



DEPARTMENT OF HUMAN SERVICES
LONG TERM SERVICES AND SUPPORTS

RECORDS RETENTION AND
DESTRUCTION SCHEDULE

State of South Dakota

Bureau of Administration

Records Management Program

(605) 773-3589



DEPARTMENT OF
EXECUTIVE MANAGEMENT

BUREAU OF
ADMINISTRATION

PBM 01234

RECORDS MANAGEMENT PROGRAM
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Phone: (605) 773-3589

MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer
State Records Manager

SUBJECT: **Records Retention and Destruction Schedule Manual**

DATE: August 22, 2017

In 1967, the South Dakota Legislature established the Records Management Program and the Records Destruction Board. In the same act, the Legislature required every State agency to develop a records retention and destruction schedule and declared that “No record shall be destroyed or otherwise disposed of by any agency of the State unless it is determined by majority vote of such board (Records Destruction Board) that the record has no further administrative, legal, fiscal, research or historical value.”

According to Administrative Rule 24:52:11:01, any State government agency planning to destroy agency records shall notify the State Archivist 30 days before the date of the proposed destruction. The request shall include the name or title of the records, inclusive dates, information content of the records, and quantity. This rule applies to all records, including those granted exclusive or continuous disposal authorization by the Records Destruction Board, with the following exceptions: vouchers, original and copies, and supporting documents; warrants, original and copies, multiple copies of State publications stored in bulk; obsolete blank forms; photocopies of computer printouts; and original copies of records that have been legally reproduced under the provisions of SDCL 1-27-4.

The State Archivist has 30 days to certify that the records have no permanent value and may be destroyed, or to make arrangements to transfer the records to the archives. If the Archivist fails to make a recommendation within this time, the records may be destroyed, provided that the agency has received authorization from the Records Destruction Board.

Finally, if you have any questions about implementing this manual or about your records in general, please contact Records Management at 773-3589. We will welcome an opportunity to discuss the proper implementation of sound records management practices.

PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Deborah Bowman (name), acting in my position as the Secretary of the Department of Social Services (title), request that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Department of Social Services (department) consists of 108 pages and contains record series number(s) DSS-1 (consecutively re-numbered) through DSS-173.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

Authority is also requested to delete "Records Retention and Destruction Schedule" Authorization of the Department of Social Services (department) record series numbers(s) SOC-1, SOC-4, SOC-6 thru SOC-15, SOC-17, SOC-18, SOC-20 thru SOC-45, SOC-48, SOC-49, SOC-51 thru SOC-55, SOC-57 thru SOC-59, SOC-61, SOC-63 thru SOC-67, SOC-154, SOC-131, SOC-133 thru SOC-137, SOC-142 thru SOC-147, SOC-149 thru SOC-151, SOC-153, SOC-410, SOC-158 thru SOC-161, SOC-82 thru SOC-84, SOC-327, SOC-85, SOC-108, SOC-86 thru SOC-89, SOC-109, SOC-90, SOC-110, SOC-91 thru SOC-97, SOC-111, SOC-98 thru SOC-100, SOC-329, SOC-101, SOC-113, SOC-114, SOC-102, SOC-115, SOC-330 thru 332, SOC-103 thru SOC-107, SOC-117, SOC-118, SOC-423, SOC-119 thru SOC-122, SOC-328, SOC-124 thru SOC-126, SOC-128, SOC-162, SOC-164 thru SOC-166, SOC-169, SOC-407, SOC-170, SOC-401, SOC-171, SOC-172, SOC-409, SOC-173, SOC-175, SOC-177, SOC-408, SOC-78, SOC-79, SOC-80, SOC-178, SOC-181, SOC-434, SOC-183, SOC-431, SOC-186, SOC-430, SOC-418, SOC-228, SOC-230, SOC-231, SOC-233, SOC-234, SOC-240, SOC-241, SOC-403, SOC-245 thru SOC-250, SOC-436, SOC-189 thru SOC-191, SOC-193, SOC-195, SOC-196, SOC-200, SOC-202, SOC-203, SOC-205 thru SOC-207, SOC-209 thru SOC-212, SOC-215, SOC-216, SOC-218, SOC-220 thru SOC-223, SOC-270, SOC-275, SOC-276, SOC-279, SOC-286, SOC-253 thru SOC-256, SOC-259, SOC-268, SOC-257, SOC-258, SOC-260, SOC-262 thru SOC-267, SOC-308, SOC-310 thru SOC-314, SOC-317 thru SOC-319, SOC-321 thru SOC-324, SOC-326, SOC-422, SOC-433, SOC-287, SOC-288, SOC-294 thru SOC-296, SOC-302, SOC-334 thru SOC-336, SOC-338, SOC-340, SOC-405, SOC-341 thru SOC-343, SOC-345 thru SOC-350, SOC-352 thru SOC-354, SOC-357 thru SOC-360, SOC-362, SOC-364, SOC-365, SOC-368 thru SOC-371, SOC-373 thru SOC-381, SOC-383 thru SOC-391, SOC-393, SOC-394, and SOC-396 thru SOC-399.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.


Deborah Bowman, Secretary of the Department of Social Services

12/17/07
Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.


Dana Hoffer, State Records Manager

12/17/07
Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 18th day of December, 2007, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.


Signature, Chairman of the Board

12-18-07
Date

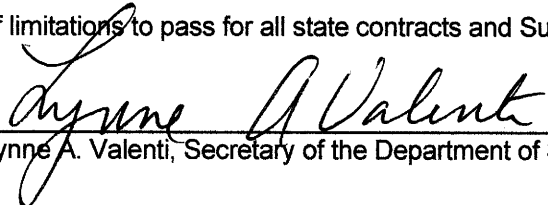
PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Lynne A. Valenti (name), acting in my position as Secretary of the Department of Social Services (title), requests that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Department of Social Services (department) consists of 1 page and contains record series number(s) DSS-74.1.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Lynne A. Valenti, Secretary of the Department of Social Services

11/9/15

Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.



Dana Hoffer, State Records Manager

11-24-2015

Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 16th day of December, 2015, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Signature, Chairman of the Board

12-16-15

Date

South Dakota Codified Laws:

1-27-1. Public records open to inspection and copying. Except as otherwise expressly provided by statute, all citizens of this state, and all other persons interested in the examination of the public records, as defined in § 1-27-1.1, are hereby fully empowered and authorized to examine such public record, and make memoranda and abstracts there from during the hours the respective offices are open for the ordinary transaction of business and, unless federal copyright law otherwise provides, obtain copies of public records in accordance with this chapter.

Each government entity or elected or appointed government official shall, during normal business hours, make available to the public for inspection and copying in the manner set forth in this chapter all public records held by that entity or official.

1-27-1.1. Public records defined. Unless any other statute, ordinance, or rule expressly provides that particular information or records may not be made public, public records include all records and documents, regardless of physical form, of or belonging to this state, any county, municipality, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee of any of the foregoing. Data which is a public record in its original form remains a public record when maintained in any other form. For the purposes of §§ 1-27-1 to 1-27-1.15, inclusive, a tax-supported district includes any business improvement district created pursuant to chapter 9-55.

1-27-9. Records management programs--Definition of terms. Terms used in §§ 1-27-9 to 1-27-18, inclusive, mean:

(2) "Record," a document, book, paper, photograph, sound recording, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of records as used in §§ 1-27-9 to 1-27-18, inclusive.

1-27-11. Board to supervise destruction of records--State records manager as ex officio member--Permission required for destruction. There is hereby created a board consisting of the commissioner of administration, state auditor, attorney general, auditor-general, and state archivist to supervise and authorize the destruction of records. The state records manager shall also serve as an ex officio member in an advisory capacity only. No record may be destroyed or otherwise disposed of by any agency of the state unless it is determined by majority vote of the board that the record has no further administrative, legal, fiscal, research, or historical value.

1-27-15. Destruction of non-record materials. Any non-record material not included within the definition of records as contained in § 1-27-9 may be destroyed at any time by the agency in possession of such materials without the prior approval of the commissioner of administration.

Definitions:

Superseded: To take the place of; replace.

Obsolete: No longer in use.

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STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Human Services
DIVISION: Long Term Services & Supports
OFFICE: _____
PROGRAM: _____
RECORDS OFFICER: Melinda Flesner
RM CUSTOMER #: 0132

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
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This manual for the Division of Long Term Services and Supports was created by Records Management as a result of Executive Reorganization Order No. 2017-01. The Division of Adult Services and Aging under the Department of Social Services was transferred to the Department of Human Services.

DSS-67. ADMINISTRATIVE REFERENCE FILES:

07-063

This series may be arranged by subject matter and contains information used in the daily administration of the program or office. Information may include, but is not limited to: budget; equipment; inventory; legislation; organization/association; property management information; monthly reports; policies and procedures; reference manuals; logs; rules and regulations; mailing lists; general correspondence; and any other related information. This record series is maintained for reference purposes.

RETENTION: FEDERAL CORRESPONDENCE: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

ALL OTHER INFORMATION: Retain current in office. Destroy superseded or obsolete.

(Note: Cull files on a yearly basis to avoid build-up of superseded or obsolete materials.)

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DSS-68. ADVISORY COUNCIL MINUTES:

07-063

This series is filed chronologically and contains the official minutes and attachments of the South Dakota Advisory Council on Aging. The council meets three times yearly. The original minutes are maintained in the office for reference and historical purposes.

RETENTION: Retain in office for 10 years, then transfer to State Archives for final disposition.

(Note: Previous record series number was SOC-404.)

DSS-69. APPLICATIONS, ADVOCACY ASSISTANCE:

07-063

This series is arranged by district and Adult Services & Aging Specialist and contains information used to document the Department's need to provide advocacy services for various individuals. Information may include: applications, need assessments, client data, and other related information. This record series is used to document approval received for the state's advocacy program.

RETENTION: Retain 6 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was SOC-179.)

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DSS-70. CASE FILES, MEDICAL REVIEW TEAM:

07-063

This series is arranged alphabetically by nursing home, then patient. Information may include: MDS, medical/nursing data, patient records, and other related data. These files are used by the Medical Review Team to evaluate the care each client is receiving, and to determine if a different level of care is necessary. This record series is maintained pursuant to 45 CFR CH. II 205.60.

RETENTION: Destroy 6 years after inactive provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was SOC-392.)

DSS-71. CASE-MIX ASSESSMENT REPORTS:

07-063

This series contains assessments on residents who live in nursing facilities. Information may include: the client name, assessment criteria, assessment results, and comments. This record series is maintained to evaluate the classification of a resident in which Medicaid reimbursement rates are then established.

RETENTION: Retain 6 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was SOC-182.)

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DSS-72. CLIENT ASSESSMENT FILES:

07-063

This series is arranged chronologically and contains monthly and quarterly assessments on clients. Information may include: name of client, assessment criteria, assessment results, and comments. This record series is used to evaluate the progress clients have made and for reporting purposes.

RETENTION: Destroy 6 years after inactive provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was SOC-180.)

DSS-73. DRUG UTILIZATION REVIEW FILES:

07-063

This series is arranged chronologically by month and contains Drug Utilization Forms completed by Medicaid providers including Physicians and Pharmacies. Information may include: case number, provider number, patient's ID, patients name, medical diagnosis, prescription drugs, and correspondence. This record series is maintained for administrative and reference purposes.

RETENTION: Retain 6 years, then destroy.

(Note: Previous record series number was SOC-421.)

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DSS-74. GRANTS AND STATE PLANS:

07-063

This series is arranged by grant or state plan and contains information used for application, administration, monitoring, and reporting of the grants and state plans administered by the department. Information may include: state plans, amendments and updates to state plans, application materials, correspondence, RFP's, attachments, surveys, federal review materials, and grant awards. This record series is maintained for audit purposes.

RETENTION: STATE PLAN: Retain current in office. Destroy superseded or obsolete.

ALL OTHER INFORMATION: Retain 6 years, then destroy provided 3 years have passed since the date of the submission of closure of the single audit report, which covers the grant period; and provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

DSS-74.1. GUARDIAN CONSERVATOR CASES:

15-012

This series is arranged alphabetically by consumer's last name and contains information relating to the guardianship and/or conservatorship cases involving the Department of Social Services, Division of Adult Services & Aging. Information may include: names of parties involved, court orders, motions, reports, medical information, investigation reports, and other related information. This record series is used to document guardianship and/or conservatorship cases involving the Department of Social Services, Division of Adult Services & Aging.

RETENTION: Retain 1 year in office after case has been closed, then transfer to storage for 4 years. Destroy after 5 years of closing provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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DSS-75. OMBUDSMAN FILE:

07-063

This series is arranged alphabetically by name of institution and contains documentation on complaints received concerning nursing homes and other facilities regulated by the program. Information may include: name of facility, nature of the complaint, investigation results, and conclusions. This record series is maintained to document the results of all investigations.

RETENTION: Destroy 6 years after inactive.

DSS-76. PERFORMANCE REPORTS, PROGRAMS:

07-063

This series is arranged chronologically and contains copies of program performance reports. Information may include: staffing data, financial data, meal statistics, Title III, Title IIIC programs, and other related reports. This information is required for audit, and reporting purposes and statistical reference.

RETENTION: Retain 4 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was SOC-187.)

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DSS-77. PRE-ADMISSION ASSESSMENT:

07-063

This series contains the results of assessments on persons requesting admission to a nursing facility. Information may include: the client name, client demographics, and Department recommendation for services. This record series is used to build a profile of client needs and to plan for future services needs for older Americans in the State. This series also contains status reports of clients after they enter a facility for a short period.

RETENTION: Destroy 6 years after inactive.

(Note: Previous record series number was SOC-188.)

DSS-78. PROGRAM REPORTS:

07-063

This series is arranged chronologically and contains information concerning the administration of nutrition, transportation, adult daycare and homemaker services. Information may include: correspondence, and quarterly reports. This record series is maintained to document the administration of grants and annual negotiated contracts.

RETENTION: Retain 4 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was SOC-184.)