



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number: 13-14

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
ASSISTANT DIRECTORS OF ADMINISTRATION/FINANCE OFFICERS
DEPUTY / ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

FROM: *Rosemary Malone* ROSEMARY MALONE, EXECUTIVE DIRECTOR

RE: ECMS RECORD RETENTION GUIDELINES

PROGRAM AFFECTED: ALL PROGRAMS

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

All local departments are now using the OnBase document imaging system and are experiencing its many benefits. This Action Transmittal provides additional guidance for electronic document retention for the Family Investment Administration's (FIA) programs and associated Medical Assistance programs.

Maryland Commercial Law Code Annotated § 21-111 provides that an electronic record satisfies the retention requirement, if the electronic version is accurate and remains accessible for later reference.

ACTION REQUIRED:

What to Scan

1. Scan all customer documents, including any paper applications and the Rights and Responsibilities form.
2. Scan all customer verification.
 - a. **Do not retain or shred any of the customer's original documents in a paper case record. Return them to the customer after scanning them.**
 - b. This includes copies of birth certificates; marriage licenses, divorce decrees, and other documents that the customer provided for the paper case record.

What to Retain in Hard Copy

1. Retain any documents that pertain to an appeal/fair hearing, administrative hearing; court ordered audit, disqualification or intentional program violation (IPV) decision.
 - a. Send the paper copies of Fair Hearing requests (appeal forms) to the Office of Administrative Hearings (OAH). Scan the hard copy of the appeals form into OnBase prior to sending it to OAH.
 - b. The procedure for providing hardcopies of the hearing information to the customer and Administrative Law Judge (ALJ) has not changed.
2. Retain the original signed hard copy of the DHR-312 Vendor Payment form after scanning it into OnBase. Send the hard copy to Finance to process for payment.

Retention Schedules

The standards established for retaining hard copies of case records and their contents apply to retaining electronic documents within the OnBase system. FIA staff must follow the schedules for FIA as well as for DHMH as they apply to the retention of associated medical assistance program documents. For Long Term Care MA cases, the documents must be retained for a minimum of 6 years.

Intentional Program Violation (IPV) should not be retired. Each IPV penalty builds on the prior penalty (with the exception of the 10 year and permanent penalties) and the documentation needs to be there to justify the action being taken.

FIA Electronic Retention Schedule

COMAR 07.07.07 (Record Retention) provides for retaining DHR records for the following periods:

- A. Three years from the closing of the case
- B. At the time of closing of any pending audit covering the records
- C. Three years after the latest federal tax refund offset; or
- D. Five years after a child support payment has been remitted to the Comptroller as abandoned property

DHMH Electronic Retention Schedule

The basis for the LTC retention is the DHR/DHMH Memorandum of Agreement.

The Medical Assistance programs scan records to Maryland State Archives standards.

- A. Retain hard-copy for one year, and then destroy.
- B. Retain all electronic records in secure files for six years and until audit requirements are satisfied (may exceed 6 years in an audit), then destroy.

Please refer to the attachment with the required retention schedule for all case records and documents

ACTION DUE: Upon receipt

INQUIRIES:

Please direct questions regarding this AT to Jeanne Cooper at 410-767-7116 or jeanne.cooper@maryland.gov or Victoria Rideout at 410-767-4037 or victoria.rideout@maryland.gov.

**Family Investment Administration
Guide for the Retention of Electronic Documents**

Cases with associated to Medical Eligibility*	Retention Schedule
All Medical Assistance Applications and Redeterminations	<p>*Retain all documents for Medical Assistance Cases for six (6) years.</p> <p><i>(If there is an associated MA case with the FIA cases—all documents related to the associated programs must be retained for 6 years)</i></p>
Form letters	
Notices	
Verification	
Medical Documentation	
Correspondence	
Documents used to establish, delete, correct or maintain medical eligibility	
Legal Documents	Retention Schedule
Fair Hearing/Appeal Documents	<p>All legal documents remain a permanent part of the record. DO NOT PURGE</p>
Administrative Subpoena	
Attorney Correspondence	
Attorney Representation	
Birth Certificates	
Child Custody Order/Adoption Decree	
All information related to an Intentional Program Violation or welfare fraud finding	
Marriage License	
Name Change Decree	
Power of Attorney	
Referrals	
Social Security Cards	
Immigration Documentation	
Mistaken Identity Claim Letter	
Correspondence/No Associated MA Programs	Retention Schedule
Authorization to Release Information	3 years
Appointment Letters	3 Years
Change Form (491)	3 Years
Closing Letter from Other State	3 Years
Community Action Letter	3 Years
Correspondence- <i>Custodial Parent General</i>	3 Years
Correspondence-from Govt. Agency (dependent upon content may be permanent)	3 Years
Customer Notes	3 Years
Employer Correspondence	3 Years
Employee Termination	3 Years
Military Correspondence (dependent upon content may be permanent)	3 Years
Quality Control (request to disagree, federal disagrees)	3 Years
Request For Information (1052)	3 Years
Returned Mail	18 Months

Third party permission	3 Years
Verification Receipts	18 Months
X02 Decision Letter	6 Years
FISCAL /No Associated MA Programs	
Retention Schedule	
FIA Overpayment or until paid if on recoupment	3 Years
Intentional Program Violation (IPV)	PERMANENT-DO NOT PURGE
FIA Vendor Form	3 Years
DHR 312 Vendor Payment	3 Years
Authorization For Reimbursement of Interim Assistance (Form 340)	Retain until the SSI decision has been made or the customer begins to receive SSI
Verification/ No Associated MA Programs	
Address Verification	18 Months
Deficit Budget Form	18 Months
Employment Letter /Paystubs	3 Years
School Verification Documents	18 Months
Child Support/Alimony	18 Months
Day Care	18 Months
Health Insurance Premium	18 Months
Shelter	18 Months
Utility	18 Months
Bank Statement	18 Months
Burial	PERMANENT-DO NOT PURGE
Investments	PERMANENT-DO NOT PURGE
Life Insurance Policy	PERMANENT-DO NOT PURGE
Misc. Assets	PERMANENT-DO NOT PURGE
Real Estate	PERMANENT-DO NOT PURGE
Trust Funds	PERMANENT-DO NOT PURGE
Vehicles	3 Years
Disability Verification (such as FIA-500)	3 Years
Redeterminations/ No Associated MA Programs	
Retention Schedule	
CIF Redet	18 Months
6-Month Benefit Review Form	18 Months
Other Redet Form	18 Months
Medical Assistance Redeterminations	6 Years
Agreement /No Associated MA Programs	
Retention Schedule	
WAG	18 Months past the end of the WAG
EA	18 Months
Representative Payee	18 Months past the end of the agreement
Work Program/ No Associated MA Programs	
Retention Schedule	
Conciliations/Sanctions	Permanent
Family Independence Plan	Permanent
Incentive Information	18 Months
Assessments	Permanent
Timesheet	3 Years

Vendor Referral	3 Years
Work Program Letter	3 Years
Work Schedule	3 Years
Referral Documents/ No Associated MA Programs	Retention Schedule
EBT Referral	18 Months
Community Referral	18 Months
Domestic Violence	PERMANENT –DO NOT PURGE
Informal Child Care Provider	3 Years
Formal Child Care Provider	3 Years
Office of the Inspector General (OIG)	PERMANENT –DO NOT PURGE
Service Referral	3 Years
Substance Abuse/screening	3 Years
Long Term Care Documents	Retention Schedule
Allowance Worksheet	All LTC Documents remain a permanent part of the record. DO NOT PURGE
Consent to Release Info	
Cost of Care/Available Income	
Disenrollment or discharge	
Eligibility Notes	
Excess Resources Reimbursement	
Home Equity Value	
Income and Shelter Expense	
Info to Verify Eligibility	
Joint Bank Account Ownership	
Less than 30 Day Stay	
Lien Information	
Life Insurance Information Request	
LTC Patient Activity	
MMIS Information	
Non-covered Services Request	
Physician Documents	
Representative’s Statement	
Resource Consideration in Continuing Eligibility	
Resource Evaluation for Married Couples	
Review MA Eligibility for SSI	
LTC Redet	
Statement of Intent	
Transfer/Disposal of Assets	
Trust/Document Review	