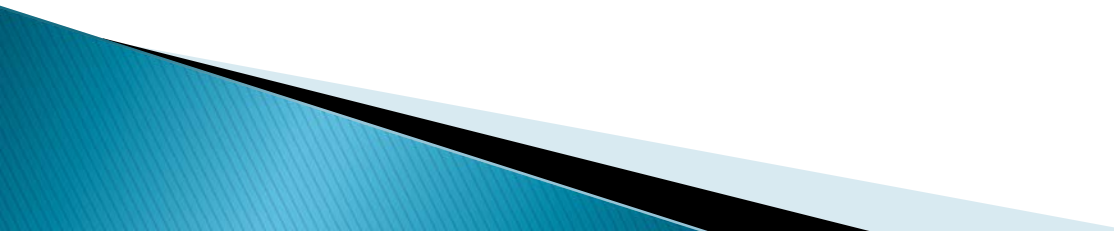


California Providers' Best Practices & GPRA Measures Conference

Meeting Legal Requirements for Record Retention and Storage

May 21, 2018



Agenda

- Introduction
- Retention
- Storage
- Destruction
- Questions



Record Retention and Destruction

1. Records retention schedule
2. Records destruction policy and procedure
3. Destruction and documentation, including:
 - a. Authorization form for each batch of records destroyed, with authorizing signatures and a list of records destroyed
 - b. Certificate of destruction from destruction vendor

Records Retention Schedule

Prepare with input from:

- Originating department
- Originating department's next higher level of management
- Legal counsel

Records Retention Schedule (continued)

- Legal requirements
 - Federal
 - State
- Statutes of limitations



Records Retention Schedule (continued)

- Accreditation
- Contracts, grants
- Electronic records
- Legal hold
- Duplicate records



Records Retention Schedule (continued)

No requirements?

- Follow state statute of limitations
- Questionnaires, interviews, department procedures
 - Are the records vital?
 - What regulations/laws require the records to be created and retained?
 - Are the record referenced? How often?
 - How old are the records? Oldest record ever needed?
 - How long are the records kept?
 - What would happen if the older records could not be obtained?

Records Retention Schedule (continued)

- Who owns the information?
- Who uses the records?
- Is the information duplicated or summarized elsewhere?
- Is the information in multiple formats or mediums?
- What hardware/software is needed to support the records?
- How many records of this type are accumulated in a year?
- How much does it cost to maintain these records?
 - Labor, including staffing & overhead, retrieval & maintenance
 - Floor space and security (locks, alarms, sprinklers)
 - Filing equipment (shelving, cabinets), including depreciation
 - Filing supplies (boxes, file folders, labels)
 - Cost of destruction

Records Destruction Policy & Procedure

- Use Records Retention Schedule to document policy and procedure
- Define where to store items
- Define how to store items
 - Container
 - Contents
 - Date range
 - Department name or cost center number
 - Planned destruction date

Storage

➤ Physical

- Secured against intrusion
- Protected from heat, smoke, water, pests and seismic activity
- Locked, access control to all areas

➤ Administrative

- Documented security measures for data and personnel
- Background checks for all personnel
- Confidentiality agreements
- Annual Training: HIPAA, Privacy, Ethics

Storage (continued)

➤ Technical

- Technology to protect information and control individual access to information
- Firewalls to protect data
- Data backed up daily
- Business Continuity Plan

➤ Solution that works for healthcare

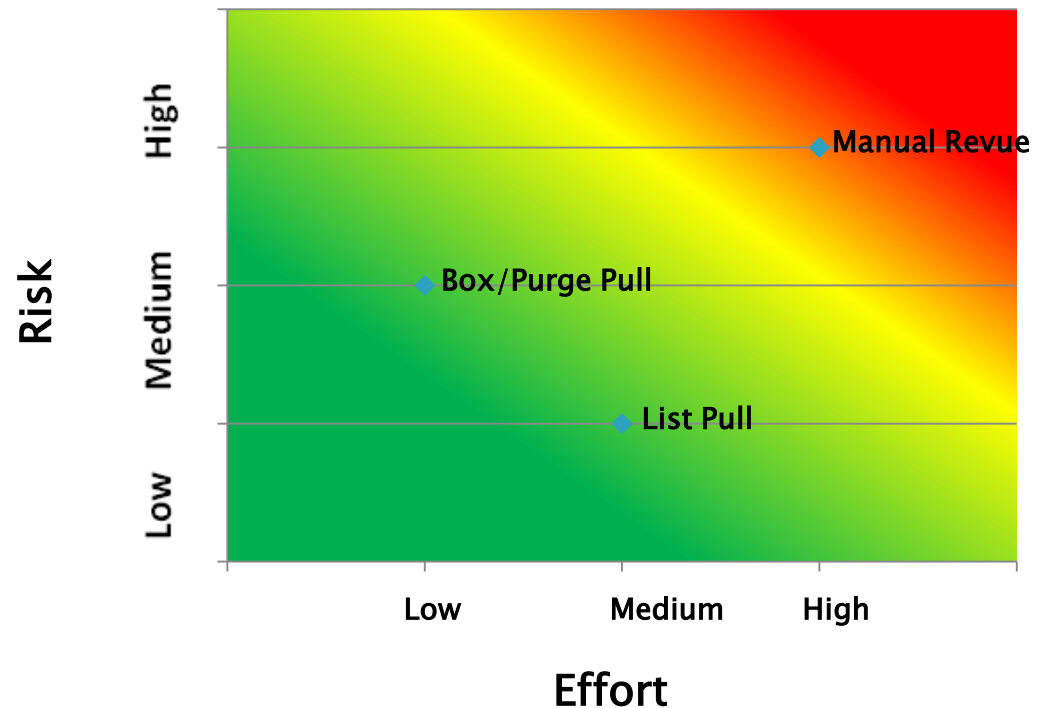
- Extension of existing file room
- Ease of access methods
- Timely retrieval and delivery

Destruction – Key Tips

- Have a destruction plan and budget
- Organize records for ease of future destruction
- Data elements
 - Vendor inventory vs. self-created list
 - Think of future destruction requirements

Destruction of Medical Records – Examples

- Pull from list
- Pull by box/purge
- Manual review
- Plan ahead!



Questions?



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