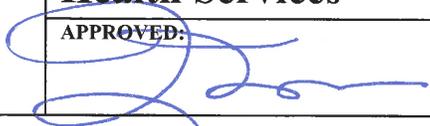


	Cooper Green Mercy Health Services		POLICIES & PROCEDURES: ADMINISTRATIVE	
	APPROVED: 		ISSUED: 3/16	PAGE: Page 1 of 5
SUBJECT: Medical Record Retention and Destruction		REVISED:		REVIEWED:

I. BACKGROUND

The patient record is legal documentation of every individual who has been treated or received medical or health care services at Cooper Green Mercy Health Services. It contains the patient name, age, identifying information, reason for the visit(s) or service, the diagnosis including all supportive information for that diagnosis, and all data that is obtained during the visit(s). It is a continuous document in that all clinical encounters with an individual are maintained in a single distinct uniquely identifiable medical record. Information that is stored in the medical record must follow all state and federal regulations.

The medical record, whether written or electronic, is health information that is protected by HIPAA's privacy regulations. As a result, any unauthorized disclosure of the medical record is protected by federal regulation and punishable by fine or imprisonment or both.

The medical record policies clarify what information is required to be entered into the medical record, to whom permission is granted to enter information into the medical record, how that information must be presented, how errors are corrected, retention and destruction requirements, and charges for duplicating the record.

The current medical record is electronic in nature. It is a software-based program maintained and managed by Medsphere Systems Corporation, through their OpenVista[®] portfolio, which includes the CareVue electronic health record (EHR.) CareVue is the official medical record for Cooper Green Mercy Health Services dating back to its "go live" implementation, May 1, 2012. Associated through sub-contract by Medsphere is the financial and revenue cycle component of the EHR, Stockell Healthcare Systems and its product - InSightsCS[®]. InSightsCS[®] is not considered a component of the EHR. However, both components are protected by HIPAA's privacy regulations.

Prior to May 1, 2012, the hard copy of the medical record, in conjunction with selected portions of the electronic health record created in Meditech, a product of Medical Information Technology, Inc., served as the official medical record. The medical record is maintained according to law by the Custodian of Records in the Health Information Management department.

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II. PURPOSE

It is the purpose of this policy to establish protocol for the retention and appropriate willful destruction of medical records as well as for any events of accidental destruction.

III. POLICY

It is the policy of Cooper Green Mercy Health Services (CGMHS) to comply with law and regulation in the keeping of medical records, in their proper destruction, and in avoiding losses of such records.

The medical record is the property of Cooper Green Mercy Health Services and is maintained for the benefit of the patient, the professional staff and the facility.

IV. DEFINITIONS

- A. Retention – The onsite or offsite storage of a document or file that may include hard copy paper, optical disk, microfilm or microfiche, optical scanning and electronic storage.
- B. Retrieval of Records – The ability to retrieve a complete, legible (to the extent originally produced,) reproducible record or file including all pertinent health information about an individual patient regardless of retention format.
- C. Conversion – The process of converting records from one storage method to another, such as paper documents to microfiche.
- D. Destruction
 - 1) The act of destroying one or more forms of a record and includes:
 - (a) Destruction of one form of storage, such as paper, after conversion to another form of storage, such as electronic.
 - (b) Complete destruction of all forms of the record, paper, optical, and/or electronic.
 - 2) Two types of destruction – willful and accidental
 - (a) Willful Destruction – The act of intentionally destroying records
 - (b) Accidental Destruction – An outcome of an accident or act of God, such as a fire, water damage or weather damage to a facility.

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V. PROCEDURE – RETENTION

- A. The senior supervisor of the Health Information Management department will serve as the Custodian of Records for Cooper Green Mercy Health Services.
- B. Retention of records will be maintained in accordance to state and federal laws and regulations and will be guided by documents promulgated by the Alabama Association of Health Information Management.
- C. Ambulatory Care medical records will be maintained at least five (5) years after date of the last date of service for adult patients in accordance with law and regulation.
- D. Medical records will be maintained for minors until the patient reaches their 18th birthday or seven (7) years after their last date of service (whichever is greater) in accordance with law and regulation.
- E. Records of birth mothers will be kept until five (5) after the product of the last pregnancy reaches the age of majority.
- F. The records of newborns shall be kept for at least five years after the person reaches majority or until patient reaches 24 years of age.
- G. To avoid the loss of the medical record or its contents, no original medical records will leave the Cooper Green Mercy Health Services premises at which they were created, except for conversion or destruction as defined in Paragraph VI of this policy.
- H. Inactive medical records may be converted or destroyed in accordance with the time frames in Items V. C. and V. D. above and the procedure below.
- I. Cooper Green Mercy Health Services will retain the services of a company specializing in the legal destruction of medical records for all medical record document destruction.
- J. Primary storage of the electronic records will be on a server located in a Jefferson County owned facility (at CGMHS or at the Courthouse.)
- K. Primary storage of active paper medical records will be at CGMHS under the direction of the Custodian of Records.
- L. Records can be designated as inactive after three (3) years from the last patient encounter, and generally when no activity has been entered into the record since the conversion of our record system from a paper/Meditech format to an electronic format (Medsphere.)

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- M. Inactive records can be purged and stored in a separate area while waiting for conversion.
- N. When a record is converted from one storage form to another, the original storage form must be maintained for at least one year from the date of conversion. Upon meeting this time limit the record in its original form may be willfully destroyed according to the Section VI.
- O. During the conversion or destruction period any actual or potential breach of confidentiality or violation of HIPAA, the Custodian of Records will follow state and federal regulations with regard to:
 - 1) Preventing additional infractions
 - 2) Notifying the patient of the event
 - 3) Notifying any state or federal agencies with jurisdiction of the event
 - 4) Complying with any rules, regulations or court orders regarding amelioration of the event.

VI. PROCEDURE – DESTRUCTION

- A. Willful destruction of patient health information at CGMHS will be carried out in accordance with all relevant state and federal laws and regulations.
- B. Willful, but not complete destruction of a record, can occur at any time after conversion of one form to another, i.e. paper to microfiche. At least one form of the record must be maintained and accessible according to law.
- C. Complete destruction of a record can occur once the legal retention time has passed. However, in this day of low cost electronic storage, many records are kept indefinitely.
- D. Destruction of records will be in accordance with the material in which they are stored.
 - 1) Paper record methods of destruction include burning, shredding, pulping, and pulverizing.
 - 2) Microfilm or microfiche methods of destruction include recycling and pulverizing.
 - 3) Laser discs used in write once-read many document-imaging applications are destroyed by pulverizing.
 - 4) Computerized data are destroyed by magnetic degaussing.
 - 5) DVDs are destroyed by shredding or cutting.
 - 6) Magnetic tapes are destroyed by demagnetizing

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- E. In the event of accidental destruction or damage to a Cooper Green Mercy Health Services medical record, the Director will be informed and designated staff will seek to retrieve or salvage as much information as possible from electronic or paper sources of Cooper Green Mercy Health Services records.
- F. As appropriate, the patient will be notified and asked to help recreate the lost information.
- G. For all conversions and destructions CGMHS will maintain a permanent log of the action that includes
 - 1) Date of destruction
 - 2) Method of destruction
 - 3) Description of the disposed records
 - 4) Inclusive dates
 - 5) A statement that the records were destroyed in the normal course of business
 - 6) The signatures of the individuals supervising and witnessing the destruction.
- H. For all records that are outsourced to a business associate, by contract the business associate will establish the permitted and required uses of the disclosures and include the following elements:
 - 1) The method of destruction or disposal
 - 2) The time that will elapse between acquisition and destruction or disposal
 - 3) Safeguards against breaches
 - 4) Indemnification for the organization or provide for loss due to unauthorized disclosure
 - 5) Require the business

Source: American Health Information Management Association, via its website at http://library.ahima.org/xpedio/groups/public/documents/ahima/bok1_049252.hcsp?dDocName=bok1_049252

Alabama Association of Health Information Management

Local Government and Records Commission: Records Disposition Authority:
Health Care Authorities: State of Alabama.