

Message

From: Trenkle, Tony (CMS/OIS); [Redacted] NotResp

Sent: 11/12/2013 11:15:08 PM

To: Unruh, Patti (CMS/OC); [Redacted] NotResp; Boulanger, Jennifer L. (CMS); [Redacted] NotResp; Snyder, Michelle (CMS/OA); [Redacted] NotResp; Kerr, James T. (CMS/CMHPO); [Redacted] NotResp; Chao, Henry (CMS/OIS); [Redacted] NotResp; Khalid, Aryana C. (CMS/OA); [Redacted] NotResp; Aronson, Lauren (CMS/OL); [Redacted] NotResp; [Redacted] NotResp; Bataille, Julie (CMS/OC); [Redacted] NotResp; [Redacted] NotResp

CC: Bradley, Tasha (CMS/OC); [Redacted] NotResp; Outerbridge, Monique (CMS/OIS); [Redacted] NotResp; [Redacted] NotResp; Schankweiler, Thomas W. (CMS/OIS); [Redacted] NotResp; [Redacted] NotResp; Fryer, Teresa M. (CMS/OIS); [Redacted] NotResp; [Redacted] NotResp; King, Terris (CMS/OIS); [Redacted] NotResp; Nelson, David J. [Redacted] NotResp

Subject: RE: REVIEW: Statement & Background

Patti,

I'm sticking with the changes we suggested several hours ago. Jennifer can explain why.

Tony

From: Unruh, Patti (CMS/OC)
Sent: Tuesday, November 12, 2013 4:14 PM
To: Boulanger, Jennifer L. (CMS); Trenkle, Tony (CMS/OIS); Snyder, Michelle (CMS/OA); Kerr, James T. (CMS/CMHPO); Chao, Henry (CMS/OIS); Khalid, Aryana C. (CMS/OA); Aronson, Lauren (CMS/OL); Bataille, Julie (CMS/OC)
Cc: Bradley, Tasha (CMS/OC); Outerbridge, Monique (CMS/OIS); Schankweiler, Thomas W. (CMS/OIS); Fryer, Teresa M. (CMS/OIS); King, Terris (CMS/OIS); Nelson, David J. (CMS/OEM)
Subject: RE: REVIEW: Statement & Background

Thanks so much Jennifer, Tony and all for looking at this. Want to note that I think the phrase "stringent security standards" is simple language for press purposes that means FISMA and NIST standards. Plus this line is already in our "Securing the MP" fact sheet which CMS issued several weeks ago. The fact sheet went thru both CMS Press clearance and Dept clearance, and we've been using it.

Putting aside that line, can I rephrase the last sentence in statement below – see the caps.

CMS Statement:

"The privacy and security of consumers' personal information are a top priority for us. When consumers fill out their online Marketplace applications, they can trust that the information that they are providing is protected by stringent security standards.

Security testing happens on an ongoing basis using industry best practices to appropriately safeguard consumers' personal information. THE COMPONENTS OF the HealthCare.gov website THAT ARE OPERATIONAL HAVE been

determined to be compliant with the Federal Information Security Management Act (FISMA), based on standards promulgated by the National Institutes of Standards and Technology (NIST).”

Additional Background:

The September 3, 2013 Authority to Operate document is only for the Qualified Health Plan and Dental Modules of the website. These modules allow insurers to submit and upload information about their insurance plans into the system. Even when modules of the FFM go online, they will not submit or share personally identifiable information (PII) as they will only share insurance information plan data.

The document that was under discussion is separate from the authorization to operate the FFM and the parts of the website that launched on October 1. That document relates to functions of the website that will go online as needed beginning in 2014– the Qualified Health Plan and Dental modules.

CMS has taken action on each of the two high findings in the 9/3 ATO by putting in place compensating controls to sufficiently mitigate risks.

The authorization to operate the FFM was issued by CMS leadership on September 27, 2013, ~~consistent with relevant security standards~~. The authorization to operate is limited to six months and is conditioned on a number of strategies to mitigate risks outlined in the ATO, including regular testing.

From: Boulanger, Jennifer L. (CMS)

Sent: Tuesday, November 12, 2013 4:00 PM

To: Trenkle, Tony (CMS/OIS); Unruh, Patti (CMS/OC); Snyder, Michelle (CMS/OA); Kerr, James T. (CMS/CMHPO); Chao, Henry (CMS/OIS); Khalid, Aryana C. (CMS/OA); Aronson, Lauren (CMS/OL); Bataille, Julie (CMS/OC)

Cc: Bradley, Tasha (CMS/OC); Outerbridge, Monique (CMS/OIS); Schankweiler, Thomas W. (CMS/OIS); Fryer, Teresa M. (CMS/OIS); King, Terris (CMS/OIS); Nelson, David J. (CMS/OEM)

Subject: RE: REVIEW: Statement & Background

Tony – I played around with the statement some more. Would this work any better from your perspective? -- Thanks, Jennifer

The privacy and security of consumers’ personal information are a top priority for CMS. When consumers fill out their online Marketplace applications, they can trust that the information that they are providing is protected in accordance with federal standards including the Federal Information Security Management Act (FISMA), which is based on standards promulgated by the National Institutes of Standards and Technology (NIST). Security testing happens on an ongoing basis using industry best practices to appropriately safeguard consumers’ personal information.

From: Trenkle, Tony (CMS/OIS)

Sent: Tuesday, November 12, 2013 3:31 PM

To: Unruh, Patti (CMS/OC); Snyder, Michelle (CMS/OA); Kerr, James T. (CMS/CMHPO); Chao, Henry (CMS/OIS); Boulanger, Jennifer L. (CMS); Khalid, Aryana C. (CMS/OA); Aronson, Lauren (CMS/OL); Bataille, Julie (CMS/OC)

Cc: Bradley, Tasha (CMS/OC); Outerbridge, Monique (CMS/OIS); Schankweiler, Thomas W. (CMS/OIS); Fryer, Teresa M. (CMS/OIS); Trenkle, Tony (CMS/OIS); King, Terris (CMS/OIS); Nelson, David J. (CMS/OEM)

Subject: RE: REVIEW: Statement & Background

See my changes below after discussion with Teresa. Any questions, please call me.

From: Unruh, Patti (CMS/OC)

Sent: Tuesday, November 12, 2013 3:13 PM

To: Trenkle, Tony (CMS/OIS); Snyder, Michelle (CMS/OA); Kerr, James T. (CMS/CMHPO); Chao, Henry (CMS/OIS); Boulanger, Jennifer L. (CMS); Khalid, Aryana C. (CMS/OA); Aronson, Lauren (CMS/OL); Bataille, Julie (CMS/OC)

Cc: Bradley, Tasha (CMS/OC); Outerbridge, Monique (CMS/OIS); Schankweiler, Thomas W. (CMS/OIS)

Subject: REVIEW: Statement & Background

Hi all,

Pls review and provide your OK or edits by 4:30...sorry for the tight turn-around, but reporters are writing on this today and we need to clear w/ others.

Some of the language in the statement you have seen before. However, the background information was developed today. Many thanks.

CMS Statement:

The privacy and security of consumers' personal information are a top priority for us. ~~When consumers fill out their online Marketplace applications, they can trust that the information that they are providing is protected by stringent security standards.~~ Security testing happens on an ongoing basis using industry best practices to appropriately safeguard consumers' personal information. ~~The HealthCare.gov website has been determined to be compliant with the Federal Information Security Management Act (FISMA), based on standards promulgated by the National Institutes of Standards and Technology (NIST)."~~

Additional Background:

The September 3, 2013 Authority to Operate document is only for the Qualified Health Plan and Dental Modules of the website. These modules allow insurers to submit and upload information about their insurance plans into the system. Even when modules of the FFM go online, they will not submit or share personally identifiable information (PII) as they will only share insurance information plan data.

The document that was under discussion is separate from the authorization to operate the FFM and the parts of the website that launched on October 1. That document relates to functions of the website that will go online as needed ~~beginning in 2014~~— the Qualified Health Plan and Dental modules.

CMS has taken action on each of the two high findings in the 9/3 ATO by putting in place compensating controls to sufficiently mitigate risks.

The authorization to operate the FFM was issued by CMS leadership on September 27, 2013, ~~consistent with relevant security standards.~~ The authorization to operate is limited to six months and is conditioned on a number of strategies to mitigate risks outlined in the ATO, including regular testing.