


<b>COMPLIANCE</b>	 From DentaQuest			
	<i>Policy and Procedure</i>			
	Policy Name:	<b>Record Retention Management</b>	Policy ID:	<b>PLANCG-72</b>
	Approved By:	Courtney Barnes Ransom, Head of Risk Management, Ethics & Compliance	Last Revision Date:	7/12/2023
	States:	Oregon	Last Review Date:	12/28/2023
Application:	Medicaid	Effective Date:	12/29/2023	

## PURPOSE

This policy addresses the maintenance, use, retention, and destruction of business records and information. Business records include, but are not limited to, all types of paper, microfilm, CD, optical disk, magnetic tapes, diskettes, emails, scanned documents, electronic files, and other documents. It also addresses the responsibilities of the various departments throughout the DCO to ensure proper retention of records.

## POLICY

It is DCO policy to retain and preserve documents and records in accordance with state and federal laws governing record retention. As a comprehensive records management program is a key element in the DCO's preventive legal strategy, this policy balances the cost and benefits of continued information retention versus the risk and liability of disposal. The policy provides for the identification, protection, and storage of vital records; the fast and efficient retrieval of business records; and the systematic disposition of information in the normal course of business.

## REFERENCES

- 42 CFR §438.602(e)
- 42 CFR §438.3(h)
- 42 CFR §455.21(a)(2)
- 42 CFR §431.107(b)(2)

## DEFINITIONS

- **“Business Records”** means recorded information, regardless of the medium (including paper and electronic records of any kind), made or received that is used in company operations. Business records must be retained for specified periods of time to satisfy legal, operational, contractual, fiscal, or historical requirements.
- **“Records Management”** means the planned and systematic control of all hard copy or electronic corporate business records from their creation through final disposition (either destruction or retention).
- **“Records Retention Schedule”** means a standard list of titles that defines the length of time for which a business record is maintained by an organization. It also determines if and when a hard copy business record will transfer to the Records Retention Center for inactive storage. Each department is responsible for ensuring proper retention of its area's business

records based on its master Records Retention Schedule, which must, at a minimum, meet the requirements of the General Retention Periods set forth in this policy.

- **“Vital Record”** means an item or information that is needed by an organization to establish, conduct, or continue business. It is also an item that if lost, the information could not be obtained from another source inside or outside the company, and you would be unable to conduct business without it.
- **“Advantage Dental Services” or “DCO” or “Entity”** includes the corporate Advantage Dental Services parent organization and all of Advantage Dental Services’ subsidiary entities.

## PROCEDURE

Record Retention Schedules are sometimes required by federal or state statutes or regulations that mandate retention periods.

**A. Proposing a Retention Period.** Hard copy documents are reviewed in the specific department that owns or generates them and, after their value has been determined, the Compliance department, in conjunction with Legal, will categorize them into functional groups.

1. *Government Health Programs.* Due to the specific requirements governing retention of Medicare, Medicaid, and Qualified Health Plan (QHP) business records, it is important that such records be clearly marked and identified as government health plan records.
2. *Categorizing Records.* Using information received from the department as well as applicable laws and regulations, Compliance/Legal researches and proposes a retention period for each group. Records are grouped functionally, and a description and purpose of the grouping is recorded in the Schedule.
3. *Record Type.* The Records Retention Schedule identifies the type of storage media to be used to retain all business records, notes, and any special instructions (e.g., who is responsible for disposing of the business records). The retention schedule also identifies vital records and associated off-site storage requirements.

**B. Approving a Retention Period.** The proposed Records Retention Schedule is reviewed by the department involved and representatives from the Legal and Compliance departments. Legal is ultimately responsible for determining the minimum legal retention periods required for each business record type.

1. *Retention Period.* The retention period indicates the amount of time the business record should be maintained in the department and/or in the Records Retention Center. Retention periods assigned to a business record are applied consistently without regard to the format used (i.e., paper copy and electronic media).

**C. Records Maintenance and Audit Rights.** The DCO will maintain and require its subcontractors, including its participating providers, to maintain appropriate records relating to the DCO’s performance, services, activities, or work for its clients, government health programs and program integrity functions. The DCO’s clients, CMS, Medicaid Fraud Control Unit (MFCU), the Office of the Inspector General, the Comptroller General, and their designees, have the right, at any time, to inspect and audit any records or documents of the DCO or its subcontractors, and, at any time, to inspect the premises, physical facilities, and equipment where activities or work related to delegated services is conducted. The records include, but are not limited to:

1. *Member Services.* The DCO will make available all records related to services rendered to members and enrollees, and quality, appropriateness, and timeliness of such service.
2. *Financial Records.* All relevant financial records and statistical data that the DCO's clients, government health programs, and any other authorized governmental agency may require, including books, accounts, journals, ledgers, and all financial records relating to capitation payments, third party health insurance recovery, and other revenue received. Appropriate financial records to document fiscal activities and expenditures, including records relating to the sources and application of funds and to the capacity of the DCO or its subcontractors, including its participating providers, if applicable.
3. *Fraudulent Activity.* All documents concerning provider or enrollment fraud. The DCO, its subcontractors and providers will produce all records, documents, or other confidential data requested as part of such inspection, review, audit, investigation, monitoring or evaluation. Copies of records and documents, which include but are not limited to financial records, dental records, and billing records will be made at no cost to the requesting agency.
4. *Subcontractor Agreements.* The DCO will maintain appropriate records identifying every contract with a subcontractor, including all agreements arising out of said subcontract.
5. *Claims Reporting System.* The DCO will provide the requesting agency with the capability to access accurate, timely, and complete confidential data, including any record of a paid claim or encounter, or a denied claim or encounter. Upon request, the DCO, its subcontractors, and providers will provide and make staff available to assist in such inspection, review, audit, investigation, monitoring or evaluation, including the provision of adequate space on the premises to reasonably accommodate the requesting government agency, MFCU or other State or federal agencies.
6. *Audit Timeframe.* The right to inspect and audit any records or documents of the DCO, its subcontractors and providers shall extend for a period of ten (10) years from the final date of the client contract period or from the date of completion of any audit, whichever is later.

**D. Storage Fees.** In accordance with its Records Retention Schedule, the DCO will be responsible for all storage fees associated with all records maintained to comply with client contractual requirements. The DCO is also responsible for the destruction of all records that meet the retention schedule requirements pursuant to client contracts and internal records maintenance processes.

**FORMS AND OTHER RELATED DOCUMENTS**

- Advantage Dental Services Records Retention Schedule

***Revision History***

Date:	Description
5/1/2012	Policy origination
1/23/2019	Conversion to updated policy format and naming convention
4/2/2019	Operational updates
11/10/2020	DCO Compliance Committee approval

10/5/2021	Updated based on annual review.
12/31/2022	Updated based on annual review.
9/12/2023	Updated based on CCO Audit findings.
7/12/2023	Updated based on annual review.