



POLICY TITLE: Records Retention

Responsible Department: Office of General Counsel

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SUMMARY & PURPOSE:

The Records of Baptist Health South Florida and its Affiliates are important assets. "Record" is defined below. This policy applies to all Records of Baptist Health irrespective of where such Record is maintained and is intended to provide a routine and orderly process for maintaining Records that need to be retained for legal, financial or operational purposes and for disposing of such Records in the ordinary course of business.

POLICY:

Records of Baptist Health, whether printed, written or electronic, must be maintained for the applicable retention period set forth in the Retention Schedule (defined below) after which such Records should be destroyed. A Record must not be destroyed at least until it has met its retention period set forth in this Policy, and there may be reasons for retaining a Record beyond its retention period. Certain departments within Baptist Health may have a need for more stringent written retention policies (see policies referenced below), and exceptions to the retention periods on the Retention Schedule should be discussed with the Office of General Counsel. Records may only be destroyed in accordance with this Policy.

SCOPE/APPLICABILITY:

- For audit and compliance records, also see BHSF Departmental Audit and Compliance Policy 816 Retention of Audit and Compliance Records.
- For clinical laboratory records, specimens and slides refer to BHSF Administrative Clinical Laboratory Policy 870.08 and laboratory departmental policies.
- For retention and storage of patient medical records, see BHSF Administrative Health Information Management Policy 500 Retention and Storage of Medical Records.
- For grant award records, refer to BHSF Departmental Center for Research and Grants Policy 1330.09.
- For Miami Cancer Institute IRB and clinical research records, refer to BHSF Departmental Office of Clinical Research Policy 15000-76720-5824 and 15000-76720-5910.9.
- For Molecular Diagnostic Laboratory records, refer to BHSF Departmental Policy 15000-43170-5604.
- For Nuclear Medicine records, refer to BHSF Departmental Policy 20200.45400.10.41.

- For Pulmonary Lab records, refer to BHSF Departmental Policy 20250-47210-040.

Departments with separate retention policies should inform Legal and the Records Retention unit of Supply Chain of such policy and any changes thereto.

PROCEDURES TO ENSURE COMPLIANCE:

Definition of a Record:

A "Record" is a written, printed or electronic document within a category described in the Retention Schedule attached to this Policy. Patient medical records are not a "Record" for purposes of this Policy.

Not all documents created in the ordinary course of business at Baptist Health are Records. For example, personal notes taken during a meeting are not Records subject to this Policy unless the notes fall within a category on the Retention Schedule. Similarly, an e-mail or a letter generally are not Records unless the subject matter of the e-mail or letter is such that it falls in a category on the Retention Schedule. Please note that any e-mail that must be retained as a Record should be saved outside the e-mail system as a formal Record. Except as subject to Hold Orders under BHSF Administrative Policy 451, e-mails are deleted after one hundred twenty (120) days in accordance with BHSF Administrative Policy 122 Email Archiving Authorization.

Retention Schedule:

Records shall be retained in accordance with applicable laws and regulations and this Policy. Scanned or electronic copies of printed Records are acceptable for retention purposes unless otherwise indicated. If a Record is kept in electronic format, the paper Record should not be retained unless otherwise indicated. Where retention laws or regulations are vague or unclear, or there is no legal retention period, Baptist Health will establish retention periods in a manner reasonably consistent with applicable laws and regulations and health industry standards. The Office of General Counsel will issue a records retention schedule ("Retention Schedule") that reflects Baptist Health's effort to categorize Records and attach appropriate legal or industry-standard retention periods for classes of records. Legal and accounting standards are taken into account in promulgating the Retention Schedule. The Retention Schedule is attached to this Policy and is a part hereof. Exceptions to the retention periods on the Retention Schedule should be discussed with the Office of General Counsel, including requests to retain a Record beyond its retention period.

Hold Orders:

Records that pertain to actual or threatened litigation or an investigation must be safeguarded and should not be destroyed. Hold Orders issued may apply to Records and other documents, all of which should be safeguarded in accordance with the Hold Order. Consult the Document Hold Order Policy, BHSF Administrative Policy No. 451, with regard to such Records and other documents.

Procedure for Destruction of Records:

Once a Record has met the applicable retention period as set forth on the Retention Schedule, the Record should be destroyed. The manner of destruction must ensure the confidentiality of protected health information or information confidential to Baptist Health and shall comply with Supply Chain procedures or protocols for routine Record destruction. An inventory of the Records designated for destruction shall be prepared prior to such Records being destroyed, and such inventory shall be maintained permanently.

For questions about the implementation of this Policy, please contact the Office of General Counsel.

SUPPORTING/REFERENCE DOCUMENTATION:

N/A

RELATED POLICIES, PROCEDURES, AND ASSOCIATED FORMS:

Attachment:

- Records Retention Schedule

Policies:

- BHSF Administrative Policy: 451 Document Hold Orders - Legal Services
- BHSF Administrative Policy: 122 Email Archiving Authorization – Information Technology
- BHSF Administrative Policy: BHSF Supply Chain Records Retention Process

ENFORCEMENT & SANCTIONS:

Violations of this policy may be referred to the appropriate HR management level. See HR policies 5250 and 5300 for applicable sanctions.