

<p style="text-align: center;">Policy & Procedure</p> <p>WEBER HUMAN SERVICES</p> <p style="text-align: center;">HIPAA / PRIVACY RETENTION OF PHI</p>	<p>NUMBER 24</p>
	<p>APPROVED 2/21/2014</p>
	<p>REVIEWED 5/11/2017</p>
	<p>REVISED</p>

PURPOSE

To ensure appropriate retention of Protected Health Information (“PHI”) contained in a Designated Record Set.

POLICY

PHI contained in the Designated Record Set will be retained according to state and federal regulations whichever requires retention for the longer period of time.

PHI, including medical and financial records contained in the Designated Record Set, will be retained for a minimum of six years as required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule.

However, state law specifies a greater retention period of ten year that Medical Records must be retained for after the date it was last in effect.

For minor clients (persons who have not reached full legal age), the Medical Record must be retained for three years after the minor reaches legal age under state law or ten years from the date of discharge, whichever is longer.

Medical records on which there may be pending litigation may be exempt from scheduled destruction at the discretion of the Facility.

If state laws and regulations require a greater retention time period, the greater will be followed.

PROCEDURE

1. The Facility will review state laws and regulations to determine Medical Record retention period and “legal age.”
2. If state laws or regulations require a different retention period, the greater retention period will be followed.
3. The Facility will store the records until the retention period has expired. Records must be stored in a secure manner. The records must be protected from unauthorized access and accidental/wrong destruction.
4. At the expiration of the retention period, the Medical Records will be destroyed. Records should be destroyed annually in accordance with the retention time frames.