

1083.0.0 DOCUMENT AND RECORD DISPOSITION

This establishes a timetable for the maintenance of all Department of Human Services (DHS) documents and records. The schedule should permit unneeded records to be destroyed or discarded, while assuring that all records necessary for client services, potential litigation, or audits are retained. "Records" means data compilation in any form. This policy is applicable to all divisions/offices within DHS.

1083.1.0 Retention of Documents and Records

1083.1.1 All files will be maintained in accordance with the Arkansas General Records Retention Schedule, dated August 2006.

1083.1.2 The Arkansas General Records Retention Schedule is DHS Publication 014, located on DHSShare at:

<https://dhssshare.arkansas.gov/Publications/PUB-014.doc>

1083.2.0 Adherence to the Retention Schedule

The retention periods established in the Retention Schedule are minimum retention periods. Divisions may establish longer retention periods for any division program related documents.

Should any differences in retention periods be found between the Retention Schedule and state or federal law, the applicable law will take precedence.

1083.3.0 Retention of Privacy Related Documents

1083.3.1 DHS will retain for a minimum of six years all documentation related to Protected Health Information including:

- Policies and procedures;
- Other communications as required by such policies and procedures; and
- Any action, activity or designation as it relates to DHS privacy policies and procedures, including authorization forms, client rights forms and the acknowledgment of receipt of the DHS Notice of Privacy Practices.

1083.3.2 DHS will review existing storage retention schedules for privacy related information and determine if current schedules allow for the six-year retention requirement. Note: Retention of PHI is required for six years from the date of its creation or the date when it last was in effect, whichever is later.

1083.3.3 Where existing storage retention schedules for privacy related information do not allow for the required six years, the DHS managers and supervisors will determine whether to adjust the existing schedule, or purge all documentation within the current schedule except privacy related information as noted in DHS Policy 4001 – Notice of Privacy Practices.

1083.4.0 Disposal of Documents and Records that are no Longer Needed

- 1083.4.1 Confidential records must be disposed of by shredding or burning or in compliance with the HIPAA Privacy Standards. This determination must be made by the director, administrator, manager or privacy officer of the office having responsibility for the records or documents. Routine paper files shall be destroyed in the most convenient manner accessible at the end of their retention period.
- 1083.4.2 There is a period of time in which agency records are neither active nor have reached the limits of their retention period. During this time the original records may be transferred to any other permanent medium such as microfilm or disk and then the original may be destroyed – keeping in mind that other mediums have the same retention requirements as paper.
- 1083.4.3 Any unique or unusual problems concerning the retention or destruction of records/documents should be referred to the Office of Chief Counsel.

1083.5.0 Originating Section/Division Contact

Office of Chief Counsel
Donaghey Plaza South
P. O. Box 1437, Slot S260
Little Rock, AR 72203-1437
Telephone: (501) 682-8934

Replacement Notation: This policy replaces DHS 1083 dated April 14, 2003