

Chapter: **CONFIDENTIALITY**
Title: **RETENTION AND DISPOSAL OF RECORDS**

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Current Approval Date: 03/28/22

Proposed by:  03/28/2022
Chief Executive Officer Date

Approved by: Albert L. Lorenzo 03/28/2022
County Executive Office Date

I. ABSTRACT

This policy establishes the standards and procedures of Macomb County Community Mental Health (MCCMH), an official agency of the County of Macomb, for the retention and disposal of medical records.

II. APPLICATION

This policy shall apply to all directly-operated and contract network providers of MCCMH.

III. POLICY

It is the policy of MCCMH, as an official agency of the County of Macomb, that medical records be retained and disposed of in accordance with appropriate federal and state statutes and regulations.

IV. DEFINITIONS

- A. Family Support Subsidy Program Clinical Records
Records maintained to document applications for family support subsidy assistance for children seventeen years of age or younger. These files may include previous applications (originals), birth certificates (copies), Social Security cards (copies), Certificates of Disability (copies), renewal applications, etc.
- B. Identifying and Summary Data
Documents of the record which include but are not limited to the final face sheet and the final discharge summary.
- C. Medical/Clinical Portion of Clinical Record
Documents of the record which include but are not limited to the face sheet, person's served history, initial interview, progress reports, consent for treatment, all assessments and the discharge summary.

D. Non-Clinical/Medical Portion of Clinical Record

Documents of the record which include but are not limited to correspondence and information from other agencies.

V. STANDARDS

- A. MCCMH shall retain and dispose of person served records in accordance with this policy and the applicable Michigan Department of Health and Human Services (MDHHS) General Schedules(s). General Schedule #20 covers the operations of Community Mental Health Service Programs and is attached as Exhibit A.
- B. Case Records for Adults
 - 1. Case Records that document basic identification information shall be retained until the last date of service plus twenty (20) years.
 - 2. Case Records that document medical data shall be retained until the last date of service plus ten (10) years.
 - 3. Case Records that document non-medical data shall be retained for seven (7) years.
- C. Case Records for Children
 - 1. Case Records that document medical data shall be retained until the person is six (6) years past the age of majority and last date of service plus ten (10) years.
 - 2. Case Records that document non-medical data shall be retained for seven (7) years after the person reaches the age of majority.
- D. Records for the Family Support Subsidy Program shall be retained for seven (7) years after the date of last service.
- E. In the event that a lawsuit is initiated against MCCMH or an employee thereof, any pertinent clinical records which are due for disposal shall not be destroyed but shall be held until conclusion of all litigation pertaining to those records.

VI. PROCEDURES

- A. Disposal of Clinical Records
 - 1. Paper Clinical Records due for disposal shall have their information copied onto networked, secure storage. Thereafter, all paper records shall be disposed of by shredding.
 - 2. Electronic Records due for disposal shall have their information stored on the physical media and be archived. Thereafter, the retired electronic physical media shall be destroyed by shredding or other comparable means.
- B. The Clinical Records Coordinator shall:

1. Determine when each clinical record is due for disposal.
2. Ensure that the information from each clinical record due for disposal is copied onto an electronic backup system, as necessary.
3. Dispose of the paper clinical record or physical media that stored the electronic clinical record by shredding at the appropriate time.

VII. REFERENCES / LEGAL AUTHORITY

- A. MDHHS-MCCMH Managed Specialty Supports and Services Contract
- B. Commission on Accreditation of Rehabilitation Facilities (CARF) 2020 Standards Manual, §1. E, “Legal Requirements,” § 2.G, “Records of Persons Served”

VIII. EXHIBITS

- A. State of Michigan Records Management General Schedule #20 – Community Mental Health Services Programs, approved 05/01/2007