



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

Notice of Public Data Asset Release Under the Open, Public, Electronic, and Necessary (OPEN) Government Data Act

AGENCY: Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In accordance with Title II of the Foundations for Evidence-Based Policymaking Act of 2018, known as the Open, Public, Electronic, and Necessary (OPEN) Government Data Act, CMS announces the forthcoming release of public data assets in open, machine-readable formats under an open license. These data are intended to support public engagement in identifying and preventing fraud, waste, and abuse, and to promote transparency and accountability. CMS has taken steps to ensure that the release of these data appropriately furthers transparency objectives consistent with the protection of sensitive information.

FOR FURTHER INFORMATION CONTACT: For questions regarding the data release, please send an email to data.support@cms.hhs.gov.

SUPPLEMENTARY INFORMATION: The OPEN Government Data Act requires Federal agencies to make public data assets available in open formats and under open licenses, consistent with applicable law. CMS has advanced the release of provider prices and negotiated rates through its positions on provider price transparency, most recently promulgated through the Calendar Year 2026 Hospital Outpatient Prospective Payment System (OPPS) and Ambulatory Surgical Center Final Rule (CMS-1834-FC). CMS is committed to advancing transparency while ensuring compliance with all applicable legal requirements and privacy considerations governing the disclosure of Federal data.

CMS has made available the following public data assets with utilization and payment data aggregated by provider and service:

- Original Medicare Physician & Other Practitioners—By Provider and Service
- Original Medicare Inpatient Hospitals—By Provider and Service
- Original Medicare Outpatient Hospitals—By Provider and Service
- Medicare Part D Prescribers—By Provider and Drug
- Original Medicare Durable Medical Equipment, Devices and Supplies (DMEPOS)—

By Referring Provider and Service

- Original Medicare Durable Medical Equipment, Devices and Supplies (DMEPOS)—

By Supplier and Service

- Medicaid Provider Spending – By Provider and Service (including aggregated managed care payment data elements, with disclosure avoidance techniques applied)

CMS has evaluated prior Agency statements and the disclosure of the datasets included in this notice consistent with applicable legal requirements. CMS considered applicable privacy protections under the Health Insurance Portability and Accountability Act of 1996, as amended by the Health Information Technology for Economic and Clinical Health Act, and relevant provisions of the 21st Century Cures Act. Where applicable, CMS also considered confidentiality requirements for substance use disorder information under 42 CFR part 2. Based on this assessment, CMS has determined that the datasets have been de-identified and appropriately limited to mitigate the risk of re-identification, do not disclose protected trade secret or confidential commercial information and are appropriate for public release.

CMS will continue to evaluate additional datasets, as well as applicable governing laws and regulations, as it prepares future data releases.

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Mehmet Oz, having reviewed and approved this document, authorizes Vanessa Garcia, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Vanessa Garcia,

Federal Register Liaison,

Centers for Medicare & Medicaid Services.

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