

Department of Public Health
and Human Services

Section:
CASE MANAGEMENT

FAMILY RELATED MEDICAID

Subject:
Case File
Retention/Archive/Deconstruction

Supersedes: TANF, FMA, and MA 1510-1 (01/01/04); FS (04/01/04)

► **References:** 7 CFR 272.1(f); 42 CFR 431.17(c) and ARM 37.78.102, ARM 37.82.101

GENERAL RULE—Accurate case files must be maintained to ensure all required documentation is available for future reference in accordance with State and Federal regulations. At the same time, files must be maintained to eliminate unnecessary documents and allow the files to be of a manageable size. When case files become an unmanageable size separate volumes may need to be created and stored as a local archive. To reduce postage costs **large case files must be evaluated and reduced prior to case transfer or other mailing.**

NOTE: **Closed case files must also be evaluated and documents destroyed as allowed by policy.**

PRIMARY ORIGINAL RECORDS Primary original records must be retained for three full **federal fiscal years** (e.g., October 1, 2002 through September 30, 2005). Some documents must be retained longer as indicated later in this manual section.

Primary original records are original information:

1. Generated or created during the application or maintenance process; and,
2. Not otherwise easily retrieved (e.g., application, budget sheets used to determine manually calculated overissuance amounts, etc.).

PERMANENT RECORDS Documents listed as filed in the permanent records section of the case file (see section 1511-1 “Case File Organization”), which are **not otherwise listed in this section**, must be retained for three federal fiscal years from the date the case **closed**. (See above for federal fiscal year span.)

NOTE: Some items in the permanent records section are not to be destroyed even after three federal fiscal years of closure.

OTHER RECORDS Other materials containing information relative to eligibility for food stamps, Medicaid or TANF, that are not mentioned elsewhere in this section, must be summarized and recorded on the appropriate system screens **and** in system case notes. If a hard copy is provided it should be

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copied and included in the case record after being coded with an “**HC**” (**hard copy**) **verification** code. For those documents that were viewed but are no longer available, a “VV” (Visual verification) code should be used.

When either “**VV**”(visual verification) or “**CS**” (client statement) are used as the verification code the summary in system case notes should include **complete** details such as (but not limited to) identification of material and content (i.e., date, check number, receipt number, dollar amounts, signatory).

When the **HC verification** code is listed on the system for income, resource or expense/deduction, the verification must be kept in the file for three federal fiscal years from date of receipt.

NOTE: It is a best practice to retain **resource and income** verification that is not readily obtained by the recipient (i.e., trust funds, contract for deeds, life estates, annuities, retirement accounts, etc.) for three federal fiscal years after case **closure**.

RECORDS RETAINED FOR THREE YEARS

Documents not otherwise mentioned in this manual section, (**state forms, non-professional screening and assessments, etc.**), are retained three full federal fiscal years from the date of receipt and then destroyed.

MOST RECENT COPY RETAINED

The most recent copy of the following documents must be retained even if more than three years old documents. They can be destroyed three federal fiscal years after date of **program closure**.

1. Application for **each** program.



NOTE: When an adding a new member form (HCS-261A) is used to add an adult to a TANF or Medicaid case and when a redetermination/recertification form (HCS-272) is used to add a new Medicaid involvement unit, they must be retained as if they were an application.

2. Child support referral (HCS/CS-332) for **each** absent parent;
3. Authorization to release information/confidentiality forms for **each** adult (including but not limited to: HCS-101, -102 and -103);

NOTE: When an authorization to release information form is used to collect **medical information** to determine eligibility or benefit amount for any program, both the

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form and the information obtained by using the form must be retained.

- 4. Rights and Responsibilities Form (if signed by the household);
- 5. TANF Direct Deposit Form (HCS-179);
- 6. TANF Cash Assistance Payment Selection Form (HCS-180);
- 7. Notice of Use of Protected Health Information (HPS-400);
- 8. Redetermination/Recertification form used, as if it were an application for a Medicaid involvement;
- ▶ 9. Adding a new member form (HCS-261A) used, as if it were an application, to add an adult to a TANF or Medicaid case;
- ▶ 10. Signed Family Investment Agreements (FIA's); and
- ▶ 11. All verifications relating to TANF time clock concerns including but not limited to out-of-state TANF months and retroactive time clock adjustment requests.

RECORDS RETAINED FOR PENDING CONCERN

Primary original records related to the following situations must be for the duration of the concern.

- 1. Open fraud or IPV investigation;
- 2. Current litigation;
- 3. Open audit;
- 4. Open over-issuance claim; and,
- 5. Conditional Assistance (Agreement to Sell Property)

NOTE: Documents supporting an over-issuance claim or Conditional Assistance (Agreement to Sell Property HCS-97) must be retained for three federal fiscal years **after** the debt has been paid in full or **after** the recipient has died.

▶ TANF RECORDS RETAINED INDEFINITLY

Screening guides and assessment reports completed by outside agency professionals (i.e., the domestic violence screening guide can be purged after three years but an assessment from Vocational Rehabilitation would be retained indefinitely)

MEDICAID RECORDS RETAINED AFTER DEATH

Destruction of the following documents is dependent on date of death:

Resource assessments (HCS-457) and all connected documentation must be retained for three federal fiscal years after the **death of one spouse**.

Estate Recovery for Nursing Home Residents (HCS-120) and **Real Property Liens for Nursing Home Residents** (HCS-121) must be

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retained for three federal fiscal years after the **death of the recipient** regardless of whether or not there is a surviving spouse.

**RECORDS
DESTRUCTION**

After the local OPA has identified materials to be destroyed, the materials must be:

1. shredded; **or**,
2. burned; **and**,
3. destruction must be witnessed by an authorized DPHHS employee as determined by the Office of Public Assistance County Director.

TEAMS POLICY

TEAMS data archiving and purging/destruction policy is contained in a separate document and is the responsibility of the TEAMS system contractor.

**RECORDS
STORAGE**

Case records must be safeguarded. Each employee responsible for records should use reasonable diligence to protect them and to prevent disclosure of information they contain. Reasonable diligence includes storing records in a secure place (locked file or room) when the office is closed, keeping records filed and not left where casual visitors might have access to them and keeping records in the office except when authorized to remove or transfer them.

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Destruction Guidelines

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Return to Client or Destroy	Retained for three full federal fiscal years from <u>date of receipt</u>	Retained for three full federal fiscal years from <u>date of closure</u>	Retained TANF doc. Indefinitely
Income or resource verification that is easily obtainable by client and coded on TEAMS with a VV (Visually Verified) verification code.	Income or resource verification that is not easily obtainable by client and coded on TEAMS with an HC (Hard Copy) verification code.	Permanent records not listed elsewhere on this chart such as: Soc. Sec. Card, SSN Application, Birth Certificate, Custody Documents, Divorce/Separation Documents, Indian Enrollment Card, Marriage Certificate, Medicare Cards, and, Alien documents. ** All are not "required". Please follow program policy.	Screening guides and assessment reports completed by outside agency professionals (e.g., assessment from Vocational Rehabilitation)
	If a hard copy is provided, PLEASE maintain the document in the file and code it HC regardless of how easy it is to obtain a copy.		
	Non-professional screenings and assessments. (e.g. domestic violence screening guide)		
	<u>ALL State Forms</u> including those listed in "Retain most recent copy" column.		

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Retain for pending concern	***Retain most recent copy (Destroy 3 fed. fiscal yrs. after prog. closure.)	Retain until death- either spouse	Retain until death - recipient
Primary original records pertaining to any of the following: **Open Fraud or Intentional Program Violation (IPV) Investigation; **Current Litigation; **Open Audit; **Open Over Issuance Claim; or, **Conditional Assistance (Agreement to Sell Property HCS-97)	Authorization to Release Information (HCS 101, 102, 103)	Resource Assessment (HCS 457)	Estate Recovery for NH Residents (HCS 120);
	Application for each prog. currently open regardless of how old the app. is. (>NOTE: When a rede/recert form is used to add a Medicaid involvement, the form should be retained as if it were an application.)		Real Property Liens for Nursing Home Residents (HCS 121)
<u>NOTE-For open or closed cases-</u>	Notice of Use of Protected Health Information (HPS 400)		
<i>Documents supporting an over-issuance claim or Conditional Assistance (Agreement to Sell Property) must be retained for three federal fiscal years after the debt has been paid in full or after the death of the recipient.</i>	TANF Direct Deposit		
	Rights and Responsibility		
	Child Support Referral for each child		
	TANF Cash Assistance Payment Selection Form (HCS180)		
	Adding new HH member form (HCS-261A) when the new member is an adult.		
	Signed Family Investment Agreement (FIA)		
	All verifications relating to TANF time clock concerns including but not limited to out-of-state TANF months and retroactive time clock adjustment requests.		
*** The most recent copy and all copies less than 3 years old must be retained as long as the case is open. Then can be destroyed 3 federal fiscal years from the date of closure.			