

RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 601-030
DEPARTMENT OF HEALTH
OFFICE OF LICENSURE AND CERTIFICATION

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVALSTATE APPROVAL

AGENCY HEAD OR DEPUTY

STATE RECORDS ADMINISTRATOR

AGENCY RECORDS OFFICER

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE 4-4-2007

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POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must insure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORDS SERIES AND DESCRIPTION

SERIES NUMBER

SCHEDULED RETENTION AND DISPOSITION

This revision supersedes the previous schedule 601-030 dated April 28, 1999.

Birth Related Neurological Injury (BRNI)/Hospital Review
Records

009508

Upon completion of file review, destroy in compliance with No. 8 on schedule cover page.

This series consists of duplicate files pertaining to the review of patient hospital records when a claim to the Birth Related Neurological Injury Fund is made. The review is to ensure no fault occurred on the part of the hospital.

Certificate of Public Need (COPN) Program Records

100092

Retain 3 years after issuance of certificate then destroy in compliance with No. 8 on schedule cover page.

This series consists of Certificates of Public Need issued to medical care facilities prior to start of new facility, major renovations or purchase of major equipment as required by §§ 32.1-102.1 through 32.1-102.13 of the *Code of Virginia*.

Clinical Laboratory Improvement Act (CLIA) Records

100093

Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.

This series consists of survey reports, correspondence, and plans for corrections pertaining to the federal certification of laboratories that test human specimens pursuant to 42 *Code of Federal Regulations* Part 493.

Home Care Organization Records

100094

Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.

This series consists of applications, certification forms, ownership statements, survey reports, and correspondence pertaining to the state licensure and federal certification of home care organizations and is used to determine compliance with state and federal laws and regulations. Refer to *Code of Virginia* §§ 32.1-162.7 through 32.1-162.15 and 42 *Code of Federal Regulations* Part 484.



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RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Hospice Program Records</u> This series consists of applications, certification forms, ownership statements, survey reports and correspondence pertaining to the state licensure and federal certification of hospice programs and is used to determine compliance with state and federal laws and regulations. Refer to <i>Code of Virginia</i> §§ 32.1-162.1 through 32.1-162.6 and 42 <i>Code of Federal Regulations</i> Part 418.</p>	100095	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.
<p><u>Inpatient and Outpatient Hospital Records</u> This series consists of applications, certification forms, ownership statements, survey reports and correspondence pertaining to the state licensure and federal certification of inpatient and outpatient hospitals and is used to determine compliance with state and federal laws and regulations. Refer to <i>Code of Virginia</i> §§ 32.1-123 through 32.1-137 and 42 <i>Code of Federal Regulations</i> Part 482.</p>	100096	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.
<p><u>Hospitals Long Term Care (LTC) Units</u> This series consists of applications, certification forms, ownership statements, survey reports and correspondence pertaining to the state licensure and federal certification of hospital LTC units and is used to determine compliance with state and federal laws and regulations. Refer to <i>Code of Virginia</i> §§ 32.1-123 through 32.1-137 and 42 <i>Code of Federal Regulations</i> Part 483.</p>	100104	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.
<p><u>Hospital Maternity Regulation Records</u> Defunct Series. Documents the Center for Quality Health Care Services and Consumer Protection's (former title of Office of Licensure and Certification) participation in the development of maternity regulations for licensed facilities as required by §§ 32.1-123 through 32.1-162.15 of the <i>Code</i>. Final approval is done at the Department level.</p>	100097	Retain 4 years after approval then destroy.



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<p><u>Intermediate Care Facilities/Mental Retardation (ICF/MR) Records</u> This series consists of survey reports, plans of correction, fire safety reports, and correspondence pertaining to the federal certification on ICF/MRs. Refer to 42 <i>Code of Federal Regulations</i> Part 442.</p>	100099	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.
<p><u>Managed Care Health Insurance Plan (MCHIP) and Private Review Agent (PRA) Records</u> This series consists of applications, certification forms, ownership statements, survey reports, complaint investigations, and correspondence pertaining to the state certification of MCHIP licensees and PRAs and is used to determine compliance with state laws and regulations. Refer to <i>Code of Virginia</i> § 32.137. 1 through 32.1-137.</p>	009509	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.
<p><u>Medical Care Facility Records - Complaint Records</u> This series contains the results of consumer complaint allegations against providers subject to Chapter 5.1 of Title 32.1 of the <i>Code of Virginia</i> and includes intake forms, survey reports and correspondence.</p>	100100	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.
<p><u>Medical Care Facility Records - Complaint Records Printouts</u> Defunct Series. Documents the Center for Quality Health Care Services and Consumer Protection's (former title of Office of Licensure and Certification) previous routine interaction with individual medical care facilities in compliance with the requirements of §§ 32.1-123 through 32.1-162.15 of the <i>Code</i>.</p>	100101	Destroy accumulation.



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<p><u>Medical Care Facility Records - Construction Records</u> Defunct Series. Documents the Center for Quality Health Care Services and Consumer Protection's (former title of Office of Licensure and Certification) previous routine interaction with individual medical care facilities in compliance with the requirements of §§ 32.1-123 through 32.1-162.15 of the Code.</p>	100102	Destroy accumulation.
<p><u>Neonatal Hospital Regulation Development Records</u> Defunct Series. Documents the Center for Quality Health Care Services and Consumer Protection's (former title of Office of Licensure and Certification) participation in the development of neonatal regulations for licensed facilities as required by §§ 32.1-123 through 32.1-162.15 of the Code. Final approval is done at the Department level.</p>	100098	Retain 4 years after approval then destroy
<p><u>Nursing Facility Records</u> This series consists of applications, certification forms, ownership statements, survey reports, and correspondence pertaining to the state licensure and federal certification of nursing facilities and is used to determine compliance with state and federal laws and regulations. Refer to <i>Code of Virginia</i> §§ 32.1-123 through 32.1-137 and 42 <i>Code of Federal Regulations</i> Part 483.</p>	100103	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.
<p><u>State Mental Health and Mental Retardation Facility Records</u> This series consists of applications, certification forms, ownership statements, survey reports, and correspondence pertaining to the federal certification of state operated mental health, mental retardation facilities and is used to determine compliance with federal laws and regulations. Refer to 42 <i>Code of Federal Regulations</i> Part 483.</p>	100105	Retain 3 years after last license renewal then destroy in compliance with No. 8 on schedule cover page.