

## Subject: Records Maintenance Policy

Department: EMSA  
Approved By: Steve Williamson

Approved/Amended by EMSA BOT: 12/14/2011  
Effective Date: 9/1/2009

This policy/procedure supersedes all other policies/procedures of the same subject.

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### POLICY

Emergency Medical Services Authority [EMSA] requires that different types of records be retained for specific periods of time in order to meet state and federal requirements, optimize the use of space, minimize the costs of record retention and ensure that outdated and useless records are destroyed.

### DEFINITION

A “record” means all documents, including but not limited to, any book, paper, photograph, microfilm, data files created by or used with computer software, computer tape, disk, and record, sound recording, film recording, video record or other material regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control or possession of EMSA.

### PROCEDURE

1. Appendix A is a record retention schedule. EMSA’s Chief Financial Officer along with the Chief Information Officer is in charge of the administration of this policy and the implementation of processes and procedures to ensure that the Record Retention Schedule in Appendix A is followed. The President of EMSA is also authorized to make modifications to the Record Retention Schedule from time to time to ensure that it is in compliance with local, state and federal laws.
2. Record retention may take the form of paper documents, microfilm, and electronic data storage but must be maintained in such a way that the information is available for clinical or administrative reference upon request. Opportunities for loss and/or damage must be minimized and records must be secured to prevent unauthorized access.
3. Some of the records identified are confidential, and as such are not public records pursuant to the Oklahoma Open Records Act, 51 O.S. §§ 24A.1 et. Seq., and this policy does not waive the confidential status of any record under state or federal law.

#### Record Destruction

1. Any documents containing protected health information or other confidential information:

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|----------------------|---|
| a. Paper             | Incineration, shredding or pulverizing              |
| b. Computerized data | Reformatting, magnetization or physical destruction |
| c. Microfilm         | Shredding or pulverizing                            |
2. Non-confidential paper records: Recycle
  3. All documents that are scanned and maintained in EMSA's imaging system will be available in electronic format. Original paper copies of scanned documents are shredded after confirmation of their successful import into the imaging system and according to the following schedule:
    - a. Correspondence and new business – 30 days
    - b. Lockbox and welfare payments – 6 months
    - c. Medicare payments – one year
    - d. TotalCare applications/check copies – until annual audit completed.If destruction services are contracted, the contract must meet the requirements of the HIPAA privacy rule and a Business Associate Agreement must be executed with the contractor.
  4. Suspension of Record Disposal

In the event of a subpoena or request for records, commencement of governmental investigation or audit, notice of any litigation or other justifiable contingency, further disposal of records may be suspended until EMSA's President, with the advice of counsel, determines otherwise. If legal action is pending, destroy documents after 2 years after exhaustion of all legal remedies provided records otherwise meet all stipulated retention requirements as shown in Appendix A. Record retention period may be increased by government regulation, judicial or administrative consent order, private or governmental contract, pending litigation or audit requirements. Such modifications supersede the requirements listed in this policy.

APPENDIX A  
RECORD RETENTION SCHEDULE

Record Series Title	Location	Description	Legal Citation	Total Retention
Trust Indenture and amendments	Corporate offices - Tulsa	Amended and restated trust indenture for EMSA		Permanent
EMS Ordinances	Corporate offices - Tulsa	OKC Ordinance 20997, Emergency Medical Services Code and Tulsa Ordinance 19167 and all ordinances from contracting cities in the Regulated Service area.		Permanent
EMS Interlocal agreement and amendments	Corporate offices - Tulsa	EMS Interlocal Agreement between jurisdictions		Permanent
Contract for Management Services and amendments	Corporate offices – Tulsa	Contract between EMSA and its contractor for the provision of staff and management of the ambulance service.		Permanent
EMSA Bylaws	Corporate offices – Tulsa	Records documenting the organization and operation of the Board of Trustees and the Authority		Permanent
Minutes of Board of Trustees	Corporate offices - Tulsa	Records detailing the proceedings of the Board of Trustees.		Permanent
Licenses	Corporate offices - Tulsa	OSDH EMS license for Eastern and Western Divisions.		Permanent
Litigation files	Corporate offices - Tulsa	Records concerning litigation to which EMSA is party		2 years after exhaustion of all legal remedies
Insurance policies	Corporate offices - Tulsa			3 years after expiration
Retirement plan documentation	Corporate offices - Tulsa			7 years after later of plan termination or all distributions made; participant records as long as relevant
Certifications and credentialing	Clinical offices – Contractor-OKC and Tulsa	National registry and State of Oklahoma licenses, AHA ACLS, BLS, MCB Pre-hospital Operational Standards Exams, State of Oklahoma drivers licenses, and National Academy of Dispatchers Certifications for EMD		Duration of employee's employment + 3 years

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Administrative correspondence	Corporate offices - Tulsa	Correspondence of CEO and other administrative officers incoming and copies of outgoing correspondence.		3 years
"Unusual Incidents" Reports	Ninth Brain Software	Reports of incidents requiring further management follow-up or review		Permanently
Provider Contracts	Corporate offices - Tulsa	Agreements w/ Medicare, Medicaid and other payors for EMSA services		Permanent
Vendor contracts [agreements with non-Business Associate vendors]	Corporate offices - Tulsa	Agreements with vendors to provide services to EMSA. Includes equipment and property leases.		3 years following end of contract
Procedure Manuals	Each department	Manuals for the operation of EMSA departments including, Patient Financial Services, Dispatch, Protocol Manuals for medics		Until updated; copies of old procedures kept for 3 yrs.
Dispatch records	Enterprise – electronic records	Records related to emergency communications received by EMSA. Includes audio recordings.		Dispatch tickets – permanently; dispatch recordings – as long as playback technology is available for specific call
Patient Care Records and account information	EMSA Billing and electronic PCR files.	Includes PCRs, claims generated records and PHI disclosures.		Adults – 7 years Minors – 7 years past the age of Majority
All patient or patient related correspondence [non-e-mail]	Corporate offices – Tulsa or associated with a specific account in the imaging system	This includes: Physician Certification Statements, hospital face sheets, signature pages and addendums as well as third payor EOB's and related correspondence, complaint letters and remarks from patients made in other correspondence, third party requests for PHI including subpoenas. These items may be imaged.		Adults – 7 years Minors – 7 years past the age of Majority
E-mail related to patients	Tier 4 data	All e-mail correspondence between EMSA and patients,		Adults – 7 years

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	center located on the west coast of the U.S. with international redundancy.	third party payors, Business Associates and other healthcare agencies that involves PHI.		Minors – 7 years past the age of Majority
Compliance Program documentation	Corporate offices – Tulsa	Code of Conduct and Compliance Policies and Procedures.		Policies until revised; old policies kept for 3 years. EMSA and contractor personnel – duration of employment + 3 years
HIPAA Privacy related policies and procedures	Electronically stored – y: drive/shared docs.	All HIPAA policies and procedures, and related documents, including training.		Permanent
Business Associate Agreements	Corporate Offices	Agreements with Business Associates to perform services to EMSA involving PHI.		7 years after termination of agreement.
Quality Improvement Records	Electronically stored-EMSA server	Reports generated by contractor's QI department.		Permanently
Safety Records	Contractor Administrative Offices	Log and summary of Occupational Injuries and Illness and Supplementary Record of Occupational Injuries	29 CFR 1904.2	5 years following the end of the year to which records relate
Vehicle Maintenance	ExtraFleet software	Preventative maintenance schedules, Pre-trip check lists, Details by vehicle records, Vehicle Inspection forms.		Permanent
Equipment Maintenance	Vendor locations	Preventative and equipment repair records		Life of piece of equipment
Personnel files	Corporate offices – Tulsa	Employment applications, resumes, evaluations, personnel change requests, job descriptions.	State of Oklahoma –	5 years

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Record Series Title	Location	Description	Legal Citation	Total Retention
			Consolidated General Records Disposition Schedule	
Attendance Records	Corporate offices - Tulsa			3 years after all audits
Employee Health	Corporate offices – Tulsa; Contractor Administrative offices	Employee health records related to ADEA and ADA, FMLA and OSHA and Worker’s Comp. These records are typically stored with employee personnel files.	29 CFR 1627.3, 29 CFR 1630.14, 29 CFR 825.500, 29 CFR 1910.1020	ADA – one year FMLA – 3 years OSHA – Duration of employment plus 30 yrs unless OSHA provides different timeframe. Worker’s Comp – 5 years
Training Records	Corporate offices – EMSA employees; Contractor employees – Clinical offices – OKC and Tulsa Classroom attendance logs on y:\Compliance Program	Records related to employee training in all areas. These records are typically stored with employee personnel files.	29 CFR 1627.3; 29 CFR 1602.14	Duration of employee’s employment + 3 years [in employee services]
<b>Financial Records:</b>				
Audit reports	Corporate	Records reviewing and documenting financial information	GAAP, 26 CFR	Permanent

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	offices – Tulsa	created as part of an audit performed by an outside person or organization.	301.6501(E)-1	
Journals/ledgers	Corporate offices – Tulsa	Monthly close package, journal entries	GAAP	Permanent
Banking records	Corporate offices - Tulsa	Bank reconciliations and bank statements	GAAP	7 years
Check register	Corporate offices – Tulsa		GAAP	Permanent
Cancelled checks	Corporate offices - Tulsa		GAAP	10 years
Telephone bills	Corporate offices - Tulsa			3 years post audit
IRS form 1099	Corporate offices - Tulsa	Copies of summaries of contract employee earnings used for filing federal and state income tax returns		5 years
Accounts payable records	Corporate offices – Tulsa	Vouchers/invoices, vendor files & reports, cash disbursements, credit card charge slips, credit card statements, donations, petty cash records, unemployment insurance payments, workers comp insurance payments	GAAP	7 years
Accounts receivable records	Corporate offices – Tulsa	Invoices, cash receipts, credit advices, Accounts Receivable management reports	GAAP	7 years
Expense Reports	Corporate offices - Tulsa	Records submitted for travel and other items purchased for EMSA	State of Oklahoma – Consolidated General Records Disposition Schedule	7 years

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Record Series Title	Location	Description	Legal Citation	Total Retention
Payroll records	Corporate offices – Tulsa	Records documenting payments for payroll over time including dates, employee names, withholding amounts and purpose, final check amount, and other related information.	IRS	4 years