

# Agency Specific Records Retention and Disposition Schedule

## The Committee to Approve Schedules for the Retention and Disposition of Official State Records

Agency Name: **Governor**

This records retention and disposition schedule supersedes all previous versions.

This agency must also meet the requirements on the *General Records Retention and Disposition Schedules* (NRS 239.080). The most current version is available through the Records Management Program and at: <http://dmla.clan.lib.nv.us/docs/nsla/records/instruct/genrec.htm>.

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### Office of Consumer Health Assistance

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Office

Agency Number: 511001

Version Date: 4/30/1990

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Title: **Consumer Health Assistance (CHA) Case Files**

RDA Number: 2001067

Description:

This record series is used to document and administer the requests for assistance related to health care and workers' compensation problems from consumers and injured workers (see NRS 233.560). The files may consist of: requests for assistance, consent for the release of confidential information, correspondence (to/from consumer, health plans, health care providers (see NRS 629.031), state agencies, attorneys, medical advisors, etc.), copies of medical records, copies of explanation of benefits, copies of provider and hospital billings (and related records), closure report, copies of appeals and determinations, and similar documents.

Authorized Retention:

Retain this record series for a period of three (3) calendar years from the final disposition of the case.

Authorized Disposition:

Some of these records may be confidential (such as the Social Security Number (SSN)) or sensitive (such as personal identifying) information, and such records should be destroyed in a secure manner, such as by shredding. All other files may be disposed of in a normal manner, such as by dumping or recycling.

Legal Citations for Confidential or Sensitive Information:

NRS 449.720 (4) and 26 CFR 31.6001-1 (IRS Tax Code retention requirements).

References:

None.

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## Office of Consumer Health Assistance

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Bureau of Hospital Patients

Agency Number: 511002

Version Date: 4/30/1990

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Title: **Office for Hospital Patients (OHP) Case Files**

RDA Number: 2001068

Description:

This record series is used to document and administer the requests to resolve disputes between patients and hospitals. The files may consist of: complaint/release form, contact log, closure form, correspondence (from and to hospitals, patients and representatives of either), copies of hospital bills and related documents.

Authorized Retention:

Retain this record series for a period of three (3) calendar years from the final disposition of the case.

Authorized Disposition:

Some of these records may be confidential (such as the Social Security Number (SSN)) or sensitive (such as personal identifying) information, and such records should be destroyed in a secure manner, such as by shredding. All other files may be disposed of in a normal manner, such as by dumping or recycling.

Legal Citations for Confidential or Sensitive Information:

NRS 449.720 (4) and 26 CFR 31.6001-1 (IRS Tax Code retention requirements).

References:

None.

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Title: **Quarterly Reports**

RDA Number: 2001069

Description:

This record series documents the legal requirement for this office to file quarterly reports to the Governor and the Legislative Committee on Health Care as per NRS 223.575 (c). The files may contain: copies of the quarterly report [containing information on the number of complaints received, the number and types of disputes heard and the outcome or resolution of the case], related correspondence and similar documents.

Authorized Retention:

Retain for a period of five (5) calendar years.

Authorized Disposition:

Transfer these records to the State Archives after the retention period has been satisfied.

Legal Citations for Confidential or Sensitive Information:

None.

References:

None.

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## Office of Consumer Health Assistance

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Bureau of Hospital Patients

Agency Number: 511002

Version Date: 4/30/1990

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### **Retention Guidelines.**

A Records Retention and Disposition Schedule identifies the minimum time period the listed records must be retained, per NRS 239.080, meaning records disposition must not occur before this time period expires. When the minimum retention period has been met, the recommended disposition of the records, such as destruction or transfer to the State Archives, may be initiated. You are advised to implement regular, routine disposition procedures and not to "selectively retain" some records longer than others. Certain events (i.e., Disposition Holds) may occur that will require a stop to disposition procedures.

### **Disposition Holds include:**

#### **Audits.**

When an audit of your agency is begun, all destruction of records in your legal custody must cease. During the audit process, records should be made available to the auditors subject to confidentiality laws. Upon the completion and resolution of the audit, the agency may begin to dispose of records in accordance with the approved records retention and disposition schedule.

#### **Investigations.**

When you are notified by a regulatory authority, a law enforcement agency, a court of record, the governor, the Legislature or other similar oversight entities that an investigation is being conducted, all records must be preserved until the investigation is over. You should consult with your legal counsel and/or the Attorney General's Office for specific advice.

#### **Litigation.**

When an agency receives notification that a lawsuit has been filed against (or in behalf of) them, they should immediately consult their legal counsel and/or the Attorney General's Office. All records pertaining to the litigation should be identified, separated from other files and protected. All destruction of records pertaining to the lawsuit must be stopped until the legal action has been resolved. When the litigation has been concluded (your legal counsel can advise you of this), all of the records pertaining to the lawsuit must be retained as required by an Agency Specific Records Retention Schedule or one of the General Records Retention and Disposition Schedules. Your legal counsel may advise you not to destroy any records in the legal custody of the agency until after the disposition of the litigation. You should seek the advice of your legal counsel. Records Management staff are also available for consultation on these issues.

### **Disposition guidelines.**

Most records may be disposed of by normal means, such as recycling or tossing. Some record types are identified on retention schedules as "confidential" (see NRS 239.010) or "restricted" (see NRS 239C.090). These records must be destroyed, per the guidelines identified in NAC 239.722 and, if they are in electronic format, 239.760 (4). However, many other records may contain "sensitive" information that has not been declared by law or regulation to be confidential. Some types of "sensitive" information are described in NRS 205.4617 "Unlawful Acts Regarding Personal Identifying Information." Since serious consequences may result if these records fell into the wrong hands you are advised to destroy these records per the guidelines identified in NAC 239.722 and/or 239.760. If you are in doubt about the sensitivity of certain documents or about an appropriate disposal method, you should contact your legal counsel, the Attorney General's Office, or a records management officer.