

CAROLINA FAMILY HEALTH CENTERS, INC. PROCEDURE

TITLE: HIPAA-105.01 Record Retention and Destruction

EFFECTIVE DATE: February 2015

SECTION: HIPAA

REFERENCE POLICY: HIPAA-105 Record Retention and Destruction

RESPONSIBLE CHIEF OF STAFF: Chief Compliance Officer

RESPONSIBLE COMMITTEE: Central Committee-Compliance

REVIEWED: 07/16, 05/18, 09/13/2021, 05/13/2024, 01/13/2025, 12/08/2025

I. PURPOSE

The purpose of this procedure is to outline the record retention and destruction process for Carolina Family Health Centers, Inc. (CFHC, Inc.). It is the goal of CFHC, Inc. to comply with all rules and regulations for record retention and destruction as set forth by regulatory bodies, including any contracted third parties.

II. PROCEDURE

RETENTION

MEDICAL & DENTAL

There is no statutory or regulatory requirement in North Carolina that provides a definitive amount of time that records must be kept in physician's offices (unless the office is licensed in NC as an ambulatory surgical facility, in which case, records must be kept for a minimum of 20 years). The North Carolina Medical Board (NCMB), however, has issued some guidelines on medical record retention in the form of a position statement:

- Medicare and Medicaid investigations (up to 7 years);
- HIPAA (up to 6 years);
- Medical malpractice (varies depending on the case but should be measured from the date of the last professional contact with the patient); and
- Immunization records are kept indefinitely.

The State Board of North Carolina Dental Examiners requires dental records to be kept for a minimum of 10 years from the last date of service.

PHARMACY

Each Pharmacist Manager is responsible for maintaining accurate and up-to-date pharmacy records. For this procedure, pharmacy records refer to original hard copy prescriptions, signed and faxed refill authorizations, signed pharmacy delivery confirmations, Dispensing Record Logs, and any correspondence from bulk replenishment programs.

The Pharmacy Department maintains the original hard copy prescriptions and signed refill authorizations in a file of ascending order based on the prescription number assigned by the

dispensing pharmacy software. The original prescription orders are maintained in such order by 100-count prescriptions. These orders are kept in a file folder with the prescription number range and date range on the exterior of the file folder.

The Pharmacist Manager is responsible for maintaining approximately one year of records onsite at the pharmacy location. When records date longer than one year or when on-site storage is full, the Pharmacist Manager organizes the collection and distribution of these records to a record management company. The pharmacies utilize the record management company authorized by CFHC, Inc.

To comply with the rules and regulations of third-party entities, the Pharmacy Department has readily retrievable access to any records stored with the record management company within a reasonable timeframe (and within the day if needed).

ADMINISTRATION

The Office of Management and Budget Super Circular requires that entities receiving Federal funds must retain all documents associated with the funds for a minimum of three years from the date of submission of the final financial report. Similarly, since CFHC, Inc. receives funding from Medicare and Medicaid, all related documents must be retained for a minimum of five years after the date of final settlement on that year's cost report. Based on these guidelines outlined above and in order to maintain compliance with federal agencies, CFHC, Inc. follows the guidelines listed in the *Maintenance of Records Schedule* (see attachment).

DESTRUCTION OF RECORDS

The Chief Compliance Officer and/or designee is responsible for the destruction of protected health information (PHI) (e.g., medication bottles and other hard copies) and electronic PHI. The following methods can be used for the destruction of electronic PHI:

- Deleting online data using the appropriate utilities
- Degaussing – removing or neutralizing the magnetic field – computer tapes to prevent recovery of data
- Removing PHI from mainframe disk drives being sold or replaced, using the appropriate initialization utilities
- Erasing diskettes to be re-used using a special utility to prevent recovery of data
- Destroying discarded diskettes

Administrative and Corporate Files

In most cases administrative records are kept on file indefinitely, however, some records are subject to destruction based on the *Maintenance of Records Schedule*. Records that have satisfied their legal, fiscal, administrative, and archival requirements may be destroyed. The Chief Financial Officer is responsible for the approval of destruction for billing and finance records. The Chief Executive Officer approves corporate record destruction. The Chief of Operations is responsible for the approval of human resources records.

Maintenance of the Record Destruction Log

CFHC, Inc. uses a third-party vendor to store and destroy corporate records. Records that are stored offsite are destroyed according to the records management company process, i.e.

shredding. When records are sent to be stored, the staff makes a pickup request and completes the vendor's form. A copy of the request form is sent to the Director of Risk Management and Quality Improvement. He/she serves as the point of contact with the vendor and ensures the records are received and a destruction date is noted correctly in the vendor's system. At least twice a year, the Director works with the Chiefs of Staff to approve pending record destruction and facilitate the destruction process with the vendor. The receipt of destruction is filed in the audit drive.

III. ATTACHMENT

- *Maintenance of Records Schedule*