

grand jury, a Federal court or a party in litigation, or a Federal agency or party to an administrative proceeding being conducted by a Federal agency" has been replaced with "Any information in this system of records may be disclosed to a Federal agency or party to an administrative proceeding being conducted by a Federal agency." The wording "in order for VA to respond to and comply with the issuance of a Federal court order" has been replaced with "in order for VA to respond to and comply with the issuance of an order by that Federal agency requiring production of the information." The changes have been made to make the routine use more concise in the application of its function.

- The word "CHAMPVA" in routine use number 22 (formerly routine use number 24) is deleted and replaced with the wording "veteran and beneficiary." The intention of this word change is to provide access information to veterans and beneficiaries who request assistance in locating medical providers who accept VA payment for health care services.

- Routine use number 23 is added to permit disclosure of relevant information from this system to other entities with which VA has a contract or agreement to perform such services, as VA may deem practicable for the purposes of laws administered by VA, in order for the contractor or subcontractor to perform the services of the contract or agreement.

- Routine use number 24 is added to permit disclosure of relevant information from this system to Claims Processing Quality Review Organizations or Accreditation Organizations in connection with their review of claims, or in connection with studies or other review activities conducted pursuant to VA requests to the organization for certification or accreditation to national standards.

The Privacy Act permits VA to disclose information about individuals without their consent for a routine use when the information will be used for a purpose that is compatible with the purpose for which VA collected the information. In all of the routine use disclosures described above, the recipient of the information will use the information in connection with a matter relating to one of VA's programs, will use the information to provide a benefit to VA, or disclosure is required by law.

Under section 264, Subtitle F of Title II of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Public Law 104-191, 100 Stat. 1936, 2033-34 (1996), the United States Department of Health and Human

Services (HHS) published a final rule, as amended, establishing Standards for Privacy of Individually-Identifiable Health Information, 45 CFR Parts 160 and 164. The Veterans Health Administration (VHA) may not disclose individually-identifiable health information (as defined in HIPAA and the Privacy Rule, 42 U.S.C. 1320(d)(6) and 45 CFR 164.501) pursuant to a routine use unless either: (a) The disclosure is required by law, or (b) the disclosure is also permitted or required by the HHS Privacy Rule. The disclosures of individually-identifiable health information contemplated in the routine uses published in this amended system of records notice are permitted under the Privacy Rule or required by law. However, to also have authority to make such disclosures under the Privacy Act, VA must publish these routine uses. Consequently, VA is publishing these routine uses and is adding a preliminary paragraph to the routine uses portion of the system of records notice stating that any disclosure pursuant to the routine uses in this system of records notice must be either required by law or permitted by the Privacy Rule before VHA may disclose the covered information.

The System Manager(s) and Address is amended to account for recent organizational changes. The Record Source Categories is updated to include VA Medical Centers.

The Report of Intent to Publish an Amended System of Records Notice and an advance copy of the system notice have been sent to the appropriate Congressional committees and to the Director of the Office of Management and Budget (OMB) as required by 5 U.S.C. 552a(r) (Privacy Act) and guidelines issued by OMB (65 FR 77677), December 12, 2000.

Approved: August 28, 2003.

Anthony J. Principi,

Secretary of Veterans Affairs.

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SYSTEM NAME:

Health Administration Center Civilian Health and Medical Program Records—VA.

SYSTEM LOCATION:

Records are maintained at the Health Administration Center (HAC), 300 South Jackson Street, Denver, Colorado 80209.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals covered by the system include the following:

1. Dependents of veterans who seek health care under 38, U.S.C. 1781, 1802

and 1803, 1813 and Pub. L. 103-446, section 107.

2. Veterans seeking health care services in a foreign country, excluding services provided in Canada and the Philippines, under 38 U.S.C. 1724.

3. Veterans receiving community fee for service benefits at VA expense under Title 38, U.S.C. 1703, 1725 and 1728.

4. Health care providers treating individuals who receive care under 38 U.S.C. 1724, 1781, 1803, 1813, and Pub.L. 103-446 section 107.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records maintained in the system include medical benefit application and eligibility information concerning the veteran and, when applicable, their spouse and/or dependent(s), other health insurance information, correspondence concerning individuals and documents pertaining to claims for medical services, information related to claims processing and third party liability recovery actions taken by VA and/or TRICARE. The record may include the name, address and other identifying information concerning health care providers, services provided, amounts claimed and paid for health care services, medical records, and treatment and payment dates. Additional information may include veteran, spouse and/or dependent identifying information (e.g., name, address, social security number, VA claims file number, date of birth), and military service information concerning the veteran sponsor (e.g., dates, branch and character of service, medical information).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title 38, United States Code, sections 501(a) and 501(b), 1703, 1724, 1725, 1728 1781, 1802 and 1803, 1813, and Pub. L. 103-446 section 107.

PURPOSE(S):

Records may be used for purposes of establishing and monitoring eligibility to receive VA benefits and processing medical claims for payment for eligible beneficiaries and veterans.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

VA may disclose protected health information pursuant to the following routine uses where required by law, or required or permitted by 45 CFR parts 160 and 164.

1. Eligibility and claim information from this system of records may be disclosed verbally and in writing. For example, disclosure may be made via correspondence, call service center or by interactive web page, in response to