



BOARD OF
MEDICAL AND OSTEOPATHIC
EXAMINERS

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**

PMB 01234

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MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer
State Records Manager

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

DATE: December 16, 2011

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 and supporting documents; warrants; personnel and payroll records; client/case files; capital asset inventories; cash receipts; and duplicate copies of state publications.

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, Doneen Hollingsworth (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 Medical & Osteopathic Examiners (department) consists of 8 pages and contains record series number(s) MOE-1 (consecutively re-numbered) through MOE-10.

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 Medical & Osteopathic Examiners (department) record series numbers(s) MOE-3, MOE-5, MOE-7, MOE-8, MOE-10, MOE-11, MOE-12, MOE-15, and MOE-16.

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.

 11/28/11
Doneen Hollingsworth, Secretary of the Department of Health Date

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

 12-7-2011
Dana Hoffer, State Records Manager Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 15th day of December, 2011, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage

 12-15-11
Signature, Chairman of the Board Date

TABLE OF CONTENTS

Board of Medical & Osteopathic Examiners:

MOE-1. ADMINISTRATIVE REFERENCE FILES:	1
MOE-2. ADMINISTRATIVE RULE PROMULGATION FILES:	2
MOE-3. APPLICATION (PENDING) FILES:	3
MOE-4. COMPLAINT/INVESTIGATION FILES:	4
MOE-5. FINANCIAL RECORDS:	5
MOE-6. LICENSE FILES:.....	6
MOE-7. MINUTES, BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS:	7
MOE-8. SUPERVISORY WORKING FILES:.....	7
MOE-9. SURPLUS PROPERTY FILES:.....	8
MOE-10. VOUCHERS:	8

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

DEPARTMENT: Health
DIVISION: Boards
OFFICE: Medical & Osteopathic Exam.
PROGRAM: _____
RECORDS OFFICER: Kari Williams
RM CUSTOMER #: 1193

RECORD SERIES NO.	TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE	R.D.B. AUTHORITY NUMBER
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MOE-1. ADMINISTRATIVE REFERENCE FILES:

11-003

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, general correspondence, property management information; monthly reports; research materials; policies and procedures; reference manuals; logs; rules and regulations; mailing lists; "no jurisdiction" complaints and correspondence; and other related information. This record series is maintained for reference purposes.

RETENTION: 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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SERIES NO.**

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

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

MOE-2. ADMINISTRATIVE RULE PROMULGATION FILES:

11-003

This series is arranged chronologically and contains administrative rule promulgation files. Information may include: notices of public hearings, affidavits of publication of notices, written comments from the public, transcripts from the 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 record must be maintained at least until a curative statute has been adopted by the Legislature similar to SDCL1-26A-2, which cures all defects in the adoption of the rules appearing in the 1974 printed ARSD.)

(Consider maintaining on microfilm instead of paper and destroying the paper after the microfilm has been inspected and verified to meet quality standards.)

(Note: Previous record series number was MD-1.)

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

MOE-3. APPLICATION (PENDING) FILES:

11-003

This series is arranged alphabetically and contains applications which are pending Board of Medical and Osteopathic action. This series may include applications and related materials for occupations regulated by the Board of Medical and Osteopathic Examiners. Information may include: name, address, fee, birth date and place, sex, citizenship, method of licensure, experience, training, other state or national licenses held, personal data, affidavit of truth of answers, other state or national certifications, flex scores, letters of recommendations, personal physical description, and photographs. This record series is maintained to document application work in progress pending Board action, and for audit purposes. Once the license process has been completed these applications are transferred to their respective "License Files" files.

RETENTION: Retain active in office. Destroy inactive 120 days after last activity.

(Note: Previous record series number was MD-3.)

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<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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MOE-4. COMPLAINT/INVESTIGATION FILES:

11-003

This series is arranged alphabetically by licensee/respondant and contains all related correspondence received from either the general public or initiated by the Board of Medical and Osteopathic Examiners concerning problems which have occurred with any person licensed by the Board. Information may include: nature of complaint, signature of party filing the complaint, related correspondence, investigation of the allegation, conclusion of the investigation, 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: UNSUBSTANTIATED: Transfer to respective "Licensee File".

SUBSTANTIATED: Retain 7 years after death of licensee or 50 years after denial or expiration of license.

(Note: Previous record series number was MD-9.)

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MOE-5. FINANCIAL RECORDS:

11-003

This series is arranged chronologically and contains bank statements cash receipt transmittals, and receipts. Information may include: date of statements, actual cancelled checks, deposit records, bank balances, agency name and code, agency receipt number, date, fund, sub-fund, revenue source, description, amount, date issued, received, address, form of payment, purpose, and received by signature. This record series is used to reconcile checking accounts with bank balances, for reference, documentation, to document payments received and deposited with the State Treasury, to document all receipts of money, and for audit purposes.

RETENTION: 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.

(Note: Previous record series number was MD-6.)

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MOE-6. LICENSE FILES:

11-003

This series is arranged alphabetically and contains personal data for individuals licensed by the Board of Medical and Osteopathic Examiners. Information may include: original applications, examination information, correspondence, fees paid, receipts, college grade transcripts, renewal applications, renewal dates, verification of experience, reciprocity information, letters of reference, copies of employment, contracts, corporation documentation (where applicable). The record series serves as the central file used to document the licensing and renewal processes.

RETENTION: Retain active in office. Destroy inactive 10 years after expiration of last valid license provided all litigation and claims involving the records have been resolved.

(Note: Subject to Archival screening prior to disposal.)

(Note: Previous record series number was MD-15.)

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MOE-7. MINUTES, BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS:

11-003

This series is arranged chronologically and contains the official minutes of the Board meetings. Information may include: copies of agendas, dates of meetings, members present, topics discussed, actions taken, approving signatures, copies of budget reports, application records, and investigation reports. This record series is used for occasional reference and documentation purposes.

RETENTION: Retain 5 years in office, then microfilm and maintain film permanently.

(Note: Previous record series number was MD-16.)

MOE-8. SUPERVISORY WORKING FILES:

11-003

This series is most often arranged alphabetically by name and contains current information used in supervision of employees in the agency. Information may include: copies of applications for employment, letters of reprimand and commendation, Personnel Performance Appraisal Report's, meeting notes, training records, and other information relating to the day-to-day supervision of employees. This record series is maintained for reference purposes and for review during the employee evaluation process.

RETENTION: SUPERVISOR: At your discretion, retain current in office. Destroy superseded or obsolete or no longer working with the Board.

(Note: Originals are maintained by the Bureau of Personnel.)

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MOE-9. SURPLUS PROPERTY FILES:

11-003

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 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.

MOE-10. VOUCHERS:

11-003

This series is arranged chronologically and may contain copies of travel, non-cash, direct, receiving, and journal vouchers. Each voucher may include: nature of expense, amount, fund expended from, date, who the funds went to, or what account they were transferred to, and authorized signatures. This record series is used for reference to determine quantities and descriptions of supplies and services ordered, for vendor information, and audit purposes.

RETENTION: 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.

(Note: Previous record series number was MD-20.)