



TITLE: RECORDS RETENTION AND DESTRUCTION

PURPOSE: To establish record retention and destruction requirements for the Harris County Hospital District's clinical and business records in accordance with the Local Government Record Act.

POLICY STATEMENT:

The Harris County Hospital District (HCHD) will maintain an efficient, economical, and effective records management system for the retention and final disposition of HCHD records, in adherence to the Texas Local Government Records Act of 1989 and any applicable laws of accepted records management practice.

POLICY ELABORATION:

I. DEFINITIONS:

- A. **RECORDS:** Defined as all documents, papers, letters, books, maps, photography's, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to them in open or restricted under the laws of the state, created or received by the HCHD or any of its officers or employees pursuant to law or in the transaction of public business.

All records generated and received by HCHD are the property of HCHD. No HCHD employee or other individual, by virtue of his or her position or status as a medical provider, has any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal or use of such records is prohibited.

II. DESIGNATION OF RECORDS MANAGEMENT OFFICER:

The Board of Managers designates the Senior Vice President of Corporate Compliance as the Records Management Officer for HCHD. In the event of resignation, retirement, dismissal, or removal, the Board of Managers shall promptly designate another individual to serve as Records



Management Officer. The Senior Vice President of Corporate Compliance shall file his or her name with the director and librarian of the Texas State Library within thirty days of the date of designation, as provided by state law.

III. RECORDS RETENTION:

- A. Records will be retained in accordance with the appropriate local government records control schedules issued by the Texas State Library and Archives Commission and all applicable federal and state laws, regulations, or rules or court.
- B. Electronically stored data used to create in any manner, a record of the functional equivalent of a stored record must be maintained, along with the hardware and software necessary to access the data, for the retention period assigned to the record, unless backup copies of the data generated from electronic storage are retained in paper or on microfilm for the retention period.
- C. If a department manager desires to destroy records, she or he must notify the Records Management Officer and must ensure that the records have met or exceed the retention period outlined in the Record Retention Schedule (Exhibit A), authorizing disposal.

IV. RECORD RETENTION SCHEDULE:

- A. The Records Management Officer will create a records retention schedule on a department-by-department basis listing all records created or received by each department and the retention period for each record, based upon the attached Records Retention Schedule [Exhibit A].
- B. The records retention schedule will be monitored and amended as needed by the Records Management Officer on an annual basis, to ensure that it is in compliance with the local government records control schedules issued by the state and that it continues to reflect the records keeping practices and needs of the departments.
- C. The records retention schedule or amended schedule for a department will be approved by the department director, based on the recommendation from the Records Management Officer.



D. The Records Retention Schedule or amended schedule will be submitted to the Texas State Library and Archives Commission for approval.

V. RECORD DESTRUCTION:

- A. Records that have satisfied their legal, fiscal, administrative, and archival requirements will be destroyed in accordance with the Records Retention Schedules approved by the Texas State Library and Archives Commission.
- B. A record may not be destroyed if any litigation, administrative review, civil or criminal investigation, or other action involving the record is initiated before the expiration of a retention period for the record set by the Local Government Retention Schedules (Exhibit B), or in the approved Records Retention Schedule of the District, until the completion of the action and the resolution of all issues that arise from it, or until the expiration of the retention period, whichever is later.
- C. The Records Management Officer must approve destruction of any record.
- D. Records will be destroyed in a manner that ensures the confidentiality of the records and renders the information no longer recognizable as HCHD records. The approved methods to destroy records must be HIPAA-compliant and include, but are not limited to, recycling, shredding, burning, pulping, pulverizing and magnetizing.
- E. A final destruction list of what has actually been destroyed will be maintained permanently. It will be organized by year of destruction and by department for easy access and review. A certificate of destruction will be issued that attests to the proper disposal of this information as well.



REFERENCES/BIBLIOGRAPHY:

The Exhibits listed herein may be found on the District Intranet at:
<http://home/departments/recordsman/main.htm>.

Harris County Hospital District Record Retention Schedule (Exhibit A).

Local Schedule HR – Schedule for Records of Public Health Agencies (Exhibit B).

Local Schedule GR – Retention Schedule for Records Common to All Local Governments (Exhibit C).

Local Government Bulletin B – Electronic Records: Standards & Procedures.

Local Bulletin D: Local Government Records Act, Tex. Loc. Gov’t Code Ch. 201, 202, & 203, as amended.

OFFICE OF PRIMARY RESPONSIBILITY:

HCHD Corporate Compliance

REVIEW/REVISION HISTORY:

Record review and revisions below:

Effective Date	Version# (If Applicable)	Review or Revision Date (Indicate Reviewed or Revised)	Reviewed or Approved by: (If Board of Managers Approved, include Board Motion#)
05/01/2004	1.0		Board of Managers (No. 04.4-225)
		Reviewed 12/04/2006	Director, Health Information Management
	2.0	Revised 10/13/2010	Operations Policy Committee
		Approved 12/02/2010	Board of Managers (10.12-173)