




United Behavioral Health

<b>Record Retention</b>		<b>Policy Identifier/Number:</b> AD-19	
<b>Annual Review Completed Date:</b> January 2018			
<b>Policy Category:</b> Government – Pierce Regional Support Network	<b>Applicable Lines of Business:</b> Medicaid	<b>Entity/Plan:</b> Optum Pierce Behavioral Health Organization	<b>State:</b> Pierce County, Washington
<b>Approved by:</b> Bea Dixon, Executive Director		<b>Signature:</b> 	

**Policy Statement and Purpose**

Optum Pierce Behavioral Health Organization (BHO) is to retain records for the timeframes dictated by contract with the Washington State Department of Social and Health Services (DSHS) Division of Behavioral Health and Recovery (DBHR).

To describe Optum Pierce BHO requirements for the retention of records.

**Policy Audience and Applicability**

This policy is applicable to the Optum Pierce BHO and benefits administered through the Washington State Department of Social and Health Services (DSHS) current Prepaid Inpatient Health Plan (PIHP).

**Policy Definitions**

N/A

**Policy Provisions**

1. Optum Pierce BHO retains and maintains the content of all medical records in a manner consistent with the utilization control requirements of 42 CFR §456, 42 CFR, §434.34 (a), 42 CFR §456.111, and 42 CFR §438.
2. Such records are to be retained for 6 years following their creation or acquisition. Should the term of Optum Pierce BHO’s agreement with the Washington DSHS end or expire, records will be retained for the remainder of that six year term.
3. If any audit, claim, litigation, or other legal action involving the records is started before expiration of the 6 year period, the records are retained by Optum Pierce BHO until completion and resolution of all issues arising therefrom, or until the end of the 6 year period, whichever is later.
4. Records from individual complaints, grievances and appeals are to be kept in a location separate from the consumer’s clinical records, and will be retained until 10 years after the resolution of the issue.

Optum is responsible for adhering to all applicable state and/or federal laws governing activities within the scope of this policy, including the Mental Health Parity and Addiction Equity Act (MHPAEA ) and the Health Insurance Portability and Accountability Act (HIPAA) privacy requirements, as well as the applicable requirements, standards and regulations as set forth by the Employee Retirement Income Security Act (ERISA), the Center for Medicare and Medicaid Services (CMS), the Department of Labor (DoL), and any applicable accrediting organizations.

### **Related Policies, Procedures & Materials**

- Pierce Behavioral Health Organization policy: AD-01 *Compliance-Fraud and Abuse*
- Pierce Behavioral Health Organization policy: CR-01 *Consumer Rights and Responsibilities*
- Pierce Behavioral Health Organization policy: CR-02A *Grievance and Appeal System: Grievance Process*
- Pierce Behavioral Health Organization policy: CR-02B *Grievance and Appeal System: Medicaid Enrollee's Right to Appeal Notices of Adverse Benefit Determination*
- Pierce Behavioral Health Organization policy: CR-02C *Grievance and Appeal System: Medicaid Enrollee's Adverse Benefit Determination Notice*

### **Attachments**

N/A

### **Approval History**

- Policy created and effective: 07/2009
- Policy and Procedure Committee review and approval: 08/23/2010
- Policy and Procedure Committee review and approval: 09/26/2011
- Policy and Procedure Committee review and approval: 08/27/2012
- Policy and Procedure Committee review and approval: 12/02/2013
- Policy and Procedure Committee review and approval: 9/22/2014
- Policy and Procedure Committee review and approval: 9/28/2015
- Operational Procedures and Standards Committee reviewed and accepted: 12/26/2016
- Optum Pierce BHO reviewed and accepted: January 2018