

[SAMPLE COMPANY] Document Retention Policy

Effective Date: ##/##/####

Latest Revision Date: ##/##/####

Department responsible: [Information Services]

1.0 Purpose:

This Document Retention Policy (“the Policy”) is intended to inform [SAMPLE COMPANY] employees of the length of the retention period for each category of documents, in whatever form (e.g., paper, electronic, electronic mail, magnetic media, etc.) they exist, and whatever data they contain. Document retention activities must adhere to all pertinent laws and regulations.

All employees must sign and date in the spaces provided at the end of this Policy indicating that they have read, understand, and agree to abide by, the Policy.

Address questions regarding the proper classification of specific information to your immediate supervisor, or to [].

2.0 Scope:

All [SAMPLE COMPANY] documents are classified in the following main categories with retention requirements as outlined. When [SAMPLE COMPANY] receives a document it becomes a [SAMPLE COMPANY] document.

	Information Type	Department	Retention period*
1	PHI	Nursing	[refer to HIPAA record retention policy]
2	All other (non-permanent) Information	Various	[#] years
3	Permanent**	Administration	DO NOT DESTROY

* see Appendix for listing of examples

Medicaid and Medicare have a 6 year record retention requirement. However, if fraud is involved, health care regulatory agencies may look at claims that date back beyond six years ago. For purposes of criminal prosecution, the period of limitations is generally five years, but in cases of a continuing course of criminal conduct, the period does not begin to run until the last criminal act and therefore the time frame is extended indefinitely. The federal False Claims Act and the New York State False Claims Act may involve claims up to 10 years old when the cases are brought.

GENERAL DATA RETENTION PROVISION

All documentation, including any policies and procedures, and any written communication required to comply with the HIPAA Privacy Rule (45 CFR Part 164 Subpart E) must be maintained for at least 6 years from date of creation. (45 CFR 164.530(j)). See the [SAMPLE COMPANY] HIPAA Policy which controls in the case of any conflict between these two Policies.

Specifically, protected health information (PHI) means individually identifiable health information that is (i) transmitted by electronic media; (ii) maintained in electronic media; or (iii) transmitted or maintained in any other form or medium.

PHI is highly restricted for use only by authorized health care entities and personnel. Information containing PHI can ONLY be shared within [SAMPLE COMPANY] or with its partners who are considered “covered entities” under HIPAA regulations. PHI should be treated with the same level of privacy as a patient record. Limit PHI disclosure to only the items that are minimally necessary for the particular purpose of use or disclosure of the PHI.

Any PHI is subject to the requirements of HIPAA. Consult with the [SAMPLE COMPANY] HIPAA Policies for more information.

[In order for the [Record Retention Oversight Team] to properly manage the retention of the documents, copies of these documents should be placed in the patient’s electronic record archive location on the patient data server.]

3.0 Philosophy [Policy statement]:

It is the philosophy of [SAMPLE COMPANY] that all documents, whether electronic or physical, be retained according to governing laws and regulatory agencies for our industry, including but not limited to the Internal Revenue Service, Employee Income Securities Act, Uniform Commercial Code, Centers for Medicaid and Medicare Services, HIPAA, Office of Civil Rights, New York State Department of Health, and the New York State Office of the Medicaid Inspector General. The team responsible for maintaining and implementing this policy is the [Record Retention Oversight Team].

3.1 Permanent Documents

These are documents that are not destroyed and are retained on a permanent basis. See the Appendix for these documents.

3.2 Non-permanent Documents

These are [SAMPLE COMPANY] documents that are not included in Section 3.1 above. See the Appendix for these documents.

4.0 Definitions

Archive

“Permanently” save data by removing media from the rotation. This is typically done on a [quarterly] basis.

Backup

Periodic saving of all network and saved workstation information. This is typically done on a [daily] basis.

Document

Includes all [SAMPLE COMPANY] information regardless of how it is stored

Off-site Storage

Saving backup data media away from the business location, in case of disaster such as fire, flood or other damage.

Restore/Recover

Use backup media (tape, CD or other electronic storage) to replace lost or missing data.

Retention Period

The prescribed time period for saving various types of information and data which differs by type of information.

Rotation Period

The number of days or weeks of data in a normal backup rotation which is typically [X] weeks.

5.0 Enforcement

If an employee does not adhere to the requirements set forth in this policy, [SAMPLE COMPANY] reserves the right to take disciplinary action, including but not limited to the limitation or removal of e-Mail privileges, suspension, termination, and/or legal action.

6.0 Litigation hold/stop destruction policy

[SAMPLE COMPANY] will invoke a "hold/stop" of the planned destruction of documents whenever legal counsel so advises. Accordingly, the deletion of relevant electronic documents will be suspended. Further details on the disposition of information, including location of online archiving services, will be given at the time of the hold/stop.

Appendix – Document retention time periods

PERMANENT RECORDS-DO NOT DESTROY

- Audit reports of CPAs
- Cancelled checks for important payments, i.e., taxes, purchases of property, special contracts, etc. (checks should be filed with the papers pertaining to the underlying transaction)
- Capital stock and bond records: ledger, transfer registers, stubs showing issues, record of interest coupons, options, etc.
- Cash books
- Chart of Accounts
- Correspondence (legal and important matters only)
- Deeds, mortgages, and bills of sales, as well as contracts and leases still in effect
- Financial statements-end of year (other months optional)
- General and private ledgers
- Insurance records, current accident reports, claims policies
- Journals
- Minute books of directors and stockholders, including by-laws and charter
- Property appraisals by outside appraisers
- Property records-including costs, depreciation reserves, and end-of-year trial balances, depreciation schedules, blueprints and plans
- Tabulating records related to above areas
- Tax returns and worksheets, Revenue Agents' Reports and other documents relating to determination of income tax liability
- Trademark registrations
- [add here as needed]

SEVEN YEARS

- Accident reports and claims (settled cases)
- Accounts payable (see Voucher Register)
- Accounts receivable ledgers and trial balances
- Cancelled checks (see exception under Permanent Records)
- Cancelled stock and bond certificates and expired options
- Contracts and leases (expired)
- Expense analyses and expense distribution schedules
- Invoices from vendors (see Vouchers)
- Notes receivable ledgers and trial balances
- Payroll records and summaries, including payments to pensioners
- Employee personnel records after termination (if a retirement plan was in effect, regardless if employee was a plan participant; if employee was a participant in a pension plan, consult your plan advisor)
- Retirement Plan returns and reports (from filing date of such returns and reports)
- Retirement Plan accounting records (to correspond with returns and reports)
- Purchase orders (purchasing department copy)
- Sales records
- Scrap and salvage records-inventories, sales, etc.

- Subsidiary ledgers to the general ledger and trial balances
- Time books
- Voucher register and trial balances
- Vouchers for payments to vendors, employees, etc. (including allowances and reimbursement of employees, officers, etc., for travel and entertainment expenses)
- [add here as needed]

SIX YEARS

Medicare claim records
 Medicaid claim records
 Any record relating to cost reporting
 [add here as needed]

[IMPORTANT NOTE: Providers may wish to consider a longer period than the legally required minimum retention period of six years. If fraud is involved, health care regulatory agencies may look at claims that date back longer than six years ago. The federal False Claims Act and the New York State False Claims Act may involve claims up to 10 years old when the cases are brought. Additionally, continuous criminal conduct that occurs over a long period of time may extend the time frame for prosecution indefinitely.]

THREE YEARS

- Applications for Employment
- Employee personnel records after termination (see exception above under Seven Years)
- General Correspondence
- Insurance policies which have expired
- Internal audit reports, including working papers (in some situations, longer retention periods may be desirable)
- Miscellaneous internal reports
- Petty cash vouchers
- Physical inventory tags
- Savings bond registration records of employees
- [add here as needed]

OTHER

Patient records shall be retained for six years after the date of discharge or last contact, or three years after the patient reaches the age of eighteen, whichever time period is longer.

I have read, understand, and agree to abide by, the Document Retention Policy.

Employee Name (print): _____

Signature: _____ Date: _____