

**Centers for Medicare & Medicaid Services (CMS)  
Data Use Agreement (DUA) Requirements**

1. The DUA Requester agrees to submit a [Certificate of Destruction](#) via an attachment in an e-mail to [DataUseAgreement@cms.hhs.gov](mailto:DataUseAgreement@cms.hhs.gov) if their project is completed sooner than the expiration date specified in the DUA.
2. The Requester agrees to immediately notify CMS when any individual(s) listed on the DUA is no longer associated with the DUA via e-mail to [DataUseAgreement@cms.hhs.gov](mailto:DataUseAgreement@cms.hhs.gov)
3. The DUA Requester agrees that any data provided by CMS will not be physically moved or electronically transmitted in any way from the site indicated in the DUA without expressed written authorization from CMS. If the location needs to be modified, the DUA shall be updated to include the new location.
4. DUAs associated with CMS contracts require that the CMS Contract Expiration Date coincide with the DUA Expiration Date. If data is needed beyond the expiration of the contract, the project officer will inform [DataUseAgreement@cms.hhs.gov](mailto:DataUseAgreement@cms.hhs.gov) at the termination of the contract to evaluate whether the DUA will require an extension. If the project is still active and the DUA has expired, a one (1) year extension may be granted. The extension will only be approved if the data will continue to be used for the original project purpose and the expiration date has occurred within the past year; otherwise, a new DUA must be negotiated.
5. Upon completion of the Research study/Contract project or expiration of the DUA, the data must be properly destroyed and documented on a [Certificate of Destruction](#).
6. The Requestor agrees that no data, copies, or parts thereof, shall be retained when the file(s) are destroyed, unless CMS has authorized in writing such retention of said file(s).
7. Please be aware that CMS' tracking system for DUAs will not allow execution of any new DUAs if the requesting organization(s) of any individual listed on the DUA has any expired DUAs. It is important that DUAs do not expire to ensure that your organization may be provided CMS identifiable data for future purposes.
8. Please visit our new website at [www.cms.gov/Privacy](http://www.cms.gov/Privacy) for additional CMS DUA information.