§ 480.141 Disclosures of QIO interpretations on the quality of health care.

Subject to the procedures for disclosure and notice of disclosure specified in §§ 480.104 and 480.105, a QIO may disclose the QIO interpretations and generalizations on the quality of health care that identify a particular institution.

§ 480.142 Disclosures of sanction reports.

(a) The QIO must disclose sanction reports directly to the Office of the Inspector General and, if requested, to CMS.

(b) The QIO must, upon request, and may without a request, disclose sanction reports to State and Federal agencies responsible for the identification, investigation, or prosecution of cases of fraud or abuse in accordance with § 480.137.

(c) CMS will disclose sanction determinations in accordance with part 474 of this chapter.

§ 480.143 QIO involvement in shared health data systems.

(a) Information collected by a QIO. Except as prohibited in paragraph (b) of this section, information collected by a QIO may be processed and stored by a cooperative health statistics system established under the Public Health Service Act (42 U.S.C. 242k) or other State or Federally authorized shared data system.

(b) QIO participation. A QIO may not participate in a cooperative health statistics system or other shared health data system if the disclosure rules of the system would prevent the QIO from complying with the rules of this part.

(c) Disclosure of QIO information obtained by a shared health data system. QIO information must not be disclosed by the shared health data system unless—

1. The source from which the QIO acquired the information consents to or requests disclosure; or

2. The QIO requests the disclosure of the information to carry out a disclosure permitted under a provision of this part.

§ 480.144 Access to QIO data and information.

CMS may approve the requests of researchers for access to QIO confidential information not already authorized by other provisions in 42 CFR part 480.

§ 480.145 Beneficiary authorization of use of confidential information.

(a) Except as otherwise provided under this part, a QIO may not use or disclose a beneficiary’s confidential information without an authorization from the beneficiary. The QIO’s use or disclosure must be consistent with the authorization.

(b) A valid authorization is a document that contains the following:

1. A description of the information to be used or disclosed that identifies the information in a specific and meaningful fashion.

2. The name or other specific identification of the QIO(s) and QIO point(s) of contact making the request to use or disclose the information.

3. The name or other specific identification of the person(s), or class of