



DIVISION  
OF  
COMMUNITY BEHAVIORAL  
HEALTH SERVICES

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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Pierre, SD 57501-5070  
Phone: (605) 773-3589

## MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer  
State Records Manager

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

DATE: December 23, 2015

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; duplicate copies of state publications; 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

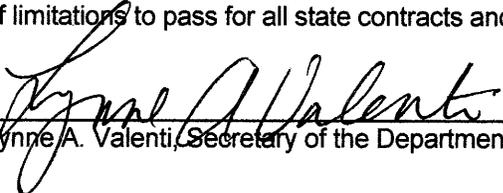
I, Lynne A. Valenti (name), acting in my position as Secretary of the Department of Social Services (title), requests that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Division of Community Behavioral Health Services (department) consists of 9 pages and contains record series number(s) CBH-1 (consecutively re-numbered) through CBH-13.

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 Division of Community Behavioral Health Services (department) record series numbers(s) DHS-12, DHS-14, DHS-15, DHS-41, and DHS-43.

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.

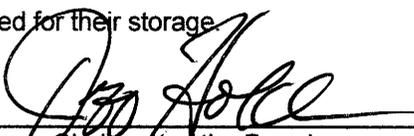
  
\_\_\_\_\_  
Dana Hoffer, State Records Manager

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: Social Services  
DIVISION: Community Behavioral Health  
OFFICE: Alcohol and Drug Abuse  
PROGRAM: \_\_\_\_\_  
RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0535

<u>RECORD</u>		<u>R.D.B.</u>
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

**This manual was created as a result of Executive Reorganization Order No. 2011-01, The Division of Alcohol and Drug Abuse and the Division of Mental Health under the Department of Human Services was transferred to the Department of Social Services effective April 12, 2011.**

**CBH-1. BEHAVIORAL HEALTH ADVISORY COUNCIL:**

**15-013**

This series is arranged chronologically and contains information related to the Behavioral Health Advisory Council. Information may include: correspondence, minutes of the meetings, agendas, record of public testimony, and other information relating to Council activities. This record series is maintained pursuant to CFR 200.333.

**RETENTION:** Retain 3 years in office from the date of submission and approval of the final expenditure report, then transfer to storage for 3 years. Destroy after 6 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Records are subject to screening by the State Archivist prior to disposal.)

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DEPARTMENT: Social Services  
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OFFICE: Alcohol and Drug Abuse  
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RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0535

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

**CBH-2. BEVHAVIORAL HEALTH FACILITIES DIRECTORIES:**

**15-013**

This internal directory is arranged by location, then alphabetically by agency name and contains a list of all facilities currently accredited by the Division of Behavioral Health. Information may include: agency name, address, telephone number, key personnel, areas served, levels, and date of accreditation. This internal record series is maintained for Division staff as a quick reference to accredited and approved community mental health centers, chemical dependency treatment, and prevention facilities in South Dakota.

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

(Note: Update the master list as needed, at least quarterly.)

(Note: The directory will be distributed to Division staff for internal use only. Shorter agency lists will be made available on the Division's website.)

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DEPARTMENT: Social Services  
DIVISION: Community Behavioral Health  
OFFICE: Alcohol and Drug Abuse  
PROGRAM: \_\_\_\_\_  
RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0535

<b>RECORD</b>		<b>R.D.B.</b>
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**CBH-3. INMATE FILES:**

**15-013**

This series is arranged numerically by inmate number and contains client case record for each inmate. Information may include: MIS report form as directed by the Division Director; identification data, reports from referring sources; results of the client's initial assessment and planning, or the client's treatment needs assessment; the date of client's orientation; updated treatment plans and treatment reviews; progress notes; family evaluation as part of the client's initial assessment or need; assessments; relevant correspondence; signed forms consenting release of information; referrals for service to other providers; reasons for referral; and a transfer or discharge summary. This record series is maintained for reference purposes.

**RETENTION:** Retain 6 years, then destroy in a confidential manner.

(Note: Inmate Files are maintained at the Herm Solem Public Safety Center and Jamison Annex.)

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DEPARTMENT: Social Services  
DIVISION: Community Behavioral Health  
OFFICE: Alcohol and Drug Abuse  
PROGRAM: \_\_\_\_\_  
RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0535

<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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**CBH-4. INPATIENT CHEMICAL DEPENDENCY TREATMENT & INDIVIDUAL FAMILY SERVICE REFERRALS:**

**15-013**

This series is arranged alphabetically by agency and contains forms used to allow indigent clients to receive in-patient treatment at alcohol and drug abuse facilities. Information may include: client initials, county of residence, birth date, gender, marital status, household number, treatment facility, background information regarding illness, and approval or denial information. This record series is maintained to document approval or denial of state funding expenditures.

**RETENTION:** Retain 1 year in office, then transfer to storage for 5 years. Destroy after 6 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

**CBH-5. TOBACCO INSPECTION REPORTS:**

**15-013**

This series is arranged chronologically by month/year and contains information about South Dakota tobacco sales to minors report conducted under the supervision of the State's Attorney. Information may include: sex, estimated age, skin color, height, weight, eye color, hair color, clothing of store clerk, store owner's name, address, type of convenience store, time of actual purchase attempt, purchase attempt, brand of tobacco, date, county, inspector's name and youth's initials. This record series is maintained for reference concerning actions taken. Federal funding through the Substance Abuse Prevention and Treatment Block grant requires this activity to be performed and recorded.

**RETENTION:** Retain 1 year in office, then transfer to storage for 5 years. Destroy after 6 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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DEPARTMENT: Social Services  
DIVISION: Community Behavioral Health  
OFFICE: Mental Health  
PROGRAM: \_\_\_\_\_  
RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0219

<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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**CBH-6. ACCREDITED BEHAVIORAL HEALTH AGENCY FILES:**

**15-013**

This series is arranged alphabetically by facility, then chronologically and contains information regarding accreditation of the alcohol and drug treatment facilities and the community mental health centers (CMHC) in South Dakota. Information may include: agency name, general correspondence, application for new and renewal accreditation, accreditation review reports and reviewing forms, plans of correction, copies of accreditation certificates, related Department of Health inspection reports and plans of correction, independent peer review reports, fiscal audit reports, and complaint/investigation documentation. This record series is maintained for reference concerning current accreditation status, and state and federal funding received by each alcohol and drug facility, and CMHC.

**RETENTION:** Retain 4 years in office, then transfer to storage for 2 years. Destroy after 6 years all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(NOTE: Previous record series number was HS-88.)

**CBH-7. ASSERTIVE COMMUNITY TREATMENT FILES:**

**15-013**

This series is arranged alphabetically by consumer and contains information used to determine eligibility for an assertive community treatment program. Information may include: application for eligibility, name of client, social history, current treatment plans, and correspondence relating to the individual. This record series is maintained to determine eligibility and for possible administrative hearing action.

**RETENTION:** Retain 1 year in office, then transfer to storage for 5 years. Destroy after 6 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0219

<b>RECORD</b>		<b>R.D.B.</b>
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**CBH-8. BEHAVIORAL UTILIZATION REVIEW FILES:**

**15-013**

This series is arranged alphabetically by employee's name, and contains information regarding the admissions of state employees and/or their dependents to psychiatric hospitals. Information may include: patient's name, behavioral utilization review forms, and psychiatric evaluations. This record series is maintained to determine eligibility.

**RETENTION:** Retain in office for 5 years, then destroy.

**CBH-9. FINANCIAL ELIGIBILITY/HARDSHIP CONSIDERATION DETERMINATIONS:**

**15-013**

This series is arranged alphabetically by community mental health center and contains information regarding eligibility for consumers seeking mental health services and/or chemical dependency treatment from of the eleven community mental health centers. Information may include: consumer's name, Client Identification (CID) number, income, family size, family expense, and documentation. This record series is maintained to determine eligibility.

**RETENTION:** Retain 2 years in office, transfer to storage for 4 years. Destroy after 6 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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DEPARTMENT: Social Services  
DIVISION: Community Behavioral Health  
OFFICE: Mental Health  
PROGRAM: \_\_\_\_\_  
RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0219

<b>RECORD</b>		<b>R.D.B.</b>
<b><u>SERIES NO.</u></b>	<b><u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u></b>	<b><u>AUTHORITY</u></b>
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**CBH-10. PATH FILES:**

**15-013**

This series is arranged alphabetically by agency name and contains information regarding the annual PATH grant applications. Information may include: RFA application and information, yearly applications, intended use plans, quarterly fiscal reports, Tables A-D, state annual reports, and community mental health center reports. This record series is maintained for reference concerning the type of federal funding received by each community mental health center.

**RETENTION:** Retain 3 years in office, then transfer to storage for 3 years. Destroy after 6 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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OFFICE: Mental Health  
PROGRAM: \_\_\_\_\_  
RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0219

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**CBH-11. PASRR CONSUMER FILES:**

**15-013**

This series is arranged alphabetically by name of consumer and contains information regarding PASRR information used to document the need to provide or continue nursing home services and specialized mental health services. Information may include: name of client, placement data, discharge/termination summaries, medical history, psychological information, and miscellaneous correspondence relating to the individual. This record series is maintained to ensure compliance with federal regulation CFR 42 part 433.32 and public laws PL 100-203 and PL 101-508.

**RETENTION:** Retain current in office. Destroy 4 years after inactive provided all litigation, claims, or audit findings involving the records have been resolved and final action taken.

**CBH-12. QUALIFIED MENTAL HEALTH PROFESSIONAL:**

**15-013**

This series is arranged alphabetically by applicant's name and licensure and contains documentation used to determine eligibility for endorsement of a qualified mental health professional (QMHP). Information may include: application requirements as outlined in 46:20:33, copy of exam, and copy of QMHP certificates. This record series is maintained to determine initial and continued eligibility for approval of QMHP endorsements.

**RETENTION:** Retain current in office. Transfer expired eligibility for endorsement to storage for 6 years. Destroy 6 years after expiration date of endorsement provided all litigation, claims, or audit findings involving the records have been resolved and final action taken.

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DEPARTMENT: Social Services  
DIVISION: Community Behavioral Health  
OFFICE: Mental Health  
PROGRAM: Indigent Medication  
RECORDS OFFICER: Olivia Waggoner  
RM CUSTOMER #: 0219

<b>RECORD</b>		<b>R.D.B.</b>
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**CBH-13. INDIGENT MEDICATION PROGRAM FILES:**

**15-013**

This series is arranged alphabetically by last name of consumer and contains information to determine eligibility for medication assistance. Information may include: name of consumer, Social Security number, date of birth, psychiatric diagnosis, financial information, prescribed medications, related lab tests, and miscellaneous correspondence relating to the medication needs of the individual. This record series is maintained for reference concerning the financial assistance for psychiatric medication.

**RETENTION:** Retain closed files 1 year in office, then transfer to storage for 5 years. Destroy 6 years after closed provided all litigation, claims, and audit findings involving the records have been resolved and final action taken.