



BOARD OF
MASSAGE THERAPY

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: December 22, 2016

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, Kim Malsam-Rysdon (name), acting in my position as Secretary of the Department of Health (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 Board of Massage Therapy (department) consists of 19 pages and contains record series number(s) BMT-1 (consecutively numbered) through BMT-34.

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 Board of Massage Therapy (department) record series numbers(s) MAS-11.

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.

Kim Malsam-Rysdon
Kim Malsam-Rysdon, Secretary of the Department of Health

11/4/16
Date

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

Dana Hoffer
Dana Hoffer, State Records Manager

12-1-2016
Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 20th day of December, 2016, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.

Steven J. Byers
Signature, Chairman of the Board

12-20-16
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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(Std Form RM-1 Rev 1/03)

DEPARTMENT: Health
DIVISION: Boards
OFFICE: Massage Therapy
PROGRAM: _____
RECORDS OFFICER: Kari Williams
RM CUSTOMER #: 0003

RECORD
SERIES NO. **TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE**

R.D.B.
AUTHORITY
NUMBER

BMT-1. **ADMINISTRATIVE REFERENCE FILES:**

16-012

This series contains information used in the daily administration of the Board. Information may include, but is not limited to: equipment, inventory, mailing lists, monthly reports, research materials, reference manuals, rules and regulations, property management information, logs, and other related information. This record series is maintained for reference purposes.

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 Destroy superseded or obsolete.

(Note: Review files on a yearly basis to avoid build-up of superseded or obsolete materials.)

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BMT-2. ADMINISTRATIVE RULES PROMULGATION FILES:

16-012

This series is arranged by subject matter and contains administrative rules promulgation files. Information may include: notices of public hearings, affidavits of publication of notices, written comment from the public, transcripts of hearings, and final decisions. Files have little reference activity once the hearing has been held unless someone requests a copy of the transcript. This record series is maintained for documenting the proper promulgation of administrative rules pursuant to SDCL 1-26.

RETENTION: FINAL DECISIONS: Retain permanently in office.

ALL OTHER DOCUMENTATION: Retain in office for as long as rules are in effect, then destroy.

(Note: SDCL 1-26-7 states in part that "each agency shall keep the original records, documents, and instruments required by the chapter." There is no time frame included for these records. Since SDCL 1-26-6.8 provided that "No rule is enforceable in the courts unless properly adopted," the records must be maintained at least until a curative statute has been adopted by the Legislature similar to SDCL 1-26a-2, which cures all defects in the adoption of rules appearing in the 1974 printed ARSD.)

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BMT-3. ANNUAL REPORTS:

16-012

This series is arranged chronologically and contains the originals of all annual reports written by the Board to summarize their activities for the previous year. Information may include: number of licenses issued, number of inspections conducted (if applicable), number of violations noted, man hours, time reports, and other related information. A copy of this report is filed annually with the Department of Health. This record series is used for reference to compare activities from year to year.

RETENTION: Retain 4 years in office, then destroy.

BMT-4. APPLICATION FILES:

16-012

This series is arranged alphabetically and documents individuals applying for licensure, inactive licensure, reactive licensure, temporary permit, or licensure by reciprocity. Information may include: application, verification of education, official transcripts, and verification of licensure in another state. This record series is used to determine eligibility for licensure.

RETENTION: Transfer approved applications to respective "Licensee File".

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BMT-5. APPLICATIONS, INCOMPLETE/NON-APPROVED:

16-012

This series is arranged alphabetically and contains applications that are incomplete or otherwise not approved for license. Information may include: an application, transcripts, and verification of licensure in another state. This record series is maintained to document application work in progress pending Board action.

RETENTION: Retain 4 years in office, then scan paper and convert digital images to microfilm. Maintain digital images and microfilm for 46 years. Destroy digital images and microfilm after 50 years.

BMT-6. ASSOCIATION AND ORGANIZATION FILES:

16-012

This series is arranged chronologically and contains current correspondence and newsletters from professional associations and/or organizations to which the Board of Massage Therapy belongs. Information may include: minutes of association meetings, conference agendas, expense reports, participants names, and other State's massage therapy legislation. This record series is used for reference purposes concerning ideas and policies suggested and used by these associations.

RETENTION: Retain 4 years in office, then destroy.

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BMT-7. AUDIT REPORTS:

16-012

This series is arranged chronologically and contains Legislative Audit reports concerning the expenditure and administration of funds. Information may include: cover letters, statement of assets, revenues and expenditures, change of fund cash balances, and observations and recommendations. This record series is maintained for identifying problem areas and discrepancies so that corrective measures may be implemented.

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: Legislative Audit maintains the reports permanently.)

BMT-8. BOARD MEETING FILES:

16-012

This series is arranged chronologically by meeting date and may contain handout material and agenda items to be discussed at the next Board meeting. Information may include: date, time and location of the meeting, items under old business, items under new business, financial information, handouts, and any licensure related issues. This record series is used to determine the course of the board meetings.

RETENTION: Retain current in office. Destroy superseded or obsolete once the meeting minutes have been approved.

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BMT-9. BOARD MEMBER FILES:

16-012

This series is arranged alphabetically and contains information regarding individual Board members. Information may include: letters of appointment, terms, expiration dates, payroll information, rosters, and correspondence. This record series is maintained to document member appointments to the Board of Massage Therapy and any related information pertaining to each.

RETENTION: Retain 4 years after termination, then destroy.

BMT-10. BOARD OF MASSAGE THERAPY DATABASE RECORDS:

16-012

This computer licensure system is arranged numerically by license number and contains the actual license information for each licensee or certificate holder under the jurisdiction of the South Dakota Board of Massage Therapy. These records are stored on the Board's licensure computer system. Information may include: name, address, date of birth, social security number, license number, licensure status, education, exam information, continuing education information, and insurance information. This record series is maintained for verification and licensure purposes.

RETENTION: Retain 50 years after license expiration or inactivation, then delete.

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BMT-11. BUDGET FILES:

16-012

This series is arranged chronologically and may contain the information used to prepare the yearly budget request. Information may include: budget requests, operating budgets balance sheets, budget projections, projected salaries, dispersions, and other related information. This record series is used throughout the year in monitoring program activities and for preparing new budget requests.

RETENTION: Retain 4 years in office, then destroy.

BMT-12. COMPLAINT FILES:

16-012

This series contains all related correspondence received from either the general public or initiated by the Board of Massage Therapy concerning problems which have occurred with licensed or non-licensed massage therapists. Information may include: nature of the complaint, related correspondence, investigation of the allegation, conclusion of the investigation, National Practitioner Data Bank (NPDB) reports, and related materials. This record series is used by the Board to determine if a complaint is substantiated and if so, to take corrective action.

RETENTION: LICENSED: Retain until case closed, then transfer to the respective "Licensee File"

NON-LICENSED: Retain 50 years, then destroy.

UNLICENSED PRACTICE CEASE & DESIST: Retain 4 years in office, then scan paper and convert digital images to microfilm. Maintain digital images and microfilm for 46 years. Destroy digital images and microfilm after 50 years.

(Note: No complaint was found for these existing cease and desist files. This is a one-time microfilm request.)

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BMT-13. CONTINUING EDUCATION CREDIT AUDITS:

16-012

This series is arranged chronologically and contains random audits of continuing education credits received by massage therapists. Information may include: date of audit, name, findings of fact, and education verifications. This record series is used to verify that massage therapists received the education stated on their renewal applications.

RETENTION: Retain 4 years in office, then destroy.

BMT-14. CONTINUING EDUCATION PROGRAM RECORDS:

16-012

This series is arranged numerically by date, which is approved annually to offer continuing education courses in massage therapy. Information may include: school or seminar name, course information, sample of text or handouts, correspondence, course outline, names of participants, date, and credit given. This record series is used to certify qualified classes, and review course data.

RETENTION: Retain 4 years in office, then destroy.

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BMT-15. CONTRACTS, LEASES, AND AGREEMENTS:

16-012

This series may contain contracts, leases, and agreements between the Board of Massage Therapy and other parties. Information may include: terms and conditions of the contracts and agreements, effective dates, costs, and funding sources. This record series is maintained for reference and audit purposes.

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

(Note: SDCL 1-24A-1 requires consulting contracts be filed with the State Auditor.)

BMT-16. CORRESPONDENCE, GENERAL:

16-012

This series is arranged chronologically and contains both copies of letters and memorandums sent, and originals of letters and memorandums received. The information is used for occasional reference and documentation pertaining to regulatory questions.

RETENTION: Retain 1 year in office, then destroy.

BMT-17. DEPOSITS:

16-012

This series contains deposit slips submitted with receipts. Information may include: date, account number, an itemized list of who have paid license fees, receipt numbers, amounts, and total amount deposited. This record series is maintained for audit purposes to verify that all deposits were made.

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.

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BMT-18. ELECTRONIC COMMUNICATION RECORDS:

16-012

This series may contain e-mail messages, voicemail messages, recorded telephone conversations, instant messages, etc. created or received by employees of the agency.

RETENTION: Determine the record status of the message based on the content. If the message is an official record made or received pursuant to law or in connection with the transaction of official business, the retention period should be covered by an existing record series in the respective agency's retention manual. It is permissible to print record e-mails and file them with like paper records.

NON-RECORD MESSAGES: Retain until action has been taken, then destroy or delete.

BMT-19. EXPENSE FILES:

16-012

This series contains itemized listings of all expenses incurred by Board members. Information may include: name, dates, type of expenditures, amounts, and totals. This record series is used for support and documentation of vouchers submitted for payment.

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.

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BMT-20. FINANCIAL STATEMENTS:

16-012

Financial statements provide an overview of the agency's financial condition for a given year. Information may include: balance sheets, statement of revenues, expenditures, and changes in fund balances (budgeted and actual); statement of fixed assets; summary of significant accounting procedures; supplemental information and working papers. This record series is maintained for reference and audit purposes.

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.

BMT-21. JOB TICKETS, CENTRAL DUPLICATING:

16-012

This series is arranged numerically contains the printing requisition as submitted by the Board. Information may include: agency code, agency name, mailing address, submitted by, job description, date sent, date needed, number of pages, quantity of copies, printing specifications, and description. The information is used to ensure accurate completion of the request.

RETENTION: Retain 4 years in office, then destroy.

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BMT-22. LEGISLATION FILES:

16-012

This series is arranged chronologically and constitutes the Board's central file of all proposed legislation and legislation from previous years. Information may include: resource materials, bill tracking printouts, copies of House and Senate bills, preliminary bill drafts, and the final drafts of proposed legislation. This record series is used for bill drafting, submission, and tracking during the legislative session.

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

BMT-23. LICENSEE FILES:

16-012

This series is arranged numerically and documents personal data for active, inactive, and expired licensed massage therapists. Information may include: original applications, college grade transcripts, renewal applications, verification of most current continuing education units, verification of education, substantiated complaints, and proof of insurance. This record series is used to document the licensing and renewal processes of all massage therapists.

RETENTION: Retain in office 4 years after license expiration or 10 years after license inactivation, then scan paper and convert digital images to microfilm. Destroy images and microfilm after 50 years.

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BMT-24. LICENSEE LIST:

16-012

This series contains a list of grandfathered licensee, active licensees and temporary permit holders issued by the Board of Massage Therapy. Active licensees and temporary permit holders are available on the Board's website. Information may include: license number, first and last name, city, state, issue date, and expiration date. This record series is used reference and for licensure verification.

RETENTION: Retain information current. Destroy superseded or obsolete.

BMT-25. NEWSLETTER FILES:

16-012

This series contains newsletters published by the Board of Massage Therapy. Information may include: date, topics discussed, and informational materials. Newsletters are available on the Board's website.

RETENTION: Retain 5 years, then destroy.

(Note: File newsletters with the State Library pursuant to SDCL 14-1A and ARSD 24:30:07:06, and two copies with State Archives.)

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BMT-26. OPEN RECORDS REQUESTS:

16-012

This series contains open record requests received by agencies. Information may include: open records request, correspondence, denial letters, and supporting documentation. This series is maintained to document the outcome of requests and for reference purposes. Denial letters are maintained pursuant to SDCL 1-27-1.4.

RETENTION: DENIAL LETTERS: Retain permanently.

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

BMT-27. POLICIES AND POSITIONS:

16-012

This series is arranged by topic and contains the current policies and positions implemented by the Board. Information may include the Board's position or interpretation on issues and policies, and date of implementation or adoption. This record series is used to determine the proper course of action to take in certain situations.

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

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BMT-28. MINUTES, BOARD OF MASSAGE THERAPY:

16-012

This series is arranged chronologically and contains the official minutes of the Board meetings. Information may include: dates of meetings, members present, topics discussed, actions taken, and the signature of the secretary. This record series is used for occasional reference and documentation purposes.

RETENTION: Retain 4 years in office, then scan paper and convert digital images to microfilm. Maintain images and microfilm permanently.

BMT-29. RECEIPTS:

16-012

This series contains receipts used to documents the receipt of money. Information may include: date money was received, amount received, funds and accounts to be credited, the amount to be credited, and signature of the person receiving the money. This record series is maintained for audit purposes.

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.

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

DEPARTMENT: Health
DIVISION: Boards
OFFICE: Massage Therapy
PROGRAM: _____
RECORDS OFFICER: Kari Williams
RM CUSTOMER #: 0003

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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BMT-30. RECORDS MANAGEMENT FILES:

16-012

This series contains records management information. Information may include: copies of the standard records transfer receipt forms, Records Retention and Destruction Schedule (RRDS), copies of microfilm project registration forms, inventory listings, and microfilm and box destruction authorization forms. This record series is maintained for tracking records sent to Records Management storage, to document the time each record series must be legally maintained, and to document authorization granted to RM for destruction of obsolete records.

RETENTION: DESTRUCTION AUTHORIZATION FORMS:

Retain 4 years in office, then destroy.

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

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

DEPARTMENT: Health
DIVISION: Boards
OFFICE: Massage Therapy
PROGRAM: _____
RECORDS OFFICER: Kari Williams
RM CUSTOMER #: 0003

**RECORD
SERIES NO.**

TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE

**R.D.B.
AUTHORITY
NUMBER**

BMT-31. SOUTH DAKOTA FINANCIAL SYSTEM REPORTS:

16-012

These daily, weekly, monthly**, and year-end ** reports are used to monitor and reconcile fiscal year receipts and expenditures. Information is maintained by the Finance Officer and may include: revenue and journal voucher reports*, open purchase order reports, available funds reports*, revenue analysis reports, state general ledger trail balance*, company general ledger trial balance*, expenditure reports*, bank reconciliation reports*, employee receivable reports*, warrant register reports*, encumbrance detail reports*, accounts payable reports*, projects reports*, cash center reports*, object/sub-object reports*, budget adjustments reports, Special Bureau of Administration revenue reports, agency funds activity reports*, company 8,000 trail balance by center*, encumbrance balance report*, and special travel expenditure reports. This record series is maintained for audit purposes.

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: the asterisk (*) indicates reports maintained permanently by the Bureau of Finance and Management. (**) Many of the June monthly reports serve as the year-end reports.)

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

DEPARTMENT: Health
DIVISION: Boards
OFFICE: Massage Therapy
PROGRAM: _____
RECORDS OFFICER: Kari Williams
RM CUSTOMER #: 0003

RECORD **R.D.B.**
SERIES NO. **TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE** **AUTHORITY**
NUMBER

BMT-32. SURPLUS PROPERTY FILES:

16-012

This series contains the form submitted to the director of South Dakota Property Management for approval to dispose of State-owned personal property and the written notification received from Property Management designating the manner of disposal. Information may include: agency name; date; address or location of property; phone number; name of individual requesting; Property Management Officer's name; description of item(s); quantity; serial number; equipment number; desired method of disposal as authorized; reason for declaring property as surplus; estimate of current value; suggested selling price; minimum acceptable price; statement of content; fixed asset number, if applicable; and any other information deemed necessary. This record series is maintained pursuant to SDCL 5-24A.

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.

BMT-33. TEMPORARY PERMIT FILES:

16-012

This series contains requests for temporary permit applications for individuals to become temporarily licensed as a massage therapist. Information may include: name of facility, facility's address and phone number, name of individual authorized to request the permit, position of authorized person, name of applicant, applicant's address and phone number, date of birth, social security number, license number, licensure status, education, exam information, continuing education information, insurance information, and authorized signatures. This record series is maintained for reference purposes.

RETENTION: Retain 50 years in office following the date of expiration, then destroy.

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

DEPARTMENT: Health
DIVISION: Boards
OFFICE: Massage Therapy
PROGRAM: _____
RECORDS OFFICER: Kari Williams
RM CUSTOMER #: 0003

RECORD
SERIES NO. TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE

R.D.B.
AUTHORITY
NUMBER

BMT-34. VOUCHERS:

16-012

This series may contain copies of direct vouchers, receiving vouchers, non-cash vouchers, travel vouchers, and journal vouchers, along with copies of any supporting invoices or receipts. Vouchers are used to enter transactions on the central accounting system.

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.