

6001-I MANAGEMENT AND MAINTENANCE OF RECORDS

REVISION DATE: 12/22/2021, 9/1/2014

EFFECTIVE DATE: July 31, 1993

REFERENCES: A.R.S. § 12-2297,42 CFR 438.3(U)

POLICY

The Division of Developmental Disabilities (Division) must maintain all records for a period of five years from the date of final payment under contract with Arizona Health Care Cost Containment System (AHCCCS) unless a longer period of time is required by law.

For retention of the member's medical records, the Division must ensure compliance with A.R.S. § 12-2297, which provides, in part, that a health care provider must retain the member's medical records according to the following:

- A. If the member is an adult, the Division must retain the member's medical records for at least six years after the last date the adult member received medical or health care services from the Division.
- B. If the member is under 18 years of age, the Division must maintain the member's medical records either for at least three years after the child's 18th birthday or for at least six years after the last date the child received medical or health care services from the Division, whichever date occurs later.

The Division must comply with the record retention periods specified in HIPAA Privacy Rule and regulations.

If the Division's contract with AHCCCS is completely or partially terminated, the records relating to the work terminated must be preserved and made available for a period of five years from the date of any such termination.

Records that relate to grievances, disputes, litigation, or the settlement of claims arising out of the performance of the Division's contract with AHCCCS, or costs and expenses of the Division's contract with AHCCCS to which exception has been taken by AHCCCS, must be retained by the Division for a period of ten years after the date of final disposition or resolution thereof. [See 42 CFR 438.3(U)].