


LAPEER COUNTY COMMUNITY MENTAL HEALTH

Date Issued: 01/26/2005

Date Revised: 01/18/12; 05/13/14; 07/13/15; 07/11/19; 06/02/21

CHAPTER Administrative	CHAPTER 01	SECTION 002	SUBJECT 60
SECTION Operations		DESCRIPTION Record Retention / Right to Audit	
WRITTEN BY Michael K. Vizena, M.B.A. Executive Director	REVISED BY Lisa Ruddy, BS, CHES, Quality Improvement Coordinator	AUTHORIZED BY  Lauren Emmons, ACSW CEO	

APPLICATION:

<input checked="" type="checkbox"/> CMH Staff	<input type="checkbox"/> Board Members	<input type="checkbox"/> Provider Network	<input checked="" type="checkbox"/> Employment Services Providers
<input type="checkbox"/> Employment Services Provider Agencies	<input checked="" type="checkbox"/> Independent Contractors	<input checked="" type="checkbox"/> Students	<input checked="" type="checkbox"/> Interns
<input checked="" type="checkbox"/> Volunteers	<input type="checkbox"/> Persons Served		

POLICY:

Lapeer County Community Mental Health Services (LCCMH) will maintain administrative and clinical (medical) records which provides for the appropriate documentation and disclosure of its activities and services, consistent with local, state, and federal law and applicable rules and regulations. The agency uses General Schedule #20 – Community Mental Health Services Programs as issued by the Michigan Department of Health and Human Services (MDHHS), the Michigan Department of History, Arts, and Libraries Archives of Michigan and Records Management Services as the guide for record retention.

STANDARDS:

- A. LCCMH will ensure MDHHS, Centers for Medicaid Services (CMS) and the Health and Human Services Inspector General or the Controller General, or their designees have the right to audit, evaluate, and inspect its premises, physical facilities, equipment, books, records, contracts, computer or other electronic systems relating to Medicaid enrollees as well as subcontractor’s services and activities.

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- B. MDHHS, CMS, the Region 10 Pre-Paid Inpatient Health Plan (PIHP), and the Inspector General have the right to audit through ten (10) years of the contract period from final contract date and may inspect, evaluate, and audit at any time if it is determined there is a reasonable possibility of fraud or similar risk.
- C. Administrative records are maintained for ten (10) years from the end of the fiscal year in which they were created, except as detailed elsewhere in this policy.
- D. Employees' LCCMH departmental employment records will be maintained thirty (30) years following persons' termination of employment with LCCMH.
- E. Recipient rights-related records will be maintained consistent with Michigan Mental Health Code and recipient rights policies and procedures.
- F. Clinical (medical) records will be maintained for twenty (20) years following the discharge of the person served from services, subject to the following detail:
 - 1. Identifying information, authorizations, releases, and consents; and treatment-related information (assessments, intakes, treatment plans, progress notes, and discharge summaries) will be maintained for twenty (20) years following discharge.
 - 2. Correspondence and materials in the record of the person served generated by other organizations may be discarded after seven (7) years.
- G. Public meeting agendas and minutes, including all Board and Board committee meetings, will be kept indefinitely.
- H. Duplicate copies of all or portions of clinical (medical) records kept at other locations (such as residential settings) will be maintained for one (1) year, except for the following, which will be kept at the service delivery site until discharge of the person served from the service:
 - 1. Authorization, releases, and consents
 - 2. Emergency medical and contact information
 - 3. Person served funds-related information

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4. Current treatment plan information

- I. Electronic clinical (medical) records will be maintained consistent with the standards outlined above.

PROCEDURES:

- A. The Chief Executive Officer's office or designee will be responsible for the organization, maintenance, and disposal of administrative records consistent with the standards outlined above.
- B. The organization will stop the scheduled destruction of any records upon notification of any investigation or legal proceeding related to that record.
- C. The office manager or designee will be responsible for the organization, maintenance, retrieval, and disposal of clinical (medical) records consistent with the standards outlined above.
- D. Microfiche or other electronic storage means may be used to maintain inactive paper files. Inactive files will be defined as a person served who has not been seen in service for a minimum of three (3) years.

DEFINITIONS:

Administrative records: include fiscal, personnel, management, recipient rights-related, and Board-related materials maintained in records.

Clinical (medical) records: include records of the person served, which document all treatment planning and treatment services, and related materials.

Person served: a person receiving treatment services from a CMH funded service.

REFERENCES/EXHIBITS:

Michigan Department of Health and Human Services, Administrative directives and policies regarding record retention.

General Schedule #20 Exhibit

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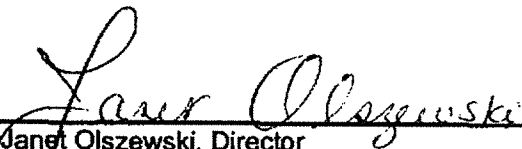
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This policy supersedes
#01/05002 dated 01/26/2005.

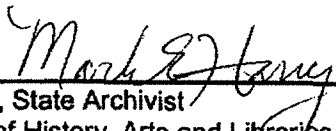
GENERAL SCHEDULE #20 – Community Mental Health Services Programs

General Schedule #20 replaces the Retention and Disposal Schedule developed for the Community Mental Health Board that was approved on March 17, 1992.


This Retention and Disposal Schedule covers records that are commonly found in **local Community Mental Health Services Programs**. The records that are described on the attached pages are deemed necessary (1) for the continued effective operation of Michigan government, (2) to constitute an adequate and proper recording of its activities, and (3) to protect the legal rights of the government of the State of Michigan and of the people. We, the undersigned, believe that this schedule meets the administrative, legal, fiscal and archival requirements of the State of Michigan.


Janet Olszewski, Director
Department of Community Health

3-2-07
(Date)


Mark Harvey, State Archivist
Department of History, Arts and Libraries, Archives of Michigan

4/5/07
(Date)


Debra Gearhart, Director
Department of History, Arts and Libraries, Records Management Services

2/27/07
(Date)

APPROVED

State Administrative Board

5/1/07
(Date)

State of Michigan
Department of History, Arts and Libraries - Records Management
Records Retention and Disposal Schedule

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Community Mental Health Services Programs

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0.INTRO -

In 1974 the Michigan Mental Health Code (Public Act 258) transferred the authority and funding for the care and treatment of adults and children with mental illness and developmental disabilities from the state to Community Mental Health Services Programs (CMHSPs), agencies sponsored by Michigan's 83 counties and overseen by the Michigan Department of Community Health (MDCH). Mental health services in Michigan are coordinated through local Community Mental Health Services Programs (CMHSPs).

A Community Mental Health Services Program is an entity operated under Chapter Two of the Michigan Mental Health Code. Forty six (46) CMHSPs serve all 83 Michigan counties. Created by county government and financed by state, federal and local funds, CMHSPs provide a comprehensive range of services and supports to children and adults with mental illnesses and developmental disabilities. CMHSPs provide 24 hour emergency/crisis response services, 24 hour preadmission screening services, children's diagnostic and treatment services, the single point of entry into the public mental health system, management of mental health and substance abuse specialty services benefits for medicaid beneficiaries.

20.0001 - Board Member Records PERM 05/01/2007

This record will document the past and current members of the Board of Directors for the Community Mental Health Services (CMHS) Program. The records may include photographs and biographies.

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20.0002 -	<u>County Board of Commissioner Records</u>	PERM	05/01/2007
	<p>The County Board of Commissioners provides oversight to the community mental health agency (a department of county government). The record will include correspondence and decisions of the Board. This record series does not apply to community mental health organizations or mental health authorities.</p>		
20.0003 -	<u>CMHS Program Bylaws</u>	PERM	05/01/2007
	<p>This record will document bylaws promulgated to govern the organization, operation and procedures of the CMHS Program.</p>		
20.0004 -	<u>Annual Reports</u>	PERM	05/01/2007
	<p>The Annual Report contains yearly statements about the financial performance and operations of the program. One copy of each annual report should be retained for historical reference.</p>		
20.0005 -	<u>Strategic Plan</u>	CR+5	05/01/2007
	<p>A strategic plan is used by the CMHS Program to align its organization and budget structure with organizational priorities, missions, and objectives. The plan may include a mission statement, a description of the agency's long-term goals and objectives, and strategies or means the agency plans to use to achieve these general goals and objectives. The strategic plan may also identify external factors that could affect achievement of long-term goals.</p>		

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20.0006 - Grant Records (Supersedes Item Number 4528) ACT+7 05/01/2007

These records will document grants received and/or administered by the CMHS Program. The records may include grant award letters, financial reports, final reports, work papers, and correspondence. The records will be retained until grant expiration (ACT) plus 7 years.

20.0007 - Equipment Inventory Records (Supersedes Item Number 4526) ACT+7 05/01/2007

This record will include a master inventory of equipment and property and may also include documentation of additions and deletions to the inventory. Records may be in hard copy or electronic format. The most current master inventory will be retained until it is updated (ACT) plus 7 years.

20.0008 - Requests for Proposal (RFP) CR+5 05/01/2007

These files may include the RFP, peer reviews, score sheets, etc.

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20.0009 - Transitory Correspondence CR+0/1 05/01/2007

Transitory correspondence is written communication of short term interest which has no documentary value and need not be retained more than 30 days (CR+0/1). This type of correspondence message has limited administrative and evidential value which is lost soon after the communication is received. Transitory messages do not set policy, establish guidelines or procedures, certify a transaction or become a receipt. Examples of transitory correspondence include letters of transmittal that do not add information to the transmitted materials, routine requests for information which require no administrative action, policy decision, special compilation or research. This type of record also includes invitations to work-related events, notifications of an upcoming meeting, and similar records.

20.0010 - General Correspondence CR+2 05/01/2007

General correspondence does not pertain to a specific project or case, and it is often organized chronologically or by correspondent's name. General correspondence may include referral correspondence. If the correspondence does pertain to a specific project or case, it should be filed with that project or case file. General correspondence may exist in a variety of formats, including memos, letters, notes and electronic mail messages. This series also includes automated or manual tools that index and/or track when correspondence was received, the topic of the correspondence, who is responsible for responding to the correspondence, and when the correspondence is considered closed for further action.

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20.0011 - Administrative Subject File ACT+6 05/01/2007

These records are used to support administrative analysis, program and project planning, procedure development and programmatic activities for a department or agency. Subject files are generally organized alphabetically by topic. Document types may include periodic activity reports (narrative and statistical), special reports, topical correspondence, research materials, project planning notes, organizational charts, agency descriptions, etc. Subject files do NOT include case files, files related to individual program activities, human resources files, and accounting records.

Subject files should be retained while the topic is still considered to be of active interest. For topics that will always be active, the office may want to consider cutting-off the file every year and creating a new file for subsequent years.

Topics in the subject files are to be destroyed six years after they become inactive (ACT+6).

20.0012 - Policies, Procedures, and Directives SUP 05/01/2007

These records include manuals, regulations, orders, circulars, information sheets, memos, etc. They do not include distribution and reference copies, or the documentation that is used to develop the policy, procedure or directive. Records will be retained until they are superseded.

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20.0013 - Meeting Records - Open Meetings of Public Bodies CR+6 05/01/2007

These records document the official activities of public bodies that are subject to the provisions of the Open Meetings Act (such as official governing boards, commissions, committees, advisory boards, task forces or other legislatively mandated decision-making bodies). These records include original approved (sometimes signed) meeting minutes, agendas, audio/visual recordings, and other supporting documentation. Audio/visual recordings may be destroyed after the meeting minutes are approved. These records do not include meeting notices, bulletins, or documentation of expenditures.

20.0014 - Meeting Records - Closed Meeting Sessions of Public Bodies EVT 05/01/2007

These records document the official activities of public bodies that are subject to the provisions of the Open Meetings Act (such as official governing boards, commissions, committees, advisory boards, task forces or other legislatively mandated decision-making bodies). These records include original approved (sometimes signed) meeting minutes, agendas, audio/visual recordings, and other supporting documentation related to closed meeting sessions only. EVT = 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session occurred. MCL 15.267(2).

20.0015 - Meeting Records - Internal Agency Staff CR+2 05/01/2007

These records may include meeting minutes, agendas, and distribution materials related to staff meetings.

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20.0016 - Freedom of Information Act (FOIA) Records CR+1 05/01/2007

These records will document requests for information and public records maintained by Community Mental Health Services Programs. They may include requests for information, correspondence, a copy of the information released, and billing documentation.

20.0017 - Budget Documentation CR+7 05/01/2007

These files are maintained for budget planning and allocation purposes and may include copies of the following: revenue details, expenditure details, budget projections, recommendations, estimates, related correspondence, etc.

20.0018 - Litigation Files ACT+10 05/01/2007

These files document any litigation to which the Community Mental Health Services Program is a party. Documents may include depositions transcripts, decisions, correspondence, data, exhibits, research materials, reports, press releases, media clippings, etc. Files will be retained until the case is closed (ACT) plus ten years.

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20.0019 - Hazardous Materials Safety Data Sheets ACT+30 05/01/2007

Federal law [OSHA 29 CFR1910.1200.g] requires that employers provide Material Safety Data Sheets to staff regarding any hazardous material on the premises. These sheets include information about the product manufacturer, composition, physical and chemical properties, identification of hazards, fire hazard, accidental release measures, handling and storage, first aid measures, toxicology, ecological information, disposal and transport considerations, as well as any regulatory information. Records will be retained while the hazardous material is in use or stored on the property (ACT) plus 30 years.

20.0020 - Planners/Calendars CR+2 05/01/2007

These may be automated or manual planners and calendars that are used to track an individual employee's work-related meetings, assignments and tasks.

20.0021 - Audio-Visual Materials ACT 05/01/2007

This record may include photographs, negatives, films, videotapes, digital videos and photos, filmstrips, audiotapes and slides. These materials may be created to document promotional activities, training, agency accomplishments, special events, initiatives, personnel and other activities of general interest. They do not relate to specific project or case files. Records will be retained until they are determined to be of no further value (ACT).

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20.0022 - Visitor Logs/Registers CR+2 05/01/2007

These records will document who visited a particular office, what entity that person represented, which employee or office was visited, when they arrived and when they left. They may be used to track visitor statistics and/or for security purposes.

20.0023 - Contracts EXP+6 05/01/2007

This record will document original contracts/agreements between the Community Mental Health Services Program and all other entities, including the Department of Community Health. The records will include the contract and any supporting documentation. Records will be retained until contract expiration (EXP) plus six years.

20.0024 - Accounts Payable Records FY+7 05/01/2007

These records will include imprest cash and disbursement vouchers, travel expense vouchers, payment vouchers, purchase requisitions and orders, cash disbursement journals, billings, packing slips, approvals, reconciliations, and any other supporting documentation for a payment.

20.0025 - Accounts Receivable Records FY+7 05/01/2007

These records will document money received from revenue sources.

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20.0026 - Journal Entries/General Ledger FY+7 05/01/2007

This record will contain general journal entries and general ledgers used to document corrections, miscellaneous adjustments, expenditure and revenue adjustments, year-end adjusting entries, and various other transactions.

20.0027 - Deposit Transactions FY+7 05/01/2007

This record may include daily cash receipt logs, cash receipts, deposit slips, journals, bank reconciliations, and other supporting documentation

20.0028 - Year-end Closing Records FY+7 05/01/2007

These records are used to support the year-end closing function. The records may include correspondence, documentation describing closeout problems and resolution, accounts receivable documents, accounts payable documents, etc.

20.0029 - Patient Fees FY+7 05/01/2007

This record will include approved fee schedules, pro-ration reports, third party billings, private pay billings, related revenue supporting documentation, etc.

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20.0030 - Purchase Orders FY+7 05/01/2007

This record will include purchase requisitions and purchase orders.

20.0031 - Family Support Subsidy Records (Supersedes Item Number 4570) CR+7 05/01/2007

The Michigan Legislature passed the Family Support Subsidy Act in 1983. The Family Support Subsidy Program provides financial assistance to families who care for their children with severe disabilities at home. The Department of Community Health and the CMHS Programs administer and implement the Act. These records are maintained to document family support subsidy assistance for children 18 years of age or younger. The records will include the application, the child's birth certificate, a copy of the family's most recently filed Michigan Income Tax Return (MI 1040), written proof from the local or intermediate school district that certifies that the child is eligible, and the child's Social Security number.

20.0032 - I-9 Forms EVT+3 05/01/2007

Federal Form I-9 includes verification by employers of identity and immigration status of all new employees. Federal code 8 CFR 274A.2 (1998) requires that employers maintain signed copies of I-9 forms for 3 years after the date of hire or one year after termination (EVT), whichever is later.

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20.0033 - Consolidated Omnibus Budget Reconciliation Act (COBRA) Records CR+7 05/01/2007

Congress passed the Consolidated Omnibus Budget Reconciliation Act (COBRA) health benefit provisions in 1986. The law amends the Employee Retirement Income Security Act, the Internal Revenue Code and the Public Health Service Act to provide continuation of group health coverage that otherwise might be terminated. COBRA provides certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates. This record will include copies of all COBRA required notices, any valid documentation or signed acknowledgements that the notices were received by the employee/qualified beneficiary, detailed documentation related to any instance in which COBRA continuation is not offered, and all related correspondence.

20.0034 - Personnel Files ACT+7 05/01/2007

These files are maintained for each employee and contain records that document all human resources related transactions that occurred during the employees' period of active employment. Documentation within the file may include the following: resumes, applications, withholding cards beneficiary designations, performance evaluations, pay adjustments, name and address changes, service ratings, insurance information, counseling and disciplinary documents, correspondence, etc. This file remains active until the employee makes a departure other than a leave absence.

20.0035 - Selection Files CR+4 05/01/2007

These records contain all documents that support appointment and selection activity for employment. The files may contain selection criteria, evaluation of candidates, position descriptions, applications, interview questions, reference checks, and appointment recommendations/notifications.

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20.0036 - Time and Attendance Records CR+5 05/01/2007

These records may include time cards, timesheets, etc. and are used to document the attendance and hours worked by date and time. The records may be signed by the employee.

20.0037 - Workers Disability Compensation Files CR+10 05/01/2007

These files document Worker's Disability Compensation claims due to on-the-job injury or illness. Documentation may include the initial injury claim form, accident reports, notice of commencement of compensation payments, employee wage data, copies of time and attendance records, medical documentation and reports, correspondence, etc.

20.0038 - Medical Records (Non-exposure to Hazardous Materials) ACT+7 05/01/2007

These records may contain the following documentation: medical leave applications, insurance forms (including long term disability forms), leave extension requests, medical certifications by physician, application for continuation of insurances, doctor's release, supporting medical documentation, blood tests, vision and hearing tests, etc.

20.0039 - Medical Records (Exposure to Hazardous Materials) ACT+30 05/01/2007

These records may contain the following documentation: medical leave applications, insurance forms (including long term disability forms), leave extension requests, medical certifications by physician, application for continuation of insurances, doctor's release, supporting medical documentation, blood tests, vision and hearing tests, etc.

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20.0040 - Employment Applications/Resumes CR+1 05/01/2007

20.0041 - Employee Grievance Files ACT+7 05/01/2007

These files are maintained to document grievances filed against employers. The records may include pre-hearing reports, grievance forms, correspondence, summary sheets, employee history information, decisions, etc. ACT is defined as until the grievance is closed.

20.0042 - Unemployment Compensation Files CR+5 05/01/2007

These files may include a request to Employer for Wage and Separation Information (UA-555), Notice of Determination or Redetermination (UA-1302), check stubs, charge statements (US-1136), Credit Statements (UA-1137), Notice of Overpayment Adjustment (UA-1141), Notice to Employer of Receipt of Protest (UA-1142), etc.

20.0043 - Union Contract Negotiation Files EXP+3 05/01/2007

These records may include ground rules, proposals/counter proposals, final contracts, secondary negotiations, meeting minutes, collective bargaining agreements, and correspondence. Retention is based upon expiration of the contract.

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20.0044 -	<u>Discrimination Complaint Records</u>	ACT+7	05/01/2007
<p>These records document the investigation into all discrimination complaints. The records may include correspondence, complaint detail, management/staff/witness statements, and other investigatory records. Records will be retained until the complaint is closed (ACT) plus 7 years.</p>			
20.0045 -	<u>Reasonable Accommodation Files</u>	ACT+7	05/01/2007
<p>These records may include reasonable accommodation request submitted by employees, evaluations, responses, and copies of medical documentation.</p>			
20.0046 -	<u>MIOSHA 200 Log and Summary of Occupational Illnesses and Injury</u>	CR+5	05/01/2007
<p>In accordance with 29 CFR 1904.2, this record documents all recordable occupational injuries and illnesses occurring at worksites.</p>			
20.0047 -	<u>Wage and Tax Listing</u>	CR+7	05/01/2007
<p>This listing, filed annually, contains year-to-date wage and tax information.</p>			

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20.0048 - CMHS Program Employee Training Record ACT+7 05/01/2007

This record will document internal/external training received by CMHS Program employees and is used to verify that employees have met licensing and Department of Community Health requirements. The record may include tests, handouts, sign-in sheets, and other supporting documentation. The records will be retained for the duration of employment (ACT) plus 7 years. Records may be in hard copy or electronic format.

20.0049 - Direct Service Workers Training Record CR+7 05/01/2007

Direct service workers in specialized residential settings are required to take initial and ongoing training relevant to the type of care delivered. Training is obtained from individuals or training organizations that use a curriculum which has been reviewed and approved by the Michigan Department of Community Health. Employee competency is assessed annually. This record will document training and certification of direct service workers and will contain transcripts.

20.0050 - Recipient Rights Training Record CR+6 05/01/2007

Recipient rights' training is provided on an annual basis to employees, providers, and others in the health network system. Training is also provided to new employees as part of their orientation. This record will contain attendance slips documenting employees who have received recipient rights' training.

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20.0051 - Credentialing Records CR+7 05/01/2007

Credentialing is the process of validating the qualifications of a licensed practitioner or facility to provide services in a health care network or its components. This record will document a review of providers to verify that they are in compliance with CMHS Program and Michigan Department of Community Health credentialing standards and guidelines.

20.0052 - Recipient Rights Files CR+10 05/01/2007

Before receiving any services from a CMHS Program, each individual must be given proper notice of his or her rights. The State of Michigan has established certain safeguards designed to protect the rights of individuals who receive mental health or developmental disability services through the CMHS system. These rights come from the Mental Health Code as well as state and federal statutory and case law.

In addition to outlining the consumer's rights, the Mental Health Code and applicable administrative rules provide consumers with information identifying what they should do in the event they feel their rights have been violated. If the consumer feels that any of their rights under the Mental Health Code or the rules promulgated under the Act have been violated, they have the right to file a complaint. These files will document consumer complaints and may contain a complaint form, investigation notes, treatment plans, progress notes, correspondence, reports, and other supporting documentation.

20.0053 - Investigation Acknowledgement Letter CR+1 05/01/2007

This letter is sent to the consumer or consumer guardian confirming that a complaint has been received and will be investigated.

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20.0054 - Death Review Report CR+7 05/01/2007

In the event of the death of a CMHS consumer, reviews are conducted to determine if there has been any variance from established policies and procedures for care or service on the part of employees. This record will include the Death Review Report documenting review findings and any supporting client information.

20.0055 - Informal Inquiries CR+3 05/01/2007

This record will document advice provided to the public by the CMHS Program when an inquiry is received. The record is used to ensure that the advice provided is standard and consistent.

20.0056 - Denial Letters CR+7 05/01/2007

These letters will document the denial of treatment, length of treatment and type of treatment for a consumer.

20.0057 - Consumer Greivance/ Mediation/Hearing Records ACT+7 05/01/2007

These records will document grievances from consumers or other persons and may be related to initial access to service, denial of hospitalization, provider care authorization, claims or payment, family support subsidy, denial of services, provider contract disputes, credentialing, etc. The records will be retained until a final decision is rendered (ACT) plus 7 years.

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20.0058 - Consumer Case Records - Adults - Identifying and Summary Data (Supersedes Item Numbers 4535A and 4560A) ACT+20 05/01/2007

This information is found in the consumer case record and will document the basic identification information for a consumer including the final face sheet, final discharge summary, and diagnosis. The records will be retained until the last date of service (ACT) plus 20 years.

20.0059 - Consumer Case Records - Adults - Medical Data (Supersedes Item Numbers 4535B and 4560B) ACT+10 05/01/2007

This information is found in the consumer case record and will document adult consumers who are receiving services and/or support from the CMHS Program, a contracted provider of the CMHS Program, or a vendor under valid contract with the CMHS Program. The case records will contain clinical/medical information including consents, releases, treatment plans, financial status updates, reports, plans and strategies, evaluations, assessments, testing, consumer contact sheets, health and history reviews, progress notes, charge slips, PES, medication reviews, psychological evaluations, medication order sheets, bridge scripts, medication consent forms, labs, Aims test, health provider correspondence, discharges, transfers, third party information, self determination agreements, etc. Records may be in hard copy or electronic format and will be retained until the last date of service (ACT) plus 10 years.

Note: If documents are purged from this file they must be retained until the last date of service (ACT) plus 10 years.

20.0060 - Consumer Case Records - Adults - Non-medical Data (Supersedes Item Numbers 4535C and 4560C) CR+7 05/01/2007

Non-medical and non-psychological treatment/case management information including correspondence and copies of information from other agencies shall be retained for 7 years.

ACT = Active CR = Creation EXP = Expiration FY = Fiscal Year
SUP = Superseded EVT = Event DISP = Immediate Disposal

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
20.0061 -	<p><u>Consumer Case Records - Children - Medical Data</u> (Supersedes Item Numbers 4543A, 4543B, 4560A and 4560B)</p> <p>These records will document consumers under the age of majority who are receiving services and/or support from the CMHS Program, a contracted provider of the CMHS Program, or a vendor under valid contract with the CMHS Program. The case records may contain face sheets, consents, releases, treatment plans, financial status updates, reports, plans and strategies, evaluations, assessments, testing, consumer contact sheets, health and history reviews, progress notes, charge slips, PES, medication reviews, psychological evaluations, medication order sheets, bridge scripts, medication consent forms, labs, Aims test, health provider correspondence, discharges, transfers, third party information, etc. Records may be in hard copy or electronic format and will be retained until the client is 6 years past the age of majority and last date of service (ACT) plus 10 years.</p> <p>Note: If documents are purged from this file they must be retained until the client is 6 years past the age of majority and last date of service (ACT) plus 10 years.</p>	ACT+10	05/01/2007
20.0062 -	<p><u>Consumer Case Records - Children - Non-medical Data</u> (Supersedes Item Numbers 4543C and 4560C)</p> <p>Non-medical and non-psychological treatment/case management information including correspondence and copies of information from other agencies shall be retained for a period not less than 7 years after the consumer reaches the age of majority (ACT).</p>	ACT+7	05/01/2007

ACT = Active CR = Creation EXP = Expiration FY = Fiscal Year
 SUP = Superseded EVT = Event DISP = Immediate Disposal

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
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20.0063 - Foster Family Home Records (No Longer Being Created) ACT+7 05/01/2007

Some CMHS Programs have acted in the past as a child-placing agency for foster care. The CMHS Program holds the license and is responsible for the monitoring and compliance of the foster family home with state rules and regulations. The records may include the Children Foster Home Licensing Transaction Record, Foster Family Home Rules Compliance Record, Reference Reply Letters, Physician Statements, Health/Fire Clearance, Zoning Clearance, Family Home Licensing/Certification, Licensing Recommendation Summary, Family Home Study Narrative, Licensing Record Clearance Request, etc. The records will be retained until the foster family home file is closed (ACT) plus 7 years.

20.0064 - Client Demographic and Billing Database System ACT+7 05/01/2007

This database will contain client demographic data and will also contain billing data. Data will be retained until it is determined to have no further value (ACT) plus 7 years.

20.0065 - System Documentation ACT+2 05/01/2007

These materials are maintained to document the development of data systems. The records may include the initial request, flow charts, record layouts, program change requests, system discrepancy notices, job control language, program narratives, report detail, report descriptions, printer spacing charts, sample printouts, etc. These records are retained for the life of the system (ACT) plus 2 years.

ACT = Active CR = Creation EXP = Expiration FY = Fiscal Year
 SUP = Superseded EVT = Event DISP = Immediate Disposal

DeptCode
/GS20/

DeptName
Community Mental Health Services Programs

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
20.0066 -	<u>Program Documentation</u>	ACT+2	05/01/2007

These records may contain computer program description sheets, program modification requests, record description sheets, report distribution sheets, report samples, job work flow, source listings, test data or information on test data, computer run sheets, program documentation check lists, etc. Records will be retained for the life of the program (ACT) plus 2 years.

ACT = Active

CR = Creation

EXP = Expiration

FY = Fiscal Year

SUP = Superseded

EVT = Event

DISP = Immediate Disposal

Michigan Department of History, Arts and Libraries
Records Management Services

Frequently Asked Questions
About General Schedules

Q: What is a public record?

A: The Michigan Freedom of Information Act (FOIA) (MCL 15.231-15.246) defines public records as recorded information “prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”

Q: Are all records considered to be “official” records?

A: No. General Schedule #1 addresses the retention of “nonrecord” materials. These documents are broadly defined as drafts, duplicates, convenience copies, publications and other materials that do not document agency activities. These materials can be disposed of when they have served their intended purpose. Government agencies need to identify the “office of record” when multiple offices possess copies of the same record. The “office of record” is responsible for following the retention period that is specified, duplicates do not need to be retained. A more comprehensive definition can be found in the approved schedule (available online at http://www.michigan.gov/documents/hal_mhc_rms_GS1_local_110758_7.pdf).

Q: Are the retention periods that are listed on general schedules minimum amounts of time that a record should be kept?

A: Yes. General schedules authorize, but do not require, public officials to dispose of records after the expiration of the assigned retention period. Local situations may require retention beyond the periods listed, and nothing prevents a government agency from retaining records longer than the specified period of time. If records are kept for less than the amount of time listed, the agency can be penalized for unlawful destruction of records. In addition, if records are kept too long, they can waste valuable storage space, and they can become a liability to the agency if it receives a FOIA request, or if it becomes involved in litigation.

Q: Does my government agency have to follow a general schedule?

A: Records cannot be lawfully destroyed without the authorization of an approved Retention and Disposal Schedule. The purpose of a general schedule is to ensure that all government agencies are following consistent retention practices, and to prevent individual agencies from having to develop an agency-specific schedule. However, if your government agency does not want to follow an approved general schedule, it would need to get an agency-specific schedule approved. [Note: agency-specific schedules always supersede a general schedule.] Internal policies do not have the force of law that an approved Retention and Disposal Schedule has.

Q: What is an agency-specific schedule?

A: Agency-specific schedules are Retention and Disposal Schedules that only apply to the agency listed on the document. They are intended to cover records that are unique to that specific agency. Records that are listed on an approved general schedule should not be listed on an agency-specific schedule, unless the agency has a unique situation that justifies a different retention period than the one everyone else is following. The instructions and forms for agency-specific schedules are available online at <http://www.michigan.gov/recordsmanagement/>.

Q: What should my government agency do if we create a record that is not listed on the general schedule?

A: The general schedule covers records that are common to most government agencies. However, general schedules do not claim to be inclusive of every record that all agencies create. Records that are not listed on general schedules cannot be destroyed without the authorization of an approved agency-specific schedule.

Q: What should my government agency do if we do not create a record that is listed on the general schedule?

A: Nothing. General schedules do not mandate that any of the records listed on the schedule be created. However, if they are created in the normal course of business, the schedule establishes a retention period for them.

Q: What do the codes in the Total Retention column mean?

A: The **retention codes** that appear on the schedule are used to establish how long records are retained by the creating agency before they are destroyed. Retention

codes determine how destruction dates will be automatically calculated by Versatile (Versatile is the records management software that is used by Records Management Services to manage the retention of records), and the date upon which the calculation will be based. Definitions of these codes can be found in the Records Management Manual that is available online at <http://www.michigan.gov/recordsmanagement/>.

Q: What do the numbers in the Total Retention column represent?

A: In addition to the retention code, a period of time, years and/or months, can be used in the calculation of the retention period. Years are expressed as whole numbers, and months are expressed as fractions. For example, the fraction "0/6" would represent 6 months. The retention code plus the period of time results in a mathematical formula that is used to determine a disposal date.

Q: Do the general schedules only cover paper records, or do they cover databases and other electronic records too?

A: Records can exist in a wide variety of formats, including paper, maps, photographs, digital images, e-mail messages, databases, etc. The retention periods listed on the general schedules do not specify the format that the record may exist in, because each government agency that adopts the schedule may choose to retain its records using different recording media. Government agencies are responsible for ensuring that their records, regardless of format, are properly retained and remain accessible during this entire retention period. Various laws (including the Records Reproduction Act) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws.

Q: Do the general schedules cover e-mail?

A: Yes. Many of the record series that are listed on the general schedules may originate as e-mail. Those e-mail messages need to be retained for the period of time specified by the schedule. For more information about e-mail retention, please check out the online guide at <http://www.michigan.gov/recordsmanagement/>.

Q: Can records be microfilmed or digitally imaged?

A: Yes. The Records Reproduction Act (MCL 24.401-24.406) regulates the reproduction of public records by Michigan government agencies at all levels. This law requires the Michigan Department of History, Arts and Libraries to promulgate technical

standards to ensure the continued accessibility and usability of records that are microfilmed or digitized throughout their retention period. The standards are also intended to help state and local governments ensure the integrity and authenticity of their records. The Records Management Services administers competitively bid master contracts for microfilming and imaging services. State agencies and local governments are eligible to use these contracts to receive these services. More information is available online at <http://www.michigan.gov/recordsmanagement/>.

Q: How can I determine which records that are listed on the general schedules contain confidential information that should not be released to the public?

A: Select records series that are listed on the general schedules may be exempt from public disclosure, in accordance with the provisions of state and federal laws. Please consult with your attorney if you need additional information.

Q: Is there an appropriate way to destroy records that contain confidential information?

A: Yes. Some public records contain sensitive or confidential information. These records should not be placed in a regular trash or recycle bin when they are destroyed. It is important that government agencies ensure that these records are destroyed in a manner that prevents the inappropriate release of the information. The State of Michigan administers a master contract with a vendor that complies with the state's requirements for confidential destruction of records. Government agencies that are interested in using this contract should contact the vendor: Certified Document Destruction, attention: Brian Dorosz, (800) 433-7876. Confidential electronic records should be destroyed in accordance with the U.S. Department of Defense "Standard Industrial Security Program Operating Manual" (DoD 5220.22-M).

Q: Who is responsible for ensuring that Retention and Disposal Schedules are followed?

A: The Michigan Penal Code (MCL 750.491) establishes misdemeanor penalties for disposing of records without the authorization of an approved Retention and Disposal Schedule. Government agency directors are responsible for ensuring that relevant staff are aware of the provisions in the schedule and follow them. The Records Management Services does not audit agencies and assess penalties. However, courts may penalize agencies for failing to follow an approved Retention and Disposal Schedule.

Q: What should I do if I have suggestions for revising a general schedule?

A: Contact the Records Management Services at (517) 335-9132.

