FAQ document is to answer the most frequently asked questions that MMCO and SDRC have received regarding the updated forms. For additional questions or assistance with these agreements, please contact the SDRC at [SDRC@EconometricaInc.com](mailto:SDRC@EconometricaInc.com) or via phone at (877) 657-9889.

The five different data-sharing programs between CMS and states that support dually eligible beneficiaries are the:

- MMA file exchange,
- Buy-in file exchange,
- Territory Beneficiary Query (TBQ) file,
- Enrollment Database (EDB) file, and
- Medicare-Medicaid Data Sharing program.

The major benefits to the new IEA and DRA agreements include:

- Simplified data agreements:
  - One central set of IEA/DRA agreements, rather than multiple individual agreements for each data exchange.
  - Updated and clarified data exchange language specific to the data exchanges involved.
- Reduced administrative burden:
  - The DRA never expires.
  - No Downstream User Report requirement for Medicare-Medicaid Data Sharing Program.
  - Subcontracting and collaborating organizations will sign once for their organization; each individual from the subcontracting or collaborating organization does not need to sign a DRA Custodian Form.
- Central CMS contact and support:
  - The State Data Resource Center (SDRC) provides assistance and support to states in managing the IEA/DRA agreements and handling data questions.

## Overview of the IEA and DRA Update Process

**NOTE:** This is a rough outline of what to expect. A state’s progress may deviate from this outline.

State Action	CMS Action
<ul style="list-style-type: none"> <li>✓ State, SDRC, and CMS hold meeting to discuss new IEA and DRA.</li> </ul>	
<ul style="list-style-type: none"> <li>✓ State signs new IEA and returns to CMS.</li> </ul>	<ul style="list-style-type: none"> <li>✓ CMS approves IEA and returns fully executed IEA to the state.</li> </ul>
<p><i>(Medicare-Medicaid Data Sharing states, only)</i></p> <ul style="list-style-type: none"> <li>✓ State reviews and confirms MEED DUA custodians are correct.               <ul style="list-style-type: none"> <li>▪ Confirm if the MEED Requester should remain on updated DRA, either as new Requester or as a Custodian.</li> </ul> </li> </ul>	<p><i>(Medicare-Medicaid Data Sharing states, only)</i></p> <ul style="list-style-type: none"> <li>✓ SDRC and CMS share MEED transfer memo.               <ul style="list-style-type: none"> <li>▪ State, SDRC, and CMS save memo to their records.</li> </ul> </li> <li>✓ SDRC and CMS close MEED DUA and add MEED data files and custodians to MMCO DRA.</li> </ul>
<ul style="list-style-type: none"> <li>✓ With SDRC assistance, the state updates and signs the new DRA and any applicable custodian forms.               <ul style="list-style-type: none"> <li>▪ Confirm have appropriate custodian information for Buy-in file.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓ CMS approves the DRA and any applicable custodian changes.               <ul style="list-style-type: none"> <li>▪ CMS and SDRC update DRA in EPPE.</li> </ul> </li> </ul>

## Frequently Asked Questions

### 1. The IEA and DRA Agreements

#### 1.1. Where can I go to get more information about the new IEA and DRA?

You can find more information on the new IEA and DRA on the SDRC [Data Sharing Agreement](#) webpage. The webpage also includes resources that SDRC has developed about the new IEA and DRA, including a presentation given about the agreements.

#### 1.2. What is an IEA?

The Information Exchange Agreement (IEA) establishes terms, conditions, safeguards, and procedures governing states’ access to Medicare data for the purpose of supporting dually eligible beneficiaries.

### **1.3. What is a DRA?**

The Data Request and Attestation (DRA) form establishes the terms of use governing states' access to Medicare data that contains protected health information (PHI) and/or personally identifiable information (PII) and tracks the Medicare data disclosed to the state.

### **1.4. How does a DRA differ from a DUA?**

Both the [CMS Data Use Agreement \(DUA\)](#) and the DRA form track disclosures of protected health information (PHI) and/or personally identifiable information (PII) to ensure that data requesters adhere to CMS privacy and security requirements and data release policies. The main difference is that (1) the DRA is a customized form for use with the Medicare-Medicaid Data Sharing Program, MMA File, Buy-in File, Enrollment Database (EDB) file, and/or Territory & State Beneficiary Query (TBQ) file; and (2) the DRA does not expire or require annual extension submissions.

### **1.5. What is the process for my state to move to the new agreements?**

Please see the general overview, above, for the process to transition to the new IEA/DRA. Briefly, your state will:

- Sign the new IEA;
- Determine one Requester for the DRA and obtain signature; and,
- Confirm/update all necessary custodians.

### **1.6. How can I receive further assistance on the new agreements?**

In addition to this FAQ document and the [presentation](#), SDRC is hosting individual meetings with states to discuss the new agreements, provide guidance, and answer any questions. Please contact the SDRC for an individual meeting or for a follow-up discussion.

### **1.7. Does the IEA or DRA expire?**

The IEA will need to be renewed every 5 years. The DRA does not expire.

### **1.8. What is the timeline for my state to sign the new IEA and DRA?**

If your state has an approaching IEA expiration date for the Medicare-Medicaid Data Sharing Program, we suggest signing the new agreements prior to the expiration. For those states who's IEAs will not expire in the new future, SDRC will reach out to discuss options and timelines.

### **1.9. How do I complete the Data Table on page 4 of the DRA?**

The data table located on page 4 of the DRA is specifically for Medicare-Medicaid Data Sharing Program data files. This includes, but is not limited to, Historical Parts A/B claims, Assessments and Part D data. For a full list of available data files, please see the document "[Requesting and Using Medicare Data for Medicare-Medicaid Care Coordination and Program Integrity: An Overview](#)". If you are unsure which files your state currently receives or would like to request, please contact SDRC for assistance.

If your state does not participate in the Medicare-Medicaid Data Sharing Program, please leave the Data Table on page 4 blank.

**1.10. I do not see the file exchanges on the data table in page 4 of the DRA. How do I request the MMA/TBQ/EDB/Buy-In file?**

Your state already has a Buy-In file and MMA file exchange. The TBQ and EDB are elective queries. These files are detailed on page 2 of the DRA. For more information on these files, please see the SDRC overview document “[Understanding CMS Data: An Overview of EDB, MMA, Buy-In, and TBQ Files](#)”.

## **2. Data Files**

**2.1. What is the Medicare-Medicaid Data Sharing Program?**

The Medicare-Medicaid Data Sharing program covers a variety of Medicare data available to states upon request. Available data files include Parts A/B claims, Assessments, Part D or COBA data; for a full list of available data files, please see the document “[Requesting and Using Medicare Data for Medicare-Medicaid Care Coordination and Program Integrity: An Overview](#)”. If you are unsure which files your state currently receives or would like to request, please contact SDRC for assistance.

**2.2. What is the Medicare Eligibility & Enrollment Data (MEED) file?**

The Medicare Eligibility & Enrollment Data, or MEED, file covers the Medicare data shared under the MMA (Medicare Modernization Act) file exchange, TBQ (Territory & State Beneficiary Query) file, and EDB (Enrollment Database) file. For more information on these file exchanges, please refer to the SDRC overview document “[Understanding CMS Data: An Overview of EDB, MMA, Buy-In, and TBQ Files](#)”.

**2.3. What is the Buy-in file?**

The Buy-In file is a data exchange between the state and CMS. States submit an input record of buy-in transaction files, to which CMS returns an updated transaction record. For more information on the Buy-in file exchange, please see the SDRC overview document “[Understanding CMS Data: An Overview of EDB, MMA, Buy-In, and TBQ Files](#)”.

**2.4. Will I have to submit DUA updates to request subsequent years for the datasets and exchange files?**

No. The DRA allows for continuous data to be provided to the state.

**2.5. Does the IEA and DRA cover the Coordination of Benefits Agreement (COBA) file?**

No, each state has a Coordination of Benefit Agreement that covers the state’s primary COBA feed. In conjunction with the Medicare-Medicaid Data Sharing Program, states may request a secondary, expanded COBA feed for care coordination, quality improvement and/or program integrity use.

**2.6. If all data files are listed on one DRA, do I need to change my use justifications?**

No, the IEA and DRA are written so that uses remain independent for the different data files your state receives.

**2.7. Will my state still need to use the Data Specifications Worksheets?**

Yes, the Specifications Worksheets will remain in use only for the Medicare-Medicaid Data Sharing Program (i.e., the Parts A and B claims data, Part D event data, Assessments data, and summary/enrollment data).

**2.8. Which of my state's Data Use Agreements covers the Buy-In file?**

The Buy-In file is covered by the original Buy-in agreement used to carry out the provisions of Section 1843 of the Social Security Act, and not currently covered by a Data Use Agreement (DUA). The new IEA and DRA will cover the Buy-In File Exchange moving forward.

**2.9. Will signing the new agreements interrupt our state's current data shipments?**

No, signing the new DRA and IEA will not cause a delay or change in current data shipments.

**2.10. Will I need to update or change the file transfer set up for the different data exchanges and query files?**

No, the update to the IEA and DRA will not impact the existing electronic file transfer set-up.

### **3. Data Requestor, Custodians, and Contacts**

**3.1. My state currently has different contacts for the Medicare Eligibility & Enrollment Data File (MEED) DUA, the Medicare-Medicaid Data Sharing Program DRA, and Buy-in file. Are we able to keep multiple points of contact?**

Yes, you are able to provide your preferences in regard to points of contact to SDRC. Please confirm which state contacts should remain on the state's DRA, and SDRC will work with you to update your state's DRA with the current Data Custodians.

**3.2. Will I have to re-submit the paperwork for everyone currently listed on the MEED DUA when the MEED DUA merges with the Medicare-Medicaid Data Sharing Program DRA?**

No, SDRC and CMS will merge the two agreements together. SDRC will reach out to your state to confirm all custodians and downstream users are still active.

**3.3. I'm not sure who is responsible for the other data files within my organization. Can you provide the contacts for the different files or exchanges?**

Yes, CMS can share the CMS contacts for each file. Please contact SDRC if you are interested in obtaining this information.

**3.4. Who should I make the requestor on the DRA?**

This decision is solely up to the state. SDRC understands that various departments within your agency may use CMS data, and so we encourage you to designate specific contacts and Data Custodians for each file.

**3.5. Does the point of contact add sub-contracting organizations?**

Anyone listed on the DRA may add additional custodians, collaborators, or subcontractors to the DRA. Should you have additional questions about the DRA Custodian form, please contact the SDRC.

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