

Date of Approval: **May 05, 2021**

PIA ID Number: **6089**

SYSTEM DESCRIPTION

Enter the full name and acronym for the system, project, application and/or database.

Branded Prescription Drug, BPD

Is this a new system?

No

Is there a PCLIA for this system?

Yes

What is the full name, acronym and milestone of the most recent PCLIA?

Branded Prescription Drug (BPD) 3492

What is the approval date of the most recent PCLIA?

6/29/2018

Changes that occurred to require this update:

Expiring PCLIA

Were there other system changes not listed above?

No

What governance board or Executive Steering Committee (ESC) does this system report to? Full name and acronym.

AD Compliance Governance Board

Current ELC (Enterprise Life Cycle) Milestones:

Operations & Maintenance (i.e. system is currently operational)

Is this a Federal Information Security Management Act (FISMA) reportable system?

Yes

GENERAL BUSINESS PURPOSE

What is the general business purpose of this system? Provide a clear, concise description of the system, application or database, the reason for the system, and the benefits to the IRS to use the information, and how the information will be used.

The Branded Prescription Drugs (BPD) application collects, stores, manages, and validates data from pharmaceutical companies and federal agencies. It implements the tools necessary to carry out Provision 9008 of the Affordable Care Act. The IRS collects sales data from government agencies and corporate information from the pharmaceutical companies to assess fees and collect payment from these companies. Once collected, the funds are transferred to the Medicare Part B Trust Fund.

PII DETAILS

Does the system use, collect, receive, display, store, maintain, or disseminate IR Code 6103 taxpayer information: or any other type of Sensitive but Unclassified (SBU) information or PII such as information about IRS employees or outside stakeholders?

Yes

Does the system use, collect, receive, display, store, maintain, or disseminate Social Security Numbers (SSN's) or tax identification numbers (i.e. last 4 digits, etc.)?

Yes

What types of tax identification numbers (TIN) apply to this system?

Employer Identification Number

Does this system use, collect, receive, display, store, maintain or disseminate other (non-SSN) PII (i.e. names, addresses, etc.)?

Yes

Specify the PII Elements:

Name
Mailing address
Phone Numbers

Does this system use, collect, receive, display, store, maintain, or disseminate SBU information that is not PII?

Yes

Specify the types of SBU from the SBU Types List:

Official Use Only (OUO) or Limited Official Use (LOU) Information designated as OUO or LOU is information that: is exempt under one of the statutory Freedom of Information Act exemptions; is prohibited by other laws or regulations; would significantly impede the agency in carrying out a responsibility or function; or would constitute an unwarranted invasion of privacy.

Proprietary data Business information that does not belong to the IRS.

Are there other types of SBU/PII used in the system?

Yes

Describe the other types of SBU/PII that are applicable to this system.

Name, Taxpayer ID Number, Company Address and phone number and signature of the filer of the information report.

Cite the authority for collecting SBU/PII (including SSN if relevant).

PII for federal tax administration is generally Internal Revenue Code Sections 6001, 6011, & 6012e(a)

Has the authority been verified with the system owner?

Yes

BUSINESS NEEDS AND ACCURACY

Explain the detailed business needs and uses for the SBU/ PII, and how the SBU / PII is limited only to that which is relevant and necessary to meet the mission requirements of the system. If SSNs (or tax identification numbers) are used, explicitly explain why use of SSNs meets this criteria. Be specific.

BPD will only collect the minimum information (EIN, Company Name, company address, name of person who filled out the form, phone number and signature of the filer of the information report) required to assess fees and transmit data to generate letters to the pharmaceutical companies.

How is the SBU/PII verified for accuracy, timeliness and completion?

Large Business & International (LB&I) analysts access the BPD system (form 8947) to obtain name/phone number of the company point of contact. Audit - employees who access the system are captured in the audit trail. Access is granted via the Online 5081 system as determined by manager approval. IRS business analysts' access is managed through Active Directory. System administrator (SAs)/Database administrator (DBAs) have adjudicated high level background investigations.

PRIVACY ACT AND SYSTEM OF RECORDS

The Privacy Act requires Federal agencies that maintain a system of records to publish systems of records notices (SORNs) in the Federal Register for records from which information is retrieved by any personal identifier for an individual who is a US citizen or an alien lawfully admitted for permanent residence. The Privacy Act also provides for criminal penalties for intentional noncompliance.

Does your application or this PCLIA system pertain to a group of any record from which information is retrieved by any personal identifier for an individual who is a US citizen, or an alien lawfully admitted for permanent residence? An identifier may be a symbol, voiceprint, SEID, or other personal identifier that is used to retrieve information.

No

RESPONSIBLE PARTIES

Identify the individuals for the following system roles:

Official Use Only

INCOMING PII INTERFACES

Does the system receive SBU/PII from other systems or agencies?

Yes

Does the system receive SBU/PII from IRS files and databases?

No

Does the system receive SBU/PII from other federal agency or agencies?

No

Does the system receive SBU/PII from State or local agency (-ies)?

No

Does the system receive SBU/PII from other sources?

No

Does the system receive SBU/PII from Taxpayer forms?

Yes

Please identify the form number and name:

Form Number: 8947

Form Name: Report of Branded Prescription Drug Information

Does the system receive SBU/PII from Employee forms (e.g. the I-9)?

No

DISSEMINATION OF PII

Does this system disseminate SBU/PII?

Yes

Does this system disseminate SBU/PII to other IRS Systems?

Yes

Identify the full name and acronym of the IRS system(s) that receive SBU/PII from this system.

System Name: Integrated Data Retrieval System (IDRS)

Current PCLIA: Yes

Approval Date: 10/1/2018

SA&A: Yes

ATO/IATO Date: 10/14/2020

System Name: Security Audit & Analysis System (SAAS)

Current PCLIA: Yes

Approval Date: 4/6/2020

SA&A: Yes

ATO/IATO Date: 4/29/2020

Identify the authority.

The system disseminates SBU/PII for tax administration purposes under IRC 6103.

For what purpose?

The Branded Prescription Drugs (BPD) application collects, stores, manages, and validates data from pharmaceutical companies and federal agencies. It implements the tools necessary to carry out Provision 9008 of the Affordable Care Act. BPD will only collect the minimum information required to assess fees and transmit data to generate letters to the pharmaceutical companies.

Does this system disseminate SBU/PII to other Federal agencies?

No

Does this system disseminate SBU/PII to State and local agencies?

No

Does this system disseminate SBU/PII to IRS or Treasury contractors?

No

Does this system disseminate SBU/PII to other Sources?

No

PRIVACY SENSITIVE TECHNOLOGY

Does this system use social media channels?

No

Does this system use privacy-sensitive technologies such as mobile, global position system (GPS), biometrics, RFID, etc.?

No

Does the system use cloud computing?

No

Does this system/application interact with the public?

No

INDIVIDUAL NOTICE AND CONSENT

Was/is notice provided to the individual prior to collection of information?

Yes

How is notice provided? Was the individual notified about the authority to collect the information, whether disclosure is mandatory or voluntary, the purpose for which the information will be used, with whom the information may be shared, and the effects on the individual, if any, if they decide not to provide all or any of the requested information?

The BPD application computes the preliminary fee and the fee payers have opportunities to dispute the preliminary fee. After disputes are reviewed, the BPD application is updated and computes the final fee. Notice, consent and due process are provided via tax form 8947 instructions, and pursuant to 5 USC.

Do individuals have the opportunity to decline from providing information and/or from consenting to particular uses of the information?

Yes

Describe the mechanism by which individuals indicate their consent choice(s):

The BPD application computes the preliminary fee and the fee payers have opportunities to dispute the preliminary fee. After disputes are reviewed, the BPD application is updated and computes the final fee. Notice, consent and due process are provided via tax form 8947 instructions, and pursuant to 5 USC.

How does the system or business process ensure 'due process' regarding information access, correction and redress?

The BPD application computes the preliminary fee and the fee payers have opportunities to dispute the preliminary fee. After disputes are reviewed, the BPD application is updated and computes the final fee. Notice is provided through form instructions and notice.

INFORMATION PROTECTION

Identify the owner and operator of the system (could be IRS owned and Operated; IRS owned, contractor operated; contractor owned and operated).

IRS Owned and Operated

The following people have access to the system with the specified rights:

IRS Employees

Users: Read Write

Managers: Read Write

How is access to SBU/PII determined and by whom?

The PII data in BPD system will be limited to LB&I employees and, when required, assigned system maintenance personnel. Access to the data is determined by the manager based on a user's position and need-to-know. The manager will request a user to be added. They must submit the request via the Online 5081 process to request access to the System.

RECORDS RETENTION SCHEDULE

Are these records covered under a General Records Schedule (GRS, IRS Document 12829), or has the National Archives and Records Administration (NARA) approved a Records Control Schedule (RCS, IRS Document 12990) for the retention and destruction of official agency records stored in this system?

Yes

How long are the records required to be held under the corresponding GRS or RCS, and how are they disposed of? In your response, please provide the GRS or RCS chapter number, the specific item number, and records series title.

The National Archives and Records Administration (NARA) approved BPD records dispositions under Job No. N1-58-12-7. NARA approved a 10-year retention for system data, inputs, and outputs. System documentation may be deleted/destroyed when superseded or 5 years after the system is terminated, whichever is sooner. These disposition instructions will be published in Document 12990 under Records Control Schedule (RCS) 26 for Tax Administration - International, Item 49 when next updated.

SA&A OR ASCA

Has the system been through SA&A (Security Assessment and Authorization) or ASCA (Annual Security Control Assessment)?

Yes

What date was it completed?

9/22/2020

Describe the system's audit trail.

Audit data is captured in internal tables within the application. The information is sent to SAAS (Security Audit & Analysis System). BPD is following the appropriate audit trail elements pursuant to current Audit Logging Security Standards.

PRIVACY TESTING

Does the system require a System Test Plan?

No

Please explain why:

Test cases are used to test new requirements. A set of test cases are pulled from old ones to do regression testing.

SBU DATA USE

Does this system use, or plan to use SBU Data in Testing?

No

NUMBER AND CATEGORY OF PII RECORDS

Identify the number of individual records in the system for each category:

IRS Employees: Not Applicable

Contractors: Not Applicable

Members of the Public: Not Applicable

Other: Yes

Identify the category of records and the number of corresponding records (to the nearest 10,000).

Pharmaceutical company points of contact - approximately 600 records

CIVIL LIBERTIES

Does the system maintain any information describing how any individual exercises their rights guaranteed by the First Amendment?

No

Is the system information used to conduct 'data-mining' as defined in the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, Section 804?

No

Will this system have the capability to identify, locate, and monitor individuals or groups of people?

No

Does computer matching occur?

No

ACCOUNTING OF DISCLOSURES

Does the system include or require disclosure of tax or employee information to anyone other than IRS employees in the performance of their duties, or to the person to whom the information pertains or to a 3rd party pursuant to a Power of Attorney, tax or Privacy Act consent?

No